

LEGISLATIVE COUNCIL

Thursday 20 November 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.

Announcements

PARLIAMENTARY INQUIRY WITNESSES

The PRESIDENT (10:02): On 14 October 2025 I informed the House that the chief of staff to the Premier, Mr James Cullen, had initiated proceedings in the New South Wales Court of Appeal against me as President of the Legislative Council in relation to the operation of the Parliamentary Evidence Act 1901. I also informed the House that Mr Brett Walker, SC, barrister Mr Thomas Wood and a legal team from Corrs Chambers Westgarth had been engaged to defend the House in this matter. I am now in a position to provide the House with an update.

On 17 October 2025 the matter went before the President of the Court of Appeal, Justice Julie Ward, for directions. Justice Ward directed as follows: that the two sides come to an agreed statement of facts, which has now been done; that the applicant file their written submission by Wednesday 12 November 2025, which was Wednesday of last week and which has also now occurred; that, as defendant, I file my written submission by Tuesday next week, being Tuesday 25 November 2025; and that the matter be heard before a full bench of the Court of Appeal on Tuesday 9 December 2025. I also inform the House that the Attorney General has intervened in the proceedings, and the Speaker has also sought leave to intervene. In addition to the scheduled hearing on Tuesday 9 December 2025, the Speaker's legal team is seeking agreement for the proceedings to continue on Wednesday 10 December 2025, if necessary. As before, I assure the House that this matter is being fully and vigorously defended.

PARLIAMENT SMOKE AND CIGARETTE FREE POLICY

The PRESIDENT (10:04): I inform the House that the Parliament's *Smoke and Cigarette Free Parliament House Policy* has been updated, ensuring full compliance with the Smoke-free Environment Act 2000. A copy of the updated policy, which will be formally implemented from January 2026, will be distributed via email today.

Visitors

VISITORS

The PRESIDENT: I welcome and acknowledge Pastor Bob Cotton and Elder Luke Smith from the Maitland Christian Church, who are present in the gallery as guests of Ms Sue Higginson. You are very welcome.

Announcements

PETA WALLER-BRYANT

The PRESIDENT (10:04): I inform the House that from tomorrow, Peta Waller-Bryant, the director of Government business, will be taking parental leave in anticipation of the birth of her first child. We wish Peta and her partner, Dale, all the very best during this exciting time and thank her for her hard work throughout the year. Jess Simpson will be acting in the role while Peta is on leave, and we wish her all the best.

Budget

BUDGET ESTIMATES 2025-2026 TIMETABLE

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:05): I move:

- (1) That, further to the resolution of the House of 26 June 2025 referring budget estimates 2025-2026 to the portfolio committees for inquiry and report, and the resolution of the House of 21 October 2025 adopting the 2026 sitting calendar, the 2025-2026 additional budget estimates hearings be scheduled as follows:

Day One: Tuesday 24 February 2026

PC 7	Climate Change, Energy, the Environment, Heritage
PC 8	Customer Service and Digital Government, Emergency Services, Youth Justice
Day Two:	Wednesday 25 February 2026
PC 1	Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, Medical Research, the Central Coast
PC 3	Skills, TAFE and Tertiary Education
Day Three:	Thursday 26 February 2026
PC 7	Planning and Public Spaces
PC 8	Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections
Day Four:	Friday 27 February 2026
PC 8	Small Business, Recovery, the North Coast
PC 5	Police and Counter-terrorism, the Hunter
Day Five:	Monday 2 March 2026
PC 2	Health, Regional Health, the Illawarra and the South Coast
PC 5	Women, Seniors, the Prevention of Domestic Violence and Sexual Assault
Day Six:	Tuesday 3 March 2026
PC 5	Families and Communities, Disability Inclusion
PC 1	The Legislature
Day Seven:	Wednesday 4 March 2026
PC 1	Treasurer
PC 2	Water, Housing, Homelessness, Mental Health, Youth
Day Eight:	Thursday 5 March 2026
PC 1	Premier
PC 4	Lands and Property, Multiculturalism, Sport, Jobs and Tourism
Day Nine:	Friday 6 March 2026
PC 8	Local Government
PC 6	Special Minister of State, Transport, the Arts, Music and the Night-time Economy
Day Ten:	Monday 9 March 2026
PC 1	Finance, Domestic Manufacturing and Government Procurement, Natural Resources
PC 4	Agriculture, Regional New South Wales, Western New South Wales
Day Eleven:	Tuesday 10 March 2026
PC 6	Roads, Regional Transport
PC 1	Industrial Relations, Work Health and Safety
Day Twelve:	Wednesday 11 March 2026
PC 5	Attorney General
PC 3	Education and Early Learning, Western Sydney

- (2) That for the purposes of the 2025-2026 additional budget estimates hearings:
- (a) each portfolio, except The Legislature, be examined concurrently by Opposition and crossbench members only from 9.15 a.m. to 10.45 a.m., and from 11.15 a.m. to 12.45 p.m., then from 2.00 p.m. to 3.30 p.m. and from 3.45 p.m. to 5.15 p.m., with 15 minutes reserved for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m.; and
 - (b) the portfolio of The Legislature be examined by Opposition, crossbench and Government members from 9.15 a.m. to 11.00 a.m., and from 11.15 a.m. to 1.00 p.m.
- (3) That, unless the committee decides otherwise:
- (a) the sequence of questions to be asked at the hearings for the following portfolios alternate between Opposition and crossbench members, in that order, with equal time allocated to each:
 - (i) Climate Change, Energy, the Environment, Heritage;
 - (ii) Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, Medical Research, the Central Coast;
 - (iii) Planning and Public Spaces;
 - (iv) Small Business, Recovery, the North Coast;
 - (v) Health, Regional Health, the Illawarra and the South Coast;
 - (vi) Families and Communities, Disability Inclusion;
 - (vii) Treasurer;
 - (viii) Premier;
 - (ix) Local Government;
 - (x) Finance, Domestic Manufacturing and Government Procurement, Natural Resources;
 - (xi) Roads, Regional Transport; and
 - (xii) Attorney General.

- (b) the sequence of questions to be asked at the hearings for the following portfolios alternate between crossbench and Opposition members, in that order, with equal time allocated to each:
 - (i) Customer Service and Digital Government, Emergency Services, Youth Justice;
 - (ii) Skills, TAFE and Tertiary Education;
 - (iii) Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections;
 - (iv) Police and Counter-terrorism, the Hunter;
 - (v) Women, Seniors, the Prevention of Domestic Violence and Sexual Assault;
 - (vi) The Legislature;
 - (vii) Water, Housing, Homelessness, Mental Health, Youth;
 - (viii) Lands and Property, Multiculturalism, Sport, Jobs and Tourism;
 - (ix) Special Minister of State, Transport, the Arts, Music and the Night-time Economy;
 - (x) Agriculture, Regional New South Wales, Western New South Wales;
 - (xi) Industrial Relations, Work Health and Safety; and
 - (xii) Education and Early Learning, Western Sydney.
- (4) That for the purposes of the 2025-2026 additional budget estimates hearings:
 - (a) the committees must hear evidence in public;
 - (b) the committees may ask for explanations from Ministers, Parliamentary Secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure;
 - (c) Ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session;
 - (d) witnesses, including Ministers, may not make an opening statement before a committee commences questions;
 - (e) members may lodge supplementary questions with the committee clerk by 5.00 p.m. within two business days following the receipt of the hearing transcript; and
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
- (5) That, notwithstanding anything to the contrary in the standing orders, a meeting is not required to be convened for a budget estimates draft report to be considered, and instead, the committees may consider and agree to reports by email, unless at least three members call for a meeting to adopt such reports.

Motion agreed to.

Motions

SOCIETY OF LABOR LAWYERS ANNUAL DINNER

The Hon. CAMERON MURPHY (10:06): I seek leave to amend private members' business item No. 2706 for today of which I have given notice by in paragraph (3) omitting "commends" and inserting instead "notes", and by omitting "for their".

Leave granted.

The Hon. CAMERON MURPHY: Accordingly, I move:

- (1) That this House notes that the NSW Society of Labor Lawyers held its annual dinner on Wednesday 12 November 2025.
- (2) That this House notes that the dinner was well attended, and heard speeches from the Hon. Michelle Rowland, MP, Commonwealth Attorney-General; and the Hon. Michael Daley, MP, New South Wales Attorney General.
- (3) That this House notes the NSW Society of Labor Lawyers' advocacy on a number of important issues, including the establishment of a human rights Act in New South Wales.

Motion agreed to.

WORLD CHRONIC OBSTRUCTIVE PULMONARY DISEASE DAY

Dr AMANDA COHN (10:06): I move:

That this House notes that:

- (a) 19 November 2025 is World Chronic Obstructive Pulmonary Disease Day, which raises awareness around COPD and highlights the importance of lung health;
- (b) symptoms of COPD include shortness of breath, recurrent cough, increased phlegm, feeling tired, and frequent and prolonged chest infections;

- (c) according to Lung Foundation Australia, 176,900 individuals in New South Wales live with COPD, which includes conditions like emphysema and chronic bronchitis;
- (d) Indigenous Australians are 2.2 times more likely to report COPD than non-Indigenous Australians; and
- (e) COPD cannot be cured, but is highly preventable and manageable with regular medication, exercise, quitting smoking, preventing infection through vaccination, and an action plan for flare-ups.

Motion agreed to.

SEAMLESS CIRCULAR CLOTHING TEXTILES FUND

The Hon. Dr SARAH KAINE (10:07): I move:

- (1) That this House notes that:
 - (a) as part of the Seamless Circular Clothing Textiles Fund, seven practical projects are being rolled out across Australia to collect, sort, process and recycle clothes that we no longer wear;
 - (b) one of these projects is the Clothing to Construction initiative delivered by ResourceCo, in partnership with Salvos Stores, Shred-X, the Sussan Group and Pellenc ST, and this project aims to establish a circular value chain for textile waste by transforming unwearable clothing into commercial building insulation using mechanical recycling; and
 - (c) on Monday 27 October 2025, the Hon. Dr Sarah Kaine and Sally Quinnell, MP, member for Camden, visited the Pellenc ST site in Gregory Hills to meet with the Clothing to Construction initiative partners and see a demonstration of the optical sorting system and machine that will be used in the project.
- (2) That this House recognises the importance of innovative projects such as the Clothing to Construction initiative to find practical and sustainable ways to re-use our clothing and textiles so they do not end up in landfill.

Motion agreed to.

VINNIES AND SEAMLESS SHOWCASE

The Hon. Dr SARAH KAINE (10:07): I move:

- (1) That this House notes:
 - (a) on Monday 20 October 2025, the Parliamentary Friends of Sustainable Fashion in collaboration with the St Vincent de Paul Society (Vinnies) NSW and Seamless hosted a Behind the Scenes Tours and Showcase at the Vinnies Stanmore site;
 - (b) the event included a tour of the operations of Vinnies Finds, a dedicated online fashion platform for items donated to Vinnies, with new items uploaded daily; and
 - (c) presentations from Seamless partners on ways in which their organisations are driving innovation and sustainability in the fashion and textiles sector, including:
 - (i) APG and Co (Sportscraft, SABA and JAG);
 - (ii) Baby Todd and Co; and
 - (iii) R. M. Williams.
- (2) That this House recognises the innovation of the Vinnies Finds program and its contribution to both clothing sustainability and community impact, with each item donated and sold supporting Vinnies' mission to assist over 200,000 people experiencing disadvantage across New South Wales every year, while also reducing textile waste and extending the life of garments.

Motion agreed to.

INTERNATIONAL DAY OF RADIOLOGY

The Hon. MARK BUTTIGIEG (10:07): I move:

- (1) This House notes that:
 - (a) on 8 November 2025 the Health Services Union [HSU] NSW/ACT/QLD branch celebrated the International Day of Radiology;
 - (b) the HSU used the day to recognise its members working in radiology, acknowledging the crucial care and compassion that these dedicated professionals provide every day, which makes a very real and massive impact on treating illnesses; and
 - (c) the HSU has celebrated their members every year, most notably for their service on the front lines during the pandemic.
- (2) This House congratulates:
 - (a) all HSU radiology members, who continue to deliver such essential support in New South Wales and across Australia; and

- (b) Gerard Hayes, secretary of the HSU NSW/ACT/QLD branch, and all HSU members on continuing to support our health workers in New South Wales.

Motion agreed to.

VIETNAMESE REFUGEE SETTLEMENT FIFTIETH ANNIVERSARY

The Hon. MARK BUTTIGIEG (10:08): I move:

- (1) This House notes that:
- (a) on 6 November 2025, the Hon. Mark Buttigieg attended and spoke at an event commemorating the fiftieth anniversary of Vietnamese refugee settlement in Australia, representing the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;
 - (b) the event was also attended by:
 - (i) the Minister for Industrial Relations, and Minister for Work Health and Safety, the Hon. Sophie Cotsis, MP;
 - (ii) Queensland member for Inala Margie Nightingale;
 - (iii) Mayor of Canterbury-Bankstown, Bilal El-Hayek;
 - (iv) Canterbury-Bankstown councillor Rachelle Harika; and
 - (v) CEO of Viet TV Australia Ms Truong Ngoc Linh.
 - (c) the event was held by Viet TV Australia, a Sydney-based Vietnamese television network that has proudly served Vietnamese Australian communities nationwide for 15 years; and
 - (d) the event was sponsored by Cabra Vale Diggers Bowling Club, who have been and continue to be long-time supporters of the Vietnamese community.
- (2) That this House congratulates:
- (a) Viet TV Australia and CEO Ms Truong Ngoc Linh on organising an excellent event which showcased the outstanding contributions of the Vietnamese Australian community to New South Wales; and
 - (b) the Australian-Vietnamese Youth Orchestra and 2022 Grammy Award winner Teresa Mai on their wonderful performances.
- (3) That this House further notes that:
- (a) New South Wales is a wonderfully multicultural place and Vietnamese immigration, particularly from 1975 onwards, has made a massive contribution to this multicultural diversity; and
 - (b) the chance to celebrate multiculturalism is extremely important, especially in times where the world can feel divided.

Motion agreed to.

AUSTRALIAN CHINESE CHARITY FOUNDATION

The Hon. MARK BUTTIGIEG (10:08): I move:

- (1) This House notes that:
- (a) on the 25 October 2025 the Hon. Mark Buttigieg attended the Australian Chinese Charity Foundation [ACCF] thirty-fifth anniversary charity gala ball, representing the Premier, the Hon. Chris Minns, MP; and
 - (b) the event was also attended by Federal member for Reid Sally Sitou, MP, and the Hon. Mark Speakman, MP.
- (2) That this House further notes that:
- (a) the ACCF was formed in 1990 with the goal of helping Australians and fostering multiculturalism nationwide, facilitating connection and understanding between the Australian Chinese community and the wider Australian community; and
 - (b) the event was a wonderful display of the contributions of Chinese Australians to New South Wales.
- (3) That this House congratulates the ACCF on such a successful event that celebrated the huge contributions of Chinese Australians to multicultural New South Wales.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. PENNY SHARPE: I table the following papers:

- (1) Aboriginal Land Rights Act 1983 and Government Sector Finance Act 2018—Report of New South Wales Aboriginal Land Council for year ended 30 June 2025.

- (2) Aboriginal Languages Act 2017 and Government Sector Finance Act 2018—Report of Aboriginal Languages Trust entitled *Aboriginal Languages Trust Annual Report and Annual Review of the Implementation of The Strategic Plan: 1 July 2024 – 30 June 2025*.
- (3) Anti-Discrimination Act 1977—Report of the Anti-Discrimination Board of New South Wales for year ended 30 June 2025.
- (4) Cancer Institute (NSW) Act 2003—Report of Cancer Institute (NSW) for year ended 30 June 2025.
- (5) Casino Control Act 1992 and Government Sector Finance Act 2018—Report of NSW Independent Casino Commission for year ended 30 June 2025.
- (6) Crime Commission Act 2012 and Government Sector Finance Act 2018—Report of New South Wales Crime Commission for year ended 30 June 2025, together with reports of New South Wales Crime Commission entitled *Annual Confiscations Report 2024-2025* and *State of Crime Report 2024-2025*.
- (7) Director of Public Prosecutions Act 1986 and Government Sector Finance Act 2018—Report of Office of the Director of Public Prosecutions for year ended 30 June 2025.
- (8) Environmental Planning and Assessment Act 1979 and Government Sector Finance Act 2018—Report of Independent Planning Commission for year ended 30 June 2025.
- (9) Government Sector Finance Act 2018—Reports for year ended 30 June 2025:
 - Aboriginal Housing Office;
 - Art Gallery of New South Wales Trust;
 - Australian Museum Trust;
 - Biodiversity Conservation Trust of New South Wales, together with financial statements;
 - Bradfield Development Authority;
 - Cemeteries and Crematoria NSW;
 - Centennial Park and Moore Park Trust;
 - Chief Investigator of the Office of Transport Safety Investigations;
 - Cobar Water Board;
 - Combat Sports Authority of New South Wales;
 - Combined New South Wales Health Professional Councils;
 - Crown Solicitor's Office;
 - Dams Safety NSW;
 - Department of Climate Change, Energy, the Environment and Water, volumes 1 to 3;
 - Department of Communities and Justice, volumes 1 to 3;
 - Department of Creative Industries, Tourism, Hospitality and Sport;
 - Department of Planning, Housing and Infrastructure, volumes 1 and 2, together with a climate-related disclosure;
 - Destination NSW;
 - Energy Corporation of New South Wales;
 - Environment Protection Authority;
 - Environmental Trust;
 - Heritage Council of NSW;
 - Hunter and Central Coast Development Corporation;
 - Jenolan Caves Reserve Trust;
 - Judicial Commission of New South Wales;
 - Legal Profession Admission Board;
 - Library Council of NSW;
 - Lord Howe Island Board;
 - Mental Health Commission of NSW;
 - Metropolitan Memorial Parks;
 - Multicultural NSW;
 - Museums of History NSW;
 - NSW Institute of Sport;
 - NSW Architects Registration Board;
 - NSW Health, together with financial statements volumes 1 to 3;
 - NSW Police Force;
 - NSW Skills Board;
 - NSW TrainLink, volumes 1 and 2;
 - NSW Trustee and Guardian;
 - Office of Sport;
 - Parramatta Park Trust;
 - Place Management NSW and Luna Park Reserve Trust;
 - Property and Development NSW;
 - Rental Bond Board;
 - Royal Botanic Gardens and Domain Trust;
 - State Records Authority NSW;
 - State Sporting Venues Authority;
 - Sydney Metro, volumes 1 and 2;
 - Sydney Olympic Park Authority;
 - Sydney Opera House Trust;
 - Sydney Trains, volumes 1 and 2;
 - Technical and Further Education (TAFE) Commission;
 - The Trustees of the Anzac Memorial Building;
 - The Trustees of the Museum of Applied Arts and Sciences;
 - Transport Asset Manager of NSW;

Venues NSW;
Waste Assets Management Corporation;
Wentworth Park Sporting Complex Land Manager; and
Western Sydney Parklands Trust.

- (10) Greyhound Racing Act 2017—Report of Greyhound Racing NSW for year ended 30 June 2025.
- (11) Greyhound Racing Act 2017 and Government Sector Finance Act 2018—Report of Greyhound Welfare and Integrity Commission for year ended 30 June 2025.
- (12) Harness Racing Act 2009—Report of Harness Racing NSW for year ended 30 June 2025.
- (13) Health Administration Act 1982 and Government Sector Finance Act 2018—Report of NSW Health Foundation for year ended 30 June 2025.
- (14) Health Care Complaints Act 1993 and Government Sector Finance Act 2018—Report of Health Care Complaints Commission for year ended 30 June 2025.
- (15) Health Practitioner Regulation National Law (NSW)—Report of Australian Health Practitioner Regulation Agency and National Boards for year ended 30 June 2025.
- (16) Health Practitioner Regulation National Law Regulation 2018—Report of National Health Practitioner Ombudsman and Privacy Commissioner for year ended 30 June 2025.
- (17) Health Services Act 1997 and National Health Reform Act 2011 (Cth)—Report of Administrator of the National Health Funding Pool for year ended 30 June 2025.
- (18) Law and Justice Foundation Act 2000—Report of Law and Justice Foundation of New South Wales for year ended 30 June 2025.
- (19) Legal Aid Commission Act 1979 and Government Sector Finance Act 2018—Report of Legal Aid NSW for year ended 30 June 2025.
- (20) Legal Profession Uniform Law (NSW) and Government Sector Finance Act 2018—Report of Legal Services Council and Commissioner for Uniform Legal Services Regulation for year ended 30 June 2025.
- (21) Legal Profession Uniform Law Application Act 2014—Report of NSW Legal Services Commissioner for year ended 30 June 2025.
- (22) Liquor Act 2007 and Government Sector Finance Act 2018—Report of Independent Liquor and Gaming Authority for year ended 30 June 2025.
- (23) Music Festivals Regulation 2024—Report of the Music Festival Roundtable for year ended 30 June 2025.
- (24) National Health Reform Act 2011 (Cth) and Public Governance, Performance and Accountability Act 2013 (Cth)—Report of National Health Funding Body for year ended 30 June 2025.
- (25) New South Wales—Queensland Border Rivers Act 1947 and Government Sector Finance Act 2018—Report of the Dumaresq-Barwon Border Rivers Commission for year ended 30 June 2025.
- (26) Report of New South Wales Government entitled *NSW Closing the Gap Annual Report 2023-2024*.
- (27) Report of NSW Valuer General entitled *Yearly Insights 2024-25*, dated October 2025.
- (28) RSL NSW Act 2018—Report of the Returned and Services League of Australia (New South Wales Branch) for year ended 30 June 2025.
- (29) State Owned Corporations Act 1989 and Government Sector Finance Act 2018—Report of Landcom for year ended 30 June 2025, together with a sustainability report.
- (30) Surveillance Devices Act 2007—Report of Attorney General according to section 45 of the Surveillance Devices Act 2007 for the year ended 30 June 2025.
- (31) Thoroughbred Racing Act 1996—Report of Racing NSW for year ended 30 June 2025.
- (32) Transport Administration Act 1988 and Government Sector Finance Act 2018—Report of Department of Transport, incorporating Transport for NSW, for year ended 30 June 2025, volumes 1 and 2, together with a climate-related financial disclosure.
- (33) Zoological Parks Board Act 1973 and Government Sector Finance Act 2018—Report of Zoological Parks Board of New South Wales (trading as Taronga Conservation Society Australia) for year ended 30 June 2025.

AUDITOR-GENERAL

Reports

The CLERK: According to the Government Sector Audit Act 1983, I announce receipt of a special report of the Auditor-General entitled *Members' additional entitlements 2025*, dated 20 November 2025, received out of session and published this day.

*Business of the House***POSTPONEMENT OF BUSINESS**

The Hon. PENNY SHARPE: I postpone business of the House notice of motion No. 1 until a later hour of the sitting.

The Hon. PENNY SHARPE: I postpone Government business notice of motion No. 2 until a later hour of the sitting.

Dr AMANDA COHN: I postpone business of the House notice of motion No. 2 until the next sitting day.

*Committees***SELECT COMMITTEE ON YOUTH JUSTICE****Membership**

The PRESIDENT: I inform the House that on 19 November 2025 the Clerk received correspondence from the Leader of the Government nominating the following remaining members of the Select Committee on Youth Justice:

Government: The Hon. Stephen Lawrence
 The Hon. Cameron Murphy

I also inform the House that we have yet to receive a second crossbench nomination to complete the membership of the committee.

*Business of the House***POSTPONEMENT OF BUSINESS**

Dr AMANDA COHN: On behalf of Ms Sue Higginson: I postpone matter of public importance No. 1 until the next sitting day.

*Motions***THE HON. MARK LATHAM**

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:43): I seek leave to amend Government business notice of motion No. 1 by omitting paragraph (2) and inserting instead:

- (2) That this House further notes that recommendation 2 of the Privileges Committee was that following the tabling of the committee's report, the House immediately adopt a resolution requiring the Hon. Mark Latham, MLC, by the end of the 2025 sitting year to stand in his place and deliver the following statement:

"I acknowledge the disclosure by me of a Law Enforcement Conduct Commission report on Operation Askern that was the subject of a claim of privilege under Standing Order 52, including after I was aware of that claim of privilege.

I believed at the time I was acting in the public interest and I was not aware of the claim of privilege when I first spoke in the House.

Thereafter, I believed at the time I had the right to answer media questions about the matter and respond to motions about the matter.

I am sorry for the way I handled this process. I intend to strictly follow the rules of privilege in future and not allow a similar thing to occur."

- (3) That this House also notes that, in the event, the Hon. Mark Latham delivered this statement to the House on 19 November 2025, in advance of the House resolving whether to adopt recommendation 2 of the Privileges Committee.
- (4) That this House accepts the statement of the Hon. Mark Latham on 19 November 2025 as satisfying the recommendation of the Privileges Committee and takes no further action in this matter.

Leave granted.

The Hon. PENNY SHARPE: Accordingly, I move:

- (1) That this House notes findings 2 and 3 of the Privileges Committee in its report entitled *Unauthorised disclosure of privileged information by the Honourable Mark Latham MLC – Part 1*, dated November 2025, that:
- (a) the Hon. Mark Latham's disclosure of information from the Law Enforcement Conduct Commission report on Operation Askern in the House on 8 May, 5 August and 9 September 2025 and on Radio 2SM on 6 August 2025 breached Standing Order 52 (6); and

- (b) the Hon. Mark Latham's repeated disclosure of the information after the privileged status of the report was drawn to his attention constituted a series of contempts of Parliament.
- (2) That this House further notes that recommendation 2 of the Privileges Committee was that following the tabling of the committee's report, the House immediately adopt a resolution requiring the Hon. Mark Latham, MLC, by the end of the 2025 sitting year to stand in his place and deliver the following statement:
- "I acknowledge the disclosure by me of a Law Enforcement Conduct Commission report on Operation Askern that was the subject of a claim of privilege under Standing Order 52, including after I was aware of that claim of privilege.
- I believed at the time I was acting in the public interest and I was not aware of the claim of privilege when I first spoke in the House.
- Thereafter, I believed at the time I had the right to answer media questions about the matter and respond to motions about the matter.
- I am sorry for the way I handled this process. I intend to strictly follow the rules of privilege in future and not allow a similar thing to occur."
- (3) That this House also notes that, in the event, the Hon. Mark Latham delivered this statement to the House on 19 November 2025, in advance of the House resolving whether to adopt recommendation 2 of the Privileges Committee.
- (4) That this House accepts the statement of the Hon. Mark Latham on 19 November 2025 as satisfying the recommendation of the Privileges Committee and takes no further action in this matter.

Motion agreed to.

Bills

FORESTRY AMENDMENT (BUNGABBE STATE FOREST REVOCATION) BILL 2025

First Reading

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

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

Statement of public interest tabled.

Second Reading Speech

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (10:46): I move:

That this bill be now read a second time.

The Forestry Amendment (Bungabbee State Forest Revocation) Bill 2025 is an important step in the Government's work to diligently comply with our native title obligations. It is about delivering on a commitment made to the Widjabul Wia-bal, the traditional owners for country in part of the Northern Rivers region, to transfer ownership of a culturally significant site. Widjabul Wia-bal are part of the strong and proud Bundjalung nation. They are the traditional owners for country in the land and waters extending north of Lillian Rock and Mount Nardi into Mebbin, Nightcap and Mount Jerusalem national parks; east of Goonengerry and Alstonville to Montecollum and Possum Creek; south to Ruthven and Bagotville; and west of Bungabbee State Forest and Cawongla.

In 2022 the then New South Wales Government agreed to transfer the Bungabbee State Forest area to Widjabul Wia-bal. This was agreed as part of an Indigenous land use agreement, or ILUA. Bungabbee State Forest is located near Lismore and covers about 955 hectares. It was first dedicated as a State forest in 1914. The bill seeks to amend the Forestry Act 2012 to revoke the dedication of the Bungabbee State Forest and the declarations of special management zones within it. These revocations are critical steps to enable the transfer of this land. Once revoked, the land will become Crown land and then can be transferred to the Widjabul Wia-bal Gurrumbil Aboriginal Corporation as the registered native title body corporate, or RNTBC, for this ILUA.

Following the transfer, the land will be private land, consistent with the terms of the ILUA agreement. Widjabul Wia-bal have a strong desire to continue to manage and care for the area where the Bungabbee State Forest is located. This area is considered a significant site, and the bill is the next step in honouring an agreement that has already been made. I briefly outline some information about Bungabbee State Forest and what it contains. A State forest is public land dedicated under the Forestry Act for forestry and other purposes, managed within the State's Forest Management Framework. A special management zone is an area declared within a State forest where forestry operations are generally prohibited with the object of protecting special conservation values, such as particular plant or animal species.

The Bungabbee State Forest has not been used for forestry for some time. There has been no timber harvesting for over 20 years. State forests, including Bungabbee, are available for free public use for a wide range of recreational activities, including camping, bushwalking, mountain bike riding and horseriding. However, this

is a small forest and is not widely accessed by the public for recreational activities. The forest is not currently accessible to the public via road. Road access was restricted by locked gates about 12 months ago following maintenance to forest roads and earthworks. While recreational hunting is permitted in some State forests, hunting is not currently allowed in Bungabbee State Forest. That is due to a combination of factors, including the condition of roads in the area. The New South Wales Government has not authorised any hunting in Bungabbee State Forest in the past 10 years.

This bill is a critical step in facilitating an agreement already in place to transfer land to Widjabul Wia-bal. Once transferred, the land will become private property owned by the Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC. New South Wales Government agencies are developing a communications plan to inform the local community and any recreational users about what that change will mean. This bill is simple in form but important in purpose. It is a step towards fulfilling the New South Wales Government's obligation under a registered Indigenous land use agreement, and it provides certainty for the community and the Widjabul Wia-bal people about the future of the Bungabbee area.

To ensure this House understands the effect and purpose of the bill, I will now talk through it in detail. The main component of the bill revokes the dedication of the Bungabbee State Forest and the declaration of special management zones within it. The bill also clarifies that the land will become Crown land to which the Crown Land Management Act 2016 applies and that the land becoming Crown land does not extinguish any easements over the land and does not affect existing native title rights and interests.

These components of the bill are important for three main reasons. Firstly, State forests cannot be transferred directly to private tenure. The dedication must be revoked and returned to the Crown lands estate before the land can be transferred onwards. Secondly, it is important that easements providing access to adjoining lands remain in place, including the adjacent nature reserves to be accessed by National Parks and Wildlife Service for land management purposes. Thirdly, it is important to expressly clarify that the act of vesting the land does not affect existing native title rights and interest in the land. That mirrors the approach used in similar provisions across New South Wales legislation. Before the land is transferred to Widjabul Wia-bal, discussions will be undertaken with the registered native title body corporate about the easements in the area. Outside of any formalised easements, access will only be permitted by permission of the legal owners of the land.

The bill is proposed to commence on proclamation to enable necessary steps to occur prior to the State forest dedication being revoked and the land being transferred. A key step in that process is finalising a land survey which will map the boundaries and features of the Bungabbee State Forest. The land survey must be registered with NSW Land Registry Services prior to the land being transferred. The Department of Planning, Housing and Infrastructure - Crown Lands has already initiated that work, which is expected to be completed later this year, depending on weather conditions.

The Government has committed to completing the transfer by 30 June 2026. Following the land transfer the New South Wales Government will continue to engage with the registered native title body corporate about management arrangements for the land, including access, fire hazard reduction and trail management issues. There is also an agreed five-year period where Forestry Corporation will work alongside Widjabul Wia-bal in the forest. That partnership will support forest management, including assistance with the maintenance of assets within the State forest as well as general land management activities such as weed control. By supporting this bill the House will enable the transfer of the Bungabbee State Forest area to Widjabul Wia-bal in good faith and on the agreed timeline that this Government has committed to. The bill is narrow in scope but significant in purpose. It honours an agreement, provides certainty for Widjabul Wia-bal and ensures the future of Bungabbee is in their hands. I commend the bill to the House.

Debate adjourned.

WATER MANAGEMENT AMENDMENT (EASEMENTS FOR INUNDATION) BILL 2025

First Reading

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

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

Statement of public interest tabled.

Second Reading Speech

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (10:55): I move:

That this bill be now read a second time.

The Water Management Amendment (Easements for Inundation) Bill 2025 proposes targeted amendments to the Water Management Act 2000 that are administrative in nature but essential to ensuring the delivery of key environmental commitments under the Murray-Darling Basin Plan. Delivering the Basin Plan in full requires actions across a range of areas. One of the most critical actions is the implementation of constraints relaxation projects, which aim to ease physical, operational and policy constraints to the delivery of environmental water. By relaxing those constraints, we can deliver more frequent and higher environmental flows that reconnect flood plains and wetlands, helping to restore and protect our river systems and reducing the need for water buybacks by the Australian Government.

New South Wales is proud to be leading the way in constraints relaxation through the delivery of the Reconnecting River Country Program across the Murrumbidgee River and the Gwydir Reconnecting Watercourse Country Program on the Gwydir River. This bill is essential to the successful delivery of both programs and to further constraints relaxation projects across the State. Enabling more frequent and higher environmental flows does mean that, at times, land alongside those rivers will be subject to low levels of inundation. In almost all cases, that will be well below minor flood levels. Those flows are a natural and necessary part of a healthy river system, and we must ensure that river operators are empowered to facilitate them.

At the same time, we acknowledge that more frequent overbank flows will have impacts on riverside landholders, many of whom are farmers working tirelessly to feed and clothe our nation. The New South Wales Government is committed to addressing those impacts and ensuring that landholders are appropriately compensated. One of the key mechanisms for delivering that commitment is through the acquisition of easements in gross that permit inundation for environmental purposes. Those easements provide a means of financial compensation for affected landholders and an enduring legal right for river operators to inundate land in connection with environmental water releases, supporting long-term environmental outcomes whilst at the same time safeguarding landholder interests.

Easement acquisition is critical to securing an environmental flow corridor and the successful delivery of the reconnecting river and reconnecting watercourse country programs, as well as any future constraints relaxation projects in New South Wales. The journey towards enabling the acquisition of easements that permit inundation for environmental purposes began in earnest with the 2018 amendments to the Water Management Act 2000 made by the previous Government. Passed by the previous Government, those amendments clarified that river operators are protected from civil claims for environmental water releases made in good faith.

The amendments also established a regulation-making power for a formal negotiation framework that the New South Wales Government must follow when engaging with landholders affected by changes to environmental water management. The bill before this House is a critical next step in that same journey. It assists in providing river operators with the authorising framework to facilitate overbank flows, and it ensures landholders are supported through proposed changes to long-term environmental water management arrangements.

In June this year the negotiation framework envisaged in 2018 became a reality with the establishment of the landholder negotiation scheme under the Water Management (General) Regulation 2025. The scheme is a bespoke regulatory framework, specifically designed for negotiating agreements with landholders affected by changes to environmental flow regimes. It outlines a clear and transparent negotiation process tailored to discussions between the New South Wales Government and landholders. In establishing the landholder negotiation scheme, this Government honoured longstanding commitments by successive governments to pave the way for the delivery of constraints relaxation projects under the Basin Plan.

I also inform the House that the Reconnecting River Country Program commenced negotiations with landholders along the Murrumbidgee River in September this year, becoming the first constraints relaxation program to begin easement acquisition under the Landholder Negotiation Scheme. New South Wales is well on its way to delivering its commitments under the Basin Plan. The bill continues that work by making necessary administrative amendments to ensure that easements acquired to permit inundation for environmental purposes can be held by river operators responsible for delivering—

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

Members

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

The Hon. PENNY SHARPE: I inform the House that the Treasurer will be taking questions on behalf of Minister Houssos, who is absent today.

*Announcements***LEGISLATIVE COUNCIL PHOTOGRAPHS**

The PRESIDENT (11:00): I advise members that a member of the media from Australian Associated Press will be present in the press gallery today during question time to take still photography.

RESERVE SITTING WEEK

The PRESIDENT (11:00): I have been advised by the Leader of the Government that the Government intends to utilise the days that have been reserved in the 2025 sitting calendar for business in the Legislative Council on 25, 26 and 27 November 2025. Therefore, there will not be a special adjournment motion to return on 3 February 2026 moved at the conclusion of business today.

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

The Hon. DAMIEN TUDEHOPE (11:01): My question is directed to the Minister for Mental Health. Before she decided to break her pledge to injured workers, which included a commitment to fight for a system that "provides ongoing medical and financial support for workers unable to return to work", what work did the Minister do to assess what additional public mental health services would be needed once she stripped away from injured workers with a degree of impairment of less than 31 per cent all ongoing compensation for reasonable and necessary medical treatment?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:02): I thank the honourable member for his question. I work every day to ensure that the public mental health system meets the needs of the community in New South Wales. I bring that lens to every piece of legislation that is brought before Cabinet—absolutely every piece. I know there is more work to do. I am never speaking with boosterism or claiming "mission accomplished" on the work we have to do in mental health. I know that there are still people with mental health issues, and families and carers of those people, who are unable to access the support that they need from our mental health system.

I make sure that every single piece of policy that this Government proposes is considered in that framework of the ongoing work that we have to do. I have done exactly the same in relation to the changes that are proposed to workers compensation. I make this point—and it has been repeatedly raised—very clear: The current system is not only not working for people who have serious psychological injuries; it is also retraumatising them. In fact, it is making their conditions worse. The current workers compensation system is not delivering the outcomes that we want for people who have psychological injuries.

The recovery-oriented framework that the Government proposes to put in place ensures ongoing support for people with severe psychological injuries. Let us be clear, the framework that this Government is proposing does ensure that. That is an important principle worth emphasising. Members do not need to take my word for it; the peak mental health body in this State, the Mental Health Coordinating Council, has called on reform to be made to workers compensation and supported the propositions that the Government has put forward. That should provide some comfort to the member, and to workers, that those considerations have been brought to bear.

The Hon. DAMIEN TUDEHOPE (11:04): Before coming into question time today, I received an email from Tyler Thompson. It is important that every member listens to what he wrote and understands it. He writes:

I am writing to every Member of Parliament because injured workers deserve to be seen, heard, and understood—and you all need to know the real human impact of the amendments being put forward on top of the bill already before the House.

I sit here writing this in tears, exhausted by what the government has done and is continuing to do. This has been such a hard road, and I don't even mean workers compensation alone anymore—that's hard enough. What is happening in Parliament has taken, and continues to take, a significant toll on both myself and other injured workers.

I am in hospital again—my 7th admission—and as simple as it may sound, finding out last night that there were again amendments being put in to make things harder for injured workers, on top of the bill already being put forward, is pushing some of us to our absolute limits. This is so exhausting, and so cruel.

[Time expired.]

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:05): I thank the honourable member for reading the voices of injured workers into *Hansard*. We always take those considerations into our thinking. I have met and spoken with the injured workers network. In no way am I trying to dismiss or diminish that perspective. I recall, from listening to the Leader of the Opposition read that email into *Hansard*, that the writer acknowledges that part of the traumatisation they have experienced is from the current workers compensation system. The point that I am

making is that it is clear from that email, and from the representations that I have heard repeatedly, that the current system is not working for people. The efforts of the Government to reform the system are supported by peak mental health organisations in this State because the current system is not working. We can do better for those people and that is what the Government is trying to do. [*Time expired.*]

The Hon. MARK LATHAM (11:06): I have seen on other matters that the Minister for Mental Health is sincere and effective in this space. She said that she brings that prism of mental health to every issue that comes before the Cabinet, but where was she on the workers compensation bill? Scores of injured workers have testified and provided evidence to the inquiry chaired by Ms Abigail Boyd and elsewhere that increasing the whole person impairment [WPI] threshold to 31 per cent will lead to people self-harming. You do not have to be a rocket scientist or even a medico to know that at that level, without the permanent support that Labor always promised, they will be in enormous distress. Members on both sides of the Chamber know that. Why did the Minister not acknowledge that at Cabinet? She should have told the Treasurer to pull back and do two simple things: one, honour Labor's election promise; and, two, treat injured workers with respect and not make their situation worse by going to 31 per cent WPI.

HOMELESSNESS SUPPORT SERVICES

The Hon. CAMERON MURPHY (11:07): My question without notice is addressed to the Minister for Homelessness. Will the Minister update the House on how the Minns Labor Government is supporting those at risk of homelessness?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:07): I update the House on Link2home, one of the critical components in our homelessness response system. For those members who may not be familiar with how homelessness support works, when someone is at risk of homelessness or is experiencing homelessness, we ask them to call our 24/7 homelessness support line, which is called Link2home. That is the entry point into the system. We have had a lot of challenges with Link2home because of the number of calls the service has been receiving. The average wait time for a call to be answered was 47 minutes. I can update the House that those calls are now being answered, on average, within between five minutes and five minutes 30 seconds. That is a huge reduction in the response time for people who are calling Link2home.

Clearly, an average wait of 47 minutes is completely unacceptable. It was the result of systemic underinvestment in the system. The Government has put a very clear spotlight on Link2home and there has been a complete turnaround in that system. Calls are now being answered within between five minutes and five minutes 30 seconds. That is the kind of result and impact that is possible under a government that takes the system seriously and is absolutely clear on every single opportunity to ensure that it is working well. I put on record my thanks to the team at the Housing Response Centre in Liverpool. I have visited multiple times to engage with it about how we can do better with Link2home. I was very pleased. I can report to the House that that piece of work, which often does not go up in lights or get the accolades it deserves, was recognised. It has done an outstanding job. [*Time expired.*]

EAST LISMORE SEWAGE TREATMENT PLANT

The Hon. SARAH MITCHELL (11:09): My question is directed to the Minister for Water. The flood that hit Lismore in 2022 was one of the worst natural disasters in history. Rebuild efforts are ongoing. One major infrastructure project that the community is still waiting for is the complete refurbishment and rebuild of the sewage treatment plant in East Lismore. Will the Minister commit to fully funding and delivering that project?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:10): I thank the member for her question. I certainly accept her reference to the devastating floods that impacted the North Coast. They were a major and catastrophic moment for that part of New South Wales. I see you nodding, Mr President. That is your home base, so no-one knows that better than you do. I acknowledge that much of the impact on infrastructure was on water infrastructure, which, as people in those parts of New South Wales may know, is managed by local water utilities. The local water utility in the Lismore area is Rous County Council.

A range of different organisations manage water in this State. Some are local water utilities in the form of local governments, like local shires or councils, and some are an amalgamation or a combination of a number of local governments, such as in the few county councils in the State—Riverina being one and Rous being another. The Government has been working with Rous County Council since 2022 to ensure that it has access to the resources it needs to rebuild water infrastructure. It is a big piece of work. There was comprehensive damage across the entire Rous network and across other local water utility networks on the North Coast and Mid North Coast. Obviously, the Federal Government has a role to play in disaster response as well.

I am happy to take on notice the specifics about the East Lismore sewage treatment plant. If Rous County Council has representations to make about what it needs for its ongoing work, the Government is open to hearing those. The Government accepts that it has a responsibility to support local water utilities, and it has never walked away from that. The Government has always engaged with Rous County Council about the support it needs. I met with Steve Krieg, the Mayor of Lismore, when he was in Parliament last week, and that dialogue is ongoing. If there are specifics regarding that particular project that can be provided to the House, I will endeavour to grab them and pass them on.

The Hon. SARAH MITCHELL (11:12): I thank the Minister for her answer but I am a bit disappointed that she needs to take it on notice, particularly because it is an issue that is really important to that community. In 2022 the Minister's predecessor, Kevin Anderson, had \$100 million allocated to the project, yet the community is still waiting many years on. It is not much to ask that the Minister for Water give answers to the community about the status of that funding. According to information I have received from the community, only about \$39 million is on the table for a project that will cost between \$80 million and \$90 million. There is also the added issue, which the Minister should be well across, that 400 extra dwellings have been promised for East Lismore as part of the NSW Flood Recovery and Resilience Grant Program, yet its sewage system could fall over any day. The community is very worried about it. It is a slowdown under the current Government. The community deserves a better answer than the Minister has given today.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:13): I have a couple of things to say. First, I absolutely take seriously the requests and requirements that local water utilities have for State Government support. I do not think it is too much for me to take on notice the specifics of a particular project. There are 92 local water utilities, two major utilities—Sydney Water and Hunter Water—and the bulk water provider WaterNSW in the State, so I am not always able to give a project update on each of the hundreds of projects that the Government is providing support for off the top of my head. If the Government was not leaning in to provide so much support and there were only one or two projects, perhaps I could be expected to have that information, but that is not the case. The Government is supporting hundreds of projects across the State. [*Time expired.*]

PROPERTY PRICE GUIDE UNDERQUOTING

The Hon. ROD ROBERTS (11:14): My question is directed to Leader of the Government, representing the Minister for Fair Trading. There has been much coverage in the media recently about underquoting in residential property auctions. Minister Chanthivong has been quoted as saying that the Government is looking at legislative changes to prevent that. Will the Minister consider it mandatory to make all contracts of sale contain both pest and building inspection reports, which will go a long way to easing the financial burden on unsuccessful bidders, therefore reducing complaints of underquoting?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:14): Mr President—

The Hon. Rod Roberts: I know it might be difficult for you to answer in your role.

The Hon. PENNY SHARPE: I appreciate that, but I will have a go at some of it. I thank the member for his question. I am aware of that reporting. All those poor people schlepping around trying to find their new home have to spend a lot of time trying to get the information they need but are often unable to get it. The Government is serious about cracking down on that issue. It is not fair for anyone trying to buy a house, no matter who they are—whether they are downsizing or trying to buy their first home—to have to waste time, energy and money going to auctions for houses they have no chance of being able to secure. The Government is looking at legislative changes. I suspect the Government is looking at mandatory pest and building inspection reports. Whether it will be made mandatory, I do not know, but I am happy to take it notice and provide more information to the member. If I get something before the end of question time, I will let him know.

The Hon. ROD ROBERTS (11:16): I appreciate Minister Sharpe's answer. I know I put her in a predicament in that the issue is not within her portfolio. Members will know that between March 2001 and March 2010, I was a licensed agent and auctioneer in New South Wales. The problem that people have at the moment is that they buy the building and pest inspection reports for a property that they will end up not being able to bid on because it sells above their price range. Whether that is a result of the bad behaviour of agencies is irrelevant; the thing that hurts is the monetary expenditure. If building and pest inspections were made mandatory as prescribed documents in the sales contract, that would be alleviated. Of course people will be disappointed about missing out on the property, but they will not suffer a financial hit that is repeated week after week. I have much more to say about this issue so I will take advantage of the take-note debate.

STATE INFRASTRUCTURE

The Hon. GREG DONNELLY (11:17): My question without notice once again is addressed to the Treasurer. Will the Treasurer please update—

The Hon. Damien Tudehope: Tell him you don't want to ask him the question.

The Hon. GREG DONNELLY: I write these questions myself. Will the Treasurer please update the House on the Government's efforts to reduce red tape and speed up project delivery in the great State of New South Wales?

The Hon. DANIEL MOOKHEY (Treasurer) (11:17): I thank the member for his question. He is my most enthusiastic questioner, and his questions are always most welcome. I will happily excuse him from the obligation to ask questions if the shadow Treasurer is prepared to take up the burden. I am pleased to update the House on how the Government is cutting red tape. Recently the Acting Minister for Education and Early Learning and I had the opportunity to announce the construction of new classrooms and spaces for teachers and students at Cammeray Public School, as well as the removal of nine demountable classrooms. The Government has overhauled the rules to reduce the red tape required to get schools and hospitals built and built quickly. In fact, in the 12 months since the system was overhauled for preliminary and final business case production on routine projects, in particular, I can report to the House that more than \$29 million has been saved and over 19 years worth of delays have been avoided—

The PRESIDENT: Order!

The Hon. DANIEL MOOKHEY: Education alone has completed 57 short-form assessments, saving \$13.6 million and getting public schools built faster. I would have hoped that the former Minister for Education and Early Childhood Learning could have done this. But lo and behold, rather than spending money on building schools, the Coalition Government was spending money on consultants to write business cases for covered outdoor learning spaces. That is what it was doing.

The Hon. Sarah Mitchell: What have you got against business cases?

The Hon. DANIEL MOOKHEY: I am invited to say what I have against business cases. What I have against them is when they become licences to print money for PricewaterhouseCoopers and Deloitte at the expense of public education. That is what I have against them.

The Hon. Mark Latham: Point of order—

The Hon. DANIEL MOOKHEY: I am glad this Government overhauled it. I am glad we are getting schools built faster. I am glad we are spending more money on schools and less on big corporates.

The PRESIDENT: Order! There is a point of order. The Treasurer's time has expired.

The Hon. Mark Latham: Even though the Treasurer is yelling about who knows what, I cannot comprehend it from just 10 metres away. Mr President, I again quote the sage words of Chairman Mao: Execute one; educate a thousand.

The PRESIDENT: I thank the Hon. Mark Latham for his point of order. I make two points. The first is that this is a new format for question time. For the information of people in the public gallery, the Legislative Council has started a new format for question time in which there is discussion of the individual questions, which is an interesting and enthusiastic format. Members are attuning themselves to it. The second point is that we are towards the end of the year, so members are a little more enthusiastic. That having been said, Hansard simply cannot hear. I have made this point on a number of occasions in relation to the new format. Hansard has to be able to hear what is being said, so members need to dial it back for the remainder of question time.

WORKERS COMPENSATION LEGISLATION

The Hon. JOHN RUDDICK (11:20): My question is directed to the Treasurer. This week my office has been bombarded by employers and employer groups who are acutely concerned about the failure of this House to pass commonsense reform around workers compensation payments. Many foresee an increase in unemployment as a result. In the other place, the Premier stated he intends to press ahead with trying to achieve meaningful reform with a new bill. Will the Treasurer please update the House on when he expects that new bill to reach this place? Will the Treasurer summarise the details of the bill?

The Hon. DANIEL MOOKHEY (Treasurer) (11:21): I thank the Hon. John Ruddick for his question. I also thank him for the constructive manner in which he has engaged in some very complex questions to do with public policy. I can update him about the new bill. I believe it has either arrived or is due to arrive in this House very shortly, following debate that took place in the Legislative Assembly yesterday. The bill reflects amendments

that have been developed by lower House crossbenchers that were otherwise set to be considered in this place last week. That bill is an opportunity for all sides of politics to reach a compromise on what is a complicated matter.

The Hon. John Ruddick should know that in the other place, the Government supported it. The Government is being very clear that we are prepared to work with everybody to see whether we can get this done. This compromise has widespread support. As to whether it can be taken up in this House, fundamentally, that turns on the attitude of the Liberal Party—which, to be fair, is otherwise distracted right now. While Liberal members work through their distractions, the Government will remain focused on this issue because, as the Hon. John Ruddick rightly said, lots of employer and employee groups have contacted him and have also contacted my office. But it is not just those groups; it is the charitable sector, the disability sector and the mental health sector. It is the sector that is responsible for responding to homelessness. It is the sector that is responsible for responding to domestic violence incidents.

The basic message is this: When employer groups and organisations like the Wesley Mission and St Vincent de Paul all say that the system is broken, they need help, they need it fixed and they need politicians to do their job, the Government agrees. The Government has done that. The invitation remains for members opposite, once they decide who leads them, to get back around the table and see whether we can avoid what would otherwise be quite a devastating impact on employment and premiums. [*Time expired.*]

The Hon. JOHN RUDDICK (11:23): Yesterday, when I attended the funeral of John Laws, I expected to be seated right up the back as a humble crossbench MLC. When I walked in, the protocol team sat me down with former Premier Greiner, John Howard and the Premier. I assume the protocol team thought I was Philip Ruddock, not humble John Ruddick, but it gave me an opportunity to speak with former Premier Nick Greiner. When he was the Premier, he slashed the public service, implemented privatisation, abolished or merged 100 government agencies, paid down debt, and slashed payroll and stamp duty. More important than any possible change in Liberal Party leadership is a change in Liberal Party policy so that it rediscovers its founding principles.

The Hon. DANIEL MOOKHEY (Treasurer) (11:24): Firstly, it is hard to confuse the Hon. John Ruddick and Philip Ruddock. I thought I would draw that distinction. Secondly, I take the point the member has made. I have also spoken to former leaders of the Liberal Party who are a bit astonished about not just the position Liberal Party members have taken on this issue but the manner in which they have taken it. They are equally quite astonished that an alternative government that will ask for the support of the people of New South Wales in just over a year cannot resolve something as basic as what to do with a matter that is this complex. Equally, people have expressed a view to me of how astonished they are to see a Liberal shadow Treasurer openly attack the head of Business NSW in press conferences and media releases. People are allowed to disagree on this, but I observe to my friends in the Liberal Party that they have put themselves in a position in which it is not clear who the Liberal leader is and the Liberal shadow Treasurer is at war with the business community. [*Time expired.*]

The Hon. DAMIEN TUDEHOPE (11:25): I equally am astonished that members of the Labor Party would ever support a bill like the one referred to. Those members made pledge after pledge that they would never do it and have said, "We stand for workers." I say this to members opposite: When are you going to get rid of this Treasurer who would betray workers in the manner in which this Treasurer has done?

The PRESIDENT: Order! Opposition members will cease interjecting.

The Hon. DAMIEN TUDEHOPE: Opposition members have stood for principle. We will not stand by and allow this Treasurer to introduce a bill that has such adverse impacts on injured workers, to the point of them taking their own lives. The Treasurer should remember that. That is what his bill does. [*Time expired.*]

The Hon. DANIEL MOOKHEY (Treasurer) (11:26): I feel as though my tenure as Treasurer will exceed the Hon. Damien Tudehope's tenure as shadow Treasurer. I also feel that my tenure as shadow Treasurer would have exceeded his tenure as shadow Treasurer, for what it is worth. All I would simply say is that we all have to take accountability for our positions on this complex matter—something which I have been prepared to do. What I have not done is, for example, hold a press conference and savage Dan Hunter because he disagrees with me; nor have I, incidentally—as the Liberal shadow Treasurer has—gone to war against the entire business community and the entire not-for-profit community and said to all of them, "You're all wrong, but we happen to be right". That is the manner in which my friend the shadow Treasurer has engaged in this debate. What is worse is that this is all happening with the connivance and support of those who sit behind him. While we in the Government leave them to resolve who should lead them, we invite them to help us solve a massive problem for the people of New South Wales. [*Time expired.*]

BUS MANUFACTURING INDUSTRY

The Hon. NATALIE WARD (11:27): My question is directed to the Minister for Transport. Why is the Minister favouring suppliers importing buses from China over local manufacturers such as Western Sydney's Aluminium Revolutionary Chassis Company [ARCC], which is the winner of the 2025 Australian Made Award?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:28): I thank the Hon. Natalie Ward for her question and I congratulate the company on its win. I thought it was good news. It is one of the reasons the Government has ordered buses from them. It is why we are keen to test those buses on the network and see how they work. The advice from Transport to me is that they are quite promising, but this is taxpayer money and we will test them before we buy them. I do not think that is a revolutionary principle, but it is a really important one. Those buses are due to be delivered shortly. I am advised they are slightly late. I would like them to be delivered. We will test them and we look forward to what they can do on the network. I am advised other States are looking into that, although in small numbers.

That company is very promising, as well as other companies like Custom Denning on the Mid North Coast. There is also the rise of a manufacturer down in Nowra, which I know is opposed by members opposite, but I see all of it as good news as the Government builds a State pipeline of buses. We have to replace 8,000 of them. We want to build local skills in New South Wales and that is the start. We also have to look after taxpayers, which is why we are taking the measured approach of accepting delivery of the buses first—and that has not happened—and testing them on the network. Then we will make decisions about what taxpayers may be prepared to back by way of purchase.

The Hon. NATALIE WARD (11:29): That is another example of a broken promise. The Government promises locally manufactured Australian buses. It was not equivocal: Members opposite did not refer to terms and conditions at the time; they just said that they would build them locally. The Government said, "Yes, we will buy them locally," but purchasing three locally made buses is not "local manufacturing". ARCC is an award-winning Smithfield-based company—by the way, Minister, Custom Denning is in Western Sydney, not on the coast—but, nonetheless, this Government ordered 126 new buses from Chinese company Foton. That is not local manufacturing or local jobs. It is not even close to the Government's promise—obviously, it is not even in Australia. We see ferries built in Tasmania and interstate bus orders, but "local manufacturing" could not be further from the truth. The Government is selling out a good Western Sydney business.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:30): Members will recall that the Opposition was opposed to the Government's whole approach. The Opposition's approach was to buy buses overseas and privatise all public transport. Its approach was not to negotiate with the union because its position was to not have drivers on public transport. The position put by the Hon. Natalie Ward is one of total hypocrisy. The Government is not applying terms and conditions; it is applying common sense. It is common sense to test a new product. A number of aspects of the product are relatively new. We do not know quite how those buses will work, so we will test them before we spend millions of dollars of taxpayers' money. That is not a term and condition; that is common sense.

The PRESIDENT: Order! I remind the Hon. Natalie Ward that she has already made her contribution.

The Hon. JOHN GRAHAM: The fact that the Opposition is advocating for doing the opposite to that and for spraying taxpayer money everywhere is crazy.

HERITAGE BUILDING ENERGY EFFICIENCY

The Hon. BOB NANVA (11:32): My question without notice is addressed to the Minister for Heritage. Will the Minister update the House on how the New South Wales Government is making sure heritage and energy efficiency go hand in hand?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:32): I thank the member for his question. I know he loves heritage as he lives in a heritage home. I advise the House of changes that have been made. Up-front, I thank the Heritage Council of NSW for its guidance and work on that. We are making three changes to the way we manage State Heritage listed items: one, making those beautiful places more easily accessible for people with disabilities; two, allowing energy efficiency to be included and increased in the buildings; and, three, allowing for climate adaptation as we deal with the challenges we face.

Standard exemptions are now in place for a range of activities regarding heritage items. We have slashed red tape so that owners of State Heritage listed properties can make their buildings more energy efficient.

Energy-saving and sustainable technologies—including solar panels, batteries, insulation and draft proofing—can be installed without formal approval if they fit the guidelines. We want history-rich heritage properties to contribute to reducing emissions. We have made changes in relation to security systems and fire suppression. We are allowing temporary events of up to 90 days, including filming, to align with the New South Wales vibrancy reforms. We should use those beautiful places and get more people in to enjoy them.

We have also made changes with respect to accessibility measures, including access ramps and bathroom fit-outs; water infrastructure; land and bushfire management measures, including hazard reduction; and the repair and replacement of materials such as brick and stone walls. Those sensible changes, which have been carefully thought out, deal practically with the challenges that we face with State Heritage listed buildings. They allow owners and others to make modest changes without having to go through a whole lot of red tape. They are good for heritage and good for those who want to care for it.

The PRESIDENT: I welcome to the gallery students from Vincentia High School, who are participating in the Legal Studies and the Legislature program conducted by the parliamentary education team. I also welcome students from The Forest High School, who are participating in the Aboriginal Studies and the Legislature pilot program, which is an extremely important program.

NSW AMBULANCE COMMISSIONER

The Hon. MARK BANASIAK (11:34): My question is directed to the Treasurer, representing the Minister for Health. Have the Minister or the Secretary of NSW Health received a letter from senior NSW Ambulance staff, representing about 80 per cent of that cohort, indicating a loss of confidence in Commissioner Morgan? If so, what immediate steps have been taken to address that breakdown in leadership, to ensure stability in our most critical emergency service and decorated professional organisation, which is NSW Ambulance?

The Hon. DANIEL MOOKHEY (Treasurer) (11:35): I thank the member for his question, which is asked of me in my capacity representing the Minister for Finance, who would otherwise answer for the Minister for Health in this place. Because I am acting as the spokesperson for the Minister for Health today, I will take the question on notice and provide the member with more information about the matters he raises. Should further information present itself prior to the end of question time, I will give him an additional answer. If that is not possible, I will certainly endeavour to ensure that he gets the answer on notice.

The Hon. MARK BANASIAK (11:35): I thank the Treasurer for taking the question on notice and for endeavouring to get an answer back promptly, because the issue deserves prompt attention. NSW Ambulance is not the department of paperclips. Paramedicine is one of the most mission-critical professions in New South Wales. If there are serious concerns about the leadership of NSW Ambulance, they should be addressed. It is not an interpersonal dispute about a low-level employee not getting the roster they want; it is senior NSW Ambulance staff expressing concern. It seems to me the commissioner has lost the room. We need to make sure that room is regained if NSW Ambulance is to function.

The Hon. DANIEL MOOKHEY (Treasurer) (11:36): I agree with the Hon. Mark Banasiak about how important the ambulance service is to New South Wales. I reflect on some changes that the Government has made since coming to office. We delivered the biggest pay increase for paramedics in more than a generation. We overhauled their award, introducing new classifications, making sure there is further professional recognition and allowing them to practise more of their scope. That was an important step forward. Added to that, since coming to office, we have been hiring 500 more paramedics, building new ambulance stations across the State—three in regional New South Wales, in particular—and adding to the ambulance service's helicopter fleet. All of that demonstrates that we care very much about our paramedics. I acknowledge the strong leadership of Gerard Hayes and the work of his team at the Health Services Union, who have been at the forefront of those issues for a long time.

The Hon. ROD ROBERTS (11:37): I thank the Hon. Mark Banasiak for bringing forward the question. Members would recall that on 12 November, during private members' statements, I informed the House about my concerns about the NSW Ambulance commissioner. The Minister will jump up and say, "We've got to look after public servants", but they are not a protected species. Those people are on \$600,000 or \$700,000 per year and are charged with the responsibility of looking after our organisations. The Hon. Mark Banasiak and I are not attacking frontline workers; we are here to defend and protect them. There are numerous issues. Last week in this place, I said that Dr Morgan provided misleading or incorrect answers 11 times during budget estimates. I did not accuse him of lying, but they were his answers. This House helped me by making an order under Standing Order 52 for the production of documents by the ambulance service. I still have those documents. [*Time expired.*]

The Hon. DANIEL MOOKHEY (Treasurer) (11:39): It goes without saying that, in their hearts, the Hon. Rod Roberts and the Hon. Mark Banasiak support frontline staff, as does the Government. The Hon. Rod Roberts is quite right to say that we have recently observed, particularly under the watch of the previous Government, the rise of the senior executive service [SES]. Prior to this Government coming to office, for every additional paramedic the previous Government hired, across the entire public service it added a ratio of three or four SES officers. In fact, the Hon. Damien Tudehope and his previous Government are responsible for the sharpest rise in senior executive employment in more than a generation. At the same time as they were capping the wages of paramedics, they were on an SES hiring spree across the board. When we layer in the additional SES officers and consultants, wages of paramedics and cleaners were being suppressed and at the same time the SES was swelling—as was its pay.

FERAL PIGS

The Hon. SCOTT BARRETT (11:40): My question is directed to the Minister for Agriculture. Studies have shown that for feral pig control programs to be effective merely at stopping growth, 70 per cent of the feral pig population must be removed each year. Given the proven total absence of any data or even estimates on the total number of feral pigs in New South Wales, the Minister cannot know what percentage of feral pigs have been removed. If she is not using the standard international approach of counting pig numbers and calculating percentage removals, how is she measuring the effectiveness of the program?

The Hon. Daniel Mookhey: We are culling more pigs than you are leaders.

The PRESIDENT: Order! Government members will cease interjecting.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:41): I acknowledge the Treasurer's interjection. I thank the member for the question and his ongoing interest in feral pigs across New South Wales. I also acknowledge the interest of the Hon. Chris Rath in feral pigs, which I welcomed this week. I am delighted to continue to inform the House about the Government's comprehensive program to deal with the significant feral pig problem in New South Wales. As I have indicated many times, including earlier this week, \$40 million has been invested in dealing with feral pigs and other pest animals. We are providing financial support and resources, and working in coordination with landholders, who have a responsibility under the Biosecurity Act for dealing with those issues on their properties.

My focus is on culling feral pigs across New South Wales. I do not want people wasting time counting them; that would be a ridiculous use of the taxpayer resources that are being used to cull feral pigs and deal with that significant problem. They are the most significant pest threat the State faces. As I have indicated many times before, the breeding conditions over the past couple of years meant that the numbers have grown. Again, we are working with landholders to deal with the problem. Feral pigs start breeding at three months, at a very rapid pace. Putting significant resources into dealing with the issue across regional New South Wales is the focus of the Government. Spending time counting pest animals across the State would be a waste of resources. [*Time expired.*]

The Hon. Sarah Mitchell: It's a waste to count, but you have to get rid of 70 per cent.

The Hon. SCOTT BARRETT (11:43): Yes, it is a waste to count, but the Government is quite happy to put out a press release saying that 223,000 pigs have been killed since July 2023. The Government wants to brag about it. Since I have brought up the issue, information has come to me that a lowball estimate is about five million pigs in New South Wales. If members want to put questions to the Treasurer, get him to quickly work out 200,000 out of five million. How close is that to 70 per cent? It is not putting a dent in the number of pigs in this State. The Government is more focused on a press release than outcomes, and that happens over and over again. It is abundantly clear that the Minister has no idea how many pigs there are in the State and seemingly no interest in trying to find out. Rather than press releases, we need real outcomes. We need to see the numbers of pigs in this State come down, to stop them doing damage to our environment and economy.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:44): I just cannot get enough of talking about feral pigs in my role as the Minister for Agriculture, in this Chamber and in any other forum the Opposition would like to discuss it. Yes, we put out a press release about culling 223,000 feral pigs across New South Wales. That is good news, but there is more to do. It is not a victory lap; it is informing the public. It is informing the landholders across regional communities, whom we are supporting and working with, about the outcomes being achieved from the large investment of money into tackling this significant issue. Informing the public and keeping people up to date about the results of the programs we are rolling out across the State is an important role of the Government. I do not have a problem with informing people about that. The resources we have allocated are about culling pigs, not counting them. [*Time expired.*]

AUSTRALIAN MUSIC INDUSTRY

The Hon. ANTHONY D'ADAM (11:45): My question without notice is addressed to the Minister for Music and the Night-time Economy. How is the New South Wales Government supporting local artists to compete in the age of multinational streaming platforms?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:46): It is Ausmusic Month, and last night the Australian Recording Industry Association's ARIA Awards were a great reminder of the incredible musical talent we have in Australia. I am sure the House would love to congratulate a few of the New South Wales winners. Ninajirachi, the Kid Laroi, Boy Soda, Barkaa, Lucy Clifford and Keli Holiday were all winners last night, but behind the celebration is a challenging picture. The rise of streaming means that today's artists are being swamped by American music. Last year just three of ARIA's top 100 albums were by Australian artists. The local live music scene is under significant pressure. You could put it this way: "We're standing on the limit of the endless ocean, watching as the grey clouds shadow the bay." If we do not act, we risk losing our "great southern sound".

Since coming to office we have set up Sound NSW, extended trading hours for over 350 live venues, supported festivals, established the NSW Music Prize and introduced Michael's Rule. We are also working with Spotify, and last month we jointly announced that New South Wales will be one of nine international territories to get the venue pages feature, to help boost the discovery of local venues. We need to fight for the great southern sound. If we do not:

They're gonna betray you, they're gonna forget you
They're going to take our local music away, in this
Great Southern Land
Great Southern Land.

FERAL ANIMAL AERIAL SHOOTING

The Hon. ROBERT BORSAK (11:47): My question is directed to the Minister for Agriculture. In response to my question on 18 September 2025 regarding the aerial horse shooting at Thurloo Downs, the Minister advised that that the feral animal aerial shooting team [FAAST] manual prohibits the use of cameras on helicopters used by Local Land Services and that verification relies on crosschecks by personnel on board, a clear conflict of interest. In reviewing, drafting and approving the latest FAAST manual and any associated standard operating procedures, what public consultation was undertaken, if any? Which community stakeholder, scientific or animal welfare groups, industry bodies or affected landholders were consulted or invited to contribute? Where is any such consultation published and, indeed, where is the current FAAST manual available?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:48): I thank the member for the question. I know he has an ongoing interest in the operations of Local Land Services, particularly the aerial culling work across New South Wales in relation to feral pigs. It is a significant issue. Based on questions from the member, I have spoken in the past about how we are using those resources to verify information. We are looking at how that can better modernise for accountability, so I am happy to inform the House about that. I will take on notice the specific question about the consultation the department might have done and will see who they have engaged with to get feedback. However, I am happy to receive feedback from stakeholders and various people involved. The Government is working with various people to deal with pest animals across the State. We are always open to feedback from those groups, including farmers and hunters, in relation to how we can better coordinate and make our resources go even further.

I have talked about this subject a lot. The Government is doing a whole piece of work—including with the Natural Resources Commission and the Independent Biosecurity Commissioner—to reform how my department and others spend money to deal with pests and weeds across the State, making sure that every dollar in the budget goes further. The Government is rolling out a whole bunch of programs to do that, including the Good Neighbours Program. In terms of getting hunters more involved in those programs, I encourage members to consider the bill introduced by the Hon. Robert Borsak, who asked the question. Where there are opportunities to deal with culling feral animals in a better, more coordinated way, the Government is happy to work with anyone who is interested in supporting that, and it will assist them to fulfil their responsibilities.

The Hon. ROBERT BORSAK (11:50): I thank the Minister for the answer. My question highlights the serious accountability issues around taxpayer-funded aerial shooting. The feral animal aerial shooting team manual bans cameras, and verification relies solely on personnel on board. The incident at Thurloo Downs shows that there is a significant risk of error. It also demonstrates that we have inadequate oversight of what is going on in helicopter shooting as part of the program of control. We need to get an idea of what is actually happening with the shooting of feral animals and how many animals are killed from the air. The only way we can really do that is

through verification with cameras. There is also the serious issue of potential corruption with the use of contractors.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:51): I thank the member for the continued discussion. I again acknowledge his interest, particularly in the aerial culling operations conducted by Local Land Services and other agencies such as the National Parks and Wildlife Service. I have indicated before that I have already tasked the department with investigating the feasibility and costs of using cameras and other technology on the helicopters and planes involved in those operations to better verify their activities. I look forward to receiving that advice from the department and Local Land Services to see how we can better modernise how we keep track of that very significant work across regional New South Wales.

The Hon. SCOTT BARRETT (11:52): I am happy to join the discussion about aerial shooting. One of the problems with aerial shooting on a landscape basis happens when some landholders do not get involved with those programs. Obviously, we can shoot all the pigs we want, but they can all run to one place and then—as the Minister suggested earlier—quickly repopulate those other areas. I wonder if the Minister will use this opportunity to tell us what efforts are being taken to overcome that problem and to get more people involved in those landscape-wide aerial culling programs. In particular, I wonder if the Biosecurity Act can be used to compel those people to take part in the broader scale programs. That would put downward pressure on pig numbers in this State, rather than just coming out with a number to say, "We have killed this many pigs," knowing that that will not actually make a significant difference to the broader populations.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:53): I thank the member for continuing discussion time on the culling of pest animals, particularly feral pigs, across New South Wales. It is very important. The Government has made a significant investment in culling feral animals. The commentary was about how the Government is coordinating with various landholders across the State. I have talked about that at length. We are coordinating efforts not just with landholders who own private farms but also across different agencies. As I have said many times before, pigs and other pest animals do not stop at fence lines. We are coordinating those efforts at scale to make sure we deal with the issues properly. I encourage The Nationals to talk to their comrades in the Liberal Party about supporting the bills before the House to assist with tackling that issue. Landholders are also required to participate in those kinds of activities under the Biosecurity Act. They are required to do that by law.

REGIONAL YOUTH CRIME

The Hon. SUSAN CARTER (11:55): My question is directed to the Minister for Regional New South Wales. In March 2024 the Government announced a pilot place-based plan to tackle regional crime. It included a youth bail accommodation facility in Moree. Twenty months later, there is still no functioning bail accommodation in Moree. How long will it take for regional communities before the Moree pilot is evaluated and an effective place-based response is rolled out across regional New South Wales?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:55): I thank the member for the question. I am happy to talk in broad terms about the work the Government is doing across regional New South Wales in relation to the issue, but it is not directly within my portfolio responsibilities. As the Minister for Regional New South Wales, I work with my colleagues across government to provide resources and support to regional communities where it is needed, particularly across vulnerable communities. I will take on notice the specific question about where the bail accommodation is up to. I know there is very active consideration from the Minister who is directly responsible for that.

I am pleased to confirm to the House that other support is provided to communities and vulnerable people that will help to mitigate and deal with the crime problem across the State. Just this week I informed the House about an announcement the Government made on the weekend about a brand-new \$15.6 million partnership with PCYC NSW. The Government is working with the PCYC to provide effective programs for communities of disadvantage to support young people with activities and job readiness. We are supporting the PCYC to roll out those programs in even more places, including further work in Moree. The Government will continue to work with the PCYC and other organisations to ensure support in regional communities. It is not a singular issue; there is no one-size-fits-all answer. As the Minister for Regional New South Wales, I am working with relevant colleagues across government to make sure that we are tackling this issue from every—[*Time expired.*]

The Hon. SUSAN CARTER (11:58): "I'm working with government across New South Wales to achieve a response"—I wish those words were true. Twenty months ago, an action plan was promised within six months. That has not been delivered. When questions are asked about that, we are told, "You'll get it when you get it". The action plan does what government alone can do: plan and evaluate. What the PCYC does is fantastic.

The PRESIDENT: Order! The Leader of the Government knows that interjecting is out of order.

The Hon. SUSAN CARTER: All this Government is doing is supporting programs here and there and hoping that something will work. The Government is not doing the one thing it can do—the value-add of evaluation and planning. The Government is not taking regional crime seriously. It is letting down the people in the regions, who worry every day about what happens in their houses. Every day they worry whether their cars—*[Time expired.]*

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:59): Whilst I appreciate the contribution from the Hon. Susan Carter, I have zero interest in being lectured by the member. Has she been to Moree? Has she been engaging with any of those regional communities?

The PRESIDENT: Order! The Clerk will stop the clock. The Minister will resume her seat. We are almost at the end of question time. There is too much audible conversation in the Chamber. Members will contain themselves for the next minute and a half. The Minister has the call.

The Hon. TARA MORIARTY: I wonder about the level of engagement, particularly from Liberal Party members and also the Nats, in finding solutions for the challenges that impact our regional communities. People are absolutely entitled to feel safe in their homes and in their communities. We are investing a significant amount of money into our police resources. We are investing in training our police. We have increased recruitment to get police into regional communities. That is one side of how we are dealing with those challenges. We are also investing in services, and I have given some details about one part of the significant investment—*[Time expired.]*

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

PROPERTY PRICE GUIDE UNDERQUOTING

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:00): I provide further information in answer to the question asked by the Hon. Rod Roberts. Last week Minister Chanthivong announced that the Government is commencing consultation on proposed reforms to overhaul the State's underquoting laws, lifting professional standards, improving transparency and boosting buyer confidence. The proposed reforms, which are currently out for consultation, include significantly increasing penalties for underquoting from the current \$22,000 to \$110,000 or three times the agent's commission, whichever is greater; mandating a price or price guide on all advertising; requiring agents to publish a statement of information to help prospective buyers understand how the selling price was calculated; requiring real estate agents to calculate and revise the estimated selling price of a property in accordance with new, clearer guidelines; tightening advertising rules to ensure that price guides are published, are accurate and are updated promptly; and strengthening record-keeping obligations.

The reforms represent a significant crackdown on unfair trading practices in the housing market. Specifically regarding the honourable member's interest in mandatory building and pest reports, I understand that the member met with Minister Chanthivong yesterday to discuss this very matter and that it is under active consideration.

EAST LISMORE SEWAGE TREATMENT PLANT

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (12:01): I provide additional information on the East Lismore sewage treatment plant upgrade. I confirm that the proponent for the project is Lismore City Council, not Rous County Council. It is funded by the Reconstruction Authority under the Northern Rivers flood recovery program, and it is being delivered by Public Works. I am still happy to take on notice an update on the project, but I will have to ask Minister Saffin to provide that detail, as it is not being managed and delivered by the Water Group in the Department of Climate Change, Energy, the Environment and Water. I wanted to provide that clarification. I will provide the additional information from Minister Saffin when I can obtain it.

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DAMIEN TUDEHOPE: I move:

That the House take note of answers to questions.

WORKERS COMPENSATION LEGISLATION

The Hon. DAMIEN TUDEHOPE (12:02): I take note of answers given by the Treasurer. The Treasurer spent some significant time attacking me personally with a character assassination for the Opposition's position on savings in the workers compensation scheme. My criticism of Business NSW has not been of Mr Hunter personally. I have had many dealings with Mr Hunter, and I will come back to that in a moment. What I actually said about the position taken by Business NSW went to the unbalanced manner in which it prosecuted its position. The primary position of businesses, put to the Opposition, was that we can make the most savings in workers compensation by stomping out the rorts at the beginning by stopping people entering at the front end.

Members opposite and this Treasurer say, "We do not care about that. We would rather strip money off seriously injured workers who are threatening to take their own lives." That is the Treasurer's approach. That is what members opposite are doing by voting for the bill. Every single business we hear from tells us about the rorts that happen at the beginning. Reasonable management action should be an essential component of the bill. When confronted with that, members opposite had an opportunity to amend the bill. Guess what they did? They rejected it. But now the Treasurer has the temerity to say that the Opposition will be responsible for not-for-profits and aged-care organisations having to close their doors.

If that happens, it is the responsibility of one person: the Treasurer. One person makes the decision about premium rises, which will impact on businesses, not-for-profits and aged-care institutions. One person has the signature that goes on the decision to increase premiums. He knows it, and it will be his decision. The people of New South Wales ought to know that because, when he makes that decision, it will be against that background of having threatened those organisations and businesses with premium increases. The very fact that the Treasurer is chattering away across the Chamber shows that he is guilty. He knows about it, and those opposite all know about it.

PROPERTY PRICE GUIDE UNDERQUOTING

The Hon. ROD ROBERTS (12:05): I take note of the answer provided by Minister Sharpe, on behalf of Minister Chanthivong. I acknowledge my meeting with Minister Chanthivong yesterday. It was open and engaging. While he was very open to listening to my proposition, I will not verbal him that he said, "This is what we are going to do," or anything like that—because he did not give that undertaking. He did give an undertaking to look into the matter. As I have said, I have great experience in that area. My pecuniary interests disclosures will show real estate—I have done three transactions in the past 14 months alone—and I have spent time in the industry. The biggest downfall for buyers trying to purchase in the auction process is missing out on properties, and that comes with a financial burden.

I am not a rocket scientist and I do not suggest that I come up with all the answers. Yesterday I told Minister Chanthivong that he had to take a look at the Civil Law (Sale of Residential Property) Act 2003, which is an Australian Capital Territory Act. It states that, amongst the prescribed documents, a building certificate and a pest certificate must be provided. The regulations go on to say that the tests have to be conducted to the Australian standards, that the individual who undertakes the inspection—a building or pest inspection—must have insurance to the proper standard and that they are provided in the contract. So if I go to an auction and do not succeed in bidding, I am not at any financial disadvantage because I have not outlaid \$1,000-odd for inspection reports on a property I am not going to get.

I am not in any way condoning actions of any unscrupulous real estate agents, but members must remember that an agent is engaged by the vendor, not the buyer. The vendor selects the agent; the vendor pays the agent's fees. The agent has a moral and fiduciary obligation to obtain for the vendor the best possible price they can. That must be always remembered in discussions trying to limit what an agent can and cannot do. We must be mindful of what their role is. We need to stop repeated incidents of buyers being at a financial disadvantage every weekend. Perhaps my proposition may not stop underquoting, but it will help buyers with the financial disadvantage they find themselves in. Coming to underquoting, I suggest to the Minister that there be no quoting of any prices at all, so that quoting of any price in any sales campaign is illegal. That is what happens in Queensland at the moment: It is an offence for the agent to provide even a price range. It is a case of letting the buyer do their own homework and know what they should be paying for a property.

AUSTRALIAN MUSIC INDUSTRY

The Hon. Dr SARAH KAINE (12:09): I take note of the answer given by the Minister for Music and the Night-time Economy. I resist the temptation to mention the Auditor-General's report entitled *Rail rolling stock procurement*. I mention that report every time the Opposition comes at the Government about anything to do with procurement in the transport sector, but I will not spend time discussing that because it would be too obvious. I note that in his answer the Minister said that we must continue to promote a viable live music industry in

New South Wales. The Minister referred to the important Standing Committee on Social Issues inquiry into the live music industry in New South Wales, which will consider the developments in the space since 2017.

Members will be aware that a 2017 inquiry into the live music industry found that live music venues were in crisis, and then COVID hit the State. This is a real chance to take stock and see what else we can do to support a long-term, sustainable live music sector in New South Wales. We have made progress. Since the Government introduced the various tranches of vibrancy reforms, which have largely had bipartisan support, the number of venues offering live music has almost tripled. There has been a greater uptake of incentives, including extended trading hours and discounts in licensing fees, for venues that are prepared to have live music and performances.

We have also given opportunities to performers so they can afford to do things like tour the State. Live music and performance is important for regional New South Wales. There has been enthusiastic interest in special entertainment precincts, particularly in the regions. Tamworth is developing two special entertainment precincts, which will build on its reputation as the home of country music in New South Wales and Australia. Lots of things are happening and there are a lot of encouraging signs. We need to keep building that momentum. Hopefully the inquiry will show members what can be done to keep a sustainable live music sector in New South Wales.

EAST LISMORE SEWAGE TREATMENT PLANT REGIONAL YOUTH CRIME

The Hon. SARAH MITCHELL (12:11): I take note of a couple of answers given today. First, I take note of the answer given by the Minister for Water to my question about the sewage treatment plant in East Lismore. I have spoken with members from that community in my capacity as the duty MLC for the Lismore area. It is a really big issue. I was a Minister at the time of the floods. I went to Lismore shortly after the major flooding event in 2022 and saw the devastation and the impact it had on the community. I appreciate that rebuilding takes time, but it has now been several years. The community is still waiting for key infrastructure projects like the sewage treatment plant upgrade in East Lismore.

Members of the community have said that it is important that the sewage treatment plant is completely refurbished and rebuilt. It is not rocket science—a community the size of Lismore will need a decent and reliable sewage treatment plant. The sewage treatment plant has been patched together and is hanging on for now. The community is concerned about the long-term prospects of the project because it does not have a full allocation of funding under the Labor Government. It will take several years to build. Making the sewage treatment plant flood ready and lifting the electrics will not be simple. It will take investment and time.

The previous Government allocated money for the project back in 2022. I acknowledge Kevin Anderson, the former Minister for Lands and Water, who put a \$145 million package together to repair and rebuild critical water and sewerage infrastructure. We left money for the Government. Government officials have had meetings with Lismore City Council, and the Premier has visited the area. It is a really big issue. I am happy that the Minister took my question on notice, but now is the time for action. The community is calling out for this project, and the Opposition supports them. It is important that the project gets fully funded and delivered so that the community has certainty about a critical piece of community infrastructure.

I also take note of the answer that the Minister for Regional New South Wales gave to the Hon. Susan Carter's question about regional crime. The Minister gave a very lacklustre response. There was some sniping across the table about who has been to Moree. It is so offensive to people like me who live in regional communities. I lived in Moree for a number of years. I live in Gunnedah now and we had another incident overnight. A man had his house broken into and is now in hospital. This problem continues to be front and centre for people who live in regional New South Wales. We have been waiting for the Moree pilot program for two years. It was supposed to be part of a model that the Government would roll out across the State. Talk is cheap; action matters. The Minister for Regional New South Wales is supposed to be the voice for regional New South Wales around the Cabinet table. It is not good enough for the Minister to say, "It's not really my key responsibility." It is a waste of time to have a Minister who does not care— *[Time expired.]*

NSW AMBULANCE COMMISSIONER

The Hon. MARK BANASIAK (12:14): I take note of the answer given by the Treasurer to my question. I reiterate that 80 per cent of senior NSW Ambulance staff have expressed a vote of no confidence in the commissioner. They are not junior staff; they are highly trained and do not generally act on hyperbole. Their concerns are serious. The Minister for Health needs to act, because the buck ultimately stops with him. He is the only one who can restore confidence in the leadership of NSW Ambulance. It is not based on one letter; there have been a series of direct reports on the commissioner's actions, behaviour and leadership.

I turn to some of the decisions made by the commissioner, like the refit of the Sydney Ambulance Centre at Eveleigh. Substandard training modules are being used to train ambulance staff. I ask members to imagine training to drive a heavy vehicle, but all of the training is done in a MINI Cooper. That is what is happening at Eveleigh. There have been cost blowouts and delays to the supposedly state-of-the-art centre at Homebush. There has been no indication of ambulance staff getting into that centre by the end of the year. All of these things fall on the commissioner and highlight his leadership, or lack thereof. I am not suggesting that this House move for an inquiry into those issues, but there are a lot of reports and concerns floating around on the matter I have raised today.

I also note the rostering decisions that are the subject of a call for papers under Standing Order 52 moved by the Hon. Rod Roberts. Maybe there is time for an inquiry into the leadership of NSW Ambulance. Members cannot ignore those mounting concerns, because NSW Ambulance is mission critical. The lack of faith and confidence in the senior leadership of NSW Ambulance does not just have abstract impacts; it flows down to frontline staff and affects their morale. It ultimately flows on to patient care. The last thing that members in this House want to see is patient care being compromised because people have lost faith in the leadership of the commissioner of NSW Ambulance. I implore the Minister to act on it and take decisive steps to restore confidence in the leadership of that great organisation.

BUS MANUFACTURING INDUSTRY

The Hon. CAMERON MURPHY (12:18): I take note of the answer given by the Minister for Transport to a question from the Hon. Natalie Ward about local content. It is absolutely extraordinary that the Liberal Party would question the Minister on local content given its record. The Liberal Party did not commit to local content when it was in government. More importantly, it has still not committed to local content now. Opposition members will not commit to local content, but they have the gall to criticise us in this Chamber. I have not forgotten their record. The first thing Opposition members did when they were in government was buy trains from Korea. Excellent manufacturing facilities in Auburn, Granville and the Hunter had made generations of XPT trains, but those opposite did not use those to build inner-city trains. They went for the cheapest possible cost, which in their view was in Korea. What happened? The trains arrived and did not fit the tracks. They had to be adjusted, costing money. Then what happened? The trains did not fit the platforms, so the Government needed to adjust the platforms. Then what happened? The trains did not fit the tunnels, and the Government had to adjust the tunnels.

The Treasurer has been trying to find money to finish cleaning up the legacy mess that the Coalition left us with. Look at its record on ferries. What did we have? We had decapitating ferries—they could not fit under our bridges and were going to decapitate people. To give the Coalition credit, maybe decapitating people is its thing. We lost the Leader of The Nationals on Monday; we might lose the Leader of the Liberal Party today. The Coalition certainly knows a lot about decapitating people, and that is exactly what it did with ferries. Coalition members purchased an imported bus for every single bus they rolled out, yet they complain, "Under the Labor Party there's not enough local content. There are only a handful of buses at the moment." Well, a handful of buses is more than they ever did. They are still not committed to local content. If they were in government right now, they would be ordering everything from overseas. There would not be a single manufacturing job in this State under a Coalition government, and that is all people need to know about the position of Coalition members every time one of them asks a stupid question about why we are not doing enough. We are doing more than they ever did.

BUS MANUFACTURING INDUSTRY

The Hon. RACHEL MERTON (12:21): I take note of the answer from the Minister for Transport about buses and local manufacturing. I remind members of some of Labor's pre-election slogans: "Put New South Wales jobs first", "Wheels are in motion", "We're going to restore local manufacturing", "The New South Wales industry mission: prioritising New South Wales business and local suppliers"—and there were more. They were pledges. A pre-election announcement stated, "The New Labor: bringing back local jobs through local procurement." Today my good friend the Hon. Natalie Ward prosecuted the case well, questioning the Minister for Transport on bus manufacturing.

Aluminium Revolutionary Chassis Company [ARCC], the Sydney bus supplier and manufacturer that we have spoken about today, won the Australian Made Award. The Minister has acknowledged the winning of the award and the success of the enterprise, but ARCC could be out of business within months because red tape is stopping it from getting orders from Transport for NSW. Today we have established that the Government has ordered only three revolutionary zero emissions buses designed and built by ARCC in Smithfield, but another 126 buses from Chinese company Foton. ARCC chief executive Peter Murley has said:

We've developed a world-class product and made breakthroughs in systems and processes which enable us to make the buses here at a competitive price.

Manufacturing consultant Michael Lucas reports a disconnect between Government Ministers wanting to buy Australian made—we have had the pledges about local jobs, getting back to business, keeping it here and prioritising New South Wales business—and bureaucrats refusing to adapt their box-ticking measures to support local business. Surely the Government needs to give a directive to their procurement officers. Are there procurement guidelines that say, "We pledged this; let's make it happen"?

The Hon. Wes Fang: Point of order: I did not want to take a point of order while the member was making her contribution, but the cacophony from the noisy galahs on the Government backbench are making it incredibly difficult to hear. I ask that you direct them to be quiet during members' contributions.

The Hon. Dr Sarah Kaine: To the point of order: During the contribution from the Hon. Cameron Murphy, there was a large amount of noise from the Opposition side of the Chamber.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Pejoratives aside, I remind all members to respect other members when they are making their contributions.

WORKERS COMPENSATION LEGISLATION

The Hon. JOHN RUDDICK (12:24): I take note of the Treasurer's response to my question about workers compensation reform. After I asked my question, the Leader of the Opposition in this place snapped at me and said, "You've become a patsy for the Government."

The Hon. Daniel Mookhey: Hear, hear!

The Hon. JOHN RUDDICK: We just had a "hear, hear!" for it, but it is laughable. The definition of a patsy is a gullible fool who gets tricked into doing something against their interests for another party. Is it any surprise that a Libertarian Party member is pro reforms that will help business? The Libertarian Party does not believe the Government should in any way be involved in workers compensation. We believe it should be left to employers and employees to negotiate. So, yes, of course we are going to support the Government when it seeks reforms that in our view are way too modest. The Libertarian Party is proudly an ideologically pure party, so it distresses us to see that the once-great Liberal Party has not only gone soft on its founding principles but in many cases reversed its principles.

A generation ago, then State Premier Nick Greiner was widely regarded as the high-water mark of economic rationalism in New South Wales. Premier Greiner did the following tough-love reforms: One, he cut public service employees by almost 20,000; two, he corporatised and privatised government enterprises; three, he abolished or merged over 100 government boards, authorities and agencies; four, he paid down high debt that had accumulated under Labor; five, he implemented an economy-wide deregulation agenda that included extended shopping hours; and, six, he reduced payroll tax and stamp duty rates.

Premier Greiner set this State up for the years since. I thank him for the hard work that gave Carr an easy ride afterwards. It was not just the Liberals in this State; around the same time, Premier Kennett in Victoria and Premier Richard Court in Western Australia enacted similar sound reforms, as did the Howard Government in its first two terms—it went soft after that. All those reforms were derided as heartless, but pro-business reforms make the private sector come to life, and that creates new industries, new jobs, better paying jobs and general prosperity and happiness.

I hear in the media there is speculation about a change in Liberal Party leadership, but that once-great party needs a lot more than a change in leadership. It needs to rediscover its founding principles around small government. To do that, the Liberal Party needs to embrace standard practice around the Westminster world and let the party membership elect their parliamentary leaders. Why will that make a massive difference? It is because the Liberal Party membership is still committed to their party's founding principles, but that is not being reflected in the party room either here or in Canberra. Liberal Party members should not hold their breath. I suspect that when we get to the point that a Liberal Party parliamentary leader attacks a Libertarian for supporting pro-business reforms, the Liberal Party is on its way to following the United Kingdom Conservative Party in imploding. Vote Libertarian!

HERITAGE BUILDING ENERGY EFFICIENCY

The Hon. STEPHEN LAWRENCE (12:27): I contribute to the take-note debate, particularly in respect of the answer given by the Minister for Heritage in response to the Hon. Bob Nanva's question. Recently I was involved in the announcement of the heritage grants for my five duty electorates in western New South Wales. We received \$1.2 million of the just over \$8 million for those grants. One was for a project that Jillian Kilby is doing at the Colonial Mutual Life building in the CBD of Dubbo. It is a beautiful old building that in some ways has seen better times. Jillian Kilby is working to restore it to its former glory and has done incredible work. She

founded a business called The Exchange in the historic former post office in Dubbo's CBD. That building had various uses over the years, then fell into disuse.

When I was on council, we regularly received complaints about problems with pigeons and the building falling into disrepair, spoiling the view and amenity of the CBD. Lots of people complained about that, and Ms Kilby did something about it. She got finance, bought the building and started an incredible business, The Exchange, which allows small businesses and different organisations to work from that building. She totally transformed that part of the Dubbo CBD. At about the same time, council seized the opportunity to get some State money to buy the building next door, which had been obstructing the view of a historic wall of the Old Dubbo Gaol. Council demolished that building, and the community and council will shortly officially open a beautiful new plaza there. The work of Ms Kilby built on other work that was occurring and really transformed that part of the Dubbo CBD. It is a good example of the power and impact of restoring beautiful heritage buildings, and Ms Kilby should be commended.

As part of the 2025-27 Local Government Heritage Grants, which saw \$1.2 million go to the five duty electorates in western New South Wales, Ms Kilby benefited from a grant of approximately \$250,000. I am confident that she will achieve things just as great as The Exchange and the old Dubbo Post Office. Many of us have walked past that building without really seeing it but, walking past now, we can see how she has transformed it and realise how beautiful it is. Ms Kilby is a great citizen of Dubbo. She has made an amazing contribution, and it is fantastic that the State Government is assisting with heritage grants.

REGIONAL YOUTH CRIME

The Hon. SUSAN CARTER (12:30): I take note of the answer given by the Minister for Regional New South Wales to my question. Her answer nailed the problem that the Government has in dealing with the admittedly complex issue of regional crime. Disappointingly, the Minister for Regional New South Wales indicated that the safety of regional New South Wales lies outside of her portfolio responsibilities. She said that we should instead have a whole-of-government response to the problem. All too often, "whole-of-government response" is code for nobody actually being responsible. The Attorney General says, "I'm not responsible for the bail accommodation." The Minister for Regional New South Wales says, "I'm not responsible for regional safety." The police Minister says, "I'm not responsible for changes to the bail laws." Apparently, nobody is responsible. It is like the hot potato of criminal justice—throw it here, throw it there and throw it somewhere else.

In March 2024 we were promised that an action plan would be delivered in six months, and \$700,000 was allocated for that. Why is that important? It is because that provides the coordination and the evaluation. Giving money to PCYC is fabulous, but do we know who that serves? Do we know if that is diverting people who have been in contact with the criminal justice system? Those questions remain unanswered. While they remain unanswered, the crime problem in regional New South Wales remains unaddressed. Regional crime is an urgent problem and it should be the Government's first priority. It should not be simply passed off as a whole-of-government responsibility, which means no-one's responsibility.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! Pursuant to standing orders debate is interrupted to allow the Minister to respond.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (12:33): I love discussion time. I enjoyed it thoroughly today, and long may it continue. Let us do it three more times next week. Until then, I will respond to a few things from the take-note debate. My good friend the shadow Treasurer is as loud as a lion in the take-note debate but as meek as a mouse during question time. Having written the rules himself, he has not had the courage to ask me a question all week. Nevertheless, he is happy to misdirect the House about the attacks that he has launched on Business NSW. Let me correct the record.

The shadow Treasurer passed this off as just a little tete-a-tete but, when talking about Business NSW on the radio on 10 October, he said, "I think it is entirely naive. I think Business NSW has turned its back on business." At this time last week in this place, he accused Business NSW of having confused advocacy with accuracy and fear with fact. He then went on to call the principal organisation of small business in this State—an organisation that represents more than 50,000 businesses—a "special interest group". Further, he then accused Business NSW of committing "a fundamental dereliction of its obligations to the employers and businesses it seeks to represent", all because it had the audacity to say that our workers compensation system is broken.

What is more, the shadow Treasurer held a press conference in which he accused Business NSW of being a quasi-spokesperson for me and complained about it holding the Coalition to account for its behaviour before going on to all but call for the dismissal of its CEO. Whilst the business, charitable and not-for-profit sectors brace for the Tudehope tax that has been imposed upon them—because the shadow Treasurer is stubborn enough to

refuse to compromise when everybody else has—rather than engage on the issue, he unfortunately resorted to the politics of personal attack.

We saw that today when the Hon. John Ruddick had the audacity to ask a question on workers compensation. He showed more courage than the Hon. Damien Tudehope by stepping up and asking a question. We all bore witness to the shadow Treasurer savaging a member of the crossbench because he had the audacity to ask a question on a matter of importance to the State, to injured workers and to business. I hope that the Hon. Damien Tudehope does better next week. With three additional unscheduled question times or discussion times, I hope we start to see some maturity from the shadow Treasurer rather than him engaging in a constant campaign to belittle anyone who has the audacity to disagree with him.

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

Motion agreed to.

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

Bills

WATER MANAGEMENT AMENDMENT (EASEMENTS FOR INUNDATION) BILL 2025

Second Reading Speech

Debate resumed from an earlier hour.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:01): Before my second reading speech on the Water Management Amendment (Easements for Inundation) Bill 2025 was interrupted for an excellent discussion time, I was saying that New South Wales is well on its way to delivering on its commitments under the Basin Plan. This bill continues that work by making necessary administrative amendments to ensure that easements acquired to permit inundation for environmental purposes can be held by the river operators responsible for delivering environmental water—something that is not currently possible under existing legislation. Without these amendments, inundation easements acquired under programs such as the Reconnecting River Country Program cannot fulfil their intended purpose. River operators would lack the legal power to hold these easements, undermining their ability to deliver environmental water that causes overbank flows.

The amendments in this bill will enable WaterNSW—the river operator for both the Murrumbidgee and Gwydir Rivers—to be the beneficiary of easements acquired for the occasional inundation of land for environmental purposes. The bill also establishes a regulation-making power to allow Commonwealth and interstate water authorities to be the beneficiaries of New South Wales inundation easements should this be required for future constraints relaxation projects, such as along the Murray River. These amendments are modest in scope but vital in effect. They ensure that the legal and operational foundations are in place to support effective environmental water delivery now and into the future.

I turn to the specific provisions of the bill that give effect to these changes. As mentioned, the amendments are largely minor and administrative. The bill proposes amendments to the Water Management Act 2000 to allow for easements in gross to be created in favour of a river operator where the purpose of the easement is to permit inundation of land for an environmental purpose. Under the Conveyancing Act, WaterNSW may only hold easements in gross for the purpose of, or incidental to, the supply of a water utility service to the public, such as the supply of water, drainage or sewage services. This bill allows WaterNSW to be the beneficiary of easements that are created to permit inundation for environmental purposes for programs such as the Reconnecting River Country Program and the Gwydir Reconnecting Watercourse Country Program.

Specifically, the bill confirms that easements acquired under these programs are treated as easements in gross for the purposes of the Conveyancing Act and may be held by river operators as prescribed authorities. The bill defines a river operator as WaterNSW or a water authority prescribed in the regulation, whether these functions are exercised in New South Wales or another Australian jurisdiction. This definition of a river operator is intended to support the delivery of both the Reconnecting River Country Program on the Murrumbidgee and the Reconnecting Watercourse Country Program on the Gwydir, where WaterNSW acts as the river operator.

The definition also aims to futureproof the proposed amendments if a constraints relaxation project is progressed on the Murray River, where river operators from New South Wales, Victoria, South Australia and the Commonwealth share responsibility for delivering environmental water. There may also be interstate Crown entities that have a role in environmental water deliveries, such as the Commonwealth Environmental Water

Holder. If a constraints relaxation project is initiated for the Murray River, all relevant river operators and interstate authorities must be beneficiaries of any inundation easements acquired within New South Wales. By establishing a regulation-making power to include these other river operators, the bill enables the future delivery of these projects on the Murray and potentially other locations along the New South Wales border without requiring further legislative amendments.

The remainder of the bill facilitates a cost-effective and administratively efficient process for the transfer of easements that permit inundation for environmental purposes that have been acquired by the Water Administration Ministerial Corporation to WaterNSW. As I mentioned earlier, the Reconnecting River Country Program has already commenced easement negotiations with landholders along the Murrumbidgee River on behalf of the Water Administration Ministerial Corporation. This is consistent with the Landholder Negotiation Scheme, which specifies that it is the Water Administration Ministerial Corporation that must negotiate with affected landholders.

While the passage of this bill will enable river operators such as WaterNSW to hold easements that permit inundation for environmental purposes, it is anticipated that, for some programs, the Water Administration Ministerial Corporation may continue to act as the acquiring authority, which means that following acquisition, the easements will need to be transferred to WaterNSW so they can be afforded the legal rights and protections granted by the easement. The provisions related to the transfer of easements may also extend to easements acquired under other basin initiatives that permit inundation for environmental purposes, such as the sustainable diversion limit adjustment mechanism projects and the Reconnecting Watercourse Country Program, where WaterNSW should also be the beneficiary of these easements.

Facilitating the transfer of easements through this bill reduces the administrative time and cost typically associated with vesting orders. In some cases, vesting orders can take significant time to process. The automatic transfer mechanism proposed in the bill ensures WaterNSW can immediately benefit from the easements. Importantly, it also ensures that the easement transfer process does not delay the implementation of constraints relaxation projects and the environmental outcomes these programs seek to achieve.

However, the bill has been drafted in a way that due process for the transfer of these easements is followed. By this I mean that the easements to be transferred in this way can only be transferred if the easement is for or incidental to the inundation of land and it is for an environmental purpose; the transfer of the easement is gazetted; and WaterNSW has been consulted. Once the easements are transferred to WaterNSW, all of the rights, legal requirements, entitlements and obligations conferred by the easement become the responsibility of WaterNSW.

Additionally, it follows that WaterNSW must have the necessary functions to be able to hold and deal with the easement to be transferred. The bill provides that the Registrar General can undertake the necessary administrative functions to register the easement transfer. The last section of the bill has been incorporated from the Water NSW Act schedule 1 standard provisions. It confirms that a transfer order does not create adverse legal consequences in respect of existing legal relationships and avoids unintended legal effects on third parties.

Finally, I note that the bill is intended to commence by proclamation. This will allow time for the New South Wales Government and WaterNSW to undertake the necessary administrative arrangements to implement these amendments as part of negotiations already underway along the Murrumbidgee River. This bill is an important enabler for the delivery of the State's commitments under the Murray Darling Basin Plan. It does not alter existing policy directions or depart from longstanding commitments. Instead, it builds on existing efforts to support constraints relaxation. These minor amendments to the Water Management Act ensure that any easements that are acquired to facilitate inundation for environmental purposes under programs like the Reconnecting River Country Program and the Reconnecting Watercourse Country Program can be held by the relevant river operator that is responsible for delivering environmental water within the river system.

While the amendments in this bill are administrative in nature, they represent a practical step forward in delivering real environmental outcomes for our rivers, wetlands and communities. It reflects the Government's commitment to working collaboratively with landholders, protecting their interests and ensuring transparency in how environmental water is managed. With these amendments, New South Wales is better equipped to meet its Basin Plan obligations, protect vital ecosystems and support the long-term sustainability of our river systems. I urge all members to support this bill and the important work it enables. I commend the bill to the House.

Debate adjourned.

Documents

TABLING OF PAPERS

The Hon. TARA MORIARTY: I table the following papers:

- (1) Childcare and Economic Opportunity Fund Act 2022 and Government Sector Finance Act 2018—Report of the NSW Childcare and Economic Opportunity Fund Board for year ended 30 June 2025.
- (2) Government Sector Finance Act 2018—Reports for year ended 30 June 2025:
 - Board of Surveying and Spatial Information
 - Department of Customer Service
 - Department of Education
 - Department of Primary Industries and Regional Development
 - Fire and Rescue NSW
 - Independent Pricing and Regulatory Tribunal
 - Local Land Services
 - Natural Resources Commission
 - NSW Electoral Commission
 - New South Wales Government Telecommunications Authority (trading as NSW Telco Authority)
 - NSW Education Standards Authority
 - NSW Reconstruction Authority
 - NSW Rural Fire Service
 - NSW State Emergency Service
 - Parliamentary Counsel's Office
 - Premier's Department
 - Service NSW
 - State Insurance Regulatory Authority
 - The Cabinet Office.
- (3) Law Enforcement (Powers and Responsibilities) Act 2002—
 - (a) Report of Office of the Inspector of the Law Enforcement Conduct Commission entitled *Covert Search Warrant Report for the period commencing 29 May 2024 and ending 28 May 2025: Section 242(3) of the Law Enforcement (Powers and Responsibilities) Act 2002*, dated September 2025;
 - (b) Report of Office of the Inspector of the Law Enforcement Conduct Commission entitled *Report for the period from 7 August 2023 to 6 August 2025 under Section 242(6) of the Law Enforcement (Powers and Responsibilities) Act 2002 – Criminal Organisation Search Warrants*, dated October 2025;
 - (c) Report pursuant to section 242A of the Law Enforcement (Powers and Responsibilities) Act 2002 by the Commissioner of the New South Wales Crime Commission on Covert Search Warrants for year ended 30 June 2025; and
 - (d) Report pursuant to section 242A of the Law Enforcement (Powers and Responsibilities) Act 2002 by the Commissioner of the NSW Police Force on Covert and Criminal Organisation Search Warrants for year ended 30 June 2025.
- (4) Law Reform Commission Act 1967—Report of the NSW Law Reform Commission for year ended 30 June 2025.
- (5) Legal Profession Uniform Law Application Act 2014—
 - (a) Report of the Law Society of New South Wales for year ended 30 June 2025, incorporating annual financial statements of the Public Purpose Fund and the Legal Practitioners Fidelity Fund; and
 - (b) Report of New South Wales Bar Association for year ended 30 June 2025.
- (6) Mental Health Act 2007—Report of the Mental Health Review Tribunal for year ended 30 June 2025.
- (7) Modern Slavery Act 2018—Report of the Anti-slavery Commissioner for year ended 30 June 2025.
- (8) Personal Injury Commission Act 2020—Review of Personal Injury Commission for year ended 30 June 2025.
- (9) Personal Injury Commission Act 2020 and Government Sector Finance Act 2018—Report of the Office of the Independent Review Officer for year ended 30 June 2025.
- (10) Public Defenders Act 1995—Report of The Public Defenders for year ended 30 June 2025.
- (11) Regional Development Act 2004 and Government Sector Finance Act 2018—Report of the Regional Development Trust Fund for year ended 30 June 2025.
- (12) Rural Fires Act 1997—Report of Premier's Department entitled *NSW Bushfire Inquiry 2020: Final progress report*, dated November 2025.
- (13) Waste Avoidance and Resource Recovery Act 2001—
 - (a) Report of Exchange for Change entitled *Return and Earn Annual Statutory Report 2024-25*; and
 - (b) Report on statutory review of part 5 of the Waste Avoidance and Resource Recovery Act 2001, dated November 2025.

Bills

WORKERS COMPENSATION LEGISLATION AMENDMENT (FIREFIGHTERS) BILL 2025

Second Reading Debate

Debate resumed from 11 November 2025.

The Hon. DAMIEN TUDEHOPE (14:10): On behalf of the Opposition, I indicate our support for the overdue Workers Compensation Legislation Amendment (Firefighters) Bill 2025. The bill will add 10 new cancers to schedule 4 to the Workers Compensation Act 1987, creating a presumption that—provided a firefighter has met the qualifying service period—the cancer was caused by employment as a firefighter. I say the bill is overdue because, before the election, both Labor and the Coalition promised to give due consideration to expanding the list of cancers in schedule 4. I will not rehearse in detail the successive assurances given by the Minister for Work Health and Safety at budget estimates that work was being done. I do note our surprise at the absence of any documents evidencing such work ever being provided in response to an order for papers. I acknowledge members of the Fire Brigade Employees Union [FBEU] who are in the public gallery today. They must be astonished at the lack of response by others to their campaign in respect of this bill.

In response to the absence of any evidence to back up the Minister's claim that work was being done and to honour the Liberal-Nationals Coalition's pre-election commitment to professional and volunteer firefighters to act on this matter, on 6 August 2025 the Opposition introduced the Workers Compensation Amendment (Firefighters' Diseases) Bill 2025. That bill passed the House on 18 September 2025, and it is still before the other place. The 10 new cancers in this bill include eight of the nine included in the bill already passed by this House and two additional cancers of the female reproductive system. This bill does not include mesothelioma. I accept the Government's assurance—which I understand is also accepted by the FBEU and the Rural Fire Service Association [RFSa]—that firefighters who contract mesothelioma are appropriately supported under the dust diseases scheme.

The bill also fails to mirror the provisions in the Opposition's bill that would reduce the qualifying service period for primary site oesophageal cancer to a more reasonable 15 years. That change was recommended by Dr Tim Driscoll in a 2020 review of the firefighter provisions of the Commonwealth's Safety, Rehabilitation and Compensation Act 1988, which was adopted by the Commonwealth in 2022 and Queensland in 2024. The previous period of 25 years was considered anomalous with no scientific basis. The Opposition foreshadows an amendment to insert that provision into this bill. Before moving the amendment, we will listen attentively to the Minister in reply for an undertaking that further work will be done on progressing this proposal. If satisfied with the Minister's undertaking, we will not proceed with the amendment. We reserve the option of pursuing the amendment next year at a suitable opportunity if we judge that insufficient progress has been made.

The bill introduces an activity test for volunteer firefighters. We understand that there has been extensive consultation on this test with the RFSa and, subject to a small but important amendment to the definition of "frontline hazardous firefighting activities", agree it is acceptable. I note that both the Shooters, Fishers and Farmers Party and the Opposition have circulated an amendment to ensure cover for firefighters who previously made a claim for workers compensation for one of the new 10 cancers and were denied on the grounds that it was not contracted in the course of employment as a firefighter. It would be cruel to pass this bill, acknowledging the weight of evidence that the additional 10 cancers are likely to have been caused by employment as a firefighter, and then deny support to a firefighter with one of those cancers who was diagnosed prior to the passage of this bill. I understand that the Government will be accepting this fair amendment.

I commend everyone who has campaigned for this bill. The Government should have brought it to the House well and truly before today, instead of having to respond to a bill that passed this House with the support of The Greens some time ago—and I acknowledge Deputy Speaker Ms Abigail Boyd in the chair. It is because of the actions of the Opposition that the Government has been dragged to this place today to honour its commitment to our firefighters before the election. At any rate, we are pleased it has been done. I am delighted to commend the bill to the House.

The Hon. MARK BANASIAK (14:16): I contribute to debate on the Workers Compensation Legislation Amendment (Firefighters) Bill 2025. Firstly, I acknowledge the presence of members of the Fire Brigade Employees Union [FBEU] in the public gallery. I thank them for their advocacy in this space and for our many conversations over this bill and other matters. I thank them for their work. This bill adds safeguards to a job which, let us be honest, does untold damage. It leaves a mark. By the time the damage becomes visible, it is often too late for many of our fires. From the outset, the Shooters, Fishers and Farmers Party supports this bill. Obviously the devil is in the detail, and I foreshadow some small but sensible improvements that the FBEU came to us with. We will talk further to those amendments in the Committee stage. We think those changes strengthen the bill without changing its intent. We encourage members from all sides to back those amendments.

Before we get to the details of the bill, I want to set the scene. A kid sits in the back of the family car and hears the distinctive wail of sirens approaching from afar. The kid looks up at the beautiful, bright red truck as it passes and whispers, "I want to be a firefighter when I grow up"—no-one in that situation whispered, "I wish I could be a politician," let us be honest. But we do not see what happens inside the gear. We do not see the smoke that finds its way into every layer and the chemicals simmering in that smoke—plastics, solvents, paints, foams,

building materials and batteries. In this modern world, our modern fires are becoming more toxic. They burn hotter, and they release more carcinogens than they probably did 30 or 40 years ago. In that context, this bill is extremely important.

We do not see the weeks or months of hazard reduction that our volunteers do, breathing in smoke day after day. We do not see the 2.00 a.m. call-outs to structure fires where fumes are so dense that they can taste the chemicals in their mask. We certainly do not see those firefighters sitting in front of specialists, hearing those words that no-one wants to hear. Yes, it is about time that we pass this bill. I have spoken to many fires, and they can name half a dozen colleagues who have had cancers before the age of 50. I have met families who have lost someone far too young. The common denominator is exposure to the stuff that burns in modern fires. This bill, which adds to the list of presumptive cancers, is extremely important.

I now turn to the detail of the bill. The bill expands the list of cancers that are presumed to be caused by firefighting. That list matters to firefighters. It is the difference between spending months arguing with an insurer instead of focusing on treatment and recovery. Under this bill, cancers like pancreatic, ovarian, cervical, uterine, vulval, penile, lung, skin and other cancers will be added to the list of category 2 diseases, with defined qualifying periods. These additions reflect modern research, fire conditions and exposure science. The bill also clarifies the disease categories. Category 1 applies to all eligible firefighters, including paid firefighters, volunteer firefighters and deemed workers. Category 2 applies to all paid firefighters and also applies to volunteers and deemed workers that meet certain frontline experience and training criteria.

I think it is reasonable that the bill establishes an advisory panel with particular expertise to ensure that volunteers are not left out in the cold because of the old mindset that says, "But you're just a volunteer." That mindset has plagued parts of the compensation system for years. The bill takes important steps towards recognising that volunteers face similar hazards to paid firefighters. They may even face more hazards on many occasions. Smoke does not check payslips before it fills your lungs. Both paid and volunteer firefighters should be protected. The bill addresses that issue by creating a presumption for volunteers if they have met certain requirements, including a frontline hazard firefighting test, required training and a set service period. That presumption is good, necessary and long overdue.

Members should not be playing political games or picking political fights over this bill. Parliament should pass the bill and enact it into law as soon as possible. Every member knows a volunteer that has been diagnosed or has lost a family member, a brigade that is still rebuilding after the devastating Black Summer bushfires or someone who has long-term health impacts from toxic exposure. Fire does not care about politics, and cancer does not check party membership. The least we can do is make sure that sick firefighters are not interrogated like they are trying to scam the system. I had planned to say a lot more about this bill, but I will leave my remarks there. This bill is not perfect—no bill is. The Shooters, Fishers and Farmers Party will be moving some amendments that I hope will be supported by members. I commend the bill to the House.

The Hon. EMILY SUVAAL (14:22): I speak in support of the Workers Compensation Legislation Amendment (Firefighters) Bill 2025. Firstly, I acknowledge the incredible work of the professional firefighters in New South Wales, particularly the firefighters sitting in the gallery today. I thank every single firefighter for their commitment to keeping our communities safe and for their day-to-day firefighting activities, including responding to emergencies, raising awareness of fire safety through education programs and promoting increased resilience for the people of New South Wales.

I also acknowledge the tireless advocacy of the Fire Brigade Employees Union, which is affectionately known by members of this place as the FBEU. I particularly acknowledge the work of the secretary of the FBEU. He was a tireless advocate when we were in opposition, and he still is now that we are in government. He walks the halls of this building to relentlessly advocate for his members. I look forward to Leighton's continued advocacy, and I know that he will continue to hold the Government to account.

This bill seeks to amend the Workers Compensation Act 1987 to expand the list of presumptive firefighter cancers. The legislative presumption provides simple and quick access to workers compensation for eligible firefighters diagnosed with any of the prescribed cancers. I acknowledge the work of the previous Government, which introduced the presumption in 2018. When an eligible firefighter is diagnosed with a specified cancer, the cancer is presumed to be work-related. The 2018 list consisted of 12 cancers, including leukaemia and non-Hodgkin lymphoma as well as bladder, oesophageal and prostate cancer. The bill proposes to add 10 new primary site cancers to the list. This list of significant cancers includes lung, skin, thyroid and pancreatic cancers and six primary site female and male reproductive cancers, including cervical, ovarian, uterine, vaginal, vulval and penile cancers.

I hazard a guess that most members in this House know someone who has had one of those serious cancers. Cancer treatment takes a toll on individuals and their families. The carcinogens that firefighters are exposed to in

their day-to-day work accumulate in the central organs of the body. It makes perfect sense to add lung, skin, thyroid and pancreatic cancers to the list, because they all affect central organs in the body. It also makes perfect sense to add significant female and male reproductive cancers to the list. We now know so much more about the hazards firefighters face during the course of their work. We have put modern measures in place to reduce exposure to hazards, but the risks still remain.

The bill will better align New South Wales with other Australian jurisdictions. I note the Hon. Damien Tudehope's comments about malignant mesothelioma. The bill does not include malignant mesothelioma because it is covered under the New South Wales dust diseases scheme. The bill proposes to add a further three female reproductive cancers in addition to the seven cancers it adds from the Commonwealth Government list. This provides greater equity for female firefighters in our State. I acknowledge those firefighters who are currently living with cancer or are undergoing treatment for cancer. I also acknowledge the firefighters we have lost to cancer they contracted as a result of their work. These cancers are, quite simply, brutal. Cancer treatments impact patients' everyday life as well as their future.

I also acknowledge the work and advocacy of a firefighter named Trevor Ross, who I have recently got to know quite well. He is also known to many members in this House. I spent a good deal of time exchanging stories with Trevor as we stood shoulder to shoulder at a pre-polling booth between periods of handing out how-to-vote cards. I learned a bit more about the many years that Trevor worked as a firefighter in Western Sydney. The things that he was exposed to in his daily work opened my eyes to the enormous tasks faced by firefighters, including cutting the walls off a house to extricate a deceased person or responding to other emergencies.

First responders have stories they take with them and never forget. I exchanged a few of my stories with Trevor, and he exchanged a few of his with me. Dr Amanda Cohn has spoken in this House about the one or two stories that first responders carry around forever. I shared my story of the arrest of a baby, which I will never forget. Trevor shared the story about responding to a fire at a Blacktown nursing home. That is something that I will never forget. I thank Trevor and the many other professional men and women of the State for the work that they do. This bill is a very important step towards acknowledging that work. This is a good bill. I commend Minister Dib, Minister Cotsis and their staff for pulling this important reform together. I commend the bill to the House.

Ms ABIGAIL BOYD (14:29): I speak in debate on the Workers Compensation Legislation Amendment (Firefighters) Bill 2025 as The Greens spokesperson for industrial relations and work health and safety. The Greens support this long-overdue piece of legislation, which is also supported by the Fire Brigade Employees Union [FBEU] and welcomed by the Rural Fire Service Association. I acknowledge the relentless campaign by the FBEU for this commonsense and compassionate update to our laws. The bill recognises not only the obvious risks to firefighters' immediate safety when facing down fires and other disasters but also the long-term health impacts that exposure can have.

The key reason we need these laws of presumption is that they recognise just how brutal and gruelling the workers compensation claims process can be. There is a need for a positive presumption because the way injured workers are treated by insurers and employers is otherwise a negative presumption. It should not have to be this way and, when we pass positive presumption laws like this, it is an acknowledgment of the broken and adversarial system we accept for other injured workers. I will not traverse all of the content I covered in my previous contribution to debate on the Opposition's bill, for which we were grateful. We are very eager for this legislation to pass swiftly, and we welcome the Government giving the bill a higher level of priority in today's schedule than it did earlier this week.

This House has already made very clear that this legislation is a priority, and it is good that this Government is also finally considering it a priority. Firefighters have waited long enough. I have no doubt my colleague Dr Amanda Cohn will give us the benefit of her experience both as a doctor and an emergency services volunteer to give more detail about what the bill means from a medical perspective and why it is so necessary. I will focus my contribution on where the bill diverges from the Opposition bill that was passed by this Chamber not long ago—that is, the additional requirements for volunteer firefighters to be eligible for the presumption for the new cancers. The Government has said that these additional requirements will target the presumption to volunteers who have a broadly comparable level of exposure to occupational hazards as professional firefighters, with these requirements subject to review by an advisory panel.

According to the statement of public interest attached to the bill, the additional requirements are proposed for volunteer firefighters in acknowledgment of the fact that the costs of liabilities for presumptive firefighter cancers are substantially borne by insurers and policyholders via the emergency services levy and local councils due to the statutory funding arrangements for the emergency services agencies. The Treasurer announced in November 2023 that the Government would overhaul the funding model for the emergency services levy, and a consultation paper released in April last year discussed replacing the insurance-based system with a broader levy

across property owners. In this year's budget, the Government has raised its forecast for emergency services levy collections. The budget predicted that revenue from insurer levy and council contributions is forecast to increase by \$324.7 million over the four years to 2028-29 compared with the 2024-25 half-yearly review figures.

The Treasurer's hands are all over the bill. Once again, he has failed to do the hard work of reform, allowing costs to inflate. To constrain spending, he is restricting access to workers compensation for injured workers. Shame on him. This is a really important point because we hear the Government crowing and using all sorts of horrific lies and misinformation to try to justify pushing through its incredibly cruel workers compensation reforms. It goes on and on about the pressure on business. I could talk to members for hours about how there is no financial crisis in icare or how the reforms that the Government is pushing through will not lower pressure on premiums.

But let us talk about the other pressure on business that the Treasurer seems to have just forgotten about: the at-times 24 per cent increase in business insurance. Business owners are paying thousands in insurance bills because of the inefficient emergency services levy that the Treasurer seems to have forgotten about in the scramble to get the workers compensation reforms over the line using all sorts of disgusting tips and tricks for pushing through bills that should never be considered. But I digress—only to point out that in this case we are also apparently taking the really lazy "let's just cut through this thing and not give as much to these deserving firefighters" approach.

Let us come back to the core of workers compensation. Firefighters are being injured at work. The Government is saying, "Let us not make it any easier for them to get the help they need." Even though we are talking about relatively small amounts of money, the Treasurer is not going to reform the emergency services levy any time soon. Instead, he is choosing to constrain and restrict access to workers compensation for injured workers. I ask the State to wake up and recognise that the Treasurer is just not very good at his job. The other thing about the bill is that it is not intended to be retrospective. That is cruel and unreasonable—particularly in the face of the Government's own delays on this important reform. I understand the Government may support amendments to make it retrospective in some regard, and we will support those amendments.

I also understand that there has been a decision to not include oesophageal cancers in the bill. That was going to cost around \$4 million. Again, we are seeing an incredibly miserly approach to running the finances of the State. Sure, the Government can save a whole lot of money by cutting off the very people it was elected to support. That is a very easy way to balance the books. I call on the Government to finally start doing the hard work of reform—not cuts—and do the job properly. We are pleased that this particular bill has got through, even though it is not as good as what the Opposition proposed. I am sure that the union movement will be pleased that its voice has been heard—even if only partially—on one of these critical reforms.

The Hon. MARK BUTTIGIEG (14:36): I am proud to contribute to debate on the Workers Compensation Legislation Amendment (Firefighters) Bill 2025. The bill is important because it is about a crucial issue for working people: the presumption of cancers as an occupational hazard. This is a landmark reform brought in by a Labor government doing Labor things. We have heard from members opposite wanting to take credit for proposing the legislation and serving as a catalyst. We have also heard backhanded criticism from The Greens about the Treasurer being miserly. But, at the end of the day, it is elected Labor governments that do these things. The idea that The Greens will ever be able to govern and do these things is fanciful. The idea that the Opposition would ever do this in government is also fanciful.

As we have heard, the bill expands the list of firefighter primary cancers covered by the presumption in workers compensation legislation whilst also being mindful of existing sustainability pressures on the workers compensation scheme. As is consistent with the approach of other jurisdictions, eligibility for volunteer firefighters will be subject to an activity test, prescribed training requirements and a review by an advisory panel in line with guidelines to be determined by the Minister responsible for icare. The bill goes further than other jurisdictions on female reproductive cancers by adding vaginal and vulval cancers. The Government had committed to exploring the expansion of presumptive firefighter cancers in New South Wales. The current Act we are amending lists 12 presumptive cancers for firefighters.

The bill will amend schedule 4 to the Workers Compensation Act, adding an additional 10 cancers. They are lung, pancreatic, thyroid, skin, cervical, ovarian, uterine, vaginal, vulval and penile. I understand the Shooters, Fishers and Farmers Party will move an amendment concerning the qualifying period for oesophageal cancer in the existing legislation. The Government has agreed to review this qualifying service period as part of the review of the arrangements after 24 months and will work with all stakeholders during the course of the review in good faith. The Government consulted with the key stakeholder, the Fire Brigade Employees Union, in developing the bill, and I acknowledge its representatives in the gallery. The union is relentless and fights for its members day and night. It shows that unionism is not just about wages and conditions; it is first and foremost about occupational work health and safety.

To those in the Chamber who decry Labor's relationship with the union movement, I say that the evidence is here and now in bills like this. I personally thank my good mate who is in the gallery, Leighton Drury, the secretary of the Fire Brigade Employees Union [FBEU]. He has done a magnificent job. I also welcome Johnno and the other FBEU officials to the gallery. I thank them and all of the dedicated staff at the union. I thank the FBEU for making sure its members' voices are heard in Parliament, because every worker deserves to be safe at work. Of course, I thank all of the grassroots members of that union, which has a very flat and accountable structure, as I am sure the secretary would attest. He lives and breathes it every day.

It is a little-known historical fact that firefighter cancer became part of policy in Australia after a 2011 Federal Government inquiry where the original list of 12 cancers that was adopted all over the country was written by the FBEU. The FBEU industrial officer who wrote the list was Claire Pullen, who is in the President's gallery today. Claire is the current group CEO of the Australian Writers' Guild and Australian Writers' Guild Authorship Collecting Society, and executive director of the Australian Writers' Guild. Claire has also been responsible for some landmark legislation regarding the use of artificial intelligence and copyright concerning those people in her union who were hitherto not being recognised for their creative talent and the contributions they make. I thank Claire, who is in a lot of ways responsible for this bill. I also thank Ministers Cotsis and Dib, both of whom are in the gallery and who always attend when their bills are being passed. That is a credit to them. In conclusion, this is a Labor government doing very Labor things. It is a very proud moment to see this bill pass through the House. I commend all members of the House for supporting it.

Dr AMANDA COHN (14:41): As The Greens spokesperson for both health and emergency services, I commend the excellent comments that you, Madam Deputy President, made in speaking on the Workers Compensation Legislation Amendment (Firefighters) Bill 2025. This change is overdue. Paid and volunteer firefighters have been calling for it for a long time. Like other members, I commend and thank the Fire Brigade Employees Union. This topic has come up in every meeting I have had with rank-and-file members or representatives of the union since I was elected 2½ years ago. It is clear that improved access to workers compensation, particularly presumptive cancer legislation, has been a real priority for the union. It is a testament to its work that we are debating this legislation today. I also acknowledge the Rural Fire Service Association, the Volunteer Fire Fighters Association and the Council of Australian Volunteer Fire Associations for their advocacy and support for this legislation.

Paid career firefighters and volunteers give their time and service to support and protect our communities. They work in the service of the communities that we represent, and they face very real risks to their health as a result. The very least we can do is care for them and support them when they come into harm's way in the line of duty. Presumptive cancer laws mean that workers diagnosed with specific types of cancer will be entitled to compensation on the presumption that the cancer was work related. That presumption is important because, for something that is chronic and multifactorial, like cancer, it is almost impossible in an individual case to prove that the workplace was the cause of that illness.

In my own work as a GP, I have been involved in a number of workers compensation claims for my patients. When something is simple, like an ankle sprain or a back injury as a result of manual handling, it is easy to sign the paperwork to say that the injury resulted from an incident in the workplace. Cancer is complicated. There are so many different factors that go into cancer, including genetics, diet, lifestyle, age and whether someone smokes. But there is obviously a link between the toxic chemicals that firefighters are exposed to and cancer. That has been proven even more conclusively by an excellent study in the *International Journal of Epidemiology* that covered a cohort of 470,000 American firefighters. That was from the American Cancer Society.

There is clearly an increased risk for most cancers. That is compelling epidemiological evidence that the toxins in the workplace are contributing to cancer for firefighters, whether that is in the materials that are alight, whether it is exposure to things like asbestos in damaged urban environments, whether it is particulate PM2.5 pollution in the smoke and other toxins, or toxins in the firefighting equipment itself, like the foams that were used for many years and are now being phased out. It is impossible to say that someone contracted cancer from one toxic fire however many years ago. But cumulative exposure is clearly a very real workplace hazard, and that is why we need presumptive laws. When people have had cumulative exposure over many years to those kinds of toxins, if they get cancer, it must be the presumption that the workplace contributed.

People should not be dragged through an overly complicated legal system and multiple medical appointments that are not for their medical care but are for workers compensation paperwork. Facing insurers and government agencies is an awful thing to put someone through when they have just been diagnosed with cancer. If someone has been diagnosed with cancer, they want to spend their time accessing health care to benefit their health, and they want to spend time with their families. Dragging them through the extraordinarily complex process of trying to prove that their workplace was the cause of cancer to access workers compensation is, frankly, a cruel thing to put people through. That is why presumptive laws are so important.

I speak briefly about oesophageal cancer specifically, because I know it was an issue of debate in the drafting of this bill. As a country GP, I diagnosed a case of oesophageal cancer in one of my very beloved regular patients and went on the journey with her from the moment of diagnosis through to her death. Oesophageal cancer is a horrible thing for anybody to live with or die from. It is not something I would wish upon my worst enemy. One of the most distressing symptoms of oesophageal cancer is the loss of the ability to eat and enjoy food, and people can die very quickly without invasive medical interventions like feeding tubes or intravenous nutrition. It is very disabling and can be fatal quickly. When setting up an important and overdue scheme like this one, we should not be splitting hairs over a relatively rare type of cancer. There are just over 400 cases of oesophageal cancer a year in New South Wales. That is not for firefighters or for worker's compensation claims; that is the total number of oesophageal cancer cases in New South Wales. It is such a small number that it really does feel miserly to split hairs over specifically excluding such a disabling and painful condition. That is not okay.

I also talk briefly about the impact on volunteer firefighters, who I have had the absolute privilege of working alongside as an SES volunteer. I make it clear, for the record, that I have never held the hose. Whether doing supplies or answering radios, I have spent countless hours working as a volunteer side by side with RFS, Victorian Country Fire Authority and other volunteer firefighters. When they have given their service to communities and put themselves in harm's way at work—particularly unpaid—we must similarly support them to access the care and support that they need through the workers compensation system. Under this version of the bill, volunteers will be subject to an activity test before they can access workers compensation, and the detail of how that scheme and panel is going to work is critical. It is really important that volunteers, particularly when they have had extended service over many decades, are able to access this scheme appropriately.

Importantly, under the bill, a volunteer that passes the activity test can access the same amount of compensation payment as a paid firefighter. That is really important. I place on the record again the story of Bruce Barnes, a 40-year service volunteer and longtime captain at the Lavington Rural Fire Brigade in my community of Albury. He has cancer. He spends his time having to travel back and forth between Albury and Melbourne for multiple medical appointments. He had an approved workers compensation claim for his cancer being related to his volunteer firefighting.

He was deemed to have 61 per cent whole person impairment but was only entitled to a maximum of \$220,000 in compensation, whereas a salaried firefighter in the same position would have received \$485,000. I do not think anyone in this Chamber thinks that is okay. It is really important that volunteer firefighters can access similar compensation to staff where their claim is approved. In the coming years, as this scheme enters its implementation phase, I will be monitoring it closely to ensure that the activity test and the panel assessing volunteer service is adequately providing volunteers with extended service the compensation that they deserve when they have had extended exposure to toxins in their workplace.

Finally, I speak briefly to the issue of retrospectivity, because I know we are also going to be debating amendments in that respect. The Government is absolutely doing the right thing by introducing this legislation. I have spoken about presumptive laws and how important they are. It is quite astounding that the Government would introduce legislation to support both paid and volunteer firefighters to access the care and support they need for prospective cancer, but then exclude the ones who already have cancer. In this sitting period we have had substantial debate around the workers compensation system for psychosocial injuries. The Minns Labor Government has put forward the egregious proposal that people with existing claims for psychosocial injury in the workplace should be kicked out of the scheme and lose their access to support for their existing injuries.

This feels like a similar problem: We are going to support people who are diagnosed with cancer in the future but not the people who are already living with a cancer diagnosis. That is not okay, and it is important that we seriously consider amendments around retrospectivity. In conclusion, this is really important, positive legislation. I am glad that today the Government is finally giving the bill the priority and the attention it deserves in this House. I support the bill.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (14:52): In reply: I thank honourable members for their contributions to debate on the Workers Compensation Legislation Amendment (Firefighters) Bill 2025. This debate today will raise mixed emotions for families who have lost their firefighting family members to cancer. The truth is, it will remind them of that tragedy. For firefighters on the front line now, whether they are paid or whether are a volunteer, I hope the bill indicates to them that the Parliament recognises them and the dangerous work that they do every day to protect the wider community. I think those sentiments have been reflected in the contributions of all members. I thank the Leader of the Opposition for declaring the Opposition's support for this bill. I recognise that he introduced his own bill a short time ago. I indicate that the Government will be giving the assurances he referred to in the bill. I will deal with those in more detail, including the transitional arrangements.

I thank the Hon. Mark Banasiak for his support of the bill and also for his flagged amendments. Both he and the Opposition have dealt with the question of amendments in a cooperative way, as have other members. I also thank him for the genuine way that he spoke about the fact that far too many firefighters under the age of 50 have cancer. That is why this bill is so important. The Hon. Emily Suvaal put the case for the bill well, including the point about the dust diseases scheme sitting alongside it in relation to one of the specified diseases. I spare a thought for the former Attorney General, the late Jeff Shaw, and the important work he did to make New South Wales a leading jurisdiction in dust diseases legislation. I acknowledge his contribution in that space.

I thank Ms Abigail Boyd for her contribution to debate and her support of the bill. I do not accept her comments in relation to the emergency services levy and the Treasurer's work in that area. It remains a priority for the Treasurer and the Government. I simply place that on the record. The Hon. Mark Buttigieg spelt out why this reform is so important to a Labor Government, and I thank him for putting that perspective. I thank Dr Amanda Cohn for providing a medical perspective to the debate and for bringing to the attention of the House the important study conducted in the United States of America involving 470,000 firefighters. She emphasised the importance of the proposed changes to real people who are grappling with medical issues related to their service as a firefighter. I thank her for her contribution.

I will now speak about the proposed amendments and how the Government will be dealing with them. The Government thanks the Hon. Mark Banasiak for his flagged amendment in relation to retrospective eligibility—the transitional provisions. The Government accepts the amendment; we will deal with it in the Committee stage. It provides access to the benefit of presumption to firefighters who have been diagnosed with or tragically died from one of the cancers listed in the bill, from 6 August 2025, or who have previously claimed workers compensation at any time before commencement of the provisions for one of the cancers listed in the bill and have had their claim denied on the grounds that their cancer was not contracted during their firefighting service or that their service was not a contributing factor to contracting cancer. The amendment provides an avenue for firefighters in those situations to bring forward a further claim and have the benefit of the presumption. The Government is happy to agree to the amendment and thanks the member for his constructive work on this matter.

In relation to oesophageal cancer, the Government acknowledges the concerns raised by honourable members regarding the qualifying service period. The Government has agreed to review the qualifying service period as part of the review of arrangements after 24 months. The Government will work with all stakeholders during the course of the review, in good faith. Again, I thank honourable members for their constructive engagement on this issue.

As I indicated when I introduced the bill, while Parliament can be rightly proud of it and the way the entire Chamber has worked together, this reform really belongs to the firefighters who keep our community safe. The bill is the product of an extensive and long-running campaign. It belongs to the women and men in our fire services who have called for this reform. As many members have done in the course of the debate, I recognise the Fire Brigade Employees Union and its secretary, Leighton Drury, and the Rural Fire Service Association and its president, Scott Campbell. The Government also thanks Stewart Little, the general secretary of the Public Service Association.

I also acknowledge the many other stakeholders who have called for this reform, including the Australian Workers' Union. I too acknowledge Claire Pullen and her work on the original Monash University study in 2011 that examined the link between firefighting and cancer and led to the first legislation on presumptive cancers. As members have observed, the bill will enact an important reform that will give New South Wales paid firefighters and volunteer firefighters the reassurance that they will be supported for a broader range of cancers. I thank Minister Dib and Minister Cotsis, their respective teams and agency staff, who have all worked carefully on the bill. I commend the bill to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this bill be now read a second time.

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. I have three sheets of amendments—Shooters, Fishers and Farmers Party amendments Nos 1 and 2 on sheet c2025-300A, Shooters, Fishers and Farmers Party amendments Nos 1 and 2 on sheet c2025-315A and Opposition amendments Nos 1 to 4 on sheet c2025-292B. I understand that the Opposition will not be moving its amendments.

The Hon. MARK BANASIAK (15:01): Given the Minister's comments in his second reading debate speech in reply, I indicate that the Shooters, Fishers and Farmers Party will not be moving amendment No. 1 on sheet c2025-300A. I move Shooters, Fishers and Farmers Party amendment No. 2 on sheet c2025-300A:

No. 2 Transitional provisions

Page 4, Schedule 1[7], lines 9–13. Omit all words on the lines. Insert instead—

Category 2 diseases

- (1) An eligibility provision extends to a disease contracted by a firefighter in relation to which either of the following occurred before the insertion of the eligibility provision (an *existing category 2 disease*)—
 - (a) the disease was first diagnosed by a medical practitioner,
 - (b) the firefighter died as a result of the disease.
- (2) However, an eligibility provision does not extend to a disease contracted before 6 August 2025 unless—
 - (a) a claim for compensation is made under the relevant compensation Act in relation to the disease before the insertion of the eligibility provision, and
 - (b) liability for the claim has been denied on the grounds on which liability has been denied include that the disease was not contracted in the course of the worker's employment or that the employment was not a contributing factor, or a substantial contributing factor, to contracting the disease.
- (3) For the application of an eligibility provision to an existing category 2 disease, the date of injury in relation to the disease is taken to be the date on which the provision was inserted.
- (4) A further claim for compensation may be made under the relevant compensation Act in relation to an existing category 2 disease to which an eligibility provision applies if, before the insertion of the eligibility provision—
 - (a) a claim for compensation was made under the relevant compensation Act, whether or not the claim has also been the subject of proceedings in the Commission or a court, and
 - (b) liability for the claim was denied on the ground that the disease was not contracted in the course of the worker's employment or that the employment was not a contributing factor, or a substantial contributing factor, to contracting the disease.
- (5) However, a further claim for compensation may not be made as provided by subclause (4) if liability for the claim is denied on a ground other than a ground referred to in the subclause.
- (6) In this clause—

amending Act means the *Workers Compensation Legislation Amendment (Firefighters) Act 2025*.

eligibility provision means an item of the 1987 Act, Schedule 4 inserted by the amending Act, Schedule 1[6].

relevant compensation Act, in relation to a claim for compensation, means the 1987 Act or the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987* under which the claim is made.

I will not labour the point. This amendment deals with the important aspect of retrospectivity. It has already been articulated why that is needed, so I leave my remarks there. I commend the amendment to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (15:01): I reiterate my earlier comments. The Government thanks the member for moving this amendment and also thanks other members for the way they have dealt with it. It is a really sensible landing—it is important. The Government supports this amendment.

The Hon. AILEEN MacDONALD (15:02): The Opposition supports the amendment.

The CHAIR (The Hon. Rod Roberts): The Hon. Mark Banasiak has moved Shooters, Fishers and Farmers Party amendment No. 2 on sheet c2025-300A. The question is that the amendment be agreed to.

Amendment agreed to.

The Hon. MARK BANASIAK (15:02): By leave: I move Shooters, Fishers and Farmers party amendments Nos 1 and 2 on sheet c2025-315A in globo:

No. 1 Meaning of "frontline hazardous firefighting activities"

Page 6, Schedule 2[3], proposed section 10B(8), line 19. Omit "directly".

No. 2 Meaning of "frontline hazardous firefighting activities"

Page 6, Schedule 2[3], proposed section 10B(8), line 23. Omit "directly".

These amendments go to the heart of what it means to be a volunteer firefighter and what are considered frontline hazardous firefighting activities. It is not always the one holding the hose who might contract cancer. Sometimes it is the people doing hazard reduction burns who experience the cumulative effect of exposure to hazardous materials. I think it is a sensible amendment that clarifies that it is not always the person at the front end holding the hose who might suffer from these cancers. With those remarks, I commend the amendment to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (15:03): The bill is structured in the way it is because the additional requirement for volunteers recognises that there are many different ways to volunteer. Not all volunteer roles involve frontline firefighting. However, these are good amendments. They are supported by the Government because they are viewed as a practical change that acknowledges that firefighting, as the member said, is not always a single, linear task. Volunteers might engage in a range of tasks while out on the front line. These amendments provide that flexibility in the bill.

The Hon. AILEEN MacDONALD (15:03): I indicate that the Opposition also supports the amendments.

The CHAIR (The Hon. Rod Roberts): The Hon. Mark Banasiak has moved Shooters, Fishers and Farmers Party amendments Nos 1 and 2 on sheet c2025-315A. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Rod Roberts): The question now is that the bill as amended be agreed to.

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

That the Chair do now leave the chair and report the bill to the House with amendments.

Motion agreed to.

Adoption of Report

The Hon. JOHN GRAHAM: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

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

In Committee

Consideration resumed from 18 November 2025.

The CHAIR (The Hon. Rod Roberts): The Committee is considering The Greens amendment No. 4 on sheet c2025-233F.

The Hon. MARK BUTTIGIEG (15:08): The Government supports the amendment's proposed changes to section 61 of the Crimes (Administration of Sentences) Act 1999. Whilst we are disappointed that Ms Sue Higginson will not be supporting the bill, despite its amendment, we are satisfied that a record keeping statutory requirement is not overly burdensome. We appreciate that The Greens have worked with the Coalition on the amendment and that there is broad support for it. For those reasons, the Government supports the amendment.

The Hon. SUSAN CARTER (15:08): I indicate that the Opposition is happy to support the amendment. It is a sensible addition to the law and it seems almost self-evident that records should include a summary of the evidence considered, reasons for the finding of guilt and a discussion in relation to the standard of proof. That would be very helpful to prison authorities when dealing with further matters in which a particular inmate may be involved and also to any parole authority.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 4 on sheet c2025-233F. The question is that the amendment be agreed to.

Amendment agreed to.

Ms SUE HIGGINSON (15:09): I move The Greens amendment No. 5 on sheet c2025-233F:

No. 5 Confinement to cell

Page 3, Schedule 1. Insert before line 38—

[4C] Section 65AA

Insert after section 65A—

65AA Confinement to cell

- (1) An inmate must not be confined to a cell as a penalty if the inmate—
 - (a) will be in solitary confinement, and
 - (b) belongs to a class of persons who may be vulnerable.
- (2) For this section, classes of persons who may be vulnerable include the following—
 - (a) inmates with a history of self-harm,
 - (b) inmates who are in custody for the first time,
 - (c) Aboriginal or Torres Strait Islander inmates,
 - (d) transgender inmates,
 - (e) inmates who have been in juvenile detention,
 - (f) inmates under 25 years of age,
 - (g) inmates subject to a higher level of medical observation.

This amendment seeks to safeguard against the penalty of solitary confinement being imposed upon the most vulnerable inmates. It is a practice routinely imposed by Corrective Services in contradiction of international law and the advice of the Royal Commission of Inquiry into Aboriginal Deaths in Custody. These amendments withdraw the penalty of confinement to a cell alone as an available option for all vulnerable inmates, including Aboriginal or Torres Strait Islander inmates and inmates who are otherwise at extreme risk of dying in custody.

The indicators of vulnerability set out in this amendment mirror the ones that Corrective Services uses when assessing the vulnerability of an inmate before they are locked in solitary confinement. If a person meets any of these indicators, they simply should not be locked in solitary confinement as a punishment, especially as a penalty for an inmate discipline offence is now decided on the lesser standard of proof, namely the balance of probabilities, as opposed to beyond reasonable doubt. We are talking about the most vulnerable people in our State. We are talking about First Nations people, people with disabilities, people with serious physical or mental ill health, young people and LGBTQIA+ people who are subject to the most egregious bullying and discrimination within prisons, both from guards and from their fellow inmates. Oftentimes these are people who are only in the criminal justice system because they belong to marginalised communities that are overpoliced and over-penalised.

It is important to note that, if this amendment passes, mechanisms will still exist for managers of security in prisons to ensure safety in our prisons. This amendment goes only to the imposition of solitary confinement as a penalty for a correctional centre offences. The United Nations has made clear that solitary confinement as a practice contravenes its revised *The United Nations Standard Minimum Rules for the Treatment of Prisoners*, which are known as the Nelson Mandela rules. Rule 44 provides:

For the purpose of these rules, solitary confinement shall refer to the confinement of prisoners for 22 hours or more a day without meaningful human contact.

Rule 45 then further provides:

- (1) Solitary confinement shall only be used in exceptional cases as a last resort, for as short a time as possible and subject to independent review, and only pursuant to the authorization by a competent authority. It shall not be imposed by virtue of a prisoner's sentence.
- (2) The imposition of solitary confinement should be prohibited in the case of prisoners with mental and physical disabilities when their conditions would be exacerbated by such measures.

Senior counsel advice provided to the Ombudsman, and provided by the Ombudsman to Corrective Services, has made very clear that the penalty of confinement to a cell alone is—I emphasise "is"—solitary confinement, and no semantics get around that. Senior counsel advice also made clear that the current penalty of confinement to a cell alone is contradictory to the Mandela rules, which is why these amendments seek to bring us somewhat in line with international law that we are currently breaking in our prison system. The Ombudsman report included a number of harrowing case studies that demonstrate the importance of this amendment:

Lachlan was ... found guilty of damage, destroy or deface cell ...

He was penalised 7 days cell confinement ...

The Checklist recorded he was a young Aboriginal adult offender, with a history of self-harm. The medical information section on the Checklist was left blank.

Glen was charged with ... throw article or operate device from which article is projected ... and tamper with food or drink.

The misconduct report recorded that Glen started yelling and throwing salmon patties at a correctional officer through the grille of his cell door after a disagreement about the meal.

He was penalised 7 days cell confinement—

the inmate discipline action form confirmed he was in a cell alone—

The Checklist recorded that he is a young Aboriginal adult offender, with a history of self-harm and mental health notifications. The delegate also recorded on the Checklist: "Self-harm history, mental health history, epileptic, asthmatic, one out cell placement, previously completed cellular confinement, 7 days cells & 56 days off buy-ups."

It appears the delegate was aware of several risk factors to confining Glen in his cell alone when he [regardless] decided to impose the penalty.

The Legislation Review Committee also raised concerns. It stated:

... the Committee notes that where an inmate is found guilty of a correctional centre offence, the governor can impose a penalty of solitary confinement. This is a significant penalty that may be more appropriately applied in criminal contexts, where a higher standard of proof is required for a finding of guilt. The Committee also notes the NSW Ombudsman's advice that a failure to routinely apply the criminal standard should not be addressed by lowering that standard through legislation ...

It is the view of The Greens, peak bodies and the United Nations that solitary confinement should never be a punishment for any individual. It should be used only in cases where it is utterly necessary to ensure safety and should be extremely temporary in nature, and with rigorous safeguards. This amendment seeks compromise by withdrawing solitary confinement as a penalty that can be imposed only for our most vulnerable inmates as a consequence of inmate discipline proceedings. While the Custodial Operations Policy and Procedures as it stands prohibits the practice for young Aboriginal men, accusations of mobile phone offences automatically result in solitary confinement as a penalty, which means, as the Ombudsman found, those young Aboriginal men are still at risk of dying in custody, and that Corrective Services is out of line with both international law and advice from the Royal Commission of Inquiry into Aboriginal Deaths in Custody.

The amendment seeks to bring New South Wales in line with the Nelson Mandela rules, in line with the Ombudsman and senior counsel advice, and in line with the advice of the Royal Commission of Inquiry into Aboriginal Deaths in Custody. I am quite confident that the First Nations incarcerated people who have died in custody have been subject to disciplinary proceedings. In fact, we directed questions on notice to the Minister to determine if each of the First Nations deaths in custody concerned inmates who had been subject to these punishments. The Minister said it was for the Coroner to say and not him. That answer, which the Hon. Mark Buttigieg repeated during this debate, betrays an utter abdication of responsibility and a devastating lack of urgency to prevent First Nations deaths in custody right here, right now in New South Wales on our watch.

The idea that deaths in custody are a matter for the Coroner, after they have occurred, is entirely unreasonable and displays the very problem of the continuation of deaths in custody right here on our watch. It is the New South Wales Government's responsibility to prevent First Nations deaths in custody. It is the responsibility of the Minister for Corrections to prevent prisons from killing First Nations people. If Corrective Services is not taking into account whether incarcerated people who die in its care have been subject to draconian disciplinary proceedings, like solitary confinement imposed by the inmate discipline process, it is clearly not taking steps to mitigate the deaths in custody.

This State, under this Minister, has killed more First Nations people in custody during 2025 than during any other year on record. This lack of transparency, urgency and compassion is just not good enough. The urgency of supporting these amendments is reinforced by the shocking fact that the public diary of the Minister for Corrections reveals that, since coming to office, he has not had one standalone meeting with a First Nations organisation across his entire tenure as Minister—at least, there is not one listed on his public diary disclosures. Honestly, the Minister cannot claim to be serious about preventing First Nations deaths in custody with this track record. I place on the record each of the signatories to the open letter sent to the Minister for Corrections which was critical of the increased risk of solitary confinement and subsequent solitary confinement that this amendment seeks to rectify.

Those signatories are the Aboriginal Legal Service; AbSec; ANTAR; the NSW Council for Civil Liberties; the National Justice Project; the Justice and Equity Centre; the UNSW Centre for Criminology, Law and Justice; the Western Sydney University Justice Clinic; Deadly Connections Community and Justice Services; the Shopfront Youth Legal Centre; the Community Restorative Centre; Justice Action; Sisters Inside; Change the

Record; Inner City Legal Centre; Dharriwaa Elders Group; the Justice Reform Initiative; Jailing is Failing; Redfern Legal Centre; and Community Legal Centres NSW. In debate, the Hon. Mark Buttigieg called the suggestion from all of those organisations that the bill would increase the number of First Nations deaths in custody insensitive, ill founded and unsubstantiated.

That rhetoric is not just insulting to the broad movement working to prevent First Nations deaths in custody; it demonstrates that the Minns Government has no evidence to suggest that the bill will not increase deaths in custody and therefore needs to resort to name-calling and attacks in debate. I remind the Minister for Corrections that he did not consult with a single First Nations organisation before introducing the bill. Those organisations have had the time to consider the drastic and consequential increase in the risk of First Nations deaths in custody only because the bill was not rushed through the Legislative Council. The amendment will drastically reduce the likelihood of an increased number of deaths in custody as a result of shoddy inmate discipline proceedings decided on the lesser standard of proof, which we know disproportionately impacts First Nations inmates.

I remind the Committee again that we are in the worst year on record for First Nations deaths in custody. The State Coroner, Magistrate Teresa O'Sullivan, issued a rare public statement lamenting the lack of action on deaths in custody from this Government. The least we can do is bring New South Wales further in line with recommendations from the royal commission, experts and international law, and in line with the desperate cries of mob for a State that does not kill their people—the brothers, sisters, daughters, sons, mothers, fathers and cousins of First Nations people. I remind this Committee of the words of the Coroner's statement:

These are not mere statistics. Each of these deaths represents a person whose life mattered and whose loss is felt deeply by families, loved ones and across the state.

...

They are individuals whose deaths demand independent and careful scrutiny, respect and accountability.

Today we have a chance to avoid deaths in custody. The vote on the amendment could be the vote that saves the lives of First Nations people or the vote that condemns them to a cruel, cold, lonely death at the hands of the State of New South Wales. I am asking the Committee to heed the Coroner's words and vote against worsening the risk of deaths in custody. During the worst year on record for First Nations deaths in custody, it should not be too much to ask. If members have not made the correlation between the substance of the bill and the fact of First Nations deaths in custody, they have not analysed the bill fully. They have not spoken to the people who are dealing with over-representation of First Nations people in the prison system in New South Wales. They are simply not aware of what happens behind those locked doors when anyone walks into a correctional centre. They are places where First Nations people die at rates that should not occur.

It has been decades since the Royal Commission into Aboriginal Deaths in Custody, yet 2025 is the worst year on record since colonisation. We have not even reached the end of the year and, as at October, 2025 is the worst year on New South Wales record for First Nations deaths in custody since the first prison opened on these lands. Yet we are creating an inmate discipline system that provides for the one thing we know exacerbates the likelihood of First Nations deaths in custody: solitary confinement. I beg members—I often implore; I often plead—to support this one amendment. All it does is what Corrective Services already knows it should be doing: not subjecting First Nations people inside our prisons to solitary confinement. I ask members to support the amendment.

The Hon. MARK BUTTIGIEG (15:24): The Government does not support the proposed amendment to insert new section 65AA into the Crimes (Administration of Sentences) Act. Guidance on confining inmates to cells is provided in the Custodial Operations Policy and Procedures, including factors to be considered in relation to each inmate before a penalty of confinement to cell is imposed, such as risk of self-harm or suicide and consideration of alternative penalties. Confinement of an inmate for up to seven days as a penalty, which is the maximum period of confinement to cell by a governor in New South Wales, is a commonly available response for disciplinary breaches across the Australian jurisdictions. For those reasons, the Government does not support the amendment.

The Hon. SUSAN CARTER (15:25): For the reasons outlined by the Government, the Opposition will not support the amendment.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 5 on sheet c2025-233F. The question is that the amendment be agreed to.

The Committee divided.

Ayes5
Noes34
Majority.....29

AYES

Boyd
Cohn (teller)

Fachrmann
Higginson (teller)

Hurst

NOES

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

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

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

Amendment negatived.

Ms SUE HIGGINSON (15:33): I move The Greens amendment No. 6 on sheet c2025-233F:

No. 6 **Statutory review**

Page 3, Schedule 1. Insert after line 40—

[5A] Section 273

Omit the section. Insert instead—

273 Review of amendments made by Crimes (Administration of Sentences) Amendment (Standard of Proof) Act 2025

- (1) The Minister must review the reviewable provisions to determine whether—
 - (a) the policy objectives of the provisions remain valid, and
 - (b) the terms of the provisions remain appropriate for securing those objectives.
- (2) The review must be undertaken as soon as possible after the period of 2 years from the commencement of the *Crimes (Administration of Sentences) Amendment (Standard of Proof) Act 2025*.
- (3) When undertaking the review, the Minister must consider the following—
 - (a) the effectiveness of review or appeal mechanisms,
 - (b) the accessibility of processes to inmates,
 - (c) the number of reviews and appeals,
 - (d) the outcomes of reviews and appeals,
 - (e) the need for further reform,
 - (f) compliance with the following—
 - (i) procedural fairness requirements,
 - (ii) recording requirements,
 - (iii) evidence disclosure,
 - (iv) Justice Health notification and monitoring,
 - (v) young Aboriginal protections,
 - (g) the adequacy of Justice Health resources,
 - (h) the adequacy of audio-visual technology for witnesses.
- (4) A report on the outcome of the review must be tabled in each House of Parliament within 6 months after the end of the period of 2 years.
- (5) In this section—

reviewable provisions means the provisions of this Act as amended by the *Crimes (Administration of Sentences) Amendment (Standard of Proof) Act 2025*.

This amendment is a simple instruction for the Minister to conduct a review to examine the impact of the bill's provisions. Ideally, we would undertake that scrutiny before voting on the bill. Ideally, the bill would be subject to public consultation and an inquiry. There is so much we do not know about the review that Corrective Services has been undertaking into inmate discipline proceedings. The bill has clearly been decided on in shadowy back rooms. Clearly the Minister for Corrections needs to be compelled, by this amendment, to examine the impact his laws are having. When I asked the Minister for information on the inmate discipline system through questions on notice, he refused to answer within the required time frame and told me to make a Government Information (Public Access) Act application if I wanted the answers.

The amendment instructs that the review take place within six months after two years from the commencement of the reforms. The review will evaluate the effectiveness of review or appeal mechanisms—particularly given the problems with reporting in the inmate discipline process that I have detailed throughout the debate on the bill; the accessibility of processes to inmates; the number of reviews and appeals; the outcomes of reviews and appeals; the need for further reform; compliance with procedural fairness requirements, recording requirements, evidence disclosure, Justice Health notification and monitoring, and young Aboriginal protections; the adequacy of Justice Health resources; and the adequacy of audiovisual technology for witnesses.

The statutory review needs to be so prescriptive because the Crimes (Administration of Sentences) Act is quite flawed and because of the extensive defiance of the legislation by Corrective Services over decades. The specific requirements for the statutory review are drawn from the Ombudsman's recommendations, and they harmonise the statutory review provisions in the bill as closely as possible with the framework set out by the Ombudsman. The review will force into the public domain the Minister's response to many of the Ombudsman's recommendations—that is, those recommendations that have not yet been flagrantly disregarded by the Minns Labor Government. So far the process has been shrouded in secrecy, and it is clear that the Ombudsman's recommendations have not been followed.

It is clear that the Minister has been unable or unwilling to actively confront the public agency to ensure it is complying with the law, and that the review work he has been undertaking has been mysteriously overturned by something or someone with influence over the Minns Labor Government. If the Minister will not act to ensure that his agencies are acting lawfully and justly, that responsibility falls to the Parliament. Today we will compel the Minister to ensure the bill does not have adverse effects. This is a basic accountability measure. It is completely reasonable to want more public scrutiny, given the tens of thousands of incorrect findings, tens of thousands—if not hundreds of thousands—of dollars in illegal fines, and a rogue public agency that has been breaking the law for 20 years. I commend the amendment to the Committee.

The Hon. MARK BUTTIGIEG (15:37): The New South Wales Government supports the amendment to section 273 of the Crimes (Administration of Sentences) Act. We are not opposed to looking at our legislation to ensure that it is operating as intended. We are glad to see that the time period for the review has been extended to two years to allow for a more practical, sufficient time frame to determine the effect of the legislation. The Government accepts that there is broad support for the amendment and it will not stand in the way.

The Hon. SUSAN CARTER (15:37): The Opposition is also happy to support the amendment. We are always happy to support a statutory review. The only thing I put on record is that it will be very nice if the statutory review is actually received at the time that the legislation calls for it.

The Hon. TANIA MIHAILUK (15:38): I congratulate Ms Sue Higginson on the work that she has done and the fact that both the Government and the Opposition are agreeing to this ministerial review in two years time. I think it is most fitting and it gives the Minister a good opportunity to get across the bill.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 6 on sheet c2025-233F. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Rod Roberts): The question now is that the bill as amended be agreed to.

Motion agreed to.

The Hon. MARK BUTTIGIEG: I move:

That the Chair do now leave the chair and report the bill to the House with amendments.

Motion agreed to.

Adoption of Report

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Penny Sharpe: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Penny Sharpe: I move:

That this bill be now read a third time.

The House divided.

Ayes30
Noes6
Majority.....24

AYES

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

NOES

Boyd	Fachrmann	Hurst (teller)
Cohn	Higginson	Ruddick (teller)

Motion agreed to.

CRIMINAL ASSETS RECOVERY AMENDMENT (ORGANISED CRIME REFORMS) BILL 2025

Second Reading Debate

Debate resumed from 23 October 2025.

The Hon. SUSAN CARTER (15:48): On behalf of the Opposition, I contribute to debate on the Criminal Assets Recovery Amendment (Organised Crime Reforms) Bill 2025. I note that this bill is an urgent response to an ongoing statutory review, and I commend the Government for treating those matters seriously and bringing them to the House in a prompt manner so that we can attend to them quickly. Three of the amendments in the bill respond to the Jasper report, and the fourth is in relation to requests made by the Illicit Tobacco Taskforce. These are all very important issues for the community. The proposed amendments to the Criminal Assets Recovery Act are really important, because there is absolutely—

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! There is too much noise. Members will take their conversations outside the Chamber.

The Hon. SUSAN CARTER: There is very little point in allowing criminals to profit from crime, because it simply incentivises crime. A range of penalties are available, including the significant penalty of deprivation of liberty. Seizing the proceeds of crime is also a significant penalty, especially for major financial crimes. It is an important way for society to indicate that these crimes are totally unacceptable, and it also takes away the incentive to commit these crimes.

The Opposition is happy to support amendments which will limit the ability of persons to avoid the confiscation of proceeds of crime by transferring it to another person. A criminal should not be able to sell a house built from illicit drug money to their partner for three dollars. It has been a long time since a house in Sydney cost much under \$1 million, so there needs to be valuable consideration. I think that is a really important reform that stops assets being warehoused by third parties only to be reclaimed when a person is released from prison.

Removing the six-year limitation period is a significant reform. Sadly, Eddie Obeid's financial affairs are said to have been so complicated that, to date, the Crime Commission has been unable to recover the proceeds of his crimes. That precedent cannot be allowed to stand. We must provide appropriate resources so that the proceeds

from Mr Obeid's crimes can be traced and recovered. Removing the six-year limitation period if it is a complicated process is a good thing, especially because we may only become aware of certain assets late in the piece.

The Crime Commission needs to be adequately resourced. I find it very difficult to believe that actuaries, forensic accountants and, frankly, good liquidation lawyers would not be able to trace the proceeds of Mr Obeid's crimes. If the proceeds are untraceable, then the Crime Commission needs better staff, in my experience. The Crime Commission should have access to sufficient staff in order to unravel Mr Obeid's assets. That is where the third reform becomes important. It clarifies that the Supreme Court is to have regard to proceeds from illegal activity that are held in a trust or distributed from a trust. It appears Mr Obeid made extensive use of trusts; he has had good legal advice. I commend people who get good legal advice, but I also know that there are lawyers who can understand the ways that assets are hidden, warehoused or filtered through many hands to make them difficult to trace.

This State has extensive experience in the law of equity, which specialises in tracing—and that is what members are talking about here. I have great confidence that the Crime Commission would be able to find these assets if it was suitably resourced. Not everything is as simple as tracing where bags of money from Chinese restaurants have gone. That will be a lay-down misère if any illegality is proved in respect to that. Mr Obeid's case is more complicated. The fourth reform was requested by the Illicit Tobacco Taskforce. Tobacco is a key revenue stream for organised crime. I commend the Government for starting to work on that issue, but we clearly need to do more. The Opposition welcomes this bill because it facilitates more action on illicit tobacco. We support all of the reforms proposed by this bill.

The Hon. ROD ROBERTS (15:54): I speak in support of the Criminal Assets Recovery Amendment (Organised Crime Reforms) Bill 2025. Why would I not speak in support of the bill when it is partly mine? I say that in all seriousness. Nearly six months ago, on 25 June, I mentioned the role of the NSW Crime Commission during a speech on illegal tobacco. On 11 September 2025 I again implored the Government to deal with a report from the NSW Crime Commission that said:

The Commission has monitored the importation, growth, and sale of illicit tobacco products, including loose tobacco, cigarettes and vapes. Stockpiling, theft, and fight for control of these illicit markets mirrors the tactics utilised in other illicit drug markets. The profits generated by illicit tobacco trade are often used to fund larger drug importations and violent offences including standovers, kidnappings, assaults, and damage to property.

I am glad the Government has taken my contribution seriously and is doing something about this issue. I note the Hon. John Graham has carriage of this matter, and I am glad that our bromance is continuing. After one of my many speeches on illicit tobacco, I had a conversation with the Hon. John Graham where I urged the Government to form a multifaceted taskforce into illegal tobacco. I told him that it was not the sole domain of the department of health, which has good, honest and hardworking staff, because it is not equipped with the skills to deal with organised crime. Much more serious organisations needed to be involved, including the NSW Police Force, Crime Commission and other similar bodies.

I am also hoping that the Australian Taxation Office will have a role to play, because the best way to hurt criminals is by hitting them in their pocket. Criminals are in this for profit and profit only. The changes proposed by this bill will help us get hold of illegal assets. I still shake my head at the fact that the Minister said, "This is not a matter for the New South Wales police." I do not have the quote in front of me, which is from some time ago, but it is on record. The Liberals cannot scoff either. The Coalition shadow Minister for Police and Counter-terrorism, Paul Toole, also said that this was not a matter for police. I told him that it was a matter that the police needed to be involved in.

I do not want to overload the Police Force with further work because I know how thinly it is stretched, but it needs to play a role. I am glad that it now is playing a role. Members should give these powers to the Crime Commission so it can wheel crooks in and get them to produce information that shows the legitimacy or otherwise of their sources of income. Their assets can then be seized and used to fund further investigations into organised crime. I support the bill and thank the Government for bring it forward.

Ms SUE HIGGINSON (15:58): On behalf of The Greens, I indicate that we will support the Criminal Assets Recovery Amendment (Organised Crime Reforms) Bill 2025. I think members should rename the bill "The Hon. Rod Roberts Bill 2025". The Criminal Assets Recovery Act 1990 is legislation that allows for the confiscation of property derived from serious criminal activities. It enables the NSW Crime Commission to seek orders from the Supreme Court to confiscate property and assets if it finds, on the balance of probabilities, that a person has engaged in serious crime-related activity. The balance of probabilities is the appropriate standard of proof for this test. The bill would streamline the application process for confiscating proceeds of crime by introducing four changes, as follows. It will remove the existing six-year limitation period for the recovery of criminal assets and proceeds. This will remove restrictions on recovery actions concerning organised crime and bring New South Wales into line with the Commonwealth Proceeds of Crime Act 2002.

It will replace the definition of "sufficient consideration" to require that property transfers occur on an arms-length and commercial basis. This will prevent non-commercial transfers between related parties being used to defeat recovery orders. We have seen this practice played out, and it is time to end it. It will clarify that the Supreme Court may include trust-held property and increases in property value when assessing proceeds of crime. This will ensure that the full benefit derived from crime can be recovered. It will add certain illicit tobacco offences under the Public Health (Tobacco) Act 2008 to the definition of serious criminal offences. This is intended to support current enforcement operations targeting the illicit tobacco trade as a source of organised criminal profit. Frankly, I think members and people in every community realise that the illegal tobacco market is rife.

The amendments would ultimately broaden the powers of the Crime Commission and strengthen the confiscation scheme for organised crime profits. Given that the bill will apply retrospectively, these changes to the law will prevent serious offenders from retaining assets obtained before the amendments passed. Whilst retrospective laws are widely considered at odds with the rule of law, the objects of the bill are well considered, consulted and logical. A couple of bills that the Government has brought to the House of late have made it clear that New South Wales is not an absolute rule-of-law State, and there are exceptions. This is a well-considered exception.

I note that the bill forms part of the Government's organised crime reform and precedes the awaited completion of the statutory review into the 2022 organised crime legislation. Without concern for its prematurity, the bill is progressing reforms described as priority amendments ahead of the review's conclusion. I have a small role in sitting in on the joint committee that oversees some of the accountability agencies, including the Crime Commission. From the small role I have, I know that the Crime Commission's work is exceptional, especially considering the limited amount of resources it has access to. It is incredibly valuable work, and that work is now getting deeply entrenched into our system of accountability. It is—in no uncertain terms—a good thing. As that role has embedded further and further, in the full current form that it is, into our crime prevention and capturing system, we are learning more and more about how we do that, how we can do it better and the needs of the State. The fact that the State is responding is commendable.

I also note that the first three proposals of the bill were requested by the NSW Crime Commission and the last proposal for the inclusion of tobacco-related offences was requested by the Illicit Tobacco Taskforce, which should also be called the Rod Roberts taskforce. The bill is also supported by the NSW Police Force to support the broader capacity for targeting organised crime profits. A consultation paper on the first three proposals of the bill has also been circulated to stakeholders, including the Law Society of New South Wales, Legal Aid NSW and the New South Wales Bar Association. Their responses have not been published. The Greens look forward to the completion of the statutory review into the 2022 organised crime legislation. As part of that, we support the bill.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (16:03): In reply: I thank the Hon. Susan Carter, the Hon. Rod Roberts and Ms Sue Higginson for their contributions. I will refer firstly to the Hon. Susan Carter's contribution. I thank the Opposition for backing the Criminal Assets Recovery Amendment (Organised Crime Reforms) Bill 2025. The member's comments—in particular, the comment about the situation with Eddie Obeid's assets being a precedent that cannot be allowed to stand—go to the heart of this matter. That is why the bill needs to be before the Parliament, why it deserves the support of all members in the way that they have received it and why we should pass it urgently. I thank the Opposition for that. I agreed less with the member's observation that these matters could have been tackled if they had been properly resourced. Resourcing is a part of the issue, and the Premier has been very clear about that. The Government is prepared to resource these matters that have come to attention recently to a much greater degree to get the job done.

I encourage members to read the Crime Commission's Jasper II report from April 2025. That report makes clear some of the difficulties that occur with the particular way in which trusts and beneficial ownership are being used. The report also identifies the complexity and innate difficulties with tracing assets and the ownership of assets held in complicated structures involving corporate discretionary trusts. That is the case that the commission lays out. As the member pointed out, the first three of these proposals were then requested by the NSW Crime Commission following publication of the Jasper II report to improve its ability to pursue matters and to address obstacles to the commencement of asset confiscation proceedings. So the member's first point was a good one. This issue deserves resourcing. The Government is committed to providing significant resourcing, whatever it takes. But the commission has called for these changes in laws. It set out the difficulties of working within the existing legal framework, and it is for exactly that reason that the Government has introduced the bill. These two things together now should give some hope to the public that these matters will be able to be pursued.

I thank the Hon. Rod Roberts for his contributions both today and on 25 June. They were welcome comments from a Government point of view. His advice has been welcome in some of these enforcement areas, given two things: his experience, but also his very practical approach to these matters. I thank him, in particular,

for the call for the multifaceted taskforce. That has certainly had an influence on Government thinking. I commend my colleagues who are heavily engaged in dealing with the front line of the tobacco war as we are dealing with what the State Government sees as some of the consequences of the increase in the Federal Government excise.

I thank Ms Sue Higginson. In particular, I take seriously her comments about retrospectivity and how it should be applied in limited circumstances. I thank her for her observation that this is one of the circumstances in which it should be applied. Finally, I just want to reference by way of rationale of the bill the Premier's comments when the matters about Obeid assets were being debated. The Premier put it really clearly. This is why the Government is calling for the bill and why we are really grateful for the support of members. The Premier said:

If the message goes out in New South Wales that if you've got deep pockets, if you've got the best lawyers, you can outrun the government of the day, I think that'll be a green light to corruption.

I wholeheartedly endorse the Premier's comments and it is why the Government has introduced the bill. I thank members for their support.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

WORKERS COMPENSATION LEGISLATION AMENDMENT (REFORM AND MODERNISATION) BILL 2025

First Reading

Bill received from the Legislative Assembly, read a first time and ordered to be published on motion by the Hon. Penny Sharpe, on behalf of the Hon. Daniel Mookhey.

The Hon. PENNY SHARPE: I move:

That the second reading of the bill stand as an order of the day for a later hour of the sitting.

Motion agreed to.

ENERGY LEGISLATION AMENDMENT BILL 2025

Second Reading Debate

Debate resumed from 14 October 2025.

The Hon. NATALIE WARD (16:10): I lead for the Opposition in debate on the Energy Legislation Amendment Bill 2025. The previous Coalition Government delivered the Electricity Infrastructure Roadmap, which positioned New South Wales as a renewable energy superpower, taking the top spot on World Wildlife Fund Australia's Renewable Superpower Scorecard. We regularly hear directly from energy stakeholders, consumer advocates and regional communities across New South Wales who have raised legitimate concerns about the implementation of the New South Wales energy road map.

We offer some amendments to improve this bill and thank the Government for taking some of those amendments on board, knowing that it is important for all of us to not only continue the road map but also get it right and listen to communities as we do so. It is important to put on record that criticism and concern about how the New South Wales energy road map is being executed—including the huge and increasing cost of energy and challenges around reliability—is not a criticism of renewable energy itself. It is a criticism of the rollout.

The Hon. Stephen Lawrence: Are you sure about that?

The Hon. NATALIE WARD: Yes, I am absolutely sure about that. It is important to recognise that it is a criticism of the delivery and the manner in which communities are brought along on this process and not imposed upon. The Consumer Trustee *2025 Infrastructure Investment Objectives Report* states:

As we shift into delivery, we face headwinds. Large-scale infrastructure delivery is challenging in any context – and at the unprecedented scale and pace we now require, coordinating roads, ports, supply chains and local approvals while maintaining community support will stretch our collective capacity. Transmission delays are emerging, underscoring the need to maintain momentum while actively de-risking the pathway ahead.

The Opposition amendments deal with concerns about the weakened independent oversight of the Consumer Trustee and potential issues that could inadvertently fracture public support for rooftop solar. The amendments also seek to improve community benefits for impacted communities and encourage transparency about the cost of projects to combat unfair opposition based on their cost. Dismissing those amendments as obstructionist is a mischaracterisation. That is not the Opposition's intent. We absolutely support the road map, but we want it to be better. We want it to be fit for purpose and fit for communities, and we want the Government to listen to communities as it continues down that path.

I thank James Griffin, our shadow Minister in the other place, for his commitment to and detailed work on this bill. It is very important to us, but it is equally important that community concerns are taken into account, and when we need to pivot and align with them more closely, not only for social licence but also for their lives and livelihoods, that must be seriously considered along the way. Those are real concerns from people and organisations that are committed to the renewable transition and want New South Wales to have a clean, reliable and affordable energy map. The Opposition supports the bill. I commend the Opposition amendments to the House and the Government.

The Hon. MARK BANASIAK (16:14): I am pleased to contribute to debate on the Energy Legislation Amendment Bill 2025. Let me be up-front in saying that the Shooters, Fishers and Farmers Party do not support the bill in its current form. The Government talks a lot about social licence, community benefit and partnership with the regions but, after months of public hearings, submissions and evidence heard through the inquiry into renewable energy zones, or REZs, it is clear that those words do not match reality on the ground. The bill does not seek to address community concerns. In many cases, it makes matters worse. Throughout this legislation, the pattern is all too familiar. It is more power to the Minister and the department, and less independence, less accountability and even fewer safeguards for the people who are actually living with the consequences of the transition.

We have already watched this Government stumble through the REZ rollout with a "build first, listen later" mindset. EnergyCo officers have behaved as though consultation is optional and transparency is inconvenient. We do not want that to worsen for our constituents. For the Shooters, Fishers and Farmers Party, the Government has introduced a bill that centralises even more power, removes oversight instead of strengthening it, expands ministerial discretion instead of constraining it and treats independent safeguards as optional. I do not know why any regional member of Parliament who has listened to the evidence and spoken to people with experience of the REZ rollout of renewable energy projects would support the bill in its current form.

The Shooters, Fishers and Farmers Party will move amendments that try to address some of those concerns. Those amendments speak to strengthening the role of the Consumer Trustee, making it a more accountable and proper trustee that is not necessarily tied to the hip of the government of the day. I will have more to say on that in the Committee stage, but I hope those amendments are taken seriously. They are not meant to derail the bill. While the Shooters will not support the bill in the final count, we believe our amendments are sensible in terms of strengthening the Consumer Trustee's role with regard to independence and representing the people it is supposed to represent.

Ms ABIGAIL BOYD (16:17): As energy spokesperson for The Greens, I support the Energy Legislation Amendment Bill 2025. As other members have said, this bill introduces several changes to energy policy, including in relation to renewable energy zone [REZ] network infrastructure projects, the NSW Consumer Trustee, protections for consumers in embedded networks, eligibility for community and employment benefit programs, and prohibiting negative solar feed-in tariffs. Many of those changes come from findings from independent reviews, including the Transmission Planning Review 2025 and the Independent Pricing and Regulatory Tribunal [IPART] 2024 review of embedded networks, as well as acting on commitments in the Government's NSW Consumer Energy Strategy.

The bill inserts numerous regulation-making powers across various provisions. The bill seeks to amend five separate pieces of legislation. It seeks to create a framework for planning and delivering the State's REZ projects by extending community employment benefit schemes beyond strict geographical REZ boundaries and expanding eligibility for existing benefit schemes. Schedule 1 [3] replaces the existing definitions of "community purpose" and "employment purpose" to include a purpose that benefits the local community of a local government area or a local Aboriginal land council area; and a purpose that promotes employment, skills and training for persons who live or work in a local government area or local Aboriginal land council area.

The bill clarifies the role and functions of the infrastructure planner and the Consumer Trustee in their recommendation and authorisation of REZ projects, facilitates cost recovery for costs incurred to the infrastructure planner out of the electricity infrastructure fund and introduces requirements for conditions that network operators appointed for REZ projects must be subject to. Schedule 1 [24] extends the Minister's existing power to terminate the appointment of the Customer Trustee for incompetence, misconduct or incapacity, and enables the Minister

to also terminate the appointment if the Minister is reasonably satisfied that the Consumer Trustee is unable to act independently.

It is unclear why that expanded power is necessary and is without any oversight of the Minister's discretion, given that there are already existing provisions in place that enable the Minister to dismiss the trustee. However, we understand there may be amendments put forward during the Committee stage, which we will consider. Schedule 1 [10] requires the Consumer Trustee to set a maximum capital costs amount for the development and construction of an authorised REZ network infrastructure project. Stakeholders have raised concern with the disclosure provisions restricting who can know the maximum capital cost once it is set, including strict provisions on how that knowledge can be transferred and a lack of transparency over changing the maximum capital cost. Again, I understand that some amendments will be put forward in the Committee stage in relation to improving transparency. The Greens look forward to considering those as well.

Schedule 1 [25] proposes to expand the existing delegation powers to enable the secretary to subdelegate their functions to an "authorised person", defined as an employee of the department or a person prescribed by the regulations. The bill introduces reforms to strengthen consumer protections for people living in embedded networks. Embedded networks are common arrangements in residential land lease communities and some strata complexes, often in places like retirement villages, social housing complexes, caravan parks and some apartment blocks. The provisions in the bill address some of the longstanding issues with embedded networks, and respond to the 2024 review by IPART.

The bill also makes amendments to the Electricity Supply Act 1995. Schedule 2 [10] enables IPART to make price determinations for energy, hot water and air-conditioning services provided to customers through embedded networks and enables IPART to monitor and investigate compliance of providers and sellers. Schedule 2 [13] requires a person who operates an embedded network or sells energy, hot water or air-conditioning services delivered through an embedded network to be a member of and comply with an approved energy ombudsman scheme. Schedule 2 [4] prohibits negative solar feed-in tariffs and changes by making it an offence for a retailer or an exempt seller to charge small customers for the solar-generated electricity supplied, or credit customers for the solar-generated electricity supplied, at a rate less than \$0 per kilowatt hour; or charge customers other than small customers more for solar-generated electricity supplied by the customer to the supplier or exempt seller than the amount credited to the customer for the electricity during a billing period.

The bill amends the Electricity Infrastructure Investment Act 2020, the Electricity Supply Act 1995 and the National Electricity (New South Wales) Act 1997 to insert a new regulation-making power to modify the National Electricity Law or the National Electricity Rules about matters relating to network-to-network connections. New provisions are also inserted to provide for the Minister to issue guidelines on matters relating to network-to-network connections, and impose a licence condition to require compliance. Schedule 2 [36] provides for the existing Renewable Fuel Scheme to commence 1 January 2027, to align with the expected commencement of green hydrogen production in 2027. Schedule 3 [1] reduces the Renewable Fuel Scheme's 2027 target so that it accounts for the more recent forecast for initial green hydrogen production.

I thank the stakeholders who have consulted with me and my office on the bill. They have raised concerns with several elements of the bill, and because of the complexity of the road map changes and the Government's failure to properly consult with stakeholders earlier on, there was some concern that they were unable to determine exactly how each of the provisions in the bill would work in practice, and whether red flags identified were cause for concern. I thank the Minister for bringing the bill on for debate a few weeks after it was first introduced because that has allowed us to properly speak with our stakeholders and ensure that we have addressed their concerns. I thank the Minister and her team for their help in getting our heads around the issues that stakeholders raised, and whether and how to deal with them most effectively. I sincerely thank the Minister and her office for their consultative approach on the bill.

The Greens will move a few amendments in the Committee stage. For the benefit of members in the House, I understand that there has been a slight change to the version of our amendments that was circulated. The amendments are being finalised by the very hardworking Parliamentary Counsel's Office. Unfortunately, they are very overworked at the moment. The delay is absolutely not their fault; it is just a product of it being the end of the year. As soon as we get them through, we will submit them. They are a slightly reworded version of what was previously circulated, to clarify some drafting issues. We will have a chance to talk about those when they are finalised.

I say two final things. The first is that The Greens remain committed to the tripartite agreement that this House struck on the rollout of renewables in the State. We appreciate that it has taken time for the Labor Government to take control of and wrestle with what was handed to it when it came into power. We are now seeing some of the fruits of the work of the Minister and her office over the past couple of years. We are really pleased to see that. The Greens put on record our willingness to continue to work in a tripartisan way to get the

renewables rollout done as quickly as possible, and also to ensure that other competing energy suckers and drainers coming onto the network—such as the data centres that we keep raising the alarm about—do not detract from it.

Finally, although the Hon. Mark Banasiak and I may disagree on many of the issues around the renewables rollout, one thing we do agree on is the need to bring the community on board. From speaking with people in and communities impacted by renewable energy zones, I know that there is still much uncertainty. There is a lack of information and many people are fearful because of what they are reading in the news. The Minister needs to continue to work really hard on outreach. We need to go into those communities and do everything we possibly can to make them feel well informed and well consulted, because we need their buy-in if we are going to do this quickly. The Greens support the bill.

The Hon. WES FANG (16:27): I contribute to debate on the Energy Legislation Amendment Bill 2025. I thank the Minister for allowing her team and the department to provide me and the shadow Minister with briefings in relation to the content of the bill. I echo the words of Ms Abigail Boyd in relation to the way this bill was brought on. We have been allowed time, between notice of the bill being given and the bill being introduced, to ask questions of relevant stakeholders, to engage with the department and with other members, and to have discussions between The Nationals and the Liberal Party. This has enabled us to better understand the contents of the bill. I will be the first to admit that there are provisions in the bill which are beneficial for the communities that we represent. Communities within an embedded network will certainly benefit from the bill. There are certainly beneficial aspects to the community benefit schemes that are expanded in the bill.

I thank Aidan Morrison at the Centre for Independent Studies and his team for assisting with highlighting the issues with the bill and helping to put its contents in plain language. We had a number of concerns, including the issue of cost and the way of engagement. Those concerns are represented by four sets of amendments that are grouped into four issues. We have tried to clarify issues with the bill and tried to improve it so that it does not cause harm to rural and regional communities, or any communities across New South Wales, because there are cost-of-living aspects to this bill that are important to highlight. Later I will invite the Minister to address those concerns.

The first issue we identified was the Minister's ability to dismiss the Consumer Trustee. I appreciate the argument that there may be times when the Consumer Trustee was conflicted or was not working in the best interests of New South Wales. Ultimately, however, my concern—and I think my parliamentary colleagues, particularly in The Nationals, agree with me—is that dismissing the Consumer Trustee, who effectively sets the framework for how the cost of a renewable energy or transmission project might be recovered from consumers, would mean that the secretary of the department, or another body implemented by the Minister at another time, would in effect become the Consumer Trustee. By my way of thinking, that creates a conflict of interest for the body or person acting as the Consumer Trustee.

The concern that most people have with renewable energy projects at the moment is their impact on the cost of living. Despite the rhetoric we continue to hear—that renewable energy is the cheapest form of power—everybody's power bills are going up. When people keep hearing that generation from renewable energy is being maximised, it creates a disconnect between where prices should be, which is going down, and energy bills going through the roof. Part of the issue is that every time we try to get information either from EnergyCo or from the Government about modelling or reporting of what the project costs are and what the Government is seeking to recoup through consumer contributions via electricity bills, we are stonewalled.

I only need to point to Chris Uhlmann and his requests for the business cases for some of the projects that were classified Cabinet in confidence. For the life of me, I cannot understand how a business case could be considered Cabinet in confidence and how it could somehow provide a view into the deliberations of Cabinet. It would certainly help in understanding the cost aspects of these projects and how they are impacting the price of electricity to consumers. If the Government has nothing to hide, it should release the documents.

Another aspect we had concerns with was about EnergyCo's approval of network operators. We know ACERZ has been contracted to operate the Central-West Orana network, but we do not understand exactly how much consumers will be paying for that, so we asked the Government about it in the budget estimates hearing. I think every member of this House knows the quality of the answers the Government has been giving, so there is not yet any clarity around that. We need to see improved reporting and improved transparency around how much the renewable energy projects will cost consumers directly.

To that end, we will move an amendment that will increase the transparency and reporting from this Government. My understanding is the Government will support it. I am grateful for that, because that level of engagement is helpful. When there is engagement on that level, plus the time to understand the bill better and not rush it through in two days—as happened with the previous bill, creating so much angst in Parliament—it goes some way in reassuring people that there is nothing to hide. While we appreciate that the Government accepts the

amendment, the next thing is what it will do to implement it. We know that when a Standing Order 52 motion is passed in this place and questions are put to the Government about the cost of the projects, the documents returned do not necessarily correlate with what we know is out there and what we believe is the actual cost. It is one thing to agree to an amendment; it is another to follow through and honour what is in black and white, so we will hold the Government to account.

Returning to the concern about the ability for the Minister to dismiss the Consumer Trustee, we proposed an amendment that removes that provision from the bill. However, in the briefings I had with the department, there was some confusion about the genesis of the amendment and why it was needed. I will not go into the specific details of the discussions but, needless to say, I am not convinced by the department's argument that the ability to dismiss the Consumer Trustee is a necessary requirement. I do not think it aids transparency or accountability. I do not think it provides the people of New South Wales clarity in relation to the Minister's powers, nor does it provide any comfort to people who are concerned that the Minister's powers are burgeoning and lack oversight.

I accept that the Government agrees to our amendment to remove that provision from the bill, which I am grateful for. We are open to working with the Government to improve this legislation, so that was a somewhat positive and constructive experience and perhaps provides a model way of moving forward. I do not believe the Government will support the other two amendments we will move, which is unfortunate because they are worthy and valuable amendments. We know that the Government is seeking to extend the provisions in the community benefits programs. Companies that operate projects in renewable energy zones must contribute to the Government's community benefits program. I guess that is one benefit of a project being in a renewable energy zone.

However, renewable energy projects are popping up all over the State, and there is a real concern that it is actually cheaper for a project to be developed outside a renewable energy zone because fewer restrictions apply than within a renewable energy zone. Members only need to look at the areas around Yass, Tumut and Wagga, where there is a proliferation of renewable energy projects proposed outside the renewable energy zone. That is partly due to the ability to connect to existing transmission lines, feed into the grid and generate income almost immediately, much like the HumeLink project did. It is perhaps easier to develop outside a renewable energy zone than inside one. For example, we know that the transmission line for Central-West Orana has not even been built yet.

The Hon. Penny Sharpe: It's started.

The Hon. WES FANG: But it's not finished yet, is it, Minister? At the moment, landholders who are inside a renewable energy zone, despite all the negatives that come with being near one or having a renewable energy project forced on them, will at least benefit in some part from the community benefit programs. Landholders outside a renewable energy zone with a project proposed next to them will not benefit from a community benefit program. That is a huge problem. It may be cheaper for a company to develop a renewable energy project outside of a REZ, which means the playing field is not level.

The Opposition amendments will try to level the playing field, so to speak, so that the community benefit programs include all renewable energy projects. If that is agreed to, local government areas—or LGAs—such as Yass, Wagga Wagga and Snowy Valleys, where a proliferation of these projects is proposed, would also benefit when renewable energy projects are forced upon them. That is not an unreasonable amendment for the Government and the crossbench to support. It is reasonable because it levels the playing field and makes building renewable energy projects outside a REZ less attractive, which is not necessarily a bad outcome for communities.

I do not believe the Government will support the amendments. Much as it pains me to say it, great minds think alike, and somehow Ms Abigail Boyd and I managed to develop very similar amendments—completely independently. Perhaps that is because we are hearing the same concerns from the same stakeholders. I like to think the similarity between our amendments is an indication that we are both listening to the communities and stakeholders who are impacted by renewable energy zones and we are responsive to those concerns. It is interesting and unfortunate that the Government has indicated that it is not prepared to support the amendments, but I encourage crossbench members to support them because they are important.

I seek clarification from the Minister in relation to the issue around the cost associated with solar feed-in tariffs. The headline issue is that the Government will make it illegal for a company to charge someone who has a negative feed-in tariff for feeding solar power into the grid. I thank some of the stakeholders who have provided clarity about this issue. There is a certain amount of unease about the Government not allowing companies to charge a solar feed-in tariff when the price is negative and solar power is being fed into the grid. The concern is that the company will seek to recoup the cost through other means. The only way that a retailer could seek to recoup those costs is by increasing the price of electricity provided to all consumers.

For those who can afford solar power and can feed into the grid, they will be paid a feed-in tariff if a feed-in tariff is available. If there is no feed-in tariff for solar power, the retailer will seek to recover the cost in another way. The issue is not only the energy but also the transmission of that energy that is fed into the grid. Regardless of whether the retailer charges for the solar power fed in by the consumer, we know the transmission companies will still charge for solar power to be transmitted between the house and the grid. As far as the Opposition can tell, this policy can only result in the wholesale and retail price of electricity increasing to enable retailers to recoup their costs. During a cost-of-living crisis, that will exacerbate problems for people who cannot afford solar power.

People who do not benefit from generating rooftop solar power will subsidise solar power providers during times of a negative feed-in tariff. My understanding is that the Government will not support the amendments. My concern is that, ultimately, the bill will increase the cost of electricity for people who can least afford it, such as people in low socio-economic circumstances who cannot afford solar, and people who rent and do not have access to the fancy new solar programs the Minister has been rolling out in metropolitan areas. It will hurt people who live in the poorest regional communities.

In lieu of the Government supporting our amendment, I invite the Minister in her reply to advise us how the Government intends to protect consumers who do not have access to solar power, and how she will stop retailers from charging additional costs to fund this aspect of the bill. I reiterate my thanks to the Minister for the manner in which she has engaged with the Opposition on this bill, which has been a more appropriate approach and an improvement. I trust that in future the Minister will engage in this way instead of what has been done previously, which created so much angst for rural and regional communities, in particular.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:47): In reply: I thank members who contributed to debate on the Energy Legislation Amendment Bill. I particularly thank the Hon. Natalie Ward, the Hon. Wes Fang, Ms Abigail Boyd and the Hon. Mark Banasiak. The way in which the Government is dealing with energy transition is extremely challenging. It is complicated and it has been made harder by things like privatisation. This Parliament, and particularly this House, has spent a lot of time trying to work through those issues. I appreciate the willingness of members to work through the complexities with us. These are not simple issues. I have been on a whirlwind tour of learning the complexities of the energy system and energy pricing. I understand the issues better than I did 2½ years ago, but it is complicated. I thank all members for their willingness to discuss the legislation with the Government. It is really important.

There are a couple of things I will pick up on. There is some criticism or lack of understanding around how far we have progressed in relation to the Electricity Infrastructure Roadmap. There is a lot of negativity about it, but I place on record where we are at with the road map. Importantly, we are up to 71 per cent generation capacity of the 2030 target. It is 66 per cent of the long-duration target to 2035. That does not mean that it is all built, but it means that, in terms of what is being contracted and going into the ground, we are doing really well. The Central-West Orana REZ Transmission Project has been approved. We have appointed a network operator, and the building has started. In the meantime, \$128 million of community benefit funding is going into the Central-West Orana area alone. It is funding things like housing, water infrastructure, sports infrastructure and a training centre. We are working closely with the councils, and I thank them and the broader community, including First Nations organisations.

Since the last election, we have approved eight wind farms, 17 large-scale solar farms and 18 big batteries. The amount of operational renewable generation capacity in New South Wales has increased by almost 70 per cent. A number of projects have been given the green light to connect to the renewable energy zones, or REZs. That is the important bit—they will have the transmission lines so that all the energy that is being generated can get around the State. There are 14 projects that now have access rights—enough to power more than 4.3 million homes. Five out of six of the transmission projects are underway. Since coming to government, we have also looked at the other supports needed to ensure that we can build the REZs in a way that works for the community. We have allocated \$128 million in port-to-REZ road upgrades. That will get the stuff through the Port of Newcastle and out to the renewable energy zones, which will also leave the community with better roads at the end of it. There is also another \$115 million for the Newcastle Logistics Precinct in the Port of Newcastle.

People raise issues and concerns, and they are right to do so. People are right to note the challenges in some communities around a lot of change and information coming at people quickly. Interesting work has been done suggesting that people think that only 30 per cent of people within their community support the renewable energy zone. But when we poll them, it is 62 per cent. There is a big gap in relation to the negative information that people get versus their general support for the renewable energy transition and action on climate change. The Government totally accepts that this is a work in progress, and we always have more work to do. It is an important conversation, and I thank the Hon. Mark Banasiak for the work he has been doing on the committee, bringing the issues to our attention and the voices of those who have questions to Parliament.

Finally, the Hon. Wes Fang had some questions in relation to the solar feed-in tariff. The way in which the zero feed-in tariff operates is that, within a person's plan, there is money going in and out. At the end of all of the cycles, including the middle of the day, negative prices and all of those things, they will still pay zero. There will be times when it goes up and down, but it basically nets out. The concerns are valid, but we think they are dealt with. I thank everyone for their constructive work in relation to amendments. There are Opposition and Greens amendments that the Government will support. Some of the Opposition amendments we will not support only because we prefer The Greens' option. They are quite similar, and I appreciate people's time and effort in working through them.

I thank my team for spending time taking members through the bill. I also thank the Department of Climate Change, Energy, the Environment and Water, Tim McMinn and Larissa Green, who are in the gallery. They have done a lot of the hard work behind what is a complicated bill that has many different moving parts. At the end of the day, the bill is about making sure that the road map continues to be refined and that we are able to get it done. It is about better consumer protections, particularly around solar feed-in tariffs and embedded networks. I remind the House that embedded networks are about retirement villages, caravan parks and a range of places where people do not have any choice but to get their energy in one session. The bill is about providing better price caps, which I think all members in this Chamber support. I thank members for their contributions and willingness to get into the detail of the issues. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that this bill be now read a second time.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That consideration of the bill in Committee of the Whole stand as an order of the day for a later hour of the sitting.

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. PENNY SHARPE: On behalf of the Hon. Daniel Mookhey: I postpone Government business order of the day No. 5 until a later hour of the sitting.

Bills

ROAD TRANSPORT AND OTHER LEGISLATION AMENDMENT (MICROMOBILITY VEHICLES AND SMARTCARDS) BILL 2025

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) (16:56): I move:

That this bill be now read a second time.

I am pleased to introduce the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. The bill represents tranche 1 of the Government's commitment to reform shared and private micromobility—including bikes, e-bikes, and e-scooters—to make these options safer and better integrated into our communities and transport system. The bill gives legislative effect to many of the principles in the New South Wales *E-micromobility Action Plan*. It establishes a statewide regulatory framework for micromobility vehicles, supports the rollout of dedicated parking and enables local councils to shape services to meet community needs.

Importantly, the bill will clean up e-bike clutter on our footpaths and give the State and councils the power to regulate operators and recoup the costs of managing sharing services and related infrastructure. We have not had that power in New South Wales until this point. The bill will give local councils the power to decide where New South Wales Government approved shared schemes can operate in their area. It will give them control over dedicated parking areas and go-slow and no-go areas. As part of the reforms, the bill and regulations will support Transport for NSW and local councils establishing on-street and kerbside e-bike parking bays in town centres and train and metro stations. This will give e-bike users and shared scheme operators more clarity on where to park and reduce clutter for pedestrians and other road users.

The bill allows us to build trust with the public about micromobility services. It sets out service and safety standards so local councils and the community can be confident that operators have been properly vetted by Transport for NSW. After investments have been made to ensure that parking has been well managed for shared

e-bikes, the Government will bring forward the changes to legalise e-scooters, for both shared and private use—but not until that point.

The bill will also amend three Acts to support the legal use of e-scooters and other micromobility vehicles on roads and road-related areas in New South Wales. It clarifies the regulatory status of these vehicles and their exclusion from certain motor accident compensation schemes. The current compulsory third party [CTP] insurance scheme design and structure is broadly incompatible with providing coverage for e-micromobility devices. This is because the CTP scheme and the purchase of insurance is structured around an embedded registration, manufacturing and licensing framework that is not currently contemplated as part of the legalisation of e-scooters and is not established for e-bikes.

The Government has committed to exploring options for e-micromobility insurance, including potential settings, considering the need for people injured by devices to be effectively supported, affordability, existing insurance settings and viability of those arrangements. I know that will be the subject of discussion in the second reading debate. Finally, the bill amends the Passenger Transport Act 2014 to enable funds lying dormant on Opal cards for more than five years to be used for crucial passenger transport purposes. It will provide for Transport for NSW to determine the terms and conditions for the use of Opal cards by publishing an order in the *Government Gazette*, supporting clearer communication to users of smart cards.

I note the sensible amendments from the other place from The Greens and the member for Sydney that the Government has supported. The amendments from The Greens strengthen the public accountability around the use of unused funds on dormant Opal cards. The amendments from the member for Sydney to clarify that notices to operators can be made electronically and to require a statutory review of the shared scheme reforms are also supported. This is a rapidly moving area. We understand that we will not get everything right. We have developed a framework with a set of tools to allow for the flexibility to adapt with the evolution of the market, and along those lines we support a review and report to the Parliament on the effectiveness of the framework in achieving our goals. It would be unsurprising if we needed to come back and work cooperatively with the Parliament as the scheme evolves, given the nature of the regulation and the change that is happening on our streets.

I address concerns raised by the Opposition around how Opal card funds will be recovered. As the Government has made clear, only funds from unregistered cards that have not been used for five years or more will be recovered. The amendments moved by The Greens in the other place and supported by Government make it crystal clear that this applies only to those cards. Concerns raised about the impact on pensioners with concession cards are misplaced. These cards are registered Opal cards and will not be impacted by this process. For those who have an unregistered card at home that they have not used in a long while, a public campaign will alert holders of any Opal cards with unused funds ahead of any changes, giving everyone ample time to either register their card, seek a refund, transfer a balance to another card, or simply tap on.

The aim of this change is to unlock money that would otherwise continue to sit unused. Eventually, those cards will reach their expiry date, at which point the money would be forfeited anyway. Card expiries have been extended to 13 years to prevent an active Opal card user from having to get a new card when they have one that functions perfectly well. Again, we are not talking about active users, but only those who have not used their cards for some time now and have likely misplaced or disposed of those cards. Since they are unregistered, we are unable to verify the holders or contact them. I have indicated publicly that the average balance on those cards is about \$4. Key transport experts from the United Kingdom gathered in Sydney today. I was able to welcome them and brief them on the legislation and the debate we would be having. As I explained, many of the Opal cards are buried in backpacks in Britain. They will not be recovered easily. This is a sensible use of those funds. It allows us to use the funds for the needs of our population now.

I turn to the detailed provisions of the bill. The bill will insert a new part 5.7 into the Road Transport Act 2013, titled "Micromobility vehicle sharing services". The first division of the new part defines key terms and establishes foundational principles. While I have been referring mainly to councils, there are other public land managers in this State. The bill uses the term "authority" to refer to these bodies collectively. The local councils and public authorities to be covered by the new framework will be prescribed in statutory rules that will also prescribe the authority's area of operations.

"Micromobility vehicle" is not defined directly in the bill. As we have seen over the past 10 years, micromobility technology is constantly innovating. The potential nature of the vehicles that could be offered through sharing services is difficult to determine in advance. The bill therefore provides that the types of micromobility vehicles that can be offered through an approved and authorised sharing service will be able to be prescribed through the statutory rules or approved and gazetted by Transport for NSW. In the first instance, it can be expected that this will include both pushbikes and electric bikes. These vehicles are already legal under the Road Rules and are being offered for hire under sharing services operating in various locations in Sydney and across the rest of New South Wales.

In future, as we move towards the regulation of e-scooters through amendments to the Road Rules, these devices are likely to join e-bikes in being prescribed as vehicles permitted to be available for hire through an approved and authorised sharing service. Currently, e-scooters are only legally able to be used on public roads as part of the Shared E-scooter Trial Program established under the Road Rules. Under proposed new section 148Y, a person will be taken to operate a sharing service where they make a micromobility vehicle available for hire through an automated electronic system and the hirer is able to collect the vehicle from wherever the vehicle happens to be located and is not required to return the vehicle to a specific place or premises at the end of the hire. Importantly, this will not prevent operators from advising hirers to return bikes or scooters to council-designated or preferred parking areas. It will be their responsibility to communicate effectively with hirers about such arrangements.

A sharing service will be taken to operate in an authority's area of operations if the operator makes the vehicles available for collection or return within that area. A service does not operate in an authority's area if the hirer simply rides the bike or scooter through that area or uses its amenities while still hiring the vehicle. The careful approach to deciding which types of vehicles are permitted will be supported and enhanced by the power in proposed new section 148Z to make statutory rules setting standards for the operation of micromobility sharing services. These will include vehicle sharing service standards establishing safety standards for the vehicles and safety equipment, such as helmets; minimum insurance requirements; fleet utilisation and management requirements, including the number and type of vehicles; and requirements for operators to share information with Transport for NSW.

Statutory rules may also establish the form and conditions of operating authorisations, procedures for appeal and review of decisions, fees payable for approvals and authorisations, and fees payable by an approved operator in connection with the administration of the new framework. It will be an offence, with a maximum penalty of 500 penalty units, to offer a vehicle for hire as part of a sharing service if the vehicle does not meet any prescribed requirements. That is a very important provision. The bill will also empower Transport for NSW to inspect, test and certify micromobility vehicles already being offered for hire and any type of vehicle proposed to be offered for hire. In these various ways, the safety of the vehicles and services will sit at the heart of the new framework.

I turn now to the details of how micromobility shared services will be established. As I described earlier, this will involve co-regulation by the State and local authorities with a two-step process, plus a review opportunity. Effectively, this means that an operator must have both a statewide operator approval from Transport for NSW and an operating authorisation from each authority in whose area the service is intended to operate. It will be an offence to operate a vehicle sharing service without an operator approval. It will also be an offence to operate a vehicle sharing service in an authority's area of operations without an operating authorisation granted by that authority. The maximum penalty for each of these offences will be 500 penalty units. The primary purpose of the operator approval process set out in division 2 of proposed new part 5.7 is to establish that the applicant meets the statewide vehicle sharing service standards that I described earlier, as well as any other requirements.

Transport for NSW will be required to approve an application if it is satisfied that the applicant meets those standards. This includes checking whether the applicant has any prior convictions under this framework or under the Public Spaces (Unattended Property) Act 2021 or any previous suspensions or revocations of an approval. The application must be in the prescribed form, be accompanied by the prescribed fee and provide the necessary information. An approval will be in force for the term decided by Transport for NSW, up to a maximum of five years. It will be renewable on further application and provision of updated information about the service. The key criterion for renewal will be that the operator continues to meet the vehicle sharing service standards.

Transport for NSW will be able to suspend or revoke operator approvals. Where the operator contravenes the vehicle sharing service standards or any other requirement of the new regulatory framework, their approval may be suspended. The operator will be given the opportunity to make good the noncompliance, and if they do so, the suspension will be lifted. Where an operator has been found guilty of an offence against this part of the Act, operated a sharing scheme while suspended or failed to address an identified noncompliance, its approval may be revoked.

Before deciding to revoke an approval, Transport for NSW will give the operator an opportunity to show cause why it should not be revoked. If, after reviewing the operator's response to the show cause notice, Transport for NSW decides that revocation is appropriate, the revocation must be communicated to both the operator and any authorities with which the operator has an operating authorisation. Revocation will mean that the operator is no longer approved and must cease offering its sharing service. As I noted earlier, it will be an offence punishable by up to 500 penalty units to offer a service without being an approved operator.

To ensure transparency, Transport for NSW will be required under new section 148ZV to keep a public register of operator approvals granted, renewed, revoked or surrendered. Having obtained approval, an operator

will need to apply, under division 3 of the new part 5.7, for an operating authorisation with each authority in whose area of operations it wishes to offer its sharing service. An application for an operating authorisation will need to be in the prescribed form, be accompanied by the prescribed fee and include all the required information.

The application provides an opportunity for the local authority to assess the need for the service in its area. If one or more micromobility vehicle sharing services has already been authorised to operate in its area, the authority may consider that adequate services are already available and refuse the application. Because the operator will already have been approved by Transport for NSW—which can be verified by checking the public register the agency is required to maintain—the local authority does not have to concern itself with the vehicle or service safety aspects of the operator's offering. Appropriately, it can focus on the local impact, including the importance of making viable micromobility transport options available to both residents and visitors.

If an authority refuses to grant an authorisation, the operator will be able to apply to Transport for NSW for a review. In deciding whether to affirm that decision or direct the authority to grant the authorisation, Transport for NSW will have to take into account the following matters: the impact on continuity of service for users; the demand for shared micromobility in the relevant area; whether any other approved operator has been authorised in the area; and the authority's reasons for refusing to authorise the operator. The review by Transport is meant to ensure services support continuous journeys for riders across multiple council areas. A rider is thinking about getting from point A to point B; they are not thinking of where the local council boundary begins or ends that they are riding through.

Just as councils cannot refuse a taxi or rideshare service from operating in their area but can and do designate pick-up or drop-off areas for those services, this framework allows for services to operate and provides councils with tools to respond to local conditions. The authority will be able to impose conditions on an operating authorisation. That could include conditions about places within the area where the vehicles cannot be used, collected or returned; limits on the number of vehicles that can be made available for hire in the area; and any speed limit restrictions that are to apply. If common or serious issues start to emerge, there will be capacity to make statutory rules to impose conditions on operating authorisations generally. I have already noted that penalties of up to 500 penalty units will apply.

Under new division 4, where any one or more of these contraventions has occurred, Transport for NSW or a relevant authority will also be able to order the operator to remove its vehicles. Authorised officers of Transport for NSW or the local authority will be able to take possession of vehicles subject to a removal order that has not been complied with, or where the person responsible for a vehicle is not able to be identified. The authorised officer will be able to exercise powers under the Public Spaces (Unattended Property) Act that permit such property to be sold or destroyed after a defined time period.

Finally, both Transport for NSW and any relevant authority will be able to require a person to provide information that relates to the operation of a vehicle sharing scheme and that is relevant to the exercise of the enforcement provisions. In the Government's view, the regulatory framework for sharing services that I have just described strikes an appropriate balance between positive encouragement of the rollout of micromobility transport options for our communities and visitors, and the setting of standards and requirements to ensure the safety and good management of those services, including an appropriate sharing of responsibilities between the State and local authorities.

Transport for NSW will continue to collaborate with councils and other land authorities, with sharing service operators, with the community and across government to ensure the new framework is working well and integrates with other regulatory measures. That includes working with the Office of Local Government on amending the code of practice established under the Public Places (Unattended Property) Act, which details minimum standards for operators to ensure items are not left unattended, to ensure a common approach to managing those vehicles. While we feel that we have struck the right balance, I place on record the Government's thanks for the work of the committee that looked into this space. Transport has also worked closely on this, but the committee system of this House in examining these issues in detail has been a huge help. I again thank the committee, led by its chair, for doing the work that gave us a huge leg-up in striking that balance.

The bill also amends the Road Transport Act 2013 and two other Acts to support the legal use of e-scooters and other micromobility vehicles on roads and road-related areas in New South Wales. It clarifies the regulatory status of those vehicles and their exclusion from certain motor accident compensation schemes. Amendments to the Road Transport Act 2013 confirm that disqualified drivers may still legally operate exempt micromobility vehicles, as these do not require a driver licence or registration.

Amendments to the Motor Accident Injuries Act 2017 will define a micromobility vehicle as an e-scooter or other prescribed vehicles exempt from registration and clarify that injuries or deaths resulting solely from micromobility vehicle use—where no registered motor vehicles are involved—are excluded from the scope of the

Act. It also excludes micromobility vehicles from claims against the Nominal Defendant for uninsured vehicle accidents. Amendments to the Motor Accidents (Lifetime Care and Support) Act 2006 will clarify that injuries from micromobility vehicle accidents where no registered motor vehicles are involved are not covered under the Lifetime Care and Support scheme.

The bill also includes provisions to enable Transport for NSW to utilise unused funds held on dormant unregistered smart cards—or Opal cards—for transport-related purposes. Those provisions complement the other provisions in the bill by enabling Transport to fund initiatives to improve transport options—in this case, active transport. Where an Opal card is unregistered, it is not possible to identify or contact the cardholder. Unregistered cards are often held by short-term visitors to New South Wales or people who have died or moved out of the Opal area and are therefore unlikely to use their card again. The average amount of funds held on a dormant card which has not been used for five years or more is approximately \$4. Many dormant Opal cards have insufficient balances on them to cover the cost of an Opal trip without topping up the funds on that card.

The current terms of use for Opal cards already provide for the forfeiture of unused funds 90 days after a card has been cancelled or has expired, unless the cardholder seeks a refund during that period. The bill proposes to amend the Passenger Transport Act 2014 to provide for the forfeiture of funds held on unregistered Opal cards where the card has not been used for a period of five years or more. "Used" means scanning the card—"tapping on" or "tapping off"—on a smart card reader. In the view of the Government, five years is reasonable, having regard to the costs involved in maintaining the cards in the Opal system and the minimal balances typically held on such cards. If a person has not used the card within the last five years, it is more likely than not that they have misplaced their card or have moved and are unlikely to ever use it again.

The unused funds on inactive and unregistered cards will be deposited into the Transport for NSW fund, established under section 77 of the Transport Administration Act 1988. The relevant card will no longer be able to be used, and no refund will be available. Those funds will then be available to be used for active transport-related initiatives, including more Opal bike lockers and first- and last-mile connections to public transport. Importantly, it is intended to prescribe, via regulations, that those provisions will only apply to unregistered cards. This means, appropriately, that gold and concession Opal cardholders will not be impacted by the changes.

People who have registered their Opal card will continue to receive the benefits that come with registration, including having any card balances protected, and the Opal Refund and Balance Transfer Policy will continue to apply to registered cardholders. The proposed changes will not commence until after a 12-month communications strategy has been implemented. During this time, holders of unregistered Opal cards will be advised of the upcoming changes and have the opportunity to seek a refund of any unused funds. These changes will apply to all dormant, unregistered Opal cards, whether they were issued before or after the changes come into effect.

Finally, the bill will clarify the power of Transport for NSW to set the terms and conditions for the use of smart cards. New section 128A will give Transport direct power to determine those terms and conditions by way of an order published in the *Government Gazette*. These terms and conditions can deal with matters such as the payment for and use of smart cards; the validity, cancellation and expiry of smart cards; how to deal with smart card account balances; and proof of use of and entitlement to smart cards. This will ensure that when changes are made to the terms and conditions of use of Opal cards, these changes can be quickly implemented and communicated to the travelling public and will have force as part of the law, and not merely as contractual terms.

Across the world, e-scooter and bike share schemes have been shown to increasingly replace vehicle trips, promote social inclusion and enhance public transit access. In Paris, people travelling by bike now outnumber cars across the whole city. In London, they outnumber cars two to one in the financial district. In Montreal's Plateau neighbourhood, bikes account for one-fifth of all trips, which is only slightly less than cars. Despite that, there is still more room in the bike lanes, even though there are 14,000 trips per day. This is not the case for other traffic lanes, which are bumper to bumper and cannot accommodate more trips. Use of the bike-share system in Montreal has doubled since 2019.

In London, use of shared bikes has increased fourfold in the past two years. This has contributed to an increase in cycling there that positions bikes to overtake cars as the most common vehicle within the next few years. Transitioning from just docked shared bikes to floating bikes has helped enable that increase. London faces some of the same struggles with parking that we face, but it has taken steps to corral bikes and organise parking better in those locations. It is also similar to New South Wales, with multiple layers of governance, including local boroughs representing local interests and the Greater London Authority representing the interests of the whole of London.

Here in New South Wales, we can see how the changes we make reveal pent-up demand for more sustainable travel options. Just a kilometre away from where we are debating this bill, the Oxford Street West

cycleway is already showing where investment in active transport leads. After opening in mid-August, the cycleway already has 3,400 daily riders, besting the Sydney Harbour Bridge cycleway—although I suspect that the changes to the ramp on the north approach that the Government is set to reveal later this year will further enable trips by active transport and put these two routes neck and neck.

Shared micromobility is increasingly becoming a key transport option for people living, working and visiting New South Wales. In the past year, the daily number of trips on shared micromobility vehicles increased by 200 per cent, with people travelling over seven million kilometres in New South Wales on shared e-bikes and shared e-scooters in trial areas. Micromobility is disruptive transport technology that is rapidly changing cities across the world. We might have thought it was going to be the electric self-driving car—that was a popular discussion—but, in fact, it is the much more affordable, energy- and space-efficient e-bikes and e-scooters that are actually changing the city's space as we watch.

The confluence of pop-up bike lanes that arose during the COVID-19 pandemic and the emergence of e-micromobility has altered the way people choose to travel in our State. It is now easier for people of varying ages and abilities to access their destination quickly and safely by bike or scooter without being out of breath or sweaty. As we implement changes to make micromobility safe for users and non-users alike, we have to do so in a way that better manages space on our footpaths, streets and roads. Safety and space allocation are genuine concerns. The Government is committed to striking the right balance between regulation and infrastructure provision to ensure all people, whether on bikes and scooters or in cars and buses or on foot, can get where they need to go safely and efficiently. That is exactly why we are introducing this bill to Parliament.

Micromobility offers significant benefits for urban transportation, enhancing mobility, equity and community engagement. Effective management and strategic planning are crucial for maximising these benefits and addressing the associated challenges. We are pleased to see support from across the Chamber for the reforms to shared schemes. We know the public is ready for the Government to take action, particularly on parking issues, and I am grateful for the work of the Government to develop the framework proposed in this bill. The bill has the support of local governments, operators and stakeholders such as Bicycle NSW and the Committee for Sydney. The bill contributes to ensuring New South Wales is in a position to maximise the benefits while minimising the risks and impacts. It will empower local councils to work with sharing service operators to effectively deliver shared micromobility to communities in a way that adds to our streets and public spaces, built on a basis of statewide safety standards. I commend the bill to the House.

Debate adjourned.

ENERGY LEGISLATION AMENDMENT BILL 2025

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. Before we start, I confirm with members that the new sheet of The Greens amendments is sheet c2025-322B, which replaces sheet c2025-271F. We have The Greens amendments Nos 1 to 9 on sheet c2025-322B, Opposition amendments Nos 1 to 11 on sheet c2025-246F and Shooters, Fishers and Farmers Party amendments Nos 1 to 7 on sheet c2025-244A. As a result of the new sheet of The Greens amendments just recently being tabled, to give the Clerks a chance to see if there are any conflicts, and bearing in mind we are taking the bill as a whole, I intend to start with the Opposition amendments and then perhaps the Shooters amendments until the Clerks have sorted The Greens amendments.

The Hon. NATALIE WARD (17:30): By leave: I move Opposition amendments Nos 1 to 7 on sheet c2025-246F in globo:

No. 1 Community benefits equity

Page 3, Schedule 1. Insert after line 37—

[2A] Part 4, Division 2, heading

Omit "zones". Insert instead "projects".

No. 2 Community benefits equity

Page 3, Schedule 1. Insert after line 37—

[2B] Section 24, heading

Omit "zone". Insert instead "project".

No. 3 Community benefits equity

Page 3, Schedule 1. Insert after line 37—

[2C] Section 24(1) and (2)

Omit the subsections. Insert instead—

- (1) The Minister must, by order published in the Gazette, declare the access scheme that applies—
 - (a) in a renewable energy zone or part of a renewable energy zone, and
 - (b) in relation to each renewable energy project that—
 - (i) has been declared State significant development under the *Environmental Planning and Assessment Act 1979*, section 4.36, and
 - (ii) is not in a renewable energy zone.
- (2) An access scheme is a scheme that authorises or prohibits access to, and use of, the following by network operators and operators of generation and storage infrastructure—
 - (a) specified network infrastructure in the renewable energy zone, or the part of the renewable energy zone, to which the scheme applies,
 - (b) specified network infrastructure constructed or operated under the renewable energy project in relation to which the scheme applies.

No. 4 Community benefits equity

Page 3, Schedule 1. Insert after line 37—

[2D] Section 26 Fees for access schemes

Insert "or in relation to the renewable energy project" after "zone" in section 26(1)(c).

No. 5 Community benefits equity

Page 3, Schedule 1[3], lines 38 and 39. Omit all words on the lines. Insert instead—

[3] Section 26(7)

Omit the subsection. Insert instead—

No. 6 Community benefits equity

Page 3, Schedule 1[3], proposed section 26(7), lines 41–44. Omit all words on the lines. Insert instead—

community purpose means a purpose that benefits the community in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (a) the geographic area that forms the renewable energy zone to which the access scheme applies, or
- (b) the geographic area of the renewable energy project in relation to which the access scheme applies.

No. 7 Community benefits equity

Page 4, Schedule 1[3], proposed section 26(7), lines 5–9. Omit all words on the lines. Insert instead—

employment purpose means a purpose that promotes employment, skills and training for persons who live or work in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (a) the geographic area that forms the renewable energy zone to which the access scheme applies, or
- (b) the geographic area of the renewable energy project in relation to which the access scheme applies.

These amendments deal with the community benefits equity issue. Schedule 1 [3] expands community benefits to entire local government and Aboriginal land council areas connected to renewable energy zones, or REZs. That is an improvement on the current system, and we welcome it. Regional communities have raised some concerns directly with us, with Yass Valley the prime example of a community hosting renewable infrastructure impacts using adjacent transmission infrastructure but receiving zero community benefits because it falls just outside the REZ boundary. That is a concern to us. REZs exist because energy planners identified them as strategically optimal locations for renewable development. Our amendments seek to extend community benefit requirements to projects outside REZs that benefit from REZ-connected infrastructure or impact nearby communities. Better planning equals more renewable megawatts on the grid, faster and more responsibly.

It is important to note these concerns have been brought to us by regional mayors. This is locals having input into their area and how this issue affects them. I understand the Government will not support these amendments. However, it will undertake to provide an update on the work being done in the area of community benefits. I welcome that from the Minister and the Government. We look forward to that update. It is an important part of providing the necessary pathway and infrastructure needed on the work being carried out. I welcome that

opportunity and look forward to that being conveyed to our shadow Minister James Griffin or addressed in reply or future updates. 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) (17:33): The Government does not support the amendments, but it is not because we think they are terrible. It is because we have been working through the best way to set this up. Essentially, the proposed amendments would result in a significant change to how renewable projects are currently dealt with and connect to the grid. The Government is committed to ensuring that communities that host renewable energy receive benefits and will commit to investigating options to meet this.

We do not support the approach proposed in the amendments. However, I flag that there are amendments from The Greens that are not dissimilar and, with the complexity of it, we think those amendments offer a better approach. But the Government understands that councils and other community organisations have questions about how they can better access the benefits of the rollout of renewable energy. Again, I thank the shadow Minister for his constructive engagement in relation to this. The Government will consider mechanisms for enhancing community benefit funding in areas outside the renewable energy zones, including through broadening the application of access schemes. I commit to the Committee that I have promised the shadow Minister that I will brief him on the outcome of this work by the middle of next year.

The Hon. MARK BANASIAK (17:34): The Shooters, Fishers and Farmers Party supports the amendments. However, noting that they will probably not get the support they need to pass, we also support the amendments of The Greens. The amendments certainly address what we have heard during the renewable energy zone inquiry, particularly in the New England area. We heard a strong call to broaden the community benefits scheme and look at more region-wide benefits schemes. We support these amendments, but we also support those proposed by The Greens.

Ms ABIGAIL BOYD (17:35): The Greens will not support the amendments simply because we prefer our own.

The Hon. WES FANG (17:35): I make some brief comments on the amendments. I note the comments from the Minister and thank her for the further commitment she has given to provide briefings to the Opposition in relation to an expanded community benefits program. The difference between our amendments and the amendments of The Greens is effectively the difference between "must" and "may". We insist that any State significant renewable energy project must engage in a government community benefits program, while The Greens will move that a project may do that.

The Opposition amendments provide certainty and clarity for the organisations that are making renewable energy applications because they will know that must, as opposed to may, have to factor in a community benefits program. That is better for communities. Certainly, having recently met with the Mayor of Yass Valley and spoken with landholders and stakeholders around the Wagga Wagga and Snowy Valley local government areas, I think there is a need to have that clarity provided.

In relation to the Minister's comments that this will change the way that renewable projects connect to the grid, I say it will not. It will mean that the projects will have to factor in a contribution to the community benefits program and benefit the community in which they intend to put a renewable energy project. I do not think that is unreasonable. It provides certainty and, most importantly, it provides a level playing field for any renewable energy project that a developer may want to bring to the State of New South Wales.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendments Nos 1 to 7 on sheet c2025-246F. The question is that the amendments be agreed to.

The Committee divided.

Ayes 16
Noes 19
Majority..... 3

AYES

Banasiak
Barrett
Carter
Fang (teller)
Farlow
Franklin

Latham
MacDonald
Maclaren-Jones
Martin
Merton

Munro
Overall
Rath (teller)
Tudehope
Ward

NOES

Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Higginson
Hurst
Jackson
Kaine
Lawrence
Mookhey

Moriarty
Murphy (teller)
Nanva (teller)
Primrose
Sharpe
Suvaal

PAIRS

Mitchell

Houssos

Amendments negated.

Ms ABIGAIL BOYD (17:46): By leave: I move The Greens amendments Nos 1 to 3 and 5 to 8 on sheet c2025-322B in globo:

No. 1 **Community benefits equity—access areas**

Page 3, Schedule 1. Insert after line 37—

[2A] Part 4, heading

Insert ", access areas" after "Renewable energy zones".

[2B] Part 4, Division 1, heading

Insert "and access areas" after "Renewable energy zones".

[2C] Section 19, heading

Omit "zone". Insert instead "zones".

[2D] Section 19A

Insert after section 19—

19A Minister may declare access areas

- (1) The Minister may, by order published in the Gazette, declare an access area comprising—
 - (a) a specified geographical area of the State, and
 - (b) specified generation, storage or network infrastructure, including planned or existing infrastructure.
- (2) The geographical area that forms part of the access area must not include any part of the geographical area that forms part of—
 - (a) a renewable energy zone, or
 - (b) another access area.
- (3) The network infrastructure that forms part of an access area may extend outside the geographical area specified in the declaration.
- (4) A declaration must include the following—
 - (a) a map showing the geographical area,
 - (b) the infrastructure planner appointed by the Minister for the access area or part of the access area,
 - (c) other matters prescribed by the regulations.
- (5) The Minister may declare an access area only if the Minister is satisfied—
 - (a) making the declaration is—
 - (i) consistent with the objects of this Act, and
 - (ii) in the public interest, and
 - (b) of any other matters prescribed by the regulations.
- (6) A declaration must be published on the Department's website.
- (7) The regulations may make further provision about the exercise of the Minister's functions under this section.

[2E] Section 20, heading

Omit "zone". Insert instead "zones and access areas".

[2F] Section 20

Insert "or an access area" after "renewable energy zone".

[2G] Section 21, heading

Omit the heading. Insert instead—

21 Applications for declarations of renewable energy zones and access areas

[2H] Section 21(1) and (2)

Insert "or an access area" after "renewable energy zone" wherever occurring.

[2I] Section 22A

Insert after section 22—

22A Amendment of access area declarations

- (1) The Minister may amend a declaration of an access zone for the following purposes only—
 - (a) to expand the geographical area that forms the access area,
 - (b) to specify additional generation, storage and network infrastructure as forming part of the access area,
 - (c) to provide further details and specifications about information contained in the declaration,
 - (d) to correct a minor error or misdescription.
- (2) The Minister cannot repeal a declaration of an access area under section 19A.

[2J] Part 4, Division 2, heading

Insert "and access areas" after "renewable energy zones".

[2K] Section 24, heading

Insert "or access area" after "renewable energy zone".

[2L] Section 24(1) and (2)

Omit the subsections. Insert instead—

- (1) The Minister may, by order published in the Gazette, declare the access scheme that applies—
 - (a) in a renewable energy zone or part of a renewable energy zone, or
 - (b) in an access area or part of an access area.
- (2) An access scheme is a scheme that—
 - (a) for an access scheme under subsection (1)(a)—authorises or prohibits access to, and use of, specified network infrastructure by network operators and operators of generation and storage infrastructure in the renewable energy zone, or the part of the renewable energy zone, to which the scheme applies, or
 - (b) for an access scheme under subsection (1)(b)—authorises or prohibits access to, and use of, specified network infrastructure by network operators and operators of generation and storage infrastructure in the access area, or the part of the access area, to which the scheme applies.

[2M] Section 24(4)

Insert "or an access area" after "renewable energy zone".

[2N] Section 26 Fees for access schemes

Insert "or access area" after "renewable energy zone" in section 26(1)(c).

[2O] Section 27 Application of National Electricity (NSW) Law and National Electricity Rules

Insert "or access area" after "renewable energy zone" in section 27(1)(a).

No. 2 Community benefits equity—access areas

Page 3, Schedule 1[3], proposed section 26(7), lines 41–44. Omit all words on the lines. Insert instead—

community purpose means a purpose that benefits the community in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (a) the geographical area that forms the renewable energy zone to which the access scheme applies, or
- (b) the geographical area that forms the access area in relation to which the access scheme applies.

No. 3 **Community benefits equity—access areas**

Page 4, Schedule 1[3], proposed section 26(7), lines 5–9. Omit all words on the lines. Insert instead—

employment purpose means a purpose that promotes employment, skills and training for persons who live or work in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (c) the geographical area that forms the renewable energy zone to which the access scheme applies, or
- (d) the geographical area that forms the access area to which the access scheme applies.

No. 5 **Community benefits equity—access areas**

Page 10, Schedule 1. Insert after line 6—

[23A] Section 63 Infrastructure planner

Insert after section 63(2)—

- (2AA) An infrastructure planner may be appointed to exercise functions in relation to an access area or part of an access area.

[23B] Section 63(3A)

Insert after section 63(3)—

- (3A) The functions of an infrastructure planner in relation to an access area or part of an access area must be exercised by the Energy Corporation at any time during which a person is not appointed as the infrastructure planner for the access area or part of the access area.

No. 6 **Community benefits equity—access areas**

Page 10, Schedule 1. Insert after line 38—

[25A] Section 73 Personal liability

Omit section 73(3), definition of *protected person*, paragraph (e). Insert instead—

- (e) the infrastructure planner, except in relation to the following—
 - (i) the administration of an access scheme in a renewable energy zone or access area,
 - (ii) the carrying out of construction or development of storage and network infrastructure,

No. 7 **Community benefits equity—access areas**

Page 12, Schedule 1. Insert after line 28—

[29A] Dictionary

Omit the definition of *access scheme*. Insert instead—

access scheme means an access scheme declared by the Minister under section 24(1) that applies in—

- (a) a renewable energy zone or part of a renewable energy zone, or
- (b) an access area or part of an access area.

No. 8 **Community benefits equity—access areas**

Page 12, Schedule 1[30]. Insert after line 30—

access area means the geographical area of the State and the infrastructure specified in a declaration by the Minister under section 19A.

The Greens move this block of amendments in the context of the Nelson review looking at dramatic Federal reforms to the National Electricity Market. We have serious concerns that, with the Nelson review promoting the abolition of Federal merit criteria, that will create an incentive for developers to prioritise off renewable energy zone [REZ] projects in order to save money by shirking social licence commitments. There is absolutely nothing in place at a State level to apply the plan to energy projects that happen outside of REZs or projects within REZs that connect to old or existing transmission lines. In light of that, The Greens amendments seek to amend the Electricity Infrastructure Investment Act 2020 to provide the Minister with the power to declare an access area. The amendments also support the declaration and amendment of access areas, applying the existing framework for access schemes over access areas, along with providing a new regulation-making head of power.

Finally, the amendments sought would enable the infrastructure planner to be appointed for an access area and provide for functions, including payment functions. There are similarities between the concept of a REZ and

the new concept of an access area. In that regard, the amendments propose that various provisions under part 4 of the Electricity Infrastructure Investment Act that apply to REZs be similarly applied to an access area. Similarly, it is intended that the existing framework under division 2 of part 4 would apply to an access area in the same way that it currently applies to a REZ. That could enable, for example, a statewide access area, with the exception of declared REZ areas, and an access scheme to be put in place should the Minister declare an access scheme on specified network infrastructure in the access area, which is similar to the model that applies in Victoria. That would enable a tiered approach between the existing access scheme framework with respect to REZs.

The access area in that example may cover all areas of New South Wales that are not captured by a current or future declared REZ. The purpose of the access area would be to differentiate that area from the area inside of REZs where REZs are the State's preferred location to build or upgrade transmission to unlock the renewable energy capacity needed to support the energy transition. Should an access scheme be applied to specific network infrastructure in the access area in this example, the intent would be to coordinate generation of storage infrastructure outside of REZs to strategically prioritise and sequence projects, and possibly collect access fees, to maximise financial value for New South Wales electricity customers, manage cumulative impacts and support community benefit sharing.

The Greens acknowledge that these amendments are similar to the amendments moved by the Hon. Wes Fang. I note his comment that The Greens and the Opposition seem to have come up with very similar amendments, which is indeed true. However, ours were very much informed by our excellent relationship with the Electrical Trades Union [ETU]. I note that the Hon. Wes Fang is not in the Chamber for me to call him comrade—

The Hon. Wes Fang: I am here—behind you.

Ms ABIGAIL BOYD: He is here. I am not sure whether Comrade Fang was also speaking with the ETU—maybe he was. I would welcome that.

The Hon. Wes Fang: No, I can promise you I wasn't.

Ms ABIGAIL BOYD: If not, then maybe he is thinking like a union member, which is great. I welcome that as well. I commend the amendments to the Committee.

The CHAIR (The Hon. Rod Roberts): I take the opportunity to welcome Mr Chris Connor and Mrs Carolyn Connor into the President's gallery. Mr Connor is a former deputy mayor of Mudgee Shire Council, and also a former deputy lord mayor of Wollongong. He has been a member of the Labor Party for over half a century. More importantly, he is the father of Dan Connor, one of my staffers. They are most welcome.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:51): The Government supports the amendments. I again thank The Greens for their engagement with the Government on these reforms. The amendments will provide the Minister with the power to declare an access area, as well as supporting the declaration and amendment of access areas and applying the existing framework for access schemes over access areas. They also include a new regulation-making power and will enable the infrastructure planner to be appointed for an access area. There is a lot of complexity associated with the reforms, and I want to be clear that the Government will work carefully through declaring an access area or new access schemes, as it must. It is not a simple thing to do, but we will work through those issues.

The Government believes this will make the road map better. We will be able to work closely with some communities who, at the moment, we are not really able to engage with as much as we would like to. The amendments provide a better mechanism to deal with the access arrangements outside of renewable energy zones. The Government is thankful that we have been able to work with The Greens on this. The Government supports the amendments.

The Hon. NATALIE WARD (17:52): The Opposition supports the amendments. Clarity around the delineation and declaration of access areas is important. The amendments are slightly different to what we had proposed, but we can live with them.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendments Nos 1 to 3 and 5 to 8 on sheet c2025-322B. The question is that the amendments be agreed to.

Amendments agreed to.

Ms ABIGAIL BOYD (17:53): I move The Greens amendment No. 4 on sheet c2025-322B:

No. 4 **Infrastructure investment objectives**

Page 10, Schedule 1. Insert after line 4—

[22A] Section 44 Infrastructure investment objectives

Omit section 44(3)(a). Insert instead—

- (a) construction of generation infrastructure that generates at least the same amount of electricity in a year as 16 gigawatts of generation capacity, and

[22B] Section 44(3A)

Omit "28 gigawatt hours". Insert instead "42 gigawatt hours".

This amendment relates to the infrastructure objectives and amending that section of the Act to ensure adequate ambition for renewable energy targets to meet demand as projected by ASL. The Greens believe that the bill should include a legislated target of 16 gigawatts new generation by 2030 and 42 gigawatt hours of long-duration storage by 2034. The Hon. Natalie Ward quoted from the *2025 Infrastructure Investment Objectives Report* by ASL. That report made the recommendation and plan for a target of 16 gigawatts new generation by 2030 and 42 gigawatt hours of long-duration storage by 2034. With this amendment, The Greens are seeking to simply put that target—which the Government may well describe as a stretch target—as a legislative objective.

This is about holding the Government to account and making sure that there are legislative requirements around energy transition, not just nice words. At page 60 of its report, ASL found that increasing the renewable energy generation target from 12 gigawatts to 16 gigawatts would save energy consumers \$6.8 billion over 20 years. Assuming there are approximately three million households in New South Wales, that would translate to approximately \$110 per household per year in savings. Any member concerned about energy bills should support this amendment—but we shall see. I commend the amendment to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:55): The Government does not support the amendment. The objectives in the Electricity Infrastructure Investment Act are a minimum only. The Consumer Trustee must also consider the overall objectives of the Act, including electricity consumer interests and reliability. Nothing prevents the Consumer Trustee from calling for more generation and storage if it deems it to support the overall objectives of the Act. The fact that the Consumer Trustee has set a more ambitious development pathway shows that these targets set the floor, rather than the ceiling, for legislated targets. Changing legislated targets without broad consultation or engagement, and without the analysis to show it is necessary, could undermine investor confidence.

The Government has no lack of sympathy relating to the targets proposed, but we are not prepared to increase a legislated target with the stroke of pen without having the conversations that we need to have with communities. The Government is obviously keen to meet the targets, and it is doing pretty well. As I said before, we are at over 71 per cent for the 12-gigawatt target and 66 per cent for the long-duration target—which is great. But the Government does not support changing the legislated targets overnight.

The Hon. NATALIE WARD (17:56): The Opposition is unable to support the amendment. I appreciate why The Greens have put forward this amendment, and their integrity in trying to ensure that targets are met. But on this occasion, for the reasons outlined by the Government, the Opposition does not support the amendment.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 4 on sheet c2025-322B. The question is that the amendment be agreed to.

Amendment negated.

Ms ABIGAIL BOYD (17:57): I move The Greens amendment No. 9 on sheet c2025-322B:

No. 9 Embedded network electricity charges

Page 26, Schedule 6[2], lines 9 and 10. Omit all words on the lines.

The electricity provisions in the Residential (Land Lease) Communities Act—the RLLC Act—have a three-year review period. We are currently just over 12 months into that three-year period. The bill seeks to omit section 77A of the RLLC Act; that has been a subject of contention with some stakeholders who believe that the section should remain to ensure that all provisions are scrutinised as a whole and any changes needed can be determined. Under section 77A, residents are entitled to access information from the operator or third-party retailer on their charges for electricity. It also requires the operator to review the supply contract. Those are not onerous tasks, and having this information at the time of the review of the electricity provisions will allow a comprehensive look at charges payable by all parties for the electricity.

The bill does not replicate the existing obligations in section 77A for a selling entity to disclose its charges at the parent meter and to disclose the outcome of a review of the contract for the embedded network. There are other changes flagged to embedded networks in the Embedded Network Action Plan. Rather than make changes

to the RLLC Act now, some stakeholders prefer that section 77A be retained and then, in September 2027, there can be a thorough review of all the electricity provisions. That will ensure that the Government consults and hears from all relevant stakeholders before making any decisions on amendments to the electricity provisions in the RLLC Act. That is why The Greens are proposing this amendment. I commend the amendment to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:59): I understand why this amendment has been moved, but the Government does not support it. There was extensive discussion around how we better provide consumer protection for households with embedded networks through the review conducted by the Independent Pricing and Regulatory Tribunal, and the changes brought forward by the Government reflect that. The amendment will increase the administrative burden for operators within land lease communities and the Government does not believe it will make any difference to putting downward pressure on prices. Retention of these obligations duplicates obligations within the embedded network reform program that require operators to publish their pricing information.

Section 77A was introduced as an interim measure to accompany the introduction of the current maximum electricity price cap in land lease communities, which was set at the median market offer and was expected to result in higher prices due to it replacing a previous lower price cap. The interim measures were identified to better protect residents against increasing electricity prices in that context. The proposed price cap to be introduced through the new NSW Embedded Network Action Plan will limit prices below a maximum cap set at the median of the lowest market offers. That is likely to result in real price reductions for land lease community occupants. Embedded network operators already have financial incentives to find the best offer available, and the requirement for operators to compare offers and advise occupants of the outcomes of this comparison is not expected to result in lower prices for occupants, while increasing administrative costs for operators. I understand the good intent of this amendment but the Government does not support it.

The Hon. NATALIE WARD (18:00): For the reasons outlined by the Government, the Opposition also cannot support this amendment. I commend the intent of The Greens in moving it.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 9 on sheet c2025-322B. The question is that the amendment be agreed to.

Amendment negatived.

The CHAIR (The Hon. Rod Roberts): I ask the Hon. Mark Banasiak to move Shooters, Fishers and Farmers Party amendment No. 1 on sheet c2025-244A. There is a conflict between that amendment and Opposition amendment No. 8 on sheet c2025-246F but the Shooters amendment has precedence. Obviously, if that amendment is successful, the Opposition's amendment will lapse.

The Hon. MARK BANASIAK: For the convenience of the Committee—and my wife and I so we can get to our wedding anniversary dinner—I seek leave to move all my amendments in globo.

The CHAIR (The Hon. Rod Roberts): I am sure we are all happy with that. Is leave granted? Leave is definitely granted. I congratulate you on your wedding anniversary.

The Hon. MARK BANASIAK (18:02): By leave: I move Shooters, Fishers and Farmers Party amendments Nos 1 to 7 on sheet c2025-244A in globo:

No. 1 Recommendations by infrastructure planner

Pages 4 and 5, Schedule 1[6]–[8], line 24 on page 4 to line 6 on page 5. Omit all words on the lines.

No. 2 Consumer trustee

Page 5, Schedule 1[9], proposed section 30AA. Insert after line 27—

- (3A) If the consumer trustee refuses to authorise a REZ network infrastructure project or an amendment to the terms of an authorisation, the consumer trustee must give the Minister a written report that includes the following—
 - (a) the reasons for the refusal,
 - (b) the potential impact of the refusal for consumers and affected communities,
 - (c) any alternative measures or other recommendations the consumer trustee considers appropriate.
- (3B) The Minister must table a report given by the consumer trustee under subsection (3A) in both Houses of Parliament within 14 sitting days after being given the report.

No. 3 Maximum capital costs amount for authorised REZ network infrastructure projects

Page 6, Schedule 1[10], proposed section 31. Insert after line 17—

- (6A) Within 14 days after being given written notice of the maximum capital costs amount or an amended maximum capital costs amount by the consumer trustee under subsection (4), the Minister must table a written statement in both Houses of Parliament that includes the following information—
- (a) the name and location of the relevant authorised REZ network infrastructure project,
 - (b) the maximum capital costs amount,
 - (c) for an amended maximum capital costs amount—
 - (i) the previous maximum capital costs amount, and
 - (ii) the reasons for the amendment, including whether the amendment reflects changes in project scope, market conditions or other factors,
 - (d) the total forecast cost of the relevant authorised REZ network infrastructure project to consumers,
 - (e) the total number of landholders affected by the relevant authorised REZ network infrastructure project,
 - (f) the value of any community benefit payments,
 - (g) a summary of any implications for total projected expenditure in relation to the electricity infrastructure investment safeguard.

No. 4 Land restoration and biosecurity plans

Page 9, Schedule 1[20], proposed Part 5, Division 4. Insert after line 32—

42B Land restoration and biodiversity plans

- (1) The infrastructure planner must prepare and maintain a plan (a *land restoration and biodiversity plan*) for each authorised REZ network infrastructure project in accordance with this section.
- (2) The land restoration and biodiversity plan for an approved REZ network project must—
 - (a) identify all land impacted by the project (*impacted land*), and
 - (b) be prepared in consultation with and approved by the following—
 - (i) the network operators appointed or directed to carry out the project under Division 1AA,
 - (ii) the landholders of impacted land, and
 - (c) be submitted to Local Land Services for approval before construction or other works relating to the project commence, and
 - (d) include the following—
 - (i) strategies for managing and controlling pests and weeds on impacted land,
 - (ii) strategies and measures for managing and controlling erosion of land impacted by the project,
 - (iii) conditions and requirements relating to the decommissioning of project infrastructure and the rehabilitation of affected land by relevant network operators and infrastructure owners,
 - (iv) other matters prescribed by the regulations.
- (3) The infrastructure planner must—
 - (a) review the land restoration and biodiversity plan for an approved REZ network project annually, and
 - (b) after each annual review, submit to Local Land Services an updated plan that has been approved by—
 - (i) the network operators appointed or directed to carry out the project under Division 1AA, and
 - (ii) the landholders of impacted land.
- (4) The regulations may make further provision about land restoration and biodiversity plans.

No. 5 Planning pause clause

Page 9, Schedule 1[20], proposed Part 5, Division 4. Insert after line 32—

42C Minister may suspend REZ network infrastructure projects

- (1) If the cumulative environmental or social impacts of an authorised REZ network infrastructure project for a renewable energy zone exceeds forecast thresholds, the Minister may, by written order given to the consumer trustee, suspend the consumer trustee's authorisation powers pending an independent review of the project.
- (2) The Minister must commission an independent review of the project by a suitably qualified person as soon as practicable after giving the consumer trustee an order under subsection (1).

- (3) The suspension of the consumer trustee's authorisation powers under this section has effect despite another provision of this Act or another law.
- (4) In this section—
authorisation powers means the consumer trustee's powers to—
 - (a) authorise REZ network infrastructure projects under section 30AA(1)(a), and
 - (b) authorise amendments of authorisations under section 30AA(2)(a).

No. 6 Consumer trustee

Page 10, Schedule 1. Insert after line 6—

[23A] Section 60 Consumer trustee

Omit section 60(2). Insert instead—

- (2) If a person's or body's appointment as consumer trustee is suspended under section 68(2A)(b), the Secretary must exercise the functions of the consumer trustee for the duration of the suspension.
- (2A) If a person's or body's appointment as consumer trustee is terminated under section 68(2A)—
 - (a) the Secretary must exercise the functions of the consumer trustee, for a period of not more than 3 months, until the appointment of another person or body as consumer trustee, and
 - (b) if another person or body is not appointed as the consumer trustee by the date that is 3 months after the termination—the Secretary may continue to exercise the functions of the consumer trustee only with the approval of Parliament, having tabled a report in both houses of Parliament setting out—
 - (i) the reasons for the continued exercise of the consumer trustee's functions, and
 - (ii) the steps taken to recruit and appoint a person or body as the consumer trustee.

No. 7 Annual REZ impact report to Parliament

Page 10, Schedule 1. Insert after line 38—

71A Annual REZ impact report

- (1) The Minister must prepare a report for each financial year (an *annual REZ impact report*) about the community, environmental and economic impacts experienced in renewable energy zones.
- (2) The REZ impact report must include the following information in relation to each renewable energy zone for the relevant year—
 - (a) statistics about land acquisitions,
 - (b) details of complaints made,
 - (c) details of compensation paid,
 - (d) details about how fees paid by participants in any applicable access schemes have been used,
 - (e) local employment outcomes,
 - (f) other matters prescribed by the regulations.
- (3) The Minister must table the REZ impact report in both Houses of Parliament by 1 November immediately following the end of the financial year to which the report relates.

I will briefly run through what each amendment does. Amendment No. 1 reinstates the requirement for an infrastructure planner to make formal recommendations to the Consumer Trustee for the purpose of creating a transparent and accountable chain of advice, not just passive advice that goes nowhere. Amendment No. 2 requires the Consumer Trustee to provide a written report to the Minister whenever the trustee refuses to authorise a renewable energy zone [REZ] project for the purpose of providing accountability and transparency around refusals and exposing any deeper issues in planning.

Amendment No. 3 requires the Minister to report to Parliament within 14 days whenever a project's cost caps are set or amended for the purpose of fiscal transparency in terms of informing the public on cost increases and the reasons for them. Amendment No. 4 requires a land restoration biodiversity plan for every authorised REZ project. During the inquiry into the impact of renewable energy zones on rural and regional communities and industries in New South Wales, we heard quite strong views about the need to provide assurance that the environment will be repaired after the projects are developed. Amendment No. 5 allows the Minister to suspend project authorisations if the cumulative social and environmental impacts exceed forecast thresholds, which speaks to the attempt of the inquiry to put a recommendation about a moratorium.

Amendment No. 6 addresses the independence of the Consumer Trustee. We have issues with allowing the departmental secretary to essentially permanently assume the role of the Consumer Trustee if the trustee is terminated. We think the secretary should only be able to act temporarily. We have given three months, with extensions requiring parliamentary explanation and approval. Finally, amendment No. 7 proposes an annual REZ impact report to keep the House updated yearly about REZ projects and how they are impacting landholders, local economies and the environment. I think they are all very sensible amendments. I look forward to everyone's support.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:04): I congratulate the Hon. Mark Banasiak on his wedding anniversary. Nevertheless, the Government does not support any of his amendments, not because they are terrible but because the Government has a slightly different view. I will not read out all the excellent notes that have been provided to me, but I will summarise them briefly. Amendment No. 1 regarding the infrastructure planner would unwind key reforms to the authorisation process for new network infrastructure within a REZ. The intent of the bill is to clarify responsibilities and eliminate unnecessary overlap between the planner and the Consumer Trustee.

Amendment No. 2 regarding the Consumer Trustee proposes to require the trustee to report to me, as the Minister, should it refuse to authorise a project, with that report then tabled in Parliament. I like this idea, but the point of the Consumer Trustee is that it is independent from the Minister, so requiring it to report to the Minister is an issue and it also expands the role beyond authorisation to proposing alternative measures, which duplicates the role of the infrastructure planner, which we are trying to stop.

Amendment No. 3 regarding a project's maximum capital costs seeks to undo a central consumer protection built into the Electricity Infrastructure Investment Act. It would require the maximum capital cost for a REZ network project to be tabled in both Houses of Parliament, along with detailed information on the impacts of the project. This seeks greater transparency and accountability—and I know that it has been the subject of a lot of discussion—but the maximum capital cost is designed to protect consumers by setting an upper limit on the capital cost the regulator can allow to be recovered from customer bills. The Government wants it to be lower. If it is published, I can guarantee that pretty much every project will hit the maximum capital cost. The Government does not support that.

Amendment No. 4 regarding land restoration biodiversity plans would require the infrastructure planner to prepare and maintain land restoration biodiversity plans for every renewable energy zone network infrastructure project. However, ongoing land restoration, biodiversity management and site rehabilitation are already mandated under existing New South Wales and Commonwealth legislation. Project proponents have to prepare and implement biodiversity management plans through conditions of planning and approval, and environmental law. Introducing an additional requirement on the infrastructure planner would again duplicate the existing obligations.

Amendment No. 5 for a planning pause clause would give the Minister the power to suspend a REZ network project if cumulative impacts exceed forecasts and override the Consumer Trustee's authorisation. The independence of the Consumer Trustee is a matter of paramount importance to ensure that consumers' best interests are protected, so allowing the Minister to overrule its decision compromises its independence. The Government understands that amendment No. 6 seeks to clarify how the Consumer Trustee would be replaced in the event it was not terminated for lack of independence. I note that the Opposition has moved an amendment to remove the item on the termination of the Consumer Trustee from the bill, which the Government supports and has agreed to do. While this amendment will be knocked back, a similar amendment will be supported.

Finally, amendment No. 7, regarding the annual REZ impact report to Parliament, would require the Minister to table an annual report to Parliament on the community, environmental and economic impacts occurring in renewable energy zones. It is a good idea, but members should understand what is already published and the way in which it is published. EnergyCo's annual report and its website contains a lot of that information. There is also the Minister's report to Parliament on how renewable energy projects are supporting jobs and industry outcomes. Recently I tabled that report and it showed some great early results for local content. Environmental and social impacts are already publicly assessed through the environmental impact statement process for each REZ. For those reasons, the Government does not support the Shooters, Fishers and Farmers Party amendments.

The Hon. NATALIE WARD (18:08): I commend the Hon. Mark Banasiak's commitment and give him and Mrs Tina Banasiak my congratulations. I am pleased for them and I wish the Hon. Mark Banasiak well. I hope they have a nice dinner tonight. The Hon. Mark Banasiak's amendments are a very good reason to vote, but for the reasons outlined by the Government, the Opposition is unable to support them. For the convenience of the Committee, I will not repeat the reasons. However, I commend the concepts of the amendments and the initiative of the Hon. Mark Banasiak in moving the amendments.

The CHAIR (The Hon. Rod Roberts): The Hon. Mark Banasiak has moved Shooters, Fishers and Farmers Party amendments Nos 1 to 7 on sheet c2025-244A. The question is that the amendments be agreed to.

Amendments negatived.

The CHAIR (The Hon. Rod Roberts): The amendments that remain to be determined are Opposition amendments Nos 8 to 11. I am trying to pick up a vibe. Perhaps amendments Nos 8, 9 and 11 could be moved in globo?

The Hon. NATALIE WARD (18:10): By leave: I move Opposition amendments Nos 8 to 10 on sheet c2025-246F in globo:

No. 8 Infrastructure planner—summary of recommendations

Page 4, Schedule 1. Insert after line 31—

[6A] Section 30(1A)

Insert after section 30(1)—

- (1A) The infrastructure planner must publish a summary of each recommendation made by the infrastructure planner under subsection (1)(b) on a publicly available website maintained by the infrastructure planner.

No. 9 Infrastructure planner—summary of recommendations

Page 5, Schedule 1. Insert after line 6—

[8A] Section 30(5)(d)

Omit "requirements." from section 30(5)(c). Insert instead—

requirements,

- (d) the information that must be included in a summary required to be published by the infrastructure planner under subsection (1A).

No. 10 Independence of the consumer trustee

Pages 10, Schedule 1[24], lines 7–27. Omit all words on the lines.

In relation to amendments Nos 8 and 9 regarding the infrastructure planner and cost transparency for EnergyCo, the bill allows EnergyCo to recover costs directly from the Electricity Infrastructure Fund, avoiding network operator margins. But the bill provides no requirement for EnergyCo to publish detailed costs or contract information before consumers are charged. Billions of dollars worth of infrastructure costs have very little public transparency. Transparency advocates and community groups have been clear that cost opacity breeds opposition to infrastructure projects. The Opposition does not think that is a good thing. We have seen this pattern repeatedly. Communities oppose what they do not understand or if they do not feel engaged. The Opposition feels that is not good enough and we owe communities more.

The Australian Energy Regulator and Consumer Trustee can provide better oversight when costs are publicly disclosed by shining a light on them. The Opposition is well aware of some restraints and accepts that some costs will be commercial in confidence or may be unable to be published for confidentiality reasons. However, the Opposition is not suggesting that the entirety of contracts be published. The Opposition's amendment requires EnergyCo to publish detailed cost breakdowns and relevant contract information before costs are recovered from consumers. It is basic accountability and basic transparency. If the Government is confident that costs are reasonable, it should welcome this transparency. The Opposition thanks the Government and understands it will support the amendments. We thank the Government for working with us.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:12): I agree that all members have worked well together—go us! I thank the Opposition. The Government supports the amendments. Amendment No. 8 will require a summary of the infrastructure planner recommendations and a report to be published with details to be included in the regulations. This amendment will provide a good summary if the infrastructure plan is forecast. The Government agrees to amendment No. 10, which reiterates that the independence of the Consumer Trustee is fundamental to the integrity of the Electricity Infrastructure Roadmap. The amendment basically means that the Minister cannot get rid of them.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendments Nos 8 to 10 on sheet c2025-246F. The question is that the amendments be agreed to.

Amendments agreed to.

The Hon. NATALIE WARD (18:13): I move Opposition amendment No. 11 on sheet c2025-246F:

No. 11 **Prohibition on solar cost-shifting**

Page 14, Schedule 2[4], proposed Part 4, Division 5. Insert after line 13—

43I Solar costs protection for non-solar small customers

A retailer or exempt seller must not charge or pass any of the following costs or amounts on to a customer who does not have a grid-connected solar energy system—

- (a) costs to, or incurred by, the retailer or exempt seller in complying with section 43G or 43H, or
- (b) all or part of the amount of a deficit between the costs incurred by the retailer or exempt seller in accepting solar-generated electricity.

Example of a deficit— when the National Energy Market wholesale price is negative or the cost of transmission for solar-generated electricity from a customer is greater than the National Energy Market wholesale price offered.

This amendment relates to solar cost shifting and retaining support for solar. Schedule 2 [3] to [4] will prevent solar households being charged negative feed-in tariffs, and that is good policy. However, the Opposition believes that the bill will not prevent those forgone charges from being recovered through higher network fees for all customers, including households and apartments without solar panels. The solar industry has been clear: Rooftop solar is Australia's fastest growing renewable energy source because it has broad public support. I have solar panels on my house. Approximately 70 per cent of Australians support solar, and that support should be maintained and built upon.

The last thing we want is for renters, apartments and families who cannot afford solar panels to start seeing higher bills and for them to feel as though they are subsidising solar home owners. The Opposition amendments seek to prohibit cost shifting from solar tariff protections onto non-solar customers. The intent of this amendment is that solar households get fair treatment and non-solar households do not feel like they are getting stuck with the bill.

The amendment protects the social licence for rooftop solar, our fastest growing renewable energy source. When we create haves versus have-nots in energy policy, we divide communities and undermine political support for climate action. The Opposition notes the Government does not support this amendment. Nonetheless, the Opposition strongly urges the Government to contemplate the issues we have raised, which seek to deal with valid concerns raised by stakeholders, communities and from feedback on the energy road map implementation. The Opposition has moved the amendment in good faith and hopes the Government will continue to consider it.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:15): The Government respects the issues raised and we will continue to monitor how these issues roll out, but the Government does not support the amendment. Network operators recover solar export charges from energy retailers for individual customers. The provisions of this bill to safeguard solar customers do not affect the ability of network operators to recover solar export charges from energy retailers. That means there will be no forgoing of solar export costs by network operators that would present a risk of cost shifting in this way to non-solar customers.

The intent of the Opposition's amendment to prohibit the shifting of forgone solar export costs to non-solar customers is not able to be implemented and would not be able to be enforced in its current form. To implement the reform that achieves the intent of the amendment, which the Government maintains is not necessary but accepts is well-intentioned, would require extensive and detailed work to regulate the passing through of all costs to all customers, solar and non-solar. That would require a detailed compliance framework to enforce the framework prohibition. As I said, the Government will keep monitoring this issue. The Government will be happy to consider future reforms if that is required, but the Government does not believe the amendment is supportable in its current form.

The Hon. WES FANG (18:16): I accept the arguments presented by the Minister. I do not necessarily agree with them. I make the point that this amendment was moved primarily as a cost-of-living measure for people who cannot afford solar. That is the single greatest motivator for the Opposition moving this amendment. The amendment states in part:

A retailer or exempt seller must not charge or pass any of the following costs or amounts on to a customer who does not have a grid-connected solar energy system—

- (a) costs to, or incurred by, the retailer or exempt seller in complying with section 43G or 43H, or
- (b) all or part of the amount of a deficit between the costs incurred by the retailer or exempt seller in accepting solar-generated electricity.

Example of a deficit— when the National Energy Market wholesale price is negative or the cost of transmission for solar-generated electricity from a customer is greater than the National Energy Market wholesale price offered.

The amendment was moved to ensure that it will be illegal for any costs incurred by a retailer or an exempt seller to try to recoup costs from the poorest people in New South Wales who cannot afford solar. That may include people who are renting and do not have access to solar on their rental property, or may not be able to access any of the schemes that are available to householders in metropolitan areas and that may apply to large-scale strata properties. The amendment was moved purely as a cost-of-living relief measure for those people. I find it staggering that Government members and some crossbench members will not support the amendment.

The Minister outlined that a framework and regulation will be put in place that effectively means that the cost of monitoring and implementing this is too high. Therefore, they are prepared to let it happen. That is exactly the problem with complex energy schemes. Ultimately, those who can least afford it are paying more for what is a basic human right—that is, access to electricity. It will hurt those in rural and regional communities to a greater degree than those in metropolitan areas, who have more access to the innovative schemes the Government is trying to introduce.

If members will not support the amendment, I urge them to at least look to ensure that the most vulnerable people in our State are not paying more for electricity because of this policy. Ultimately, if people can afford to put solar panels on their roofs, they are already much better off than many people in New South Wales. If members are not prepared to support the amendment relating to prohibition on solar cost shifting when a negative feed-in tariff is charged on those without solar, I do not see how poorer people will not be charged more for electricity.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:21): I respond to some of the issues raised although I do not wish to keep the Committee too long. The Government is not unsympathetic to the issues the Hon. Wes Fang raised. We want equity in the whole transition. We want everyone to have access to cheap solar energy, and we accept that there are barriers to people participating in this. But what is being proposed cannot be implemented, even though it is well intentioned. A number of things are actively being undertaken through the road map and other programs, by both the Commonwealth Government and State Government, to make sure that those who do not have solar have access to a more reliable, cheaper grid. The cheapest way to get wholesale prices down is to get as much renewable energy into the grid as possible, and that is what we are doing.

The use of community batteries is another way in which people who do not have solar can access it. A number of programs are being rolled out by the distributors, which are working well where people have access to them. The Government's program for solar on apartment buildings, which we are delivering with the Commonwealth, is important in giving renters access to solar. One in three households have rooftop solar if they reside in a standalone house; it is much lower if they are in strata. We will pick up a huge number of renters through that program, and we are making real progress. In terms of our lowest income households—those living in social housing—the Government is putting solar and a range of other energy efficiency items into 27,000 social houses across the State, which will bring down costs for everyone.

There is also our consumer energy scheme, which I will make further announcements about in the new year. It is absolutely targeted at those who currently cannot afford to put solar on their roofs, and it will work closely with the battery project. There will be more to be said on that, but I say that much to reassure the Hon. Wes Fang. The Opposition amendment has been moved in good faith. A lot of work is being undertaken, but the amendment as drafted cannot be implemented. However, we are always open to more ideas, and we can keep talking about them.

The Hon. NATALIE WARD (18:23): I take the opportunity to acknowledge James Griffin, the shadow Minister in the other place, who has worked through the amendments with our Coalition partners, The Nationals, and ensured that we have landed in this place. We are very committed to making sure the road map works. Wherever we can assist, support and improve it, we will do so.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendment No. 11 on sheet c2025-246F. The question is that the amendment be agreed to.

The Committee divided.

Ayes15
Noes19
Majority.....4

AYES

Banasiak
Barrett
Carter

Franklin
Latham
MacDonald

Merton
Munro
Overall

AYES

Fang (teller)
Farlow

Maclaren-Jones
Martin

Rath (teller)
Ward

NOES

Boyd
Buckingham
Cohn
D'Adam
Donnelly
Faehrmann
Graham

Higginson
Hurst
Jackson
Kaine
Lawrence
Mookhey

Moriarty
Murphy (teller)
Nanva (teller)
Primrose
Sharpe
Suvaal

PAIRS

Mitchell
Tudehope

Houssos
Buttigieg

Amendment negatived.

The CHAIR (The Hon. Rod Roberts): The question is that the bill as amended be agreed to.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That the Chair do now leave the chair and report the bill to the House with amendments.

Motion agreed to.

Adoption of Report

The Hon. PENNY SHARPE: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. PENNY SHARPE: I move:

That this bill be now read a third time.

Motion agreed to.

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

ROAD TRANSPORT AND OTHER LEGISLATION AMENDMENT (MICROMOBILITY VEHICLES AND SMARTCARDS) BILL 2025

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. NATALIE WARD (20:02): I lead on behalf of the Opposition in debate on the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. This bill deals with two broad issues: first, the regulation of shared services schemes, which the Opposition supports; and, second, the removal of Opal card balances, which the Opposition does not. I will firstly touch on the shared services schemes regulation.

E-bike shared services schemes have been a positive development in the Sydney and New South Wales transport landscape; we welcome them. They reduce congestion, support first- and last-mile travel and offer an affordable option for many people looking to move around our cities—which is a good thing. Shared e-bikes bring people onto the streets to get around cheaply and easily to cafes, shops and events, and they make our public areas more active and more connected. They contribute to the kind of city life that we all want to see: clean, energetic

and friendly—all good things. However, clearly, the growth in service offerings and availability must come with an appropriate regulatory landscape.

In 2024 I led, for the Opposition, the development of an e-mobility inquiry in the Legislative Council. I thank Ms Cate Faehrmann for her support for the inquiry and for the manner in which she chaired it; she did a great job. Ms Cate Faehrmann and I disagree on the findings and recommendations, but it was a positive inquiry, throughout. The committee heard directly from affected stakeholders, including local councils and operators, medical professionals and industry associations, and the message was clear: Further work needed to be done to ensure rider safety, community support and community acceptance. That inquiry and many stakeholders recommended the introduction of new legislation for micromobility devices.

A number of electorates have been enlivened by this particular issue. In particular, Adam Crouch, the member for Terrigal on the Central Coast, has spoken to me many times. We recently met with stakeholders up there, including a person who sells e-bikes, to discuss the congestion, the difficulties and the challenges of shared e-bike services, and the risks they pose to riders and other pedestrians in his area. People love to be out at beaches. As a northern beaches person, I love to be out at the beach too. Mark Speakman, the member for Cronulla, has said to me that the number one issue he receives correspondence about is shared e-bikes. James Griffin, the member for Manly, where I very often walk along the esplanade, has also said to me that this problem must be dealt with. Kelly Sloane, the member for Vaucluse, told me that Bondi Beach, which is slightly less beautiful than Manly Beach, has been inundated with shared e-bikes.

It is a good thing that e-bikes are popular and people are getting outside. It is also a good thing that kids are getting off screens and onto bikes. But it is not a good thing that police are having to navigate the challenges associated with these riders and pedestrians sharing our footpaths and roads without the regulatory environment to ensure that people are safe and that rider behaviour is dealt with. The Opposition supports new regulation in principle when it has a clear public need, and this bill is a worthy step. We have all seen the poorly parked shared bikes that create hazards and disrupt amenity on both city and local streets. We have all seen them on the roads. That is an impact that no-one supports. People are universally concerned about congestion, disruption and safety.

To give some credit to the Minister, it appears that the Government consulted widely with industry stakeholders, which is pleasing to see. The Opposition notes that the bill does not address the behaviour of riders on e-bikes. This is of huge concern to the community and, therefore, to us. I also note that the Government has proposed reform in the future, which the Opposition welcomes. The Opposition believes that without reform in the area of rider behaviour and e-mobility devices, we are only looking at one part of the solution to ensure community safety and support. We will have more to say on that issue soon.

I turn to the not-so-bipartisan part of the bill: the Opal card provisions. Let me call it what it is. The cancellation of Opal card balances by this Government is an opportunistic cash grab. Instead of funding the Minister's priorities from consolidated revenue, the Government intends to cancel balances of Opal cards. They know it is a rort, so they have conveniently combined these changes with another reform and promised that the money will go to active transport. This Government has cancelled funding promises before. In July it cancelled over \$100 million of toll relief for Western Sydney drivers for no reason other than because it needed the money. It has also cancelled infrastructure project after infrastructure project. Now it is coming after people's Opal card balances. There is no moral or financial basis for this decision. It is classic Labor. It is not the Government's money; it is commuters' money.

When people sign up for an Opal card, they sign up to terms and conditions—a contract, if you like—that are set. It is not for the Government to then turn around and unilaterally say, "Actually, we've changed our minds. We need the money. We're going to grab it now." This Government is changing the rules to fund the Minister's priorities. In the Opposition's view, and in the view of many community stakeholders, that is not okay. In New South Wales—and the Hon. Damien Tudehope will attest to this, as the shadow Treasurer and a former Minister for Finance—people can go twice a year to Revenue NSW and ask for their unclaimed money back. It is their money, and Revenue NSW will help them claim it back.

Also, even after many years, people are encouraged to claim leftover, unclaimed or unrecognised superannuation balances. Why? Because it is their money. People invest their money and sign up to terms and conditions—a contract, if you like—on the promise that, under those terms and conditions, it will be available for over a decade, as it should be. Why? Because it is their money. It is not the Government's money to take in a cash grab. Opal cards have literally nothing to do with shared e-bike schemes, and the Government and the Minister know it. I have a philosophical objection to taking this money, despite the Government's excuses that these balances are dormant.

The indication from a number of people, including me—and I get that I am not the most tech-friendly person in the world—is that it is extremely difficult to get your money back. If members were to log on to the

system, they would see that it is not easy to get money back. I have a number of Opal cards sitting in various drawers around the house. I use my phone instead, like so many other people, because it is easier and faster. Tourists come to New South Wales to enjoy our fantastic, lively night-time economy and listen to some great music thanks to the Minister for Music and the Night-time Economy.

When they go back home, they may choose to hang onto their card. They would not have a problem in London. Visitors can re-use their card in London, but not in Sydney. We tell people, "Come here and sign up. We'll take your money, but then we'll take it away again." The risk of losing a dormant balance on an unregistered card is not front and centre in the terms and conditions when money is put onto an Opal card. It is like a restaurant advertising meals and then applying terms and conditions to the meal once it has been paid for but before the customer gets it. We are concerned because this is commuter and taxpayer money. It is not the Government's money.

I now briefly touch on the two amendments that the Opposition will move. If our first amendment fails, then we intend to move our second amendment. Our first amendment is a cancellation amendment. Opposition members in the other place sought to remove the Opal card balance provisions from the bill. Our amendment would stop the provisions in the bill that give the Government the ability to reclaim Opal balances. We should ensure that people are able to get their money back whenever they like. I recommend that the Government makes the process of reclaiming money easier, because it is very difficult. The Government should make it easier for people to log in, and it should let people know that this is their money if they intend to get it back.

I note that the amendment was not agreed to in the other place. The Opposition intends to move the amendment again but does not expect it to succeed, given that the Government has indicated it will not support it. Should our first amendment fail, we will instead move an amendment that directs the Opal money taken by the Government to improving access to public transport for people with a disability, which is a monumentally underfunded area. Ms Abigail Boyd has spent many years prosecuting this case in budget estimates hearings and in this Chamber. I would have thought The Greens would be on board with this proposal. The Opposition believes if it cannot stop the Government then the funds should be directed towards improving access to public transport for people with a disability.

This is not a political wedge or a try-on. We are attempting to say that we have a unique opportunity to quarantine this money for a very underfunded area to ensure that people have access to the transport services they deserve. There has been a lot of progress to make public transport more accessible for those who need it, but there is always more work to do. The Greens have said the same thing resoundingly time and again during budget estimate hearings. Disability stakeholders have said that we need more access to our public transport. I understand that all metro stations have lifts available. Under the former Government, a lot of progress was made to improve accessibility at train stations across the network. How much could that ongoing work be boosted by this funding?

The people who have balances remaining on Opal cards include people who went overseas; lost their card; did not register; or, like me, were not able to work through the system to reclaim their balance. I am sure that those people would quite happily say, "I think that money should go towards disability access if I can't use it. I am happy to support someone who needs it." I am not sure they would be happy for their balance to go into the Consolidated Revenue Fund to be used for something that is completely unrelated to the Opal card they signed up for.

The intention behind our amendment is to improve the progress that has already been made to widen accessibility at train stations and transport hubs across the network and to ensure that work continues under the current Government. Since becoming the shadow Minister for Transport and Roads, I am aware that improving accessibility of transport for sections of the community has become a clear issue for the Opposition. We have heard a lot of talk about this issue from members of the Government and members of The Greens. They have a unique opportunity to quarantine money, but apparently that is of no concern to them.

We clearly have more work to do with the transport industry, particularly on the availability of wheelchair-accessible taxis—although that is not directly related to the provisions of this bill. We have heard stories of taxis not turning up and of drivers abusing passengers who rely on their care and protection. It is difficult for operators, because wheelchair-accessible taxis are more expensive to adapt and it takes extra time to get people in and out of the taxi. The irony of the Opal card provisions in the bill is that to some degree Parliament can direct where the money taken from regular punters and tourists will go. These are the people who are happy to hand the balance of their card over to the Government.

But it is not necessarily just a \$4 balance. It can be a lot more by the time cards are added up. In a cost-of-living crisis, where people are scraping together anything they can and trying to save money, that is a real issue. The Government claims that there will be \$72.3 million made available—fair enough—but I believe that it wants those funds because the Minister needed to find the money. It is completely unclear how unused Opal fares

relate to active transport and shared schemes. I have lost a few Opal cards over the years and, with two kids at home, there has been various losing and finding of cards. Though, let's face it, everyone just uses their phone now.

I feel more comfortable for that amount to go towards making transport more accessible. I think many would say putting it towards improving accessibility on public transport is a good thing. As well, I note that the transport Minister is a senior member of the Government and, should the amendments pass, I am sure he could go to the Expenditure Review Committee—as all Ministers do, and just like he does for many other projects, including for the night-time economy and other great projects—and say, "I need \$70 million for active transport and \$70 million to improve disability accessibility." That would be worthy action and something that the Government should do.

I urge The Greens to reconsider their position on the bill. I know that they are supporters of active transport, and so am I. But on this occasion there is a unique opportunity to put that money in an underfunded area of need. I urge The Greens to support those with a disability, as well as their carers, their families and their friends, who should know that in this instance the Government and The Greens are not supporting them. They talk about it, but on this occasion, when there is a chance to do so, they have chosen not to. I thank all of those stakeholders who have contacted the Opposition and made their position clear that they are concerned about this. They are concerned that this is a Trojan Horse and yet another cash grab, like we have seen in many other areas, such as Business Connect and other projects of the Government.

I do thank the transport Minister's office for making him available for briefings and Transport for NSW officials for their information and briefings on the legislation. I put on record that the micromobility reforms are worthy reforms. It takes significant effort from public servants and ministerial staff to bring legislation about, so I do commend them on that. On a personal level, I absolutely support micromobility. I have dragged my long-suffering husband, whose birthday it is today—I apologise, Beggy, that I cannot be there to celebrate—on e-bikes, much to his disagreement, in various cities around the world. I absolutely love them. There is nothing better than flying around on a scooter or a bike in the middle of Paris or London or on the beach in Santa Monica. They are fantastic things, and I would love to see those here. Do not doubt that the Opposition supports micromobility and good active transport.

However, we do not support a cash grab where we see an opportunity for groundbreaking work to be easily done by the Minister on something that he could be lauded for. We feel that this is taking by stealth; it is taking without due process money that does not belong to the Government. It never did, and it is not the case that it should now. I will commend my amendments to the Committee in due time. I do say that it is an important step that we could be and should be taking as a Parliament. We should be seeking to empower those who for so very long have been enlightened by and thankful for our words in this place about accessibility. However, when we have the one unique opportunity to quarantine this money for something good in that space, the Government and The Greens have said no. The Coalition will stand up for those people in this place, so long as we are able to, with any opportunity to turn this into something that could be very good out of what we fundamentally disagree with, which is the taking of money that does not belong to the Government.

Ms CATE FAEHRMANN (20:18): As The Greens spokesperson for transport, I speak in support of the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I acknowledge the contribution and work of my colleague Kobi Shetty, the member for Balmain, The Greens spokesperson for active transport and sustainable cities. As I said, The Greens support the bill, which establishes a statewide regulatory framework for shared micromobility vehicles—shared e-bikes and e-scooters—across New South Wales. I am an e-bike owner and rider and think they are fabulous, but I did not let that cloud my thinking and direction when I chaired the inquiry.

It is good to have the experience and to know the difference between riding an ordinary bike and an e-bike. It gives people that much more flexibility to get around, and I think that is what everybody is experiencing. The bill goes some way to providing more certainty for councils, operators and the public regarding the regulation of micromobility vehicles. However, it could have gone further. I would have liked it to have given the State Government a stronger role, for example, to cap the number of operators—something which I felt quite strongly about after the inquiry—and also to take greater responsibility for ensuring that the infrastructure is there for shared micromobility vehicles, which will still be left largely to councils, as well as a greater commitment to fast-track dedicated cycling infrastructure. Councils have long called for clear powers to regulate micromobility services and recover the costs of managing them. Operators too have been calling for certainty for some time.

The operators who gave evidence to the committee also pleaded for a statewide scheme. They talked to us about how frustrating it is to have to make applications with each council. It is disappointing to see that not all of that evidence has been taken up. The balance between giving councils a say and power is not quite right in the bill before us. For example, I was surprised to see that the bill stipulates that Transport for NSW must grant the operator approval if it is satisfied that the applicant will meet the vehicle sharing service standards. Councils are

given the authorising environment to refuse operator applications. But if councils refuse, Transport for NSW will have the power to overrule them. Should a rejected operator apply to Transport for NSW for a review and be found to meet the standards, then Transport for NSW must grant approval. There is not enough power for local and State governments to reject an application if, for example, there are too many operators. My sense is that the only people who would be pleased with this provision are the private operators.

We have all heard and seen how much micromobility has exploded in popularity over the past few years. New South Wales is not alone in that challenge. We are seeing other States and Territories grappling with the regulation of micromobility vehicles. Indeed, we spoke with representatives from other States. The inquiry that Portfolio Committee No. 6 undertook reported in February this year. There was a lot of community interest and over 300 submissions. The committee's key finding was clear: There is a lack of a consistent regulatory framework. The engagement with the Government and the Minister during the inquiry and since then has been good. But people have been really frustrated. This is the first bill that has attempted to address the many challenges, particularly the lack of a consistent statewide approach. While the bill implements the committee's recommendations, including the uniform regulatory scheme, it does not cover everything. I wonder what the next steps are after this.

The bill creates safety standards the operators have to follow to get approved, in terms of helmets and insurance et cetera. But, as I understand it, each council sets its own slow and no-go zones and parking rules. While The Greens strongly support councils having a say in how vehicles are used in their areas, the lack of guidance regarding the implementation of no-go and slow zones and parking restrictions risks creating confusion for users.

The bill gives councils power—to set specific rules and determine whether or not they will even authorise use of micromobility vehicles in their jurisdictions—but takes it away by providing for Transport for NSW to completely override them. It is confusing that the bill does not specifically enable Transport for NSW to refuse approval of an operator who applies for a review. The Minister spoke about statewide consistency. Riders do not know—it is true—when they go from one council area to another. But there will still be the ability for councils to have different parking mechanisms, infrastructure and speed zones, potentially. I would appreciate some clarity on that.

One of the big issues, which is a really serious one, is that the bill fails to protect riders and pedestrians with compulsory third party [CTP] insurance, despite the growing crisis of accidents involving micromobility vehicles. Possibly this is not the bill to do that. Schedules 2 and 3 to the bill amend the Motor Accident Injuries Act and the Motor Accidents (Lifetime Care and Support) Act to define a micromobility vehicle as an electric scooter that is exempt from registration or another kind of prescribed vehicle. Schedule 2 [2] also clarifies that the Motor Accident Injuries Act does not apply when injuries or deaths result solely from micromobility vehicle use—that is, where no registered motor vehicles are involved—and excludes those vehicles specifically from the scope of the Act. That means that micromobility vehicles are excluded from claims against the Nominal Defendant for uninsured vehicle accidents.

Similarly, schedule 3 [2] to the bill amends the Motor Accidents (Lifetime Care and Support) Act so that injuries from micromobility vehicle accidents where no registered motor vehicles are involved are not covered under the Lifetime Care and Support Scheme. To be clear, that is the case now, as we heard during the inquiry, but the bill enshrines the current, clearly unacceptable situation in law. After the bill was passed in the other place, we were alerted to that situation when the New South Wales Bar Association and the Australian Lawyers Alliance wrote to a number of members expressing their concerns. Members of the Bar Association's Common Law Committee said they have "significant concerns that the bill fails to address critical insurance and liability issues relating to the use of micromobility vehicles". Their letter states:

In the Association's view, micromobility vehicles should be captured by NSW's CTP insurance scheme.

Across Australia, there have been an increasing number of incidents of serious injury and death associated with micromobility vehicles, placing pedestrians at particular risk.

It continues:

Under the Bill, any such person who is injured as a result of a micromobility vehicle accident would be unable to make a CTP insurance claim for benefits, including income support, medical support or vocational rehabilitation.

They make a compelling argument—the letter further states:

... the bill fails to provide appropriate protection for the community from the very real risks associated with micromobility vehicles, and the potential debilitating downstream impacts that a micromobility vehicle accident may have on a person's health, life and livelihood.

In fact, we know of real life situations where that has happened. They go on to reject the Government's argument that the share schemes could not accommodate CTP as micromobility vehicles are not registered. Their legal

experts have told me that the Government could implement an appropriate licensing and registration scheme and require that commercial providers contribute to the cost of compulsory third party insurance. As I have said, the inquiry into e-scooters and e-bikes grappled with insurance. However, it was not able to give it the dedicated consideration it deserves. The inquiry made two recommendations in that area:

That the NSW Government investigate, as a matter of urgency, potential settings to create a viable model for e-mobility insurance, including compulsory insurance for owners/riders.

...

That the NSW Government refer the potential settings of a viable model for e-mobility insurance and government position on the issue to Portfolio Committee No. 6 - Transport and the Arts for further public consultation.

Clearly, that has not happened. I have spoken with a number of members of Portfolio Committee No. 6 - Transport and the Arts to seek support to get an inquiry on that issue underway as soon as possible in the new year. I am also seeking the Minister's support in urging the Government to act upon those recommendations in good faith to find a solution to this unacceptable situation as soon as possible in 2026. I have spoken to the Minister about that. We know very well the risks of serious injury or death from e-mobility devices. They are covered in the news a lot, and people are finding the growth in incidents shocking. For example, data from NSW Ambulance in the Illawarra region shows that there were 200 serious accidents involving e-bikes and e-scooters between June 2024 and July 2025.

Ambulance staff say they regularly treat patients with loss of consciousness, suspected spinal injuries and broken limbs. Patients include riders and pedestrians, who often have not heard the approaching e-vehicle. The bill proposes that share service providers meet new safety standards to be approved to operate in the State. That is excellent, and it is obviously one of the main reasons The Greens support the bill. Ensuring those safety standards are enforced will be critical to curbing the rise in e-scooter and e-bike accidents and reducing the risk to pedestrians. But I do not think that has been fully resolved.

Again, it is a complex problem in terms of police, council and the many thousands of young people riding e-bikes. That also has not really been dealt with either. Even with the safeguards in this bill, we need some kind of insurance scheme. This bill almost locks in the failure of successive governments in dealing with this issue. It locks in and clarifies the fact that, when no other motor vehicle is involved, someone on an e-bike or someone they might hit is on their own. As lawmakers, none of us can, in good conscience, say that is not our problem to fix.

Another issue that we have been pressuring successive governments on for many years is the lack of good, separated cycling infrastructure, including outside the inner city. It is another issue we heard about repeatedly during the inquiry. We urge the Government to give it greater priority going forward. That is one of the reasons we support the other part of the bill that allows for funds on dormant unregistered Opal card balances to be used for purposes related to active transport. It is not that somebody comes over, grabs an Opal card and goes home—as the Hon. Natalie Ward suggested. The bill provides for five years. It is not as if they forfeit it if they leave the State. Sure, if they do not come back, that is true. I have quite a few cards from different places around the world. I know I will never go back and use those four bucks. The Bangkok council should pop it into some cycling infrastructure. London should put my Oyster card balance to good use.

The Government approached The Greens and floated the idea of using the money for active transport. We thought about it and discussed it in our party room. We wanted to put some kind of safety rails in, and that happened. My colleague in the other place the member for Balmain, Kobi Shetty, secured an amendment that will ensure transparent annual reporting to the Presiding Officer of each House of Parliament on the ways in which money forfeited from unused, unregistered Opal cards has been used. That is excellent. Minister Aitchison read that commitment in her second reading speech in the other House. She said:

The unused funds on inactive cards will be deposited into the Transport for NSW fund established under section 77 of the Transport Administration Act 1988. ... These funds will then be available to be used for active transport-related initiatives, including for more Opal bike lockers and first- and last-mile connections to public transport.

That seems eminently sensible to The Greens. This is an opportunity to work together to see the good use of money that—let us be honest—most people have forgotten about or do not know about. There is the opportunity for them to get the money back. I acknowledge the potential difficulty of getting it out once you log on, but overall I think enough safety rails are there, including the five-year dormancy period for smart cards, and \$75 million for active transport is a good thing. I will speak about the Hon. Natalie Ward's foreshadowed amendment when that comes to the Committee. But this is a good news story, from our perspective. I thank the Minister and his office and the departmental officials for working constructively with us and with the member for Balmain. We are happy to support the bill.

The Hon. MARK BANASIAK (20:37): I contribute briefly to associate myself with the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I too was on the committee that looked into the proposal to properly regulate micromobility vehicles. The committee worked quite constructively and came up with some good recommendations, so the Shooters, Fishers and Farmers Party welcomes the Government's move to properly regulate e-mobility schemes. Like The Greens, we have concerns around insurance. If we have the inquiry by the committee, we need to look quite clearly at the two distinct types of micromobility device schemes: the private devices, which are causing significant concerns around safety, and the shared schemes. We may need clear delineation of insurance schemes or products for those.

In line with what Ms Cate Faehrmann touched on about the enforceability of the laws, I draw members back to the e-scooter trial in Wollongong. I think from memory that only two infringement notices were issued by police in that trial. That clearly shows a disconnection between police action and community expectations regarding whether the devices can actually be regulated and infringement notices issued. I reiterate that we do not want a situation where these scooters become the new mini bikes and police are too scared to enforce the law because they are worried about the implications of chasing after people on these devices or pulling them over.

Enforceability is a key thing, and part of that is giving the enforcement agency—whether it is council, Transport or Fair Trading—adequate resources to do its job. If the resources to enforce the law are not there, the law is not effective. The Department of Fair Trading has a particularly big task ahead of it in terms of regulating the plethora of different devices that are proposed to be sold in Australia. During the inquiry we took note of some of the devices that can be purchased online. The Hon. Natalie Ward spoke about a scooter that could get up to a buck 20. It was freely advertised and available for purchase on a website: Buy this for your kids for Christmas! Christmas is coming and the availability of these scooters is quite concerning. Fair Trading being properly resourced to tackle the issue of enforcing vehicle standards is really important.

I will just briefly touch on the Opposition's proposed amendment. With a touch of sarcasm, I say that I welcome the Opposition's new-found interest in supporting people with a disability. For four of the years they were in government I worked my butt off to try to get them to make some sensible decisions, recommendations and investment around disability access for maritime. Honestly, it was a game of "Go ask your mother"/"Go ask your father" between the transport Minister and the ageing and disability Minister, who had his own disabilities—I could not even get him to take any steps.

The Hon. Natalie Ward: Here's your chance.

The Hon. MARK BANASIAK: I welcome the sentiment. I am not going to cavil about the validity of the amendment. I suggest that it may be out of order in terms of being a money grab. I believe it comes from good intentions, but I think people with a disability deserve more than just a random chance at a cash grab. If we are going to invest to support people with disability, there has to be ongoing funding and not just, "Here's a bag of cash. Let's see whether we can grab it." I support the sentiment of the amendment but, if we are going to invest in infrastructure for people with disability, the funding needs to be substantive and recurrent. The Government has listened to my call for a boating infrastructure fund and is taking steps with that. Maybe there is a view to set up a similar scheme, with ongoing funding, under which councils and whoever else can make an application to put in significant infrastructure. I support the bill. With apologies to the Opposition, I will not be supporting the amendment, but I do note that it comes from good intentions.

Ms ABIGAIL BOYD (20:43): I contribute to debate on the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I obviously commend and support the comments made by my colleague Ms Cate Faehrmann. As The Greens spokesperson for disability, I briefly respond to some of the commentary in this debate. The Greens are in fervent agreement that there is woefully inadequate investment in disability accessibility to transport. It is not a new problem. I spoke yesterday about all of the ways that people with disability are continually overlooked and actively let down by the major parties—not just by this Government but by the former Government as well. Our public transport network remains shamefully inaccessible, with investment in accessibility upgrades in every budget, year after year, failing to make the cut.

New South Wales is over three years past the deadline that was signed onto over 20 years ago to meet the disability standards for accessible public transport, and Transport for NSW says that people with disability will be waiting at least another 47 years before all stations are accessible. That is a shame on the former Government, but it is also a shame on this Government. In 2019 I asked the then Minister for Families, Communities and Disability Services, Gareth Ward, what he was doing to meet the deadline set by all the States and Territories in 2001 that would require them to have fully accessible transport by now. He said that there had not even been an audit of what they needed to do at that point, let alone the process of working out a schedule of what needed to happen.

Neither major party has a leg to stand on when it comes to accessible transport. People with disability are sick and tired of being used as a political football, of being used as a prop for moralising against political opponents only to be promptly discarded once the political moment passes, and of being exploited, abused and disrespected by political leaders who see them as a special interest group and not as full and vibrant human beings with agencies and rights and who are deserving of every level of inclusion as any other person in our community. People with disability should not have to rely on money being found by unorthodox methods in order to have their most basic needs met.

The Greens reject in its entirety the argument that the only way people with disability could hope to get accessibility upgrades is by scooping up unused Opal balances. People with disability are more than an afterthought. People with disability deserve so much more than the sum total of what has been forgotten and overlooked. If the Government genuinely believes in accessibility for disabled people, it would find the money in the budget. That is actually what is required under human rights obligations. But year after year, government after government and legacy party after legacy party treat people with disability as a nice to have, a political prop and an afterthought. The Greens reject that framing in its entirety and demand full funding for disability accessibility because bus trip detritus is not good enough.

The Hon. SUSAN CARTER (20:47): I speak to the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I confine my remarks to the amendments proposed in schedule 5 to the bill, which essentially amend the terms and conditions of existing Opal cards so that unused balances can be used by the Government. I have a set of questions, and I would have much greater comfort voting on the bill if the Government were able to address those questions.

My understanding is that the Opal cards we all have in our pocket are a contract. We pay money and in return we get services. They are a contract for services, and there are terms and conditions as to how they are used. Given the type of contract it is, it is quite clearly, according to the Australian Consumer Law, a consumer contract and as such is regulated by the provisions at part 2 (3) of the Australian Consumer Law. The Australian Consumer Law has quite a lot to say about unfair contract terms, as it should. For it to apply, it has to be a consumer contract and it must be a standard form contract.

I think all members are familiar with what a standard form contract is, but the legislation at section 27 of the Australian Consumer Law helps us out. Essentially it is this: Have you been able to negotiate the terms or not, or was it a "take it or leave it"? I do not know about other members, but anytime I have gone to get an Opal card, nobody from Transport for NSW has ever asked me, "Are these terms suitable? Can we make any changes? Should we be negotiating this?" It is very much a "here you go" standard form contract. We have established that the contract for an Opal card is a standard form consumer contract. The next question is whether the proposed term is unfair. Section 24 tells us what is meant by "unfair". It states:

- (1) A term of a consumer contract ... is *unfair* if:
 - (a) it would cause a significant imbalance in the parties' rights and obligations arising under the contract ...

Let us think about that. The consumer says to Transport for NSW, "You can take all of my money that I haven't used yet. I have no say in this. I can barely even work out how to get the money back." Prima facie, that would appear to be a significant imbalance between the parties. Think about Transport for NSW and John Smith, who is 16 years old. That, by definition, is exactly the type of imbalance—the small consumer and the very large entity—that this legislation was designed to address. However, it is not enough for the contract to be simply unfair. It also has to be:

- (b) ... not reasonably necessary in order to protect the legitimate interests of the party who would be advantaged by the term ...

Are we suggesting that it is reasonably necessary for the Government of New South Wales to scoop up outstanding Opal card balances?

The Hon. Wes Fang: I wouldn't suggest that.

The Hon. SUSAN CARTER: I acknowledge that interjection because I do not think anybody could possibly suggest that. The third thing that has to be satisfied for a term to be an unfair is that:

- (c) it would cause detriment (whether financial or otherwise) to a party if it were to be applied or relied on.

Taking somebody's money causes financial detriment. As I read it, what we have here is legislation that attempts to change the terms of an existing contract between a consumer and the New South Wales Government. What is the impact of inserting a term that is unfair? The impact is very clear. The term is void. It cannot be relied on. What the Parliament is doing is using legislation to insert a term into each and every Opal card contract that, when the Government comes to rely on it, will be found to be void. If that is what the Parliament is doing, what on earth is the point of this exercise? It seems like the definition of futility. Looking at the Fair Trading Act, which is the

law by which the Australian Consumer Law—found at schedule 2 of the Competition and Consumer Act—is applied as a law of this jurisdiction, section 36 states:

The application law of this jurisdiction binds (so far as the legislative power of Parliament permits) the Crown in right of this jurisdiction and of each other jurisdiction, so far as the Crown carries on a business, either directly or by an authority of the jurisdiction concerned.

Anybody familiar with the case law would know that taking money for transport is a business, whether carried on by the Crown or by an authority such as Transport for NSW or Sydney Trains, or whatever authority does it. The Fair Trading Act states at section 39:

(1) Nothing in the application law of this jurisdiction makes the Crown in any capacity liable to a pecuniary penalty ...

That means that the other provisions of parts 2 to 3, which render anybody who seeks to insert such a clause or rely on such a clause in a contract liable for pecuniary penalty, do not apply to the Crown. In other words, the Crown does not have to pay penalties to itself. But nothing in section 39 states that the provision in the Australian Consumer Law that states that these terms will be void does not bind the Crown. It would be comforting to members of this Parliament if the Government could assure us whether this legislation will insert unfair terms into a standard form consumer contract and whether, if we do that, we are going to find that our own law tells us that the provisions are void.

The second question that arises is that if, by some strange argument, sections 36 and 39 of the Fair Trading Act are not seen to bind the Crown—and I cannot see an argument by which that could be substantiated—is it appropriate that this Government legislates in such a way that no other entity in New South Wales would be permitted to? Is it appropriate that this Government is able to legislate in such a way that we, and we alone, can insert unfair terms into a standard form consumer contract? Is this Government truly walking back from the competitive neutrality principles that have been agreed since the micro-economic reforms of the 1990s? Those are important questions that need to be answered. I would be greatly comforted if we received answers before being asked to vote on what might turn out to be an entirely futile exercise, at least with respect to schedule 5.

The Hon. RACHEL MERTON (20:55): I speak in debate on the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025, a bill that seeks to regulate shared e-bike services and amend provisions relating to Opal card balances. I acknowledge the strong contributions made by my colleagues, led by the Hon. Natalie Ward. I examine the bill a bit further. The Opposition acknowledges the need for reform to micromobility and supports the intent and principle of the bill. However, significant concerns remain regarding the specific provisions in schedule 5 concerning Opal card balances. Those concerns have been well articulated by my colleague the Hon. Susan Carter.

I begin with the positive aspect of the bill: the introduction of a regulatory framework for shared micromobility vehicles, which establishes a robust system requiring operators to obtain approval from Transport for NSW and local council authorisation to operate. That will address longstanding issues with e-bike sharing schemes, which have seen a 200 per cent increase in daily trips over the past year, with over seven million kilometres travelled in New South Wales. The requirement for designated parking areas, geofencing and helmet availability is a step towards safer and more orderly streets.

However, I must ask why it has taken the Government so long to act. When we look at the escalation, I have just cited a 200 per cent increase. For years, haphazardly parked e-bikes have been an eyesore and a danger, cluttering footpaths and posing risks to pedestrians. We would all pass them every day on our walk to and from different buildings in this city. The Public Spaces (Unattended Property) Act 2021 already grants councils powers to manage abandoned bikes, yet the issue persists. The delay reflects a lack of urgency from this Government in addressing community safety and amenity. As I have stated, the abandonment of e-bikes is an absolute eyesore. Bikes clutter footpaths and streets in the CBD and suburbs of Sydney. They are a hazard to older Australians. Given the silence of e-bikes and the lack of any safety or regulation, I have heard reports from older Australians about accidents, collisions, injuries and the danger to people on city and suburban streets.

One cannot help but think that this bill is a cash grab by the Government on the balances of Opal cards held by private citizens, commuters, visitors and families who entrusted their money to the Opal system. To redirect those funds into the Transport for NSW fund for what the Government is presenting here as vaguely defined transport-related purposes is simply government overreach that undermines public trust in the public transport system. The Government claims a 12-month communication campaign will precede implementation. How effective will that be for unregistered cardholders, many of whom are short-term visitors or cannot be contacted?

Many families hold multiple cards that are unregistered. The cards are obtained during holiday periods for many family members. The cardholder puts a credit on the Opal card for the holiday season. After that, the cards are packed away, put in purses and left there for when they are next used. I also highlight the difficulty in people

obtaining the balance of these cards. I have tried it myself. At the end of the day, the system is clunky and does not work. The consumer is left to phone somebody during a certain period of the day to have them explain the process of returning unused funds in credit on an Opal card to the cardholder.

The Opposition believes individuals should not be penalised for inactivity, especially when balances are often minimal. We support the bill to ensure the overdue regulation of e-bikes, and urge the Government to reconsider the cash grab. I mentioned that families would hold many Opal cards. I would hold four or five cards at the moment. Three of those would be concession cards. If I had to do a quick calculation of their balances, I might have \$5 or \$7 or \$20 on those cards. They are used for public transport, holiday periods and to attend some of the biggest events in New South Wales. Why should families be penalised under the Government's latest cash grab?

In conclusion, while the bill's micromobility reforms are necessary and overdue, the Opal card provisions are a step too far. My colleague the Hon. Natalie Ward has outlined in the Opposition amendments where this money could be better used. As she well put it, it is to do with accessibility. I think members have seen firsthand what it means when public transport, services and infrastructure provision is made accessible. I have seen the stories and heard them firsthand. We can travel to work. We can travel to see friends. We can go to community events. I even note with interest that a lot of pre-election Labor Party materials promised lift access on railway stations on the Central Coast, stating that only Labor can deliver this. Tonight we will put the amendment to the Government. Let us use the funds to address accessibility. It is only fair. I support the amendments foreshadowed by my colleague. I look forward to hearing further about those tonight.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (21:03): In reply: I thank members who contributed to debate on the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I have to confess that the debate took a turn that I was not quite expecting this evening.

The Hon. Wes Fang: I was.

The Hon. JOHN GRAHAM: It was a beautiful debate, apparently masterminded by the Hon. Wes Fang. Now I know why it ran right off the rails. They were substantive contributions, though, so I will respond to them. I will deal up-front with two of the most substantive issues—the Opal cards and insurance—but then I will step through some of the other issues. I reiterate that concerns around how Opal card funds are recovered are, in the Government's view, misplaced. We are talking about funds from unregistered cards that have not been used for five years or more. There will be a public campaign to give everyone ample time to register their card, seek a refund, transfer their balance or simply tap on. We are not talking about active users, only those who have not used their card for five or more years.

Rather than let the money, which is unlikely ever to be reclaimed, continue to sit unused, we can reinvest it now, help our communities now, and get on with these important reforms. We know that will take investment in physical parking infrastructure, including better parking at key transport hubs, to help support the framework we are standing up. The Greens amendment to the bill in the other place, moved by Ms Kobi Shetty, ensures accountability for how the funds are spent, with annual reports to the Parliament. It strengthens the bill.

As to insurance, I understand the concerns raised in the House by a number of members. They are serious concerns; I recognise them. They have already been exposed in the work of Portfolio Committee No. 6. The Government has committed to exploring alternative insurance options for e-micromobility. The Treasury is leading work to explore options, including potential settings, considering the need for people injured by devices to be effectively supported, balancing affordability, existing insurance settings and the viability of those arrangements. We will consider various insurance options, including compulsory third party [CTP] insurance, and examine the consistency of insurance arrangements for different e-micromobility devices. The aim is to put out an options paper for consultation by mid-2026.

The Government would support further work by the committee to help investigate alternative insurance models for e-micromobility, including an inquiry by the committee into the insurance issue. We would cooperate with that inquiry. I accept that the committee is off and running with this reference, but it can expect full cooperation from the Government. We will work in tandem so that we can come to the best possible outcome. My commitment is that the Government will remain open-minded about any of the committee's recommendations in this area. That really reflects the high quality of the work that has been done to date. We all need to work on this to get to a solid landing.

The bill does set up, though—I emphasise this—strong insurance requirements for sharing scheme operators. The regulations will include requirements for operators to hold public liability insurance with coverage of no less than \$20 million per incident, as well as third party and personal insurance. The current compulsory

third party insurance scheme design and structure is broadly incompatible, in the view of the Government, with providing coverage for e-micromobility devices. However, a person injured in a crash involving an e-micromobility device and a traditional motor vehicle, such as a car, may still be able to claim under the current CTP scheme, depending on the circumstances of the crash.

While the provisions in the bill clarify that incidents involving e-scooters and no other motor vehicles are not covered under the CTP scheme, they take effect ahead of the legal introduction of e-scooters. Those reforms to legalise e-scooters will come after we have stood up the reforms for shared e-bikes, when we can demonstrate that we are in control of what is going on on our streets in that space. I turn to some of the comments made by individual members. I thank the Hon. Natalie Ward, who led for the Opposition on this matter. I have no doubt about the support of the shadow Minister and the Opposition for these changes to regulating these devices in this area. The Opposition has been heavily engaged on these issues, including through the committee.

I recognise some of the issues that the Hon. Natalie Ward raised. We do need to deal better with the behaviour of cyclists in our State. I thank her for her comments about consultation. I disagree with a number of her comments about the Opal scheme. The idea that users have signed up to terms and conditions is exactly what is not happening. People have not signed up. If they do sign up and register, they are not covered by this scheme. If they do not sign up, and we do not know who they are, then it is very difficult for us to track them down. They are the Opal cards that we are dealing with. The Opposition asked us to help people to claim. That is exactly what we intend to do for 12 months. I acknowledge the foreshadowed Opposition amendments. The Government will not support them.

The desire to spend the money on persons with a disability is a laudable goal. The Government has boosted the Safe Accessible Transport fund by \$800 million since coming to government, but I immediately acknowledge that is not enough. It does not deal with the issues raised by members. We do not support using the money for that purpose, but we do need to find additional funds in that area. I do not accept that the use of these funds is completely unrelated to public transport. We are particularly focused on bike lockers around public transport stations and first- and last-mile transport. I do not accept that the money is going into the Consolidated Revenue Fund. In fact, it is going into a section 77 transport fund. I do not accept that this reform is being dealt with by stealth. In fact, we are dealing with it in an entirely transparent way by taking it through the Parliament and asking for the support of the House. We would not take that step if that support was refused.

I thank the Hon. Natalie Ward for her contribution. I thank Ms Cate Faehrmann for chairing the committee. As I said, it has been hugely helpful. I agree with her comment that there is more to do. I do not necessarily agree with some of the specific issues she raised. The bill can cap the number of operators. Councils can use that as one of the criteria to refuse. For example, if it is clear that there is service provision in the area, the council can say, "We've already got service provision. We don't need more." That is a de facto cap, and I expect that would apply in certain larger councils. We need to invest more in infrastructure, and that is precisely why we are dealing with the Opal funds.

On the issues about local government rejection and the override, I place this on record: There is an override in the bill because we cannot have scheme operators and citizens riding along, hitting a council boundary and having the bike come to a stop. That would really impact uptake. However, the Government will be quite hesitant to use that override. We want councils to be in charge of this; it is better if they are. It will be used very cautiously, but other jurisdictions have found it is an important override. What are the next steps? We will issue guidelines shortly, and there will be a flying squad to assist councils on the next steps. I have dealt with the issues about compulsory third-party insurance, but I acknowledge the member strongly raising them.

I thank the Hon. Mark Banasiak for his comments, and I recognise his concerns about insurance and his role in the committee. His comments about enforceability are important. Recently the police stepped up enforcement, and I thank them for that. It is making a significant difference. I recognise the comments of Ms Abigail Boyd. Her focus on disability over all those years is hugely welcome, and I recognise the case she put to the House. The Hon. Susan Carter played a blinder, with her contribution reaching for the constitutional stars. I do not accept her assessment of how parts 2 and 3 of the Australian Consumer Law will apply in this instance.

I do not believe that the proposition the Government is placing before the Parliament is unfair. I accept that there is a detriment, but it is a small detriment and it is very avoidable. The impact for those with \$4 balances is small and, in the Government's assessment, the risk of the bill being found void is very low. Over the course of the six years that people have to sort it out, they have a range of options if they are concerned. If we do not know who they are and they have failed to register, they can still take the following steps. They can apply for a refund, although I accept that is sometimes difficult. They can transfer the balance, which is far less difficult on the app. They can register. If they just give us their name and email address, they will be able to avoid that detriment, or they can just tap on over the course of the six years.

There is a range of complex constitutional issues. I am happy to accept that the member raises those in good faith. I will not accept the argument of "I cannot work out how to get my money back" when the answer is to tap on. That is not a complex constitutional issue. Any citizen can work out how to do that, and I encourage members to do so. The Hon. Rachel Merton asked why this took so long. It is complex, as members can see. We have been greatly assisted by members working together on this matter, but it was unattended business left by the former Government. We have dealt with it as fast as we can. I thank the Coalition for its strong defence of the backpackers of the world. They came to this State, had a great time, tucked their Opal card with a \$4 balance in their backpack and put it at the back of a cupboard. They had a great time at Coogee and Manly and then went back home to London or Dublin or Chicago with an Opal card tucked away.

The Government puts the case that, rather than track those people down when they never gave us their name or email address in the first place, or launch an international hunt to hand them back their \$4, we should take the money and give it to our citizens. There are people pushing babies in prams who would not mind a footpath, older citizens who are worried about getting skittled by a bike racing past at speed, kids who cannot get around their communities because there is no public transport, people who are too poor to pay tolls or afford public transport, and regional citizens. That money will make a big difference. If we use it now, we can make the change much faster. That is what the Government wants to do and that is the case the Government puts before the House. I commend the bill to the House.

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

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. We are dealing with the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025. I have two sheets of amendments. I have Opposition amendments Nos 1 and 2 on sheet c2025-309A and Opposition amendments Nos 1 and 2 on sheet c2025-245A. I call the Hon. Natalie Ward.

The Hon. NATALIE WARD (21:18): By leave: I move Opposition amendments Nos 1 and 2 on sheet c2025-309A in globo:

No. 1 Commencement

Page 2, clause 2(a), lines 7–10. Omit all words on the lines. Insert instead—

- (a) for Schedule 1[1], [2], to the extent it inserts Part 5.7 other than section 148ZA and [4]—on the date of assent to this Act,

No. 2 Omission of Schedules 4–6 relating to smartcards

Pages 21–24, Schedules 4–6, line 1 on page 21 to line 5 on page 24. Omit all words on the lines.

The amendments are about removing the balance from Opal cards. They give effect to the Opposition's position that the bill's provisions represent the theft of commuter money to fund a Minister's priorities instead of consolidated revenue or seeking direct funding from the Expenditure Review Committee and the Government funding it. Unused Opal balances have nothing to do with shared service schemes, and the Government knows that. We have put this squarely. People do not sign up when buying an Opal card and expect that the money will be spent on something other than the provision of a service to them—a service that they have paid for in advance. These amendments remove the provisions in the bill concerning the Opal card balances and ensure that commuters' money remains commuters' money. I commend the amendments to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (21:19): I thank the Opposition for moving the amendments. The Government does not support them. We canvassed this matter extensively in the second reading debate, so I do not feel the need to add to it at this point. The Government opposes the amendments.

Ms CATE FAEHRMANN (21:19): The Greens do not support the amendments. I note that the Hon. Natalie Ward mentioned that people sign up to get the card. I remind members that these are unregistered cards that have been dormant for five years. Once again, I put on record that The Greens discussed the provision at length in terms of fairness and equity. It seems eminently sensible, and checks and balances have been put in place. We are absolutely certain that these amendments are not worth supporting.

The Hon. SUSAN CARTER (21:20): I speak in support of the amendments. In fact, I urge the Committee to accept them as necessary amendments. I acknowledge the statements made by the Minister in his speech in reply. It is not for any of us to decide whether a term in a contract is unfair; it is simply laid out in the provisions of section 24 of the Australian Consumer Law. Nothing has been put in argument so far that says the terms in this

contract would not meet that statutory definition. Therefore, they will be void. I see this as an entirely futile exercise. Therefore, these amendments are entirely necessary.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendments Nos 1 and 2 on sheet c2025-309A. The question is that the amendments be agreed to.

Amendments negatived.

The Hon. NATALIE WARD (21:21): By leave: I move Opposition amendments Nos 1 and 2 on sheet c2025-245A in globo:

No. 1 Use of forfeited smartcard funds

Page 23, Schedule 5[3], proposed section 128B. Insert after line 7—

- (3A) Despite any provision of the Transport Administration Act 1988, money forfeited under this section to the TfNSW Fund may be used only for the purposes of improving access to public transport for persons with a disability.

No. 2 Definition of "disability"

Page 23, Schedule 5[3], proposed section 128B(5). Insert before line 14—

disability has the same meaning as in the Disability Inclusion Act 2014.

These amendments relate to the Opposition's proposal to quarantine the money, if it has to be taken—and the previous amendments were negatived, so it must be. As outlined in my second reading debate contribution, the Opposition believes if we cannot stop it, we should direct the money to improve access to public transport for those with a disability. Unused Opal card balances have nothing to do with shared service schemes, and the Government knows it. These amendments provide that the unused balances will be directed to improving access to public transport for persons with a disability.

Some members said in their second reading debate contributions that it is not enough. It is certainly not enough. However, \$72 million is not a drop in the ocean either. It is a start and it could pay for a lot that is not there now. It could be done tonight. It could be done immediately. That said, the Opposition believes this is a worthy endeavour for unused funds. Some people with the lived experience of a disability agree that using unclaimed Opal card funding to improve access is a good idea. As I stated previously, should Parliament decide to make this investment in disability accessibility, it could do some very good things. The Minister could go to the Expenditure Review Committee as a senior Minister and get the funding he wants for shared services. I commend the amendments to the Committee.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (21:23): Again, we have canvassed this relatively extensively. The Government does not support the amendments. I place on record the increases in funding to the Safe Accessible Transport program. There is \$800.7 million in the 2024-25 budget and a further \$40 million allocated in the 2025-26 budget on top of that. The Government does not support the amendments, but I thank the Opposition.

Ms CATE FAEHRMANN (21:23): The Greens do not support the amendments either. My colleague Ms Abigail Boyd put that very clearly and eloquently, and more succinctly than I am able to.

The Hon. SUSAN CARTER (21:24): I give the Committee one small example of why it is necessary and, indeed, highly desirable that the money that is to be taken—assuming that the provision is not void—should be directed towards access services. I acknowledge the statement of the Minister that money has been provided for disability access services. But I urge members to think about the reality on the ground at just one station on the Sydney network: Epping station. There has been no functioning lift at Epping station for the past three weeks. Sadly, that is not unusual. Since April 2023—so for the life of this Government—that lift has been out of order in excess of 65 times.

I urge members to think of the issues that creates for anybody with any disability issue trying to access just that one station on the Sydney network—and why should we believe that it is an outlier? In fact, things are so bad that I am informed by the member for Epping that members of the public have rung her office asking if SES volunteers were available to help people with prams and mobility issues to get on and off at that station. The Government needs to address that as a matter of urgency. If the amendments are a mechanism to do it, I commend them to the Committee.

The CHAIR (The Hon. Rod Roberts): The Hon. Natalie Ward has moved Opposition amendments Nos 1 and 2 on sheet c2025-245A. The question is that the amendments be agreed to.

The Committee divided.

Ayes14
 Noes21
 Majority.....7

AYES

Barrett
 Carter
 Fang (teller)
 Farlow
 Franklin

MacDonald
 Maclaren-Jones
 Martin
 Merton
 Mitchell

Munro
 Overall
 Rath (teller)
 Ward

NOES

Banasiak
 Boyd
 Buckingham
 Buttigieg
 Cohn
 D'Adam
 Donnelly

Faehrmann
 Graham
 Higginson
 Hurst
 Jackson
 Kaane
 Lawrence

Mookhey
 Moriarty
 Murphy (teller)
 Nanva (teller)
 Primrose
 Sharpe
 Suvaal

PAIRS

Tudehope

Houssos

Amendments negatived.

The CHAIR (The Hon. Rod Roberts): The question is that the bill as read be agreed to.

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

That the Chair do now leave the chair and report the bill to the House without amendment.

Motion agreed to.

Adoption of Report

The Hon. JOHN GRAHAM: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (21:34): I move:

That this bill be now read a third time.

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

The Hon. JOHN GRAHAM: I place a small number of things on the record. I thank Transport for NSW staff Emily Rucker, Rodney Stiles and Ruth Graham, who assisted with this bill. I also thank Tori Holliday from my office, who has sweated the details of this bill and has been responsible for a lot of the consultation on it. In addition, I place on record—and this has occurred once before in this House—the Government's thanks to former staff member Carla Stacey, who was heavily involved in the approach to the drafting of this bill before it reached its final stage. The thoughts of all members of the Government are with her family.

The PRESIDENT: Order! Again, there is too much audible conversation in the Chamber.

The Hon. NATALIE WARD (21:34): With the indulgence of the House, I reiterate the Opposition's support for the bill and acknowledge the work of both the ministerial and departmental teams. I also acknowledge the great work of Carla Stacey and recognise the enthusiasm and energy she had for the things she cared about. She was a dear friend that we all miss terribly. To Antony Sachs—or "Bags", as he is known to us—and their

boys, I send all our love. I thank him for Carla's ongoing gift and for the difference she continues to make to this Government and this State.

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

Motion agreed to.

INDUSTRIAL RELATIONS AMENDMENT (DE-AMALGAMATION) BILL 2025

Second Reading Speech

The Hon. MARK BUTTIGIEG (21:36): On behalf of the Hon. Daniel Mookhey: I move:

That this bill be now read a second time.

Like many other unions, the Construction, Forestry, Mining and Energy Union [CFMEU] is registered in both the Federal and State industrial relations systems. The federally registered CFMEU has recently gone through structural change following the de-amalgamation of the Mining and Energy Division. The Forestry, Furnishing, Building Products and Manufacturing Division is also in the process of de-amalgamating from the federally registered CFMEU after a successful ballot of members supporting that course of action. That could only be achieved in the Federal industrial relations system because relevant amendments to Commonwealth legislation were made to permit de-amalgamation of those divisions of the union. The dual registration of the union in the Federal and State industrial relations systems means that those actions have not been replicated in the New South Wales registered branch of the CFMEU.

Following the successful de-amalgamation process at the Federal level, the State Government has been working with the New South Wales administrator of the Construction and General Division and representatives of the other New South Wales divisions to achieve a similar structure here. It is the combined view of the parties that the New South Wales divisions also need to withdraw from the larger union. Unfortunately, the current provisions of the New South Wales Industrial Relations Act 1996 do not readily permit such action to be taken. While section 283 of the Industrial Relations [IR] Act allows unions to amalgamate, there are no provisions for unions to de-amalgamate. Consequently, it has become necessary for the Act to be amended to so permit, and that is exactly what this bill does.

I seek leave to have the remainder of the second reading speech incorporated in *Hansard*.

Leave granted.

Before providing an overview of the bill, I should stress that the bill is not aimed at any other union and only provides for the de-amalgamation of Mining and Energy Division and the Forestry, Furnishing, Building Products and Manufacturing Division from the New South Wales registered branch of the CFMEU NSW.

The objective of the Industrial Relations (De-amalgamation) Bill 2025 is to amend the IR Act to make provisions for the de-amalgamation of the CFMEU NSW into separate unions.

The bill does this by inserting a new schedule 7 into the Act that provides for the withdrawal of the Forestry, Furnishing, Building Products and Manufacturing Division and the Mining and Energy Division from the CFMEU NSW.

The bill provides for each of these divisions to reconstitute as a new State organisation, named the Timber, Furnishing and Textiles Union of New South Wales, and the Mining and Energy Union of New South Wales, respectively.

Part 2 of schedule 7 makes provision for the Industrial Court, on application, to give effect to the withdrawal and reconstitution of the Mining and Manufacturing Divisions. It also enables the Industrial Court to make other orders to ensure a withdrawal and reconstitution takes proper effect.

An application may only be made by specific representatives of the divisions of the CFMEU NSW seeking de-amalgamation, therefore limiting coverage of the de-amalgamation provisions to this CFMEU NSW only.

An application for de-amalgamation can only proceed following de-amalgamation occurring under a provision of the Commonwealth Fair Work (Registered Organisations) Act 2009.

So that there is certainty around coverage, the application must include proposed eligibility rules for the proposed State organisation that avoid overlap with another organisation as far as is reasonably practicable.

To ensure consistency with the structure of the Federal organisation, the bill requires that an application can only proceed if there has been a withdrawal from the Federal counterpart organisation by the Federal counterpart withdrawing division.

The bill empowers the Industrial Court to determine a withdrawal application by making an order for the withdrawal of a division of the CFMEU NSW and its reconstitution as a State organisation.

Importantly, the bill provides an opportunity for all affected stakeholders to be heard by the Industrial Court on any issues that arise.

The bill also provides that the Industrial Court must:

- (a) determine the day on which the withdrawal must take effect; and
- (b) make:

- orders concerning the rules and registration of the new State organisation and the altered CFMEU NSW, and I also note that the rules made by the Industrial Court for Timber, Furnishing and Textiles Union of New South Wales and the Mining and Energy Union of New South Wales must be in the form as published in the *Government Gazette* on September 2025,
- orders concerning the division of the assets and liabilities of the CFMEU NSW between the CFMEU NSW and the proposed State organisation, and
- other orders the Industrial Court thinks fit in relation to giving effect to the withdrawal and proposed State organisation.

The bill is designed to bring certainty and clarity to all members and office holders of the CFMEU NSW.

For example, the Industrial Court must ensure that the result reflects the changes that have been implemented to the federally registered CFMEU NSW in relation to membership and structure. This is essential to ensure that the changes will operate effectively.

The Industrial Court also has an important part to play in resolving any difficulties which may arise.

The bill empowers the Industrial Court to make orders to protect members, officers, branches and divisions of the new State organisation or altered CFMEU NSW body from any threats, action or adverse conduct undertaken in relation to the withdrawal.

Orders may include penalties and injunctions imposed by the Industrial Court.

The bill provides a simple process for members transferring to the new State organisation. On the withdrawal date, members of a withdrawing division will become members of the new State organisation without payment of a fee.

The bill also recognises that eligibility rules and the division of an organisation can be complex, particularly for the manufacturing industry.

Therefore, the bill ensures that there can be no changes to eligibility rules that would result in overlap between the CFMEU NSW and the Timber, Furnishing and Textiles Union of New South Wales for a period of 10 years from the withdrawal date.

The bill contains a regulation-making power if required for matters dealing with the withdrawal of a division from the CFMEU NSW and the reconstitution of a withdrawn division as a new State organisation.

The proposed bill also contains a sunset provision of the schedule on the second anniversary of the schedule's commencement.

This gives the CFMEU NSW and new State organisations adequate time to reform and manage their affairs for a new way forward.

This bill provides consistency between the Federal- and State-registered parts of the union, ensuring that the officials and staff have access to clear and simple administrative structures so that they can get on with the job of protecting and advancing the industrial interests of their members.

I also wish to thank Alison Rudman from the Timber, Furnishing and Textiles Union of New South Wales as well as Grahame Kelly from the Mining Energy Union for their work on this bill.

I commend the bill to the House.

Second Reading Debate

The Hon. DAMIEN TUDEHOPE (21:39): On behalf of the Opposition, I contribute to debate on the Industrial Relations Amendment (De-amalgamation) Bill 2025. Members who support the right to freedom of association must logically support a complementary right to not associate. The CFMEU has a track history of entanglement with criminals and thugs, and there are obvious reasons why decent workers, including timber workers, have no wish to be associated with it. There is a clear process for unions to amalgamate under the Industrial Relations Act 1996. However, as the Parliamentary Secretary for Industrial Relations indicated, there are no provisions facilitating de-amalgamation.

In her second reading speech, the Minister for Industrial Relations described this as "unfortunate". Rather than directly addressing this legislative gap by introducing provisions to amend the Act, this bill merely provides an ad hoc provision that solely applies to two divisions of the CFMEU that currently wish to escape from the much-troubled union. This bill could have fixed the problem, but it does not. The Mining and Energy Division could have made use of the general de-amalgamation provision in the Fair Work Act 2009, which was added by the former Federal Coalition Government in 2020, to escape the clutches of the CFMEU. This general provision was removed by the Albanese Labor Government.

The Federal manufacturing division attempted to escape from the CFMEU, but had to rely on an ad hoc provision introduced into the Commonwealth Fair Work Act 2009. It subsequently formed the Timber, Furnishing and Textiles Union, which became effective from April 2025. I note the interesting timing of this bill, which is designed to assist the new union that represents timber workers. Ironically, the Minister for Industrial Relations introduced the bill just three days after the Minister for Agriculture's Father's Day ministerial directive that effectively deprived many members of the new union of their livelihood without any notice. How ironic is that? The Government gave the union new powers and then took away all of its members. Not bad! Only the Labor Party could have thought of it. I wish all workers who seek to disassociate from the CFMEU well. The Opposition supports the bill.

The Hon. CHRIS RATH (21:41): I cannot help but speak in support of the Industrial Relations Amendment (De-amalgamation) Bill 2025, which will lead to further disintegration of the CFMEU. My only concern is that this bill does not go far enough. It would have been good to see the complete abolition of the CFMEU. It seems like it was only yesterday that members were debating a similar bill because the Mining and Energy Division deregistered from the CFMEU. That organisation did not want to be associated with the CFMEU a year or two ago, and now the forestry division does not want to be associated with the construction wing of the CFMEU either. I think this bill is excellent, but it probably does not go far enough. It would be good to abolish the CFMEU entirely.

If the CFMEU is going to disintegrate, then I think it is good to watch it disintegrate into smaller and smaller components that have less and less power. We started this process with the CFMEU, and then the mining and energy part of it, or "MU", left. We should have a "CU", "FU", "MU" and an "EU". The "FU" has now been created as part of this ongoing disintegration process. May there be more components that spin off. This terrible union is infested with bikie and gangland figures who have been running it for far too long. May it have less power in the future. The Leader of the Opposition was absolutely correct to point out the irony of members debating a bill about splitting the forestry component of this union from the larger CFMEU. There will be no need for a forestry union in the future once Labor has got rid of all the forestry jobs in New South Wales. This is a good bill that does not go far enough. The ongoing disintegration of the CFMEU can only be a good thing.

The Hon. MARK BUTTIGIEG (21:44): On behalf of the Hon. Daniel Mookhey: In reply: I thank all members for their entirely predictable contributions to debate on the Industrial Relations Amendment (De-amalgamation) Bill 2025. In particular, I thank the Hon. Damien Tudehope and the Hon. Chris Rath. The bill before the House has one overriding purpose: to enable de-amalgamated divisions federally to de-amalgamate within the State registered union and become standalone unions following the amalgamation. The Fair Work Act has permitted the Mining and Energy Division and the Forestry and Manufacturing Division of the federally registered union to de-amalgamate themselves from the former Construction, Forestry, Maritime, Mining and Energy Union and reconstitute themselves as separate and distinct unions representing their members. Similar action at the New South Wales level is now necessary to permit the Mining and Energy Division and the Forestry and Manufacturing Division to de-amalgamate from the State registered union.

The bill proposes amendments to the Industrial Relations Act 1996 to facilitate the de-amalgamations of the divisions in order to reflect the de-amalgamation that occurred federally. While these actions have the support of all parties, it has not been possible to give effect to the de-amalgamation because New South Wales industrial legislation does not currently support such action. The bill puts the necessary amendments in place. It will permit the Mining and Energy Division and the Forestry and Manufacturing Division to become separate registered unions under the New South Wales Industrial Relations Act. In turn, that means that the officials and employees of the new respective unions will be able to better serve the members they represent and the important industries they work in. I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Daniel Mookhey: I move:

That this bill be now read a third time.

Motion agreed to.

ANZAC MEMORIAL BILL 2025

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) (21:47): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Anzac Memorial Bill 2025. The Anzac Memorial in Hyde Park has stood for over a century as a place of solemn reflection, remembrance and reverence. It honours the courage, sacrifice and resilience of the men and women of New South Wales who have served in war, conflict and peacekeeping operations. The bill updates the existing legislative framework, the Anzac Memorial (Building) Act 1923 and the Anzac Memorial (Building) By-laws 1937, into a single modern Act. It updates the language, structure and provisions to ensure the legislation is easier to navigate, more accessible to the public and more

responsive to the needs of those who manage and visit the memorial. This consolidation is welcome and will reduce confusion and improve clarity for all stakeholders.

I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

The bill includes a legally binding objects clause to clearly articulate the purpose and guiding principles of the Act.

These principles include:

- a. Recognising Australians who serve in wars and peacekeeping missions;
- b. Recognising the memorial building as the principal memorial in New South Wales;
- c. Maintaining the amenity and solemn nature of the memorial building and area;
- d. Preserving and improving the memorial building and area; and
- e. Constituting and providing for the functions of the Trustees.

The bill also introduces a map, being published in the gazette, which clearly identifies the memorial area.

Historically, the dedicated land referred only to the building footprint and the 2018 underground extension. The new map includes the Pool of Reflection and the water cascade.

This ensures the memorial's boundaries and design features are preserved and understood in their full context within Hyde Park.

The bill empowers the trustees to use specific land around the memorial building for commemorative activities and clarifies between annual commemorative events such as Anzac Day and other commemorations, which require the trustees to obtain permission from the Crown land manager.

The bill also introduces a clear distinction between prohibited and regulated behaviours within the memorial building and the surrounding memorial area. This distinction enables greater control over the building itself, where the most solemn commemorations occur, while also ensuring respectful behaviour is maintained throughout the memorial area. This is especially important during major events such as Anzac Day and Remembrance Day, when thousands gather to pay their respects.

Importantly, the bill introduces new offences to ensure the memorial is used in a respectful and appropriate manner. These provisions respond directly to behaviours observed by memorial staff and reinforce the memorial's status as a sacred site.

It also clarifies an existing move on power so that authorised officers can manage conduct across the entire memorial area. Under the current Act, security guards can only contact the police. Under the current by-laws, security guards can only remove individuals but not direct them to leave.

Other amendments include the extension of personal liability protection to delegated public service employees when performing functions delegated to them by the trustees and an increase in the maximum penalty from \$100 to \$1,100 for an offence in the current Act of selling or publishing images and reproductions relating to the memorial building and structures for commercial purposes without the trustees' consent. This increase is in keeping with penalty appreciation over time and aligns the penalty with similar offences under comparable legislation, such as the Royal Botanic Gardens and Domain Trust Regulation 2020.

I would also like to highlight the extensive consultation that underpinned the development of this bill. The Government worked closely with all organisations that have a stake in the management and custodianship of the Anzac Memorial, including the City of Sydney, operational staff and Crown Lands. Their insights and experiences were invaluable in shaping a bill that is both practical and principled, and that reflects our shared commitment to preserving the memorial's integrity.

This bill is a reasonable and measured approach to ensure the Anzac Memorial's legislative framework reflects the memorial's contemporary role and the expectations of the community. The development of the Anzac Memorial Bill 2025 reflects our enduring commitment to honouring those who served, and to ensuring that the Anzac Memorial remains a place of dignity, reverence, and national pride. By modernising the legislation, we are safeguarding the memorial's future and reaffirming its place at the heart of our State's commemorative landscape.

I commend the bill to the House.

Second Reading Debate

The Hon. NATASHA MACLAREN-JONES (21:48): On behalf of the Opposition and my colleague Robyn Preston, the shadow Minister for Veterans in the other place, I contribute to this important debate. The Opposition supports the Anzac Memorial Bill 2025, noting that the bill's intention to strengthen protections for the Anzac Memorial echoes the longstanding views of the Liberal Party and The Nationals—that is, to honour the sacrifices made by Australian veterans. Strengthening legislative protections for our sacred memorial sites is sensible and necessary, highlighted by the devastating acts of desecration witnessed in recent years.

The bill aims to modernise protective legislation for the Anzac Memorial in Hyde Park Sydney by repealing and replacing the Anzac Memorial (Building) Act 1923 and the by-laws included in 1973. Updates for the legislation are clearly paramount, highlighted not only by the time that has elapsed since the initial legislation commenced but also by the occurrence of acts of desecration and vandalism upon multiple commemorative war memorials across New South Wales. The Anzac Memorial is a site in particular need of improved protections, having been targeted on several occasions. The bill's introduction of a map for the site outlines its structural elements as well as the areas and land in its vicinity that the protections are extended to. The bill enables trustees

of the site to hold commemorative activities on the land around the building, differentiating between official commemorative events such as Anzac Day and other commemorations, for which permissions are required from the Crown land manager.

Through this legislation, public service employees will also be offered protections when performing functions delegated to them by the trustees. That extends the premise of trustees not being personally liable for actions taken in good faith while exercising their functions and hence is afforded to any employees involved in operations of the Anzac Memorial building site. Importantly, the bill introduces two new offences for the Anzac Memorial, geared towards protecting the site and ensuring that respectful behaviour from the community and visitors to the site remain a paramount focus. Restrictions on the riding of bicycles, scooters, skateboards or similar are highlighted in proposed section 20 (1) (e). Proposed section 20 (2) (d) creates the offence of spitting, urinating or defecating on the memorial building. The bill also extends the existing authority of officers to direct individuals to leave the memorial area, correcting previous enforcement limitations and simplifying procedures to deter potential offences.

The overview and intentions of the bill are sensible, given the deep national and State significance afforded to the Anzac Memorial site. The legislation will modernise the memorial's contemporary role and operational needs, allowing commemoration of and education about Australia's wartime history to continue. It is highly logical that those who defended the freedoms and rights of Australian citizens are honoured through solemn commemoration, with legal protections afforded to the significant monuments, buildings and sites erected in their name.

In recent years we have also witnessed a troubling rise in protests and demonstrations—both here and around the world—that have taken place at or near significant monuments, civic buildings and places of remembrance. While the right to protest is fundamental to our democracy, it must never come at the expense of the dignity of memorials dedicated to those who served and died for our freedoms. Around the globe we have seen acts of vandalism and wilful disrespect masquerading as political expression, and New South Wales is not immune to that trend. The bill reflects a measured and reasonable response to that changing environment. It ensures that we recognise community concerns and that the sanctity of the Anzac Memorial is protected, without diminishing anyone's lawful rights to express their views.

In closing, the Opposition maintains that the protection of our war memorials should never be a partisan matter. The sacrifices honoured at the Anzac Memorial belong to every Australian, and so too does the responsibility to safeguard the places in which we remember them. Whilst we believe that the penalties in the bill could have gone further through our proposed amendments in the other place, our shared goal remains the preservation of the solemnity, security and integrity of this sacred site. The passage of the bill reinforces that commitment. The Opposition is pleased to support the Anzac Memorial Bill 2025 and to uphold the enduring respect owed to those who served our nation.

Ms SUE HIGGINSON (21:52): The Greens do not support the Anzac Memorial Bill 2025. We acknowledge the significance of the Anzac Memorial to families and communities who remember the gross violence of World War I and the ongoing ramifications it has on marginalised communities across the globe. We acknowledge there are deep feelings of affinity for the Anzac Memorial in New South Wales. It is an important reminder of the need to ensure that veterans who have returned from war have care and support—a reminder that governments need to continue to consider today. We should also appreciate that Sydney is a diverse city, with differing opinions on how war is represented and commemorated. As a Parliament, we should be mature enough to understand why communities that have experienced the egregious crime against humanity that is a world war may have complicated feelings when they see war memorials commemorating soldiers but no efforts to commemorate their losses, grief and cultural trauma.

We also acknowledge the view that the best way to memorialise and appreciate the suffering and consequence of the wars of the past is to champion peace and nonviolence in the present. Our governments repeatedly fail to champion peace and nonviolence by seeking to rationalise or diminish the genocide and war occurring today, including in Palestine and Sudan. An approach toward war memorials that prioritises understanding, respect and appreciation of different perspectives will improve social cohesion and result in better policy outcomes. Police powers and punitive responses will not achieve those aims.

It is our view this legislation should reflect that approach, and it plainly does not. The Greens have no issue with schedules 1 and 2 to the bill. Part 2 of the bill sets out the functions of the trustees who oversee the Anzac Memorial, the terms of the trustees' appointments and the trustees' powers of delegation. Part 3 of the bill declares the Anzac Memorial building to be the principal war memorial in New South Wales and provides for veterans organisations to use part of the building and part of the land next to the building for commemorative activities. It is a sensible and necessary change to define the memorial building as being separate from the

memorial area. On principle, The Greens cannot support the bill on the basis of the draconian increase in criminalisation of this specific place contained within part 4 of the bill.

We have to appreciate that incredibly public areas like Hyde Park are places where First Nations people, young people, and people experiencing homelessness and acute mental ill health spend time. The groups are already subject to gross overpolicing and, instead of chasing them down with draconian and ineffective law and order responses, the New South Wales Government should be moving towards a model that prioritises diversion, support and rehabilitation, even when criminal behaviour occurs at war memorials. The bill includes an unacceptably broad and subjective definition of certain offences, including disorderly or unsafe behaviour. Some 40 penalty units, or \$4,400, is an extraordinary and unattainable fine for vulnerable people. It is a fine that will lead to entrenchment in the criminal justice system.

If the Government wants to address the root causes of vandalism and disorderly behaviour and encourage communities to respect the immense and horrific consequences of war and violence, the answer is education, clear leadership, mental health intervention and rehabilitation. One serious concern in this bill are the move on powers placed in the hands of security guards. This is an extraordinary expansion of move on powers. We know there are serious issues with police use of move on powers—police often misunderstand or misapply the powers, and they use the powers against vulnerable people, and in particular against mob disproportionately. I see no reason that security guards will be more capable of using the move on powers that the bill gives them. If anything, there is more room for error.

The Greens also hold concerns about any bill that infringes upon the freedom of political communication. This bill greatly expands the New South Wales Government's ability to restrict the use of sound systems, signs, posters, public meetings and distribution of documents. We know that Hyde Park is a frequent spot for protests, and that protesters may be in the vicinity of the Anzac Memorial and vulnerable to extensive persecution as a result of this bill, and we should err on the side of caution and of care by considering this in greater detail before passing the bill. For these reasons, The Greens do not support the bill and we encourage the Government, as always, to abandon the law and order approach and listen to the evidence about what actually works to prevent criminal behaviour at the Anzac Memorial or anywhere else in this State.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (21:57): In reply: I thank members for their contributions. In the view of the Government, the Anzac Memorial Bill 2025 ensures that the Anzac Memorial remains a place where all Australians can gather to reflect, remember and honour those who served. I thank the Opposition for its support of the bill. I understand why The Greens have taken the position they have, given the positions they taken in the Chamber on other similar matters. The Government supports this bill and thinks it is important. The Government does not support the Opposition's call for tougher penalties, nor do we support The Greens' call for weaker protections. I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. JOHN GRAHAM: I move:

That this House do now adjourn.

AMAZON WORKPLACE CONDITIONS

The Hon. GREG DONNELLY (21:58): In 2025 Amazon, the \$3.624 trillion behemoth, continued its shameful record of union busting and corporate arrogance. It has shown time and again around the world that it will not respect the rights of working people or the basic principles of collective bargaining. In January this year Amazon warehouse workers in Quebec unionised and were poised to win significant improvements through a binding arbitration process, but Amazon did not want to create a precedent for workers in Canada or anywhere around the world for collective action to work. Amazon instead chose to close all seven of its warehouses in Quebec, affecting more than 3,500 direct and subcontracted workers.

In Australia, Amazon continues to try to deny their workers a voice at work. Whether it is failing to address issues raised by Shop, Distributive and Allied Employees Association members or refusing to meet with workers who insist on having SDA representation, Amazon tries to silence workers. All disputes with Amazon, whether over unfair dismissal, injured workers, discrimination or sexual harassment have one thing in common: an attempt to silence workers. Amazon's contempt for democratic accountability has been on full display in Europe. In 2024 the European Parliament, in what was a very rare act, revoked access badges for Amazon's accredited lobbyists under rule 123 (3) of its Rules of Procedure.

The ban followed Amazon's repeated refusals to appear before the Committee on Employment and Social Affairs or to allow members to conduct an official fact-finding visit to its facilities. In mid-2025 Amazon again failed to send a senior executive to testify at a scheduled hearing on warehouse conditions. While Amazon attempts to portray Amazon Web Services [AWS] as its friendly corporate face around the halls of our Parliaments today by offering carefully curated site visits to MPs, we should pay heed to what happened in the European Parliament. We must closely watch how Amazon treats legislatures in practice when under scrutiny or pushed beyond the friendly facade provided on site tours or lobbying visits. Amazon's disregard for human dignity extends into the digital surveillance of workers and consumers.

In France, the national data regulator, Commission Nationale de l'Informatique et des Libertés, fined Amazon France A\$57 million for an excessively intrusive system that monitored employees' scanner inactivity and productivity rates—a system ruled illegal under French law. It is not just workers; consumers are also caught in Amazon's data surveillance web. In 2021 Amazon was hit with a record fine of \$1.3 billion by Luxembourg's privacy watchdog for violations of the European Union's General Data Protection Regulation. In March 2025 Amazon lost its appeal of that fine. Governments must lead by example, and our public procurement choices must reinforce our values. Public procurement must not reward corporations that violate labour rights or evade democratic scrutiny. Australia's purchasing and investment frameworks can and should embed clear social and human rights criteria.

I strongly endorse the call of the SDA, the Australian Council of Trade Unions [ACTU] and the Transport Workers' Union in urging our governments to review and, where necessary, suspend commercial relationships with Amazon until the company demonstrates genuine respect for labour rights and ethical standards. Unions have rightly questioned whether public contracts should continue with a corporation that ignores and disregards the fundamental rights and entitlements of workers and their capacity to bargain collectively. I strongly support the ACTU and unions in insisting that government procurement reflect fairness, transparency, accountability and respect for working people both here and abroad.

If a company does not pay its fair share of tax, denies workers their rights and tracks every second of their working day, it must not be rewarded with public money. I welcome the recently announced Commonwealth Government requirement that government agencies will soon have to consider the ethical conduct of firms bidding for more than \$70 billion a year of goods and services provision to the Commonwealth Government. New South Wales should adopt the same approach. The AWS outage in October showed the fragility and risk of putting too many eggs in the AWS basket. Australia's over-reliance on AWS creates significant risk for the functioning of our governments and the security of our nation. We need to ensure that Australia's cloud infrastructure is not dependent on a single company.

"Make Amazon Pay" is not simply a slogan; it is a call to defend the basic principles of fairness, transparency, accountability and democracy. Around the world, working people are demanding that Amazon respects their rights and complies with the laws of the countries in which it operates. Regulators are also demanding that Amazon play fair and not use its dominant position to engage in anti-competitive business practices. As we fast approach the annual Black Friday and Cyber Monday sales period, I invite everyone to consider carefully where they make their purchases based not just on price but also on how companies value their workers, respect their rights, engage with their union representatives, provide good pay and working conditions and operate safe and healthy workplaces. They must also be scrupulous corporate citizens that respect all national laws and standards.

THE HON. GREG DONNELLY COMMENTS

The Hon. JEREMY BUCKINGHAM (22:03): My adjournment speech tonight will be a rebuttal of the recent reefer madness 2025 private member's statement from the Hon. Greg Donnelly.

The Hon. Greg Donnelly: Last night?

The Hon. JEREMY BUCKINGHAM: Yes, last night. I respond to the Hon. Greg Donnelly's speech, which earnestly warned this Chamber of the great cannabis psychosis apocalypse allegedly engulfing Germany, a speech delivered, I might add, with such seriousness that we would think that Berlin had fallen into a cloud of

second-hand smoke. However, we must get one thing clear from the outset. If the goal was to resurrect the spirit of 1930s *Reefer Madness*, then congratulations: mission accomplished. If the goal was to inform this Parliament with credible evidence, we may need to issue a recall because the member based his dire warnings not on peer-reviewed scientific literature, not on a meta-analysis, not on anything even remotely resembling modern public health research, but on an opinion piece published in *The European Conservative*, a publication which—I will put this gently—is not exactly *The Lancet*.

I have read the article. In fact, I have read it several times because, each time, I thought perhaps I had accidentally missed something. Even the links in the article do not lead to academic papers but to vibe articles and even a paywalled piece written entirely in German. This single article was presented in this place as evidence. That is a problem because the article is riddled with leaps of logic and the kind of selective data picking that would make even a Facebook conspiracy theorist ask for a fact check. I know all about that. The article is based on a single regional dataset from six clinics. There was no control group; no baseline analysis; no accounting for population change, diagnostic practices, reporting differences or increased self-help-seeking behaviour; and no causal link established. A correlation was not even established. It was just a headline and a vibe.

The article the Hon. Greg Donnelly cited is not reporting research; it is reporting an interpretation of an interpretation of data that has not been peer reviewed. If this Chamber is going to debate cannabis policy—and it absolutely should—then let us do it with real evidence, not the opinion of a conservative blog doing long-distance diagnostics on a country of 84 million people. But there is a deeper irony here: The honourable member stood before us and declared that cannabis legalisation "aggravates" public health issues, while the evidence from jurisdictions that have undertaken rigorous evaluation—such as Canada, Britain, the American States with legal markets, and Israel—shows no population-level increase in psychosis following legalisation. In fact, an entry in *The Canadian Journal of Psychiatry* noted:

The present study observed no increase in the proportion of ED consultations for a psychotic episode in which evidence for cannabis consumption was obtained before and after legalization ...

Germany legalised cannabis because the black market had become uncontrollable, police resources were being wasted and prohibition was failing to protect young people. Sound familiar? It is the same story in New South Wales and every jurisdiction that moves forward. The German health Minister, Karl Lauterbach, actually said, "The repressive handling of cannabis has failed and the risks of the current practice are greater than what could be achieved with a controlled distribution" and "legalisation is the royal path to drying up the black market". Compare that to the Hon. Greg Donnelly's approach, which seems to be saying, "Prohibition has failed. Therefore, let's keep doing it." If doing the same thing for 50 years and expecting a different result is madness, then continuing prohibition is the real psychosis in this debate—that's the zinger, Greg.

In Germany, legalisation is designed to undercut the black market, protect consumers and the young, reduce young people's access and redirect police to serious crime. In New South Wales, prohibition continues to do the opposite. If this House is going to make decisions about cannabis policy, then let us do it based on science, evidence, public health and lived experience, not headlines, fear campaigns, blog posts masquerading as research, or the vibe—and certainly not the kind of selective storytelling that treats Germany's entire experience as a cautionary tale while ignoring the decades of global evidence showing that legalisation, when done properly, reduces harm and crime and protects communities. The people of New South Wales deserve laws based on reality, not imported panic from *The European Conservative* blog.

GOVERNMENT PERFORMANCE

The Hon. NICHOLE OVERALL (22:08): Mushrooms are one the few things that can grow when kept in the dark—and we all know the saying about what else is needed for that to happen. What does not do well when carried on in the wee small hours is good governance. Looking around this Chamber tonight, most of us look like we are pushing 70—no offence to the Hon. Greg Donnelly. Written all over our tired faces is the disregard of this Labor Government in its relentless trampling of conventions, rules of the House and good grace. Having to endure marathon sitting nights is unfair, unworkable and unbalanced. It is not about pampering MPs or making things easier for us. I want to fulfill my duty in an informed, considered and coherent way. If the Government honestly believes such a thing can be sustained after 17, 18, 19 hours on our feet, well, to borrow from the author Henry James, "Upon my honour you must be off your head!"

Labor's strenuous assertions that attempts to lift the hard adjournment are rare, even exceptional, are more than a little Hamlet-like: "The lady doth protest too much, methinks." It has become a pattern—a hallmark of a Labor government fulfilling its old mate Richo's mantra, "Whatever it takes." Rather than being used in a crisis, or when the public interest truly demands urgency, it is being used as a weapon, as if fatigue is a tactic and darkness is a strategy. The real consequences run deep. The work health and safety issues absolutely extend to staff welfare too. I have only just learned that Chamber staff are impacted by rosters that cannot be changed,

because the duration of a sitting cannot be determined or guaranteed, including into the next day. What about when it comes to the committee and inquiry work that is scheduled? It goes ahead regardless—just ask the Hon. Peter Primrose. Then there are other roles we are still expected to undertake. For example, Ministers were scheduled to attend a gathering of the Country Mayors Association last Friday. They pulled out at the last minute because they did not leave this place until 6.00 a.m. that day.

Regional MPs are already at a structural disadvantage—long travel, lost time with constituents, higher personal cost. Of course, that is the decision we make when we run. But do we sign up for a three-hour drive home after a 20-hour sitting day, with about four hours of fitful sleep, as was the case for me last Friday? If I fall asleep at the wheel, upon whom does the duty of care fall? And beyond exhaustion, staff welfare and basic decency, what does this do for democracy? Parliament is meant to conduct the people's business in public view. A democracy that conducts its business in the dead of night gives every indication of being a system that does not want to be seen. It corrodes the very purpose of Parliament: making good laws. No-one flies planes or performs surgery exhausted. No-one should be enshrining laws in a state of exhaustion. The workers compensation bill was a prime example. Labor seemed intent on preventing the scrutiny and rigour that it deserved.

So then, to the very valid point of transparency and accountability—yet another element in this Government's broader pattern of avoidance and letting people down. There has been more stealthiness when it comes to job cuts and the hollowing out of agencies. It is not just a few jobs lost here and there, but hundreds of them. The latest have been within the Office of Fair Trading, with potentially as many as 130 or more axed positions—or, to use the preferred *Yes Minister* language of this Government—"realignments" and "mobility placements". Staff are being told to keep quiet, and again, the regions will potentially bear the brunt. All this as we head into Christmas.

None of this is a show of strength; it is a blaring signal of weakness and a revelation of government mismanagement at every turn. The people of New South Wales deserve a government that tells the truth about job cuts, that protects injured workers instead of trying to pull the rug from beneath them while crowing about wages growth and that engages respectfully with those with whom it works—staff, crossbenchers, its MPs and, yes, the Opposition too. While all this continues to unfold, the Opposition will keep shining a light—letting in the daylight, in fact—on what this Labor Government prefers to keep in the shadows. In the end, it is not about whether this House and we who work within its walls are tired; it is that this Labor Government is tired—and out of time.

ALBURY WODONGA HEALTH

Dr AMANDA COHN (22:13): I moved to Albury to study at the University of New South Wales rural medical school. Part of what made Albury well known as a great place to train and work as a doctor was that our health services were supportive, were inclusive and punched above their weight. That is why it is so distressing to see Albury Wodonga Health go backwards. The blame for that lies squarely with CEO Bill Appleby, board chair Jonathan Green and both State governments failing to act. In October the Albury Wodonga Health Senior Medical Staff Association resoundingly passed motions of no confidence in the CEO and board chair. Nurses have said, "I wish I was more proud to say where I work" and "It scares me to think myself or my family will need medical help at Albury Wodonga Health". A Health Services Union member said:

The stress isn't from patients or workload. It's from watching predictable patterns of behaviour repeat: safety concerns minimised, requests for reasonable adjustments ignored, repeated exposure to risk left unchecked, and incidents of personal harm treated as procedural inconveniences.

A doctor said, "I have never experienced such toxic culture and psychological injury from poor management and leadership". Another said:

The senior leadership at Albury Wodonga Health presides over a horrific workplace culture centred around fear that drives talented healthcare workers away from this community and actively contributes to patient harm.

The figures in the official People Matter Employee Survey confirm the crisis. Only 39 per cent of staff believe the organisation is committed to earning a high level of public trust, and less than half would recommend a friend or relative to be treated as a patient there. A survey of Health and Community Services Union members working in mental health found that 49 per cent have personally experienced bullying and harassment, and a staggering 76 per cent say that the source of that bullying and harassment is the Albury Wodonga Health executive or senior leadership.

Instead of genuinely hearing the staff, Albury Wodonga Health has not only dismissed their concerns but also sought to silence and punish those who stand up for their colleagues and patients. The most salient example of that was the termination of surgeon John Stuchbery's contract. If someone so competent, so senior and with such high standing in our community can be sacked, the threat sent by the executive to the rest of the workforce is clear: It is their way or the highway. We are facing a hospital redevelopment that cannot deliver what the

community needs, or even what was announced. Its design prevents the future stages we would need to achieve one single-site hospital for the region, which is critical for patient safety.

There is a reason that Albury Wodonga Health was the only local health service to have its own chapter in the report of the Special Commission of Inquiry into Healthcare Funding. Amongst other scathing findings, it implied that current infrastructure plans are a waste of precious public funds. The daily bed deficit is so bad that the organisation egregiously considered using the mental health ward for overflow medical and surgical patients, putting all patients and staff at extraordinary risk, but it backed down after nursing staff blew the whistle publicly. Instead of backing in staff and patients and fighting for what we need, the executive has belittled community activists and advocates. To give the illusion of public consultation and confidence, it set up advisory committees that cherry-pick members who agree with the direction of the executive. One individual was blocked from participation in the Nolan House lived experience working group explicitly because of having made public comments critical of the redevelopment project.

The latest effort by Albury Wodonga Health to dodge scrutiny and public accountability is the decision to hold its annual general meeting online at 2.30 p.m. on a Thursday, with no opportunities for questions from the public, instead of the usual in-person evening community forum. The fact that our health services straddle the State border must not consign us to the political too-hard basket. If all of that is not enough to drive urgent and meaningful change, then what would it take for the Minister for Health, the Minister for Mental Health and Minister Thomas in Victoria to take action? I implore them to give the Albury-Wodonga regional community the attention and resourcing it desperately needs. Remove the board chair and CEO and build the single-site regional hospital that Albury-Wodonga needed a decade ago.

AMAZON WORKPLACE CONDITIONS

The Hon. Dr SARAH KAINE (22:18): I ask a fundamental question: Should the New South Wales Government be doing business with Amazon? It is not about convenience or cost. It is about whether our procurement choices reflect the values we stand for: fairness, accountability and respect for working people. Amazon has a global track record of union busting and corporate arrogance. We have already heard tonight that in the United States, workers at Staten Island won a certified union election more than three years ago, but Amazon still refuses to bargain, choosing litigation over dialogue. In Canada, we heard that when warehouse workers in Quebec unionised, Amazon closed down all seven warehouses rather than negotiate, displacing thousands of workers. Here in Australia, the Shop, Distributive and Allied Employees Association [SDA] has repeatedly raised concerns about Amazon's refusal to engage with workers and their representatives. It is currently involved in several disputes with Amazon. Disputes with Amazon, whether about unfair dismissal, injured workers, discrimination or sexual harassment all have one thing in common: an attempt to silence workers and treat them like robots.

Other unions in New South Wales are also taking action against the "Amazon effect"—when gig-style work undercuts proper wages and conditions. Amongst a variety of actions, the Transport Workers' Union [TWU] has applied to the Fair Work Commission, under new Federal Government laws, to set fair minimum standards for last-mile parcel delivery. Like other tech giants, Amazon has trained its artificial intelligence systems using creative and media content without compensating the people who produced it. The Media, Entertainment and Arts Alliance [MEAA] is rightfully calling it out and demanding fair payment for the work. Unions have been clear: The SDA, the Australian Council of Trade Unions and the TWU have urged governments to review and, where necessary, suspend commercial relationships with Amazon until it demonstrates genuine respect for labour rights and ethical standards. I stand with those unions.

New South Wales spends billions each year on goods and services. Every dollar of public money sends a message about what behaviour we reward. If we award contracts to companies that bust unions, evade scrutiny and violate privacy, we undermine the very workplace values we often defend in this Parliament. Procurement is not just a transaction; it is a statement of principle. Companies bidding for New South Wales contracts should demonstrate compliance with labour standards, respect for democratic institutions and adherence to privacy laws. At the State level, the Minister for Local Manufacturing and Government Procurement has been working to ensure we have strong procurement frameworks designed to deliver social, economic and environmental benefit.

We all agree that having frameworks on paper is not enough. We need to make sure they are consistently implemented across every level of procurement. The inquiry into procurement practices of government agencies in New South Wales and their impact on the social development of the people of New South Wales, which members have heard me speak about ad nauseam, made that clear. Current practices often fail to provide transparency in companies and down supply chains, making it hard to know whether suppliers are meeting even the most basic legal obligations. That is not good enough. When government spends public money, it should never enable bad actors or reward companies that disregard labour rights. Our policies point in the right direction, but

they need strengthening. Procurement officers must be equipped to look beyond price and assess whether businesses demonstrate genuine respect for workers and ethical standards.

Training is essential to ensure that non-price considerations are embedded in every decision. Value for money is not just about the cheapest bid; it is about ensuring that government contracts reflect our values. If we continue to engage with companies that undermine labour rights, we send the wrong message. It is time to reconsider who we do business with and make sure public procurement supports fairness, transparency and dignity at work. There is also a question of risk. The Amazon Web Services outage in October showed the fragility of putting too many eggs in one basket. New South Wales agencies increasingly rely on Amazon Web Services for critical infrastructure, with Service NSW reportedly moving 100 per cent of its digital products to Amazon Web Services in 2021. That creates vulnerabilities for service delivery and cybersecurity. Procurement policy must address that by diversifying cloud providers and reducing dependence on a single company.

This is not about punishing one company. It is about defending the principles of fairness, transparency, accountability and democracy. Around the world, workers and regulators are demanding that Amazon respect the law and the rights of working people. Just last week, hundreds of union members protested at Amazon sites as the TWU, the SDA and the MEAA demanded fair pay, decent jobs and support for Australian media. Again, I say that I stand with those unions and echo their call for Amazon to pay its fair share for decent jobs, stop its attacks on workers and support Australian media. Until that happens, I call for the Government to review and, where necessary, suspend commercial relationships with Amazon.

YOUTH PARLIAMENT

The Hon. AILEEN MacDONALD (22:23): Last month I had the great privilege of meeting four extraordinary young leaders from the Y's Youth Parliament 2025 program. They were among the more than 90 students from years 10 to 12 representing communities right across New South Wales. Those young people came to Parliament to grow their leadership skills, to deepen their understanding of democracy and, most importantly, to use their voices. In fact, one of the students participated in work experience in my office earlier this month.

The four of them came to see me to present their bill, the Youth Futures (Rehabilitation and Proceedings) Youth Bill 2025. I listened carefully as they explained the three key reforms they had worked on as a committee, debated with their peers and, ultimately, passed during the Youth Parliament sitting week. Their bill proposes targeted reforms to improve outcomes in the youth justice system. It calls for the establishment of a children's drug court, recommends easing bail laws where appropriate and proposes a new, specialised rehabilitation program for young people involved with illicit substances.

The proposals were informed by lived experience, by community conversations and by serious research. One of the young leaders, serving as Youth Attorney General, spoke passionately about the injustices faced by many of their peers, especially Indigenous youth and those from disadvantaged areas. Another reflected on how those who come into contact with the justice system are often unsupported and unheard. Their message was clear: We need to do better. They were not looking for punishment; they were calling for change, for support, and for a justice system that rehabilitates, educates and heals. I say to those young people that I heard them. Their ideas are thoughtful. Their vision is bold. Their advocacy is exactly what our democracy needs. I seek leave to table the Youth Futures (Rehabilitation and Proceedings) Youth Bill 2025.

Leave granted.

Document tabled.

The Hon. AILEEN MacDONALD: I table the bill not just as a gesture but because the proposals deserve serious attention. Too often we talk about young people, but those leaders remind us to speak with them. They are not just the leaders of tomorrow; they are shaping the debates of today. If the Youth Parliament is any indication, our future is in good hands.

The DEPUTY PRESIDENT (The Hon. Emma Hurst): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:26 until Tuesday 25 November 2025 at 12:30.