



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Thursday, 25 October 2018

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday, 25 October 2018

The DEPUTY PRESIDENT AND CHAIR OF COMMITTEES (The Hon. Trevor Khan), in the absence of the President, took the chair at 10:00.

The ASSISTANT PRESIDENT (Reverend the Hon. Fred Nile) read the prayers.

The ACTING PRESIDENT (The Hon. Trevor Khan): I thank all members for their assistance and courtesy this week. It has been an interesting and at times somewhat stressful experience, so I am most grateful for their support.

Bills

GOVERNMENT SECTOR FINANCE BILL 2018

Assent

The ACTING PRESIDENT (The Hon. Trevor Khan): I report receipt of a message from the Governor notifying His Excellency's assent to the abovementioned bill.

BUILDING AND DEVELOPMENT CERTIFIERS BILL 2018

Messages

The ACTING PRESIDENT (The Hon. Trevor Khan): I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendments to the abovementioned bill.

Motions

VIETNAM VETERANS DAY

The Hon. NATASHA MACLAREN-JONES (10:02): I move:

- (1) That this House acknowledges the service and sacrifice of our Vietnam War veterans.
- (2) That this House notes that Vietnam Veterans Day is commemorated on 18 August every year.
- (3) That this House acknowledges the fiftieth anniversary of the Battle of Long Tan, the most significant engagement by Australian Forces during the Vietnam War, which occurred on 18 August 1966.
- (4) That this House acknowledges and commends the 60,000 brave Australian service men and women who served during the Vietnam War and pays tribute to those who lost their lives.
- (5) That this House notes that Vietnam Veterans Day commemorative services are held across New South Wales and thanks the organisers of these ceremonies.

Motion agreed to.

NEW SOUTH WALES CYPRIOT COMMUNITY

The Hon. NATASHA MACLAREN-JONES (10:03): I move:

- (1) That this House affirms its support at the Cyprus community of New South Wales commemoration of Australian, Cypriot, and allied soldiers who have served in the fight for freedom and democracy.
- (2) That this House notes that:
 - (a) the Cyprus community of New South Wales held its wreath ceremony at the Cenotaph in Martin Place on 15 July 2018;
 - (b) that the following dignitaries were in attendance:
 - (i) the Hon. Natasha MacLaren-Jones, MLC, representing the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs, the Hon. David Elliott, MP;
 - (ii) Mr Mark Coure, MP, member for Oatley;
 - (iii) the Hon. Courtney Houssos, MLC, representing the Leader of the Opposition, and shadow Minister for Western Sydney, Mr Luke Foley, MP;
 - (iv) Ms Jodi McKay, MP, member for Strathfield, shadow Minister for Transport, and shadow Minister for Roads, Maritime and Freight;
 - (v) Mr Chris Minns, MP, member for Kogarah, and shadow Minister for Water;

- (vi) Mr Averof Neofytou, Chairman of the Standing Committee on Financial and Budgetary Affairs of the House of Representatives of the Republic of Cyprus;
 - (vii) Ms Natasa Pilides, Deputy Minister of Shipping to the President of the Republic of Cyprus;
 - (viii) Ms Gabriella d'Avernas, Secretary of the House of Representatives of the Republic of Cyprus;
 - (ix) H.E. Mrs Martha Mavrommati, High Commissioner of the Republic of Cyprus in Australia;
 - (x) Councillor Dylan Parker from Randwick Council, representing Mr Michael Daley, MP, member for Maroubra, shadow Minister for Planning and Infrastructure, and shadow Minister for Gaming and Racing;
 - (xi) Councillor Steve Christou from Cumberland Council, representing Ms Julia Finn, MP, member for Granville.
 - (xii) the Hon. Jeannette McHugh, former Australian Federal Minister;
 - (xiii) Councillor Angela Vithoulkas, from City of Sydney Council, representing Lord Mayor of Sydney Clover Moore;
 - (xiv) Councillor Alexandra Luxford, Deputy Mayor of Randwick City Council, and Councillor Anthony Andrews;
 - (xv) Mr George Lazaris, OAM, representing the President of the Federation of Cyprus Communities of Australia and New Zealand, Mr Michael Christodoulou, OAM;
 - (xvi) Mr Soteris Tsouris, OAM, JP, President of the Cyprus Community of NSW;
 - (xvii) Mr Panikos Achilleos, President of Cyprus Hellene Club; and
 - (xviii) Mr Harry Danalis, President of the Greek Orthodox Community of NSW.
- (c) that the event was a success in commemorating the fallen Australian, Cypriot and allied soldiers who served their respective countries.

Motion agreed to.

SUICIDE

The Hon. SHAOQUETT MOSELMANE (10:03): On behalf of the Hon. Ernest Wong: I move:

- (1) That this House notes that:
 - (a) in 2017 in Australia 3,128 people died from intentional self-harm, rising 9.1 per cent from 2,866 in 2016;
 - (b) the Australian Bureau of Statistics released national data that showed intentional self-harm is now ranked the thirteenth leading cause of death, moving up from fifteenth position in 2016;
 - (c) Australia's suicide rate is now at 12.6 deaths per 100,000 people, which equals 2015 as the highest recorded rate in the past 10 years;
 - (d) suicide is the tenth ranked leading cause of death for males; and
 - (e) while suicide does not appear in the top 20 leading causes of death for females, the age standardised suicide rate for females is the highest recorded preliminary rate in 10 years.
- (2) That this House acknowledges that:
 - (a) though there is a trend that suicide may in many cases relate to mental health, a combination of factors often contribute to a decision to commit suicide, and it is frequently an act resulting from an accumulation of life stresses rather than a response to a single event; and
 - (b) the Government should widen its policy and expand its funding (rather than solely focusing on mental health), taking into consideration a broader spectrum of family and social impacts on people at different ages.
- (3) This House recognises the call from the counselling service Lifeline to set a national target to achieve a 25 per cent suicide reduction over five years.
- (4) That this House calls on the Government to work with the Federal Government to achieve the setting of this goal.

Motion agreed to.

A TASTE OF MACAO FOOD FESTIVAL

The Hon. SHAOQUETT MOSELMANE (10:04): On behalf of the Hon. Ernest Wong: I move:

- (1) That this House congratulates:
 - (a) Ms Helen Wong and the organisers on the success of the A Taste of Macao Food Festival, which the Hon. Ernest Wong, MLC, attended and thoroughly enjoyed the official opening ceremony of on Sunday 14 October 2018; and

- (b) the Macao Government Tourism Office of Australia and New Zealand, together with the House of Tong Restaurant, on bringing this celebration to Sydney as part of the 2018 Macao Year of Gastronomy in Australia.
- (2) That this House acknowledges that:
 - (a) this initiative was a free two-day event featuring food and cooking demonstrations from the House of Tong chefs as well as a celebrity chef from Macao, Palmira Pena Lai;
 - (b) fun and inclusive cultural activities were also organised for visitors' enjoyment and participation including games, music and vibrant lion dances; and
 - (c) as one of the fastest growing metropolitan areas in the world, as ranked by Brookings Institution in 2015, Macao is well known for its cultural coexistence with Chinese and Western cultures developing there for more than four centuries.
- (3) This House recognises that:
 - (a) Macao has a very high Human Development Index and the fourth highest life expectancy in the world, and its GDP per capita by purchasing power parity was higher than that of any country in the world; and
 - (b) Macao preserves many historical properties in the urban area, and the Historic Centre of Macao, which includes some 25 historic locations, was officially listed as a World Heritage Site by UNESCO on 15 July 2005 during the twenty-ninth session of the World Heritage Committee.

Motion agreed to.

KEN CATCHPOLE AWARDS 2018

The Hon. NATALIE WARD (10:05): I move:

- (1) That this House notes that:
 - (a) on Tuesday 4 September 2018 Sydney Rugby Union held the Season 2018 Ken Catchpole Awards Dinner in Sydney;
 - (b) this ceremony, which has been in existence since 1981, celebrates the best and fairest player in the Shute Shield for 2018, as well as a number of other significant awards;
 - (c) recipients of the main awards for 2018 were:
 - (i) Ken Catchpole Medal, Adrian Musico, Parramatta—proudly presented by Ken Catchpole's widow Mrs June Catchpole;
 - (ii) Referee of the Year, Michael Hogan;
 - (iii) Rookie of the Year, Will McDonnell, Sydney University; and
 - (iv) Coach of the Year, Pauli Taumoepeau, Easts.
 - (d) the awards dinner also pays tribute to the players, coaches and volunteers who show commitment and work tirelessly to make their clubs great; and
 - (e) of particular significance at this year's awards dinner was the public acknowledgement by the Sydney Rugby Union community of the passing on 21 December 2017 of one of rugby's greats, Ken Catchpole, OAM, the namesake for the awards dinner.
- (2) That this House acknowledges:
 - (a) the considerable contribution to the sport of rugby of Ken Catchpole, OAM, regarded as one of the greatest halfbacks Australia, if not the world, has known;
 - (b) Ken Catchpole, OAM, earned 27 test caps between 1961 and 1968, was inducted into the Sport Australia Hall of Fame (1985); and the Rugby Museum's Wall of Fame, Twickenham (2004); was one of the inaugural five players inducted into the Australian Rugby Hall of Fame (2005); and inducted into the World Rugby Hall of Fame in 2013; and
 - (c) the many finalists and award recipients announced at this year's event.

Motion agreed to.

CIVIL CONTRACTORS FEDERATION EARTH AWARDS

The Hon. NATALIE WARD (10:05): I move:

- (1) That this House notes that:
 - (a) the Civil Contractors Federation [CCF] Earth Awards, recognising and celebrating excellence in project delivery, was held in Sydney on Friday 8 June 2018, hosted by CEO, Mr David Castledine;
 - (b) those who attended included:
 - (i) Mr Jonathan O'Dea, MP, Parliamentary Secretary to the Premier and Treasurer, representing the Hon. Adam Marshall, MP, Minister for Tourism and Major Events, and Assistant Minister for Skills; and

- (ii) the Hon. Natalie Ward, MLC.
 - (c) Mr O'Dea addressed guests outlining how CCF NSW's advocacy work helped the Government to formulate its 10 Point Construction Action Plan;
 - (d) almost 400 members of the industry came together in Sydney to recognise expertise, skill and innovation in civil construction; and
 - (e) a record 25 finalists in five categories were assessed by an independent and expert judging panel on their performance in project and construction management, innovation, people development and training, quality, safety, environmental management and stakeholder outcomes.
- (2) That this House congratulates:
- (a) all finalists and award recipients as follows:
 - (i) Category 1: project value up to \$2 million—Piling and Civil Australia;
 - (ii) Category 2: project value \$2 to \$5 million—Antoun Civil Engineering and Sutherland Shire Council;
 - (iii) Category 3: project value \$5 to \$10 million—Diona;
 - (iv) Category 4: project value \$10 to \$30 million—Rob Carr;
 - (v) Category 5: project value \$30 to \$75 million—Seymour Whyte Constructions; and
 - (b) Major State Category Sponsor, Ground Technologies, for supporting the awards, CCF NSW Partner in Safety SafeWork NSW, the Institute of Civil Infrastructure and all individual category sponsors.

Motion agreed to.

INTERNATIONAL PAPILLOMAVIRUS CONFERENCE

The Hon. NATASHA MACLAREN-JONES (10:06): I move:

- (1) That this House notes that:
- (a) the thirty-second International Papillomavirus Conference took place from Tuesday 2 October to Sunday 6 October 2018 at the International Convention Centre in Sydney;
 - (b) the conference was attended by the world's scientific experts to catalyse and advance scientific knowledge of papillomavirus-related topics; and
 - (c) in attendance at the conference were:
 - (i) Professor Brendan Murphy, Chief Medical Officer for the Australian Government;
 - (ii) Congress Co-Chairs, Professor Karen Canfell and Professor Silvia de Sanjose;
 - (iii) Professor Ian Frazer, who led the bid with Professor Canfell to hold the conference here in Sydney;
 - (iv) delegates from across Australia and overseas; and
 - (v) the Hon. Natasha Maclaren-Jones, MLC, Government Whip, representing the Hon. Brad Hazzard, MP, Minister for Health, and Minister for Medical Research.
- (2) That this House acknowledges:
- (a) that Australia is a leader in the research and development of HPV prevention; and
 - (b) that the new two-dose Gardasil 9 protects Australians against an additional five cancer causing HPV strains that cause cancers in men and over 90 per cent of cervical cancers in women.

Motion agreed to.

BHARTIYE MANDIR

The Hon. DANIEL MOOKHEY (10:06): I move:

- (1) That this House notes that:
- (a) the Bhartiye Mandir in Regents Park is a sanctuary and place of worship for thousands of Australians of the Hindu faith; and
 - (b) on Sunday 14 October 2018, less than one month before Diwali 2018, arsonists torched the mandir, destroying 30 deities of Hindu gods and heavily damaging mandir buildings.
- (2) That this House:
- (a) expresses gratitude to the emergency services that put out the fire and to the police officers investigating the arson attack;
 - (b) affirms that, in Australia, all are free to worship their god, gods or no god at all; and

- (c) stands with Pundit Paras Maharaj and the congregants of Bhartiye Mandir, Regents Park, who will rebuild their mandir and community so it is stronger than ever before.

Motion agreed to.

THIRD SECTOR AWARDS 2018 WINNER SARAH WALKER

The Hon. BEN FRANKLIN (10:07): I move:

- (1) That this House notes that:
- (a) Sarah Walker from Momentum Collective in northern New South Wales was recently recognised with the Emerging Leader Award at the 2018 Third Sector Awards ceremony;
 - (b) the awards recognise people who actively contribute to the third party sector, are leaders in positive change, participate in innovation within the third party sector and demonstrate leadership in the system, organisation and self; and
 - (c) Sarah was recognised with the award for her 16 years of work assisting people affected by domestic and family violence and homelessness.
- (2) That this House congratulates Sarah on her tireless work helping some of our most vulnerable community members and on receiving this award.

Motion agreed to.

US OPEN ADAPTIVE SURFING CHAMPION MARK "MONO" STEWART

The Hon. BEN FRANKLIN (10:08): I move:

- (1) That this House notes that:
- (a) the US Open Adaptive Surfing Championships were held on 5, 6 and 7 October 2018 in Oceanside California;
 - (b) Mark "Mono" Stewart from Byron Bay won the US Open Adaptive Surfing Championships title for the second year;
 - (c) Mono was the only Australian from 80 competitors across 22 nations who took part in the championships;
 - (d) all entrants competed in extremely testing conditions, with Hurricane Sergio creating a big surf and strong onshore winds;
 - (e) at the age of 15, Mono was diagnosed with bone cancer, and after a year and a half of chemotherapy had his right leg removed above the knee;
 - (f) Mono's passion and love for surfing helped him through recovery and in his words, "Surfing kept me alive and kept me inspired—it's good for the body as well as the soul"; and
 - (g) Mono is now a national and international adaptive surfing champion.
- (2) That this House congratulates Mono on winning the championship and wishes him the best of luck for the upcoming International Surfing Association's World Adaptive Surfing Championships at La Jolla Shores, California.

Motion agreed to.

MASTERS PENNANT GOLF COMPETITION 2018

The Hon. DAVID CLARKE (10:09): I move:

- (1) That this House notes that:
- (a) on Sunday 5 August 2018 the Masters Pennant Presentation Dinner was held at Stonecutters Ridge Golf Club, Colebee, to recognise the winners and runners-up of the Masters Pennant Golf Competition 2018;
 - (b) approximately 100 participants in the competition together with family and friends and invited guest the Hon. David Clarke, MLC, Parliamentary Secretary for Justice representing the Hon. David Elliott, MP, Minister for Counter Terrorism, Corrections and Veterans Affairs attended the event;
 - (c) the presentation dinner was hosted by the Masters Pennant Committee, a volunteer body which has organised the Masters Pennant Golf Competition for the last 38 years with the present involvement of 97 golf clubs and over 1,110 active Pennant golfers from throughout the Sydney, Hunter, Blue Mountains, Central Coast and Illawarra regions of New South Wales;
 - (d) the competition is open for golfers over the age of 50 years and is played without handicap in match play form;
 - (e) the 2018 winning team was from Mona Vale Golf Club and comprised Bruce Edwards, Mark Pearson, Stefan Albinski, Greg Stanford, John Karren, Trevor Beale, Mike McKinnon, Stephen Whitmore, Scott Beverley, Mike Radford, Geoff Lange, Phillip Jones and David Hemsley; and
 - (f) the runners-up team was from Castle Hill Country Club and comprised Gerry Power, Lindsay Verdon, David Andrews, Russell Lambert, Len Marcuccio, Ian Cochrane, Bob White, Tim Jones, Paul Scuglia, Frank Bardetta, Charlie Yun, Brad Wong and Tony Cruise.

- (2) That this House:
- (a) commends the Masters Pennant Committee comprising President Ray Calnan, Captain and Organising Secretary Dennis Roy, Vice-Captain Colin Gallen and committee members Glenn Johnston, Juergen Frank, Clark Gibbons and Noel Beattie for their great efforts in organising the successful Masters Pennant Golf Competition for 2018; and
 - (b) congratulates the competition's winning team from Mona Vale Golf Club and the runners-up team from Castle Hill Country Club on their golfing achievements in the Masters Pennant Competition for 2018.

Motion agreed to.

FEROS CARE "PIMP MY RIDE" PROGRAM

The Hon. BEN FRANKLIN (10:10): I move:

- (1) That this House notes that:
- (a) the aged care provider Feros Care was awarded the advertising award at the Ministerial Advisory Council on Ageing Media Awards in early October 2018;
 - (b) the awards seek to challenge negative stereotypes for older people by highlighting examples of balanced and realistic media reporting on older people and ageing;
 - (c) Feros Care received the award for their Pimp My Ride program in Byron Bay;
 - (d) the Pimp My Ride program saw 20 Byron Bay residential village residents aged between 80 and 97 paint the bus they use for social outings and transport;
 - (e) the residents took part in street art workshops before painting their Toyota Commuter in an array of colours; and
 - (f) the program aimed to empower seniors to grow bold while also creating an environment of joy, energy and enthusiasm.
- (2) That this House congratulates Feros Care Chief Executive Officer, Jennene Buckley, and the Byron Bay team on creating this rewarding program and for being recognised with this award.
- (3) That this House acknowledges the importance of supporting older people to be bold and active members of the community.

Motion agreed to.

NSW FEDERATION OF COMMUNITY LANGUAGE SCHOOLS

The Hon. DAVID CLARKE (10:10): I move:

- (1) That this House notes that:
- (a) on Saturday 6 October 2018 the NSW Federation of Community Language Schools held its 2018 annual dinner at the Punchbowl Club, Punchbowl, attended by 1,000 guests;
 - (b) the NSW Federation of Community Language Schools is the peak body for after-hours community language schools, servicing more than 230 member schools, teaching 59 languages, representing 32,500 students and more than 2,000 teachers in 451 locations across New South Wales;
 - (c) those who attended as guests included the following members of Parliament:
 - (i) the Hon. Gladys Berejiklian, MP, Premier;
 - (ii) Mr Jihad Dib, MP, shadow Minister for Education, representing Mr Luke Foley, MP, Opposition leader;
 - (iii) the Hon. Ray Williams, MP, Minister for Multiculturalism, and Minister for Disability Services;
 - (iv) the Hon. Victor Dominello, MP, Minister for Finance, Services and Property;
 - (v) Reverend the Hon. Fred Nile, MLC, Assistant President, New South Wales Legislative Council, and Mrs Sylvana Nile;
 - (vi) the Hon. Scott Farlow, MLC, Parliamentary Secretary to the Premier;
 - (vii) Mr Mark Coure, MP, member for Oatley, and Parliamentary Secretary for Transport and Infrastructure;
 - (viii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, and Mrs Marisa Clarke; and
 - (ix) Ms Julia Finn, MP, member for Granville.
 - (d) religious leaders who attended included:
 - (i) His Grace Bishop Najarian, Primate of the Armenian Church of Australia and New Zealand;
 - (ii) Rev Fr Dr George Liangas, representing His Eminence Archbishop Stylianos, Greek Orthodox Archdiocese of Australia;

- (iii) Rev Fr Fadi Nemme, representing His Eminence Metropolitan Basilios, Antiochian Orthodox Archdiocese of Australia and New Zealand; and
 - (iv) Monsignor Marcelino Youssef, Vicar General, Maronite Eparchy of Australia.
- (e) other guests who attended included:
 - (i) Councillor Darcy Byrne, Mayor of Inner West Council;
 - (ii) Dr Hari Harinath, OAM, Chair of Multicultural NSW;
 - (iii) Ms Marta Terracciano, Chair of NSW Ethnic Communities Council;
 - (iv) diplomatic representatives for Cyprus, Russian Federation, India, Serbia and Nepal; and
 - (v) representatives from numerous ethnic community organisations.
- (2) That this House commends:
 - (a) the NSW Federation of Community Language Schools for another successful year, particularly its President, Mr Albert Vella, OAM, and staff comprising:
 - (i) Michael Christodoulou, AM, Executive officer;
 - (ii) Alex Di Prinzio, Education Officer;
 - (iii) Olympia Palamas, Administration Officer; and
 - (iv) Heidi Hoang Vu, Account Officer.
 - (b) all those who gave their time to organise, teach in or otherwise assist in the schools of the federation in 451 locations across New South Wales.

Motion agreed to.

GOVERNMENT HOUSE INVESTITURE

The Hon. DAVID CLARKE (10:10): I move:

- (1) That this House notes that:
 - (a) on Friday 7 September 2018 at 10.30 a.m. the Governor of New South Wales, His Excellency General the Hon. David Hurley, AC, DSC, (Ret'd), and Mrs Linda Hurley hosted an Investiture at Government House, Sydney;
 - (b) those who comprised the Official Party as guests of His Excellency the Hon. David Hurley and Mrs Linda Hurley were:
 - (i) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Gladys Berejiklian, MP, Premier;
 - (ii) the Hon. Justice Stephen Rothman, AM, Supreme Court of New South Wales;
 - (iii) Mr Tim Reardon, Secretary of the NSW Department of Premier and Cabinet;
 - (iv) Commodore Luke Charles-Jones;
 - (v) Colonel Mark Baldock, Australian Army;
 - (vi) Deputy Commissioner Fatima Abbas, NSW State Emergency Service;
 - (vii) Commissioner Stacey Tannos, ESM, Marine Rescue NSW; and
 - (viii) Commissioner Mark Gibson, ESM, NSW Volunteer Rescue Association.
 - (c) those who were appointed as an Officer in the General Division of the Order of Australia were Professor Emma Letitia Johnston and the Hon. Robert Edward Tickner;
 - (d) the Star of Courage was awarded to the late Mr Antonio Rokov and received by his wife, Mrs Samantha Rokov;
 - (e) the Distinguished Service Cross was received by Lieutenant Colonel N DSM;
 - (f) those appointed as a member in the General Division of the Order of Australia comprised Emeritus Professor Michael Jeffrey Atherton, Mr John Lachlan Cameron, Sister Mary Dorothy d'Apice, Emeritus Professor David Brynn Hibbert, Professor Andrew John McLachlan, Emeritus Professor Brian James Morris and Dr Geoffrey Arthur Williams;
 - (g) the Bravery Medal was awarded to Mr Peter Hendrikus Coxon and Mr Jonathan Aaron Quero;
 - (h) the Public Service Medal was awarded to Ms Katherine Susan Alexander and Ms Lorraine Lam;
 - (i) the Emergency Services Medal was awarded to Ms Susan Gaye Biggar, Mr Gordon Ryrie Hill, AF, SM, Mr Michael Francis Kelly and Mr Peter John May;
 - (j) those who were awarded a Medal in the General Division of the Order of Australia were Mr Christopher John Allum, Mr Anthony Francis Bell, Mrs Rony Bogner, Dr Alan Edward Bray, Ms Kim Rosemary

Buhagiar, the late Mrs Freda May Collison received by her son Mr Graham Collison, Mrs Yvonne Engelman, Mr Kenneth George Freeman, Mrs Marjory Noelene Freeman, the Reverend Marion Judith Gledhill, Mr Donald Macarthur Godden, Mr William Frederick Hall, Mr Christian Michael Hayes, Mr Richard Allan Hogan, Mr Peter Kazacos, Mrs Vicki Joanne Kerr, Mr Desmond Keith Latham, Mr Edwin George Morris, Mr Peter George Schick, Mr Michael Johnsen Smith, Mr Ross Gregory Tarlinton, Mr Sydney Thomas Weller and Mrs Soon Khuan Yeo;

- (k) the Conspicuous Service Medal was awarded to Wing Commander Steven Adrian Madsen and Major Scott Brady Samson;
 - (l) a Commendation for Brave Conduct was received by Mr Ryan Andrew Barrett and Mr Bailey Campbell Cooper;
 - (m) a Commendation for Distinguished Service was received by Major R; and
 - (n) a Group Bravery Citation was received by Mr Paul Kenneth Barry, Senior Constable John David Stirling, Leading Senior Constable Amanda Leigh Vidler and Mr Peter Hendrikus Coxon.
- (2) That this House congratulates all those who were recipients of awards at the investiture held at Government House, Sydney, on Friday 7 September 2018.

Motion agreed to.

ST GEORGE POLICE AREA COMMAND

The Hon. DAVID CLARKE (10:11): I move:

- (1) That this House notes that:
 - (a) on Thursday 30 August 2018 the St George Police Area Command of the NSW Police Force held a Medal and Awards Presentation Ceremony at St George Leagues Club, Beverley Park;
 - (b) those who comprised the official party were:
 - (i) Assistant Commissioner Mark Walton, APM, Commander, Central Metropolitan Region;
 - (ii) Superintendent Julian Griffiths, Commander, St. George Police Area Command;
 - (iii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Minister for Police and Emergency Services;
 - (iv) Mr Mark Coure, MP, member for Oatley, and Parliamentary Secretary for Transport and Infrastructure;
 - (v) Mr Stephen Kamper, MP, member for Rockdale;
 - (vi) Mr Chris Minns, MP, member for Kogarah; and
 - (vii) Reverend Frank Langford, Police Chaplain.
 - (c) those who received the National Police Service Medal were Detective Sergeant Martyn Van Tol, Senior Sergeant Shane Gemmell, Sergeant Nicole Burrow, Sergeant Allison Guthrie, Sergeant Hadley Spencer, Sergeant Daniel Moylan, Detective Senior Constable Peta-Marie Longue, Detective Senior Constable Natalie Patterson, Senior Constable Leah Ferguson and former Senior Sergeant Robert Stark;
 - (d) those who received the National Medal were Sergeant Nicole Burrow, Sergeant Daniel Moylan, Detective Senior Constable Peta-Marie Longue and Detective Senior Constable Natalie Patterson;
 - (e) those who received the National Medal Clasps were Inspector Leonard James, former Senior Sergeant Robert Stark and former Senior Constable Grahame Napier;
 - (f) those who received the NSW Police Medal were Sergeant Megan Roser, Leading Senior Constable Lachlan Teasel, Leading Senior Constable Stuart Davies, Detective Senior Constable Tamara Weir, Senior Constable Anthony Santangelo, Senior Constable Raymond Kerridge and former Senior Constable Christopher Barone;
 - (g) those who received the NSW Police Medal Clasp were Sergeant Nicole Burrow, Sergeant Daniel Moylan, Detective Senior Constable Peta-Marie Longue, Detective Senior Constable Natalie Patterson, Sergeant Michael Young, Sergeant Allison Guthrie, Sergeant Michelle Cunningham, Sergeant Hadley Spencer, Inspector Leonard James, former Senior Sergeant Robert Stark, Inspector Grant Lister, Senior Constable Ian Burrow, former Inspector Rafic Ajaka, and former Senior Constable Grahame Napier;
 - (h) the Commissioner's Commendation for Courage was awarded to Leading Senior Constable Alesandar Gallina;
 - (i) the Commissioner's Certificate of Appreciation was awarded to former Sergeant Michael Aalders;
 - (j) those who received a Warrant of Appointment were Sergeant Kate Whitton, Sergeant Danielle Bastin, and Sergeant Cameron Callander;
 - (k) those who received a Certificate of Service were Former Inspector Rafic Ajaka, Former Detective Sergeant Rick Giardini, Former Senior Sergeant Robert Stark, Former Sergeant Michael Aalders, Former Senior Constable Grahame Napier and Former Senior Constable Scott Clancy;
 - (l) the Region Commander's Certificate of Merit was awarded to Senior Sergeant Shane Morrisby;

- (m) the Police Area Commander's Unit Citation was awarded to Senior Constable Melissa Shearman;
 - (n) the Police Area Commander's Certificate of Appreciation was awarded to civilians Mr Scott Ashby and Mr Darren Gale; and
 - (o) those who coordinated the event comprised: Sergeant Greg Donaldson, master of ceremonies; Sergeant Frank Gaal, Field Protocol Officer; Inspector Grant Lister, Event Coordinator; Peta Whitfield, Assistant Event Coordinator; Michael Hill, Assistant Event Coordinator; Sharon Crow, Assistant Event Coordinator; Peipa Lappin, Photographer; and Senior Constable Sonia Krcalovic, Pillow duties.
- (2) That this House congratulates all medal and award recipients on their outstanding service to the NSW Police Force and to the people of New South Wales.

Motion agreed to.

PROFESSOR RIFAAT EBIED

The Hon. DAVID CLARKE (10:11): I move:

- (1) That this House notes that:
- (a) on Thursday 26 July 2018 at the Parliament of New South Wales, the Association for the Development of Poetry and Heritage held a celebratory function in honour of Professor Rifaat Ebied, Professor of Semitic Studies at the University of Sydney;
 - (b) the function was organised by the association's President, Dr Bahia Betty Abou-Hamad with Professor Emile Chidiac as master of ceremonies;
 - (c) those who attended as guests included:
 - (i) the Hon. Ray Williams, MP, Minister for Multiculturalism, and Minister for Disability Services, also representing the Hon. Victor Dominello, MP, Minister for Finance, Services and Property;
 - (ii) Mr Jihad Dib, MP, shadow Minister for Education, and representing Mr Luke Foley, MP, Opposition leader;
 - (iii) the Hon. Shaoquett Moselmane, MLC, Opposition Whip in the New South Wales Legislative Council;
 - (iv) Mr Adam Foda, representing the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
 - (v) Rev Fr Loubnan Trabay, representing His Excellency Bishop Antoine-Charbel Tarabay, Maronite Catholic Church;
 - (vi) His Eminence Archbishop Basilios Kodseie, Metropolitan of the Antiochian Orthodox Archdiocese of Australia and New Zealand;
 - (vii) Mr John Karam, representing Father Superior Louis Ferkh, St Charbel Monastery;
 - (viii) Rev Dr Daniel Fanous, Dean of St Cyril's Coptic Orthodox Theological College, Ganzzibra Dr Haytham, Mandaean Community;
 - (ix) Mr Jamal Ayach, representing His Excellency Dr Ali Kraishan, Ambassador of Jordan;
 - (x) Mr Mohamed Farghal, Deputy Consul-General of Egypt in Sydney;
 - (xi) Mr M. Al Mashhdani, representing Mr Ali Witwit, Charge D'Affairs of Iraq in Sydney;
 - (xii) Professor Diane Speed, Dean and CEO of Sydney College of Divinity;
 - (xiii) Dr Ali Aldahesh, representing Professor Yixu Lu, Head of School of Languages and Cultures, University of Sydney;
 - (xiv) Mr Magdi Fouad Boulos, prominent pianist; and
 - (xv) Mr Charbel Baini, Arabic poet, member of numerous community organisations.
 - (d) Professor Rifaat Ebied is a world-renowned scholar in the field of Semitic Studies, teaching the Arabic, Hebrew and Syriac languages;
 - (e) Professor Rifaat Ebied is a fellow of the Australian Academy of the Humanities, and has written numerous books and articles of edited Arabic and Syriac medieval texts and has an expertise in Syriac Patristic Studies, Hebrew and Biblical Studies as well as medieval Christian and Muslim relations; and
 - (f) other highlights of Professor Ebied's academic career include:
 - (i) chair of the Arabic Examiners Panel of the National Accreditation Authority for Translators and Interpreters from 1981-2006 and currently as a member of the panel;
 - (ii) chair of the Arabic Syllabus Committee and the Arabic Examination Committee of the NSW Board of Studies from 1981-2001;
 - (iii) instrumental in designing a number of Arabic courses offered at the Higher School Certificate in New South Wales and nationally;

- (iv) recipient of the Centenary Medal, April 2003, for "Services to Australia, the Humanities and Asian Studies";
 - (v) Honorary Professor of the Australian Catholic University and the Sydney College of Divinity;
 - (vi) current President of the Australian-Egyptian Council Forum;
 - (vii) member or Fellow of: British Society for Old Testament Study; British Association of Orientalists; British Society for Middle Eastern Studies; Australian Association for the Study of Religions; St Ephrem Ecumenical Research Institute, Kerala, India; International Conference of the National Association of Professors of Hebrew in the United States, Chairman of the Biblical Section 1995–2005; Trinity Hall, University of Cambridge, Faculty of Oriental Study, 1993–1994; and the Centre of Theology Inquiry, Princeton University, New Jersey, United States, 2005; and
 - (viii) Editor, Associate Editor or contributor to "Sayyab Translation Journal", an internationally peer-reviewed Journal of Arabic/English translation studies; Editor/Associate Editor, "Collectanea Christiana Orientalia" (Advisory Board), "Ancient Near Eastern Studies" (Advisory Editorial Board), "Journal of Assyrian Academic Studies" (Editor of the English section), and "Aram" journal of SyroMesopotamian cultures.
- (2) That this House commends:
- (a) Professor Rifaat Ebied for his long and distinguished career in academia, particularly in the field of Semitic Studies involving the Arabic, Hebrew and Syriac languages; and
 - (b) the Association for the Development of Poetry and Heritage for its initiative in organising the function to honour Professor Rifaat Ebied held on Thursday 26 July 2018 at the Parliament of New South Wales.

Motion agreed to.

REPUBLIC OF CYPRUS INDEPENDENCE DAY

The Hon. DAVID CLARKE (10:12): I move:

- (1) That this House notes that:
- (a) on Sunday 7 October 2018 at the Cyprus Community Club, Stanmore, the President Mr Soterios Tsouris, JP, and the Board of Directors of the Cyprus Community of New South Wales hosted a celebratory function to commemorate the fifty-eighth anniversary of the Independence Day of the Republic of Cyprus attended by members and friends of the Cypriot-Australian community; and
 - (b) those who attended as guests included:
 - (i) Her Excellency Martha Mavrommatis, High Commissioner of Cyprus in Australia;
 - (ii) Mr Christos Karras, Consul-General for Greece in Sydney;
 - (iii) His Excellency Branko Radosevic, Consul-General of Serbia in Sydney;
 - (iv) Mr John Kallimanis representing the Grand Lodge of the Australian Hellenic Educational Progressive Association of New South Wales;
 - (v) Mr Stephen Kamper, MP, member for Rockdale;
 - (vi) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice representing the Hon. Ray Williams, MP, Minister for Multiculturalism, and Minister for Disability Services;
 - (vii) the Hon. Jeanette McHugh, former Federal member for Grayndler; and
 - (viii) representatives of numerous Cypriot-Australian and Hellenic community organisations.
- (2) That this House extends congratulations and best wishes to the Cyprus-Australian community on the occasion of the fifty-eighth anniversary of the Independence Day of the Republic of Cyprus.

Motion agreed to.

METROPOLITAN ARCHBISHOP PAUL SALIBA COMMEMORATION

The Hon. DAVID CLARKE (10:12): I move:

- (1) That this House notes that:
- (a) on Friday 10 August 2018 a religious and community gathering to pay tribute to the life of the late Metropolitan Archbishop Paul Saliba, former Primate of the Antiochian Orthodox Archdiocese of Australia, New Zealand, the Philippines and Dependencies was held at Saint Nicholas Antiochian Orthodox Church, Punchbowl, on occasion of the first anniversary of his passing; and
 - (b) those attending the event which was organised under the direction of Dr Betty AbouHamad included:
 - (i) His Eminence Archbishop Basilios Kodseie, Metropolitan of the Antiochian Orthodox Archdiocese of Australia, New Zealand, the Philippines and Dependencies;
 - (ii) His Eminence Archbishop Mor Malatius Malki, Primate of the Syriac Orthodox Church, Australia and New Zealand;

- (iii) His Grace Bishop Daniel, Bishop of the Coptic Orthodox Church, Diocese of Sydney and affiliated Regions;
 - (iv) Father Superior Louis Ferkh of Saint Charbel Monastery, representing His Excellency Bishop Charbel Tarabay of the Maronite Catholic Church of Australia;
 - (v) Sister Elham Geagea and Sister Clara Ishak, representing The Maronite Sisters of the Holy Family;
 - (vi) Ganzibra Dr Haytham, representing the Mandaean Community;
 - (vii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, also representing the Hon. Ray Williams, MP, Minister for Multiculturalism, and Minister for Disability Services;
 - (viii) Mrs Tania Mihailuk, MP, shadow Minister for Family and Community Services;
 - (ix) Ms Julia Finn, MP, member for Granville;
 - (x) the Hon. Philip Ruddock, Mayor of Hornsby;
 - (xi) Professor Rifaat Ebied Faha, JP, Emeritus Professor of Semitic Studies and Honorary Professor at Australian Catholic University;
 - (xii) Professor Emile Chidiac;
 - (xiii) Mr Charbel Baini and Mr Latif Michael, noted Arabic language poets;
 - (xiv) Mr Magdi Fouad Boulos, noted pianist in the Arabic speaking community; and
 - (xv) members of numerous organisations within the Antiochian, Syriac, Assyrian, Coptic and Maronite communities.
- (2) That this House extends its condolences to the Antiochian Orthodox Community on the occasion of the first anniversary of the passing of the late Metropolitan Archbishop Paul Saliba, former Primate of the Antiochian Orthodox Diocese of Australia, New Zealand, the Philippines and Dependencies, who is remembered for his work for interfaith dialogue and for his social work for the youth and elderly within the community.

Motion agreed to.

Petitions

RESPONSES TO PETITIONS

Anti-Discrimination Legislation

The Hon. SCOTT FARLOW: I lodge a response to the following petition signed by more than 500 persons:

Anti-discrimination Legislation—lodged September 2018—(Reverend The Hon. Fred Nile)

I move:

That the petition be printed.

Motion agreed to.

Committees

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Report: Prevention of Youth Suicide in New South Wales

The Hon. PAUL GREEN: I table report No. 5/56 of the Joint Committee on Children and Young People entitled "Prevention of Youth Suicide in New South Wales", dated October 2018. I move:

That the report be printed.

Motion agreed to.

The Hon. PAUL GREEN (10:13): I move:

That the House take note of the report.

Suicide is a leading cause of death for our children and young people. Sadly, in 2017, the number and rate of children under 18 who died by suicide in New South Wales was the highest in 20 years. For the record, globally about 800,000 people commit suicide each year. The loss of a young person can seem particularly devastating. Our young people should have their whole lives ahead of them. When a young person takes their own life, the impact can be felt across families, friends, schools and entire communities. There is no doubt that there is a need for suicide prevention services and support which focus on the whole population, as suicide affects all age groups.

However, the focus of this inquiry has been specifically to look at the approaches to preventing the suicide of children and young people in New South Wales. During this inquiry, the committee heard from people with lived experience of suicide, including the parents and families of young people who have died by suicide. We met some of these families at a private roundtable session in Singleton. We also read submissions from bereaved parents, as well as young people with lived experience. They gave us a better understanding of the very real human cost of youth suicide. We thank them for sharing their stories.

Suicide prevention is an area where many organisations and people are doing great work, supported by the New South Wales and Commonwealth governments. The most prominent example of this may be the LifeSpan trials now taking place across Australia. LifeSpan embodies a systems-based approach to suicide prevention, recognising that it works best when tailored to the evidence and the unique needs of each community. Four LifeSpan trials are being undertaken in New South Wales over the next few years, in Newcastle, Illawarra Shoalhaven, Murrumbidgee and the Central Coast. The results of these trials should provide further valuable evidence of what works and where further support is needed.

The recommendations in this report support the significant work that is underway and also aim to address more immediate concerns by building upon the emerging knowledge base. I will outline some of these recommendations. Given the complicated web of suicide prevention services that exists at the local, State and Federal levels, the committee has made several recommendations aimed at improving governance and coordination and, in particular, assisting young people and their families to find the services they need. Suicide prevention strategies should be based on evidence, and the committee has made a number of recommendations directed at improving the evidence base for some groups at higher risk of youth suicide. Further research will help answer some of these questions.

There is a high risk of suicide for children and young people who have a child protection history, who have identified as lesbian, gay, bisexual, trans, and/or intersex [LGBTI] and who are from regional areas. The same is true for those who are Aboriginal or Torres Strait Islander. This is why the committee has made several recommendations aimed at reducing the unacceptably high rates of suicide within these groups. Children and young people can be reluctant to seek help, or may not know where to start. Of those young people from New South Wales who did seek help last year, only 58 per cent were successful in contacting Kids Helpline. For this reason, the committee has recommended that the Government consider further funding to youth-focused services like Kids Helpline to help ensure that more contacts are answered. Encouragingly, the Commonwealth Government has recently announced that eheadspace, an online youth counselling service, will receive an extra \$12.8 million.

To solve a problem, you have to first understand it. For this reason, the committee has recommended improvements to the way data on suicide and self-harm is collected in New South Wales, including the creation of a suicide register and mortality review team. The committee hopes this will provide a clearer picture of youth suicide and identify areas of emerging risk. Social media has both a positive and negative role to play in youth suicide. The constantly evolving nature of social media can make it difficult to understand its true impact on youth suicide and self-harm. While it can be used to promote help-seeking and link young people in crisis to support, it may also expose young people to trauma or otherwise increase their distress. As this is a new area, the committee sees benefit in further research on the relationship between social media and youth suicide.

Despite its complicated nature, it is clear that technology has and will continue to have an important role in overcoming some of the barriers that prevent young people seeking help. In addition to improving post-discharge care to ensure that children and young people receive adequate follow-up after visiting hospital, the committee has recommended that the Government investigate opportunities to use technology to provide clinical support to children and young people in regional, rural and remote areas who may find it difficult to access a face-to-face service.

Schools, TAFEs and universities present unique opportunities to reach children and young people. Overall, there is much positive work being done to promote mental health and wellbeing among high school students. Members well know my passion for special religious education [SRE] and chaplaincy for children in need of that help. We also included school nurses in that, thanks to the input of the Hon. Bronnie Taylor. The major gap appears to be in TAFEs and universities. The transition from high school to tertiary education is a time of elevated risk for young people. The committee has recommended that the New South Wales Government work with the tertiary education sector to implement suicide prevention activities. Great work is already being done to prevent youth suicide, but we need to do much more. I hope that the committee's recommendations will go some way to reducing the number of children and young people who take their own lives, or who consider taking them.

In the week leading up to the committee's report, a number of high-profile announcements relating to suicide prevention were made. In October 2018 the Federal Government announced funding of \$125 million to fund suicide prevention research in three target areas through the Million Minds Mental Health Research Mission.

Funding will be granted to researchers who will focus on eating disorders, youth and Indigenous mental illness, particularly for translational research clinical trials for emerging treatments. It also announced that the Productivity Commission would hold an inquiry into the role of mental health in the Australian economy and the best ways to support and improve national mental wellbeing. The Federal Government also announced \$52 million in extra funding to Headspace, including \$12.8 million directed to eheadspace, an online youth counselling service.

In October 2018 the New South Wales Government introduced a bill so that those who stalk or intimidate using technology will face up to five years imprisonment. These days a lot of bullying is happening online. Why is it acceptable that we cannot bully someone face-to-face but it is acceptable to rip a person's world apart online, to the point where a child aged between nine and 12 takes their own life? That is shameful. It should be stopped as soon as possible. If it is slanderous to say things face-to-face then it should be equally slanderous to say things online. In late September 2018 the Australian Bureau of Statistics released the statistics for death by intentional self-harm in 2017. Those statistics showed a slight increase in the number of deaths per 100,000 people in New South Wales: 10.9 in 2017, from 10.3 in 2016; and 10.8 in 2014 and 2015.

The committee welcomed the Federal Government's commitment to providing further funding to suicide prevention research, with a focus on youth and Indigenous mental health, and the extra resources to be provided to Headspace, including its online youth counselling arm. While these recent announcements may have had some bearing on the recommendations made in this report, they generally respond to areas of need already identified by the committee. Ms Melanie Gibbons, who chaired the committee, did a great job in addressing the tough issues in this inquiry. I welcome this report. I also thank the committee secretariat for their hard work. This was a tough gig.

On a personal note, when my son was in year 11 a girl in his class took her own life. He was devastated. He has her picture on the wall in his bedroom and I am sure he regularly pays respect to her. Sometime later another student copycatted—it is now called contagion—and took their own life. Some parents then moved their children from the school because they were fearful of the ramifications of those suicides. Shortly after that another girl took her life. That made three deaths. I have witnessed the reality of youth suicide. My boy went into his room and shut his door. As a parent, I was shut out of his life. We do not know what they are thinking or how they are processing it. Every morning when I opened that door I wondered if he was going to be okay. That is the reality of living through youth suicide as a parent, family member and community member. Thankfully my son is okay and he is working through it. This probably also had a large impact on the Higher School Certificate results of a lot of those students. No doubt those kids have had a lot of reflective moments.

This was a good inquiry. We must finance this. Our kids need to have access—whether through SRE, chaplaincy or school nurses. I do not care what the program is: Kids must have a gateway to share their emotional needs and health in our schools and communities. Kids need to be able to get the help they need. One person committing suicide because they want to stop the world and get off, or because the pain they are feeling in their mind, heart and world is too much, is one too many. They are not realising that in doing so they are ending their future, they are ending family relationships and all the blessings that come with growing older. They will not grow to experience all the wonders of growing as brothers and sisters, fathers, mothers, and they will miss out on all the beautiful things that come with life. I commend the report to the House.

Debate adjourned.

SELECT COMMITTEE ON LANDOWNER PROTECTION FROM UNAUTHORISED FILMING OR SURVEILLANCE

Report: Landowner Protection from Unauthorised Filming or Surveillance

The Hon. ROBERT BORSAK: I table the report of the Select Committee on Landowner Protection and Unauthorised Filming or Surveillance entitled "Landowner protection from unauthorised filming or surveillance", dated 25 October 2018, together with transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry. I move:

That the report be printed.

Motion agreed to.

The Hon. ROBERT BORSAK (10:26): I move:

That the House take note of the report.

Continual incursions by animal welfare activists on farms are having a detrimental impact not only on farmers and their businesses but also on their families and employees, the broader community and industry. To have one's privacy breached is one thing, and understandably upsetting, but to have distorted footage of one's farming

business taken and published online is another. The damage this does to one's business and reputation, aside from the personal impacts, is difficult to quantify and rectify.

The ACTING PRESIDENT (The Hon. Trevor Khan): Order! If members are going to interject, they should be prepared to be placed on calls to order.

The Hon. ROBERT BORSAK: Animal welfare activists believe that such incursions help to shine a light on systematic animal cruelty practices. What they fail to recognise is that these incursions themselves can cause considerable stress and injury to the animals they disturb. Unfortunately, this inquiry has highlighted that there is no simple and easy answer to deal with these illegal activities. It became clear through the inquiry that both sides of the debate—farmers and animal welfare activists—are concerned about animal welfare. Given this, improving the transparency of animal industries may assist in building public confidence, which is why the committee recommended that the New South Wales Government investigates schemes to increase transparency about food production and animal husbandry practices.

Ensuring that the RSPCA can act effectively to investigate and address animal cruelty is also important. This too may reduce the perceived need for animal activists to trespass on landholders' properties and to install unauthorised surveillance devices. However, these measures are unlikely to prevent all farm incursions from incurring. Unfortunately, there is a cohort of animal welfare activists who have a strong philosophical objection to the killing of animals for human benefit. The laws need to be strengthened to ensure that trespass and other unauthorised surveillance offences are duly investigated and prosecuted as a particularly serious offence.

The law, as it currently stands, does not adequately deal with these issues, which is why we urge the New South Wales Government to review the existing legislative framework in order to identify barriers to enforcement and successful prosecutions. The Government needs to focus on how it can enforce the existing laws to make it easy for farmers to continue their business in an economic way without continual interruption from animal welfare activists. I thank all those participating in this inquiry for their contribution. I thank also my fellow committee members and the committee secretariat. For the record, I will read into *Hansard* the six important recommendations from this inquiry:

Recommendation 1

That the NSW Government review the resources and powers of the RSPCA in regard to the monitoring and enforcement of animal welfare measures, and consider means by which the RSPCA and NSW Police can work together more effectively to protect animals from mistreatment.

Recommendation 2

That the NSW Government encourage animal industries to be proactive in engaging with the community, and collaborate with animal industries to investigate schemes to increase transparency about food production and animal husbandry practices.

Recommendation 3

That the NSW Government review the *Surveillance Devices Act 2007* to consider whether to insert a public interest exemption for unauthorised filming or surveillance.

Recommendation 4

That the NSW Government establish a whole of government working group to review the current legislative framework around unauthorised filming and surveillance and identify barriers to enforcement and successful prosecutions.

Recommendation 5

That the NSW Government review the laws and penalties of trespass and unauthorised surveillance to consider the responsibility of those planning illegal activities and whether the offences of trespass and unauthorised surveillance should be extended to office bearers of organisations planning and financing these illegal activities.

Recommendation 6

That the NSW Government, through the Council of Australian Governments, raise the need for a comprehensive approach to the regulation of drones across State and federal jurisdictions, with particular regard to the potential privacy and security impacts of the increasing use of drone technology.

Debate adjourned.

Notices

PRESENTATION

[During the giving of notices of motions]

The Hon. Robert Borsak: Bullshit.

Mr JEREMY BUCKINGHAM: I note the interjection of the Hon. Robert Borsak when he said, "Bullshit". It is very unparliamentary language.

[Later,]

THE ACTING PRESIDENT [The Hon. Trevor Khan]: Order! Interjections are disorderly at all times. I call the Hon. Natasha Maclaren-Jones to order for the first time. If members want to hold a conversation, they can do so outside the Chamber.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House this day.

Motion agreed to.

ORDER OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

That the order of Private Members' Business for today be as follows:

- (1) Private Members' Business item No. 2518 outside the Order of Precedence standing in the name of the Hon. Robert Borsak relating to the Liquor Legislation Amendment (Repeal of Lock-out Laws) Bill.
- (2) Private Members' Business item No. 818 outside the Order of Precedence standing in the name of the Hon. Mark Pearson relating to the Exhibited Animals Protection Amendment (Prohibitions on Exhibition) Bill.
- (3) Private Members' Business item No. 2394 outside the Order of Precedence standing in the name of the Hon. Natasha Maclaren-Jones relating to procedural fairness for inquiry participants.
- (4) Private Members' Business item No. 2523 outside the Order of Precedence standing in the name of Mr Jeremy Buckingham relating to the Intergovernmental Panel on Climate Change special report on global warming.
- (5) Private Members' Business item No. 2549 outside the Order of Precedence standing in the name of the Hon. Mick Veitch relating to an order for papers regarding the Go NSW Equity Fund.
- (6) Private Members' Business item No. 3 inside the Order of Precedence standing in the name of Reverend the Hon. Fred Nile relating to the Crimes Amendment (Zoe's Law) Bill 2017.

Motion agreed to.

Committees

SELECT COMMITTEE ON LANDOWNER PROTECTION FROM UNAUTHORISED FILMING OR SURVEILLANCE

Government Response: Landowner Protection from Unauthorised Filming or Surveillance

The Hon. ROBERT BORSAK: I move:

That Standing Order 233 be varied so as to require the Government response to the report of the Select Committee on Landowner Protection from Unauthorised Filming or Surveillance be provided by 28 February 2019.

Motion agreed to.

Bills

LIQUOR LEGISLATION AMENDMENT (REPEAL OF LOCK-OUT LAWS) BILL 2018

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Robert Borsak.

Second Reading Speech

The Hon. ROBERT BORSAK (10:55): I move:

That this bill be now read a second time.

I am pleased to introduce the Liquor Legislation Amendment (Repeal of Lock-out Laws) Bill 2018 on behalf of the Shooters, Fishers and Farmers Party. The bill amends the Liquor Act 2007 and the Liquor Regulation 2018 and repeals the provisions that prevent patrons from entering licensed premises in the Sydney central business district [CBD] and Kings Cross precincts after 1.30 a.m. The 1.30 a.m. lockout laws were introduced in response to the 2012 death of Thomas Kelly and the 2013 New Year's Eve assault and subsequent death of Daniel Christie.

They are two tragic and unnecessary deaths. The assailants in both attacks had criminal histories for numerous assaults and other offences. They should have been in jail but had been given good behaviour bonds by our courts.

Members will remember that in January 2014 the Government recalled Parliament to introduce legislation prohibiting people from entering licensed premises in the Sydney CBD and Kings Cross precincts after 1.30 a.m. The legislation was passed in one day and was in force soon after. It has been just over 4½ years since this Parliament brought into law the 1.30 a.m. lockout laws. It is definitely not an issue that this Parliament should take lightly. The community was shocked and outraged by these tragic deaths and demanded from us that something be done, and we did. We all voted for the law at the time. The introduction of the Kings Cross Plan of Management in December 2012 changed the Kings Cross precinct considerably. It is no longer the late-night destination it had been historically. Many late trading venues have closed, and the precinct continues to change towards a balance of commercial businesses, residential development and late-night destinations.

According to the Bureau of Crime Statistics and Research, alcohol-related assaults in the Kings Cross precinct and the Sydney CBD were already falling in the five years prior to the introduction of the lockout laws. In fact, assaults on licensed premises were at a record low, down 46 per cent since 2008. In 2013 Sydney was rated the safest and friendliest city in the world. That was prior to the imposition of the lockout laws. Many members will feel a little uncomfortable with this bill and some might genuinely believe the lockout laws should be left as they are, but I am sure that there are many others who would like to revisit this issue. Those latter members may fear the public backlash from sections of our community. I am not here to tell members how they should vote. I am here to put the argument that I truly believe this issue must be revisited by the Parliament.

Young people regularly approach me and say that one of their biggest grudges is the lockout laws. Businesses have been decimated in the Kings Cross precinct and the Sydney CBD since the lockout laws came into effect. Foot traffic in Kings Cross has fallen by 84 per cent and 176 licensed premises have closed in the Sydney CBD and Kings Cross precinct since the restrictions were brought in. Each of those venues represents lost jobs, less live music, and less choice for locals and international visitors. For example, one hotel in Kings Cross previously employed over 50 staff, as well as security guards and responsible service of alcohol marshals. More than 30 DJs played at the venue seven nights per week and there were live bands with sound technicians. Also, on one level of the building it housed a community radio station for local independent live music acts.

After the restrictions, nightly patronage dropped more than 80 per cent. Three levels of the venue are now closed, including the level run by the community radio station. Staffing hours have decreased by a third and wages have fallen. Live music is no longer financially viable at the venue, while disc jockey entertainment is now provided only on weekends. This scenario is being repeated right across every venue in the Sydney central business district and the Kings Cross precinct. The Shooters, Fishers and Farmers Party's founding statement is about freedom—freedom of choice. I know that this Liberal-Nationals Government shares those values and believes in small government. I would implore it to think rationally in considering what the intention of this bill is all about. I know that Labor is also very supportive of the live music industry, which has been effectively decimated after the lockout laws came into effect. I would also implore it to think rationally when considering this bill.

The summer cruise season is fast approaching, and visitors can only go to the Opera House or visit the art gallery and take photos so many times. In most global cities, patrons can enter venues up to 24 hours per day: Melbourne, London, Paris, Berlin, Tokyo, Hong Kong and Amsterdam to name just a few. Even Singapore, the quintessential nanny state of the world, allows patrons to visit licensed venues until 4.00 a.m. Sydney patrons are locked out at 1.30 a.m. I have no doubt that we can have a better system in place without having to lock people out of venues and stifle the liveliness of what is one of the best cities in the world to live in. We should remember that lockouts are lifted every New Year's Eve.

The deployment of additional police officers engaged in high-visibility operations, combined with 24-hour train and bus services to remove the crowds from the Sydney central business district and Kings Cross precincts, would, in my opinion, be a far more sensible approach than locking people out. More taxis ranks, and allowing for an additional service charge might also entice more taxis to offer their services and get people home. As far as licensed venues are concerned, closed circuit television systems, identification scanners, the requirement that a responsible service of alcohol marshal is always present at any particular venue and well maintained security are just a few of the measures that all venues should have in place. We want people to be safe but, at the same time, we want people to enjoy themselves. I do not think we should collectively punish everyone for the one or two bad apples in the barrel. The bill does not do anything other than repeal the 1.30 a.m. lockout laws.

As I said earlier, this is a sensitive issue for young people and for many business owners in the Sydney central business district and the Kings Cross precinct, and I am not only talking about the licensed venues. Foot traffic has dropped 80 per cent since the lockouts were introduced, and many small businesses have either closed or will close sooner or later. It has also limited employment opportunities for many young people. I am sure that

every member in this place knows at least one young person who started their careers serving behind a bar here in the Sydney CBD or the Kings Cross precinct. Many of those opportunities are no longer there. Once again, I implore all members to take the emotion out of this debate and look at the bill and what I am proposing from a rational point of view. I commend the bill to the House.

Debate adjourned.

**EXHIBITED ANIMALS PROTECTION AMENDMENT (PROHIBITIONS ON EXHIBITION) BILL
2018**

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Mark Pearson.

Second Reading Speech

The Hon. MARK PEARSON (11:04): I move:

That this bill be now read a second time.

The Exhibited Animals Protection Amendment (Prohibitions on Exhibition) Bill 2018 prohibits circuses from exhibiting exotic animals. Exotic animals are defined as "any animal other than a stock animal within the meaning of the Prevention of Cruelty to Animals Act 1979, or a companion animal within the meaning of the Companion Animals Act". This bill makes it an offence for a person to exhibit an exotic animal at a circus, and to breed, keep, train or transport an exotic animal for the purpose of exhibiting the animal at a circus, whether or not the circus is located in New South Wales. Exotic animals currently exhibited at circuses must be rehomed in an animal display establishment or wildlife sanctuary approved by the secretary within 12 months. If such a placement is not reasonably practicable, the owner must keep the exotic animal in accordance with standards currently prescribed under the principal Act.

Established science tells us that the welfare and wellbeing of exotic animals is severely compromised by being held captive in travelling circuses. The circus business model is predicated on forcing animals to live in barren, cramped conditions, including stressful travel in trucks known as beast wagons for thousands of kilometres each year. The animals have little in the way of enrichment or stimulation while confined, nor can they engage in many of their natural behaviours. Animal Circuses have their origins in the Roman Empire. Their purpose was not just to entertain the masses but also to reinforce the myth of human superiority over mere beasts. Many thousands of exotic animals were tortured, butchered and killed during performances at the Colosseum in Rome.

Australia's first travelling animal circuses were established in the 1850s, but there is no fine tradition to celebrate. Caged lions and tigers, brutalised for the public's amusement, were exhibited alongside freak shows with exhibits such as the bearded lady, conjoined twins, or the world's smallest woman. Horrifically, a group of Aboriginal people from the Wulguru clan on Palm Island were taken abroad by Barnum and Bailey's Circus to be displayed alongside other Indigenous people from around the globe. The Wulguru people were promoted as "Australian cannibals" and forced to dance, sing and throw boomerangs to the audience while performing alongside an elephant. Within a year many in the group had succumbed to illness and some died, with the body of an Aboriginal man called Tambo being embalmed and put on permanent display. His remains were finally returned to his country after many approaches by his people.

There is not a shred of credibility to the often stated argument that circuses stimulate people's interest in conserving exotic animals or respect for animals' capability and skill. How can watching a lion balance on a small table possibly have any relevance to understanding the place of the lion on the African savannah? In 2018 there are so many more authoritative ways that people can learn about animals. Animal circuses have never been about education as they now proclaim; rather, they are about human voyeurism, watching animals humiliated and degraded by the manner in which they are forced to perform and be displayed. They become parodies of themselves. No-one with a modicum of empathy could possibly enjoy watching a subjugated animal being forced to perform tricks against their own natural instincts.

Circuses may have moved on from forcing lions and tigers to jump through burning hoops or—the ultimate in voyeurism—the staged death by electrocution of Topsy the elephant at a Coney Island amusement park in 1903, but the reality is still animal suffering and misery. As a society we have become more concerned about animal welfare. In recognition of this change, Australian circus culture underwent a revolution in the late 1970s with the emergence of animal-free alternatives such as Circus Oz, the Flying Fruit Fly Circus and the internationally acclaimed Cirque du Soleil. Fast-forward to the twenty-first century and in New South Wales only Lennon Bros Circus, Stardust Circus and Circus Royale continue to use exotic animals such as lions, monkeys

and camels. They are left to tour on the fringes of the entertainment circuit and on the outskirts of country towns. Often they are met with animal rights protesters objecting to the circus's presence in their town.

Acknowledging the growing public disquiet, more than 40 councils in Australia banned exotic animal circuses from performing on council-owned and controlled land. In New South Wales, such councils included Parramatta, Lismore, Wingecarribee, Newcastle, Blue Mountains, Warringah, Woollahra, Hornsby, Pittwater, Manly, Randwick, Ku-ring-gai, Lake Macquarie, Liverpool and Camden councils. A number of other New South Wales councils are currently being petitioned to ban animal circuses on council land. In 1992 the Australian Capital Territory Government passed legislation prohibiting bears, elephants, giraffes, primates or felines—other than domestic cats—from being exhibited in circuses.

Animals have not been the only victims of circuses. Between 1863 and 2001 there were 131 incidents in Australia in which members of the public or circus workers were harmed. The individuals most likely to suffer injuries or death were animal handlers during performances and training and circus hands feeding animals or cleaning cages. Many of the accidents involving patrons happened because people stood too close to the cages in which animals were housed. Members of the public were mauled by lions, trampled by elephants and lacerated by monkeys. The animals most prone to instigating attacks were lions, followed by tigers and elephants. Elephants killed more often than any other circus animal.

Some circuses were so notorious for the injuries caused that it became a matter of some concern to public safety, but it was not until 1943 that the New South Wales Government finally intervened by cancelling the licence of a particularly negligent circus. Injuries to the public and circus workers continued right up until circuses began closing down due to lack of financial viability. By the early 2000s, only Stardust, Ashton and Lennon Bros circuses exhibited dangerous exotic animals such as lions, tigers and elephants. In 2001 a lion tamer was attacked by three lions at a Lennon Bros Circus performance in Penrith. In 2004 a toddler at Ashton Circus tragically lost his arms after he stuck them through the bars of a cage containing two tigers.

The most recent case stems from a time when I was with Animal Liberation NSW. Until 1996 Stardust Circus had two performing elephants called Arna and Bambi. They had spent their entire lives in captivity, much of it together. Arna witnessed Bambi's death from anaesthesia complications after treatment for an injured foot. Bambi fell and suffocated to death as a consequence of the treating veterinarian and staff failing to place her in a supportive sling for the surgery. Elephants are highly social animals and in recognition of that, the circus animal welfare standards require that elephants should not be solitary unless there are compelling reasons. In 2000 Animal Liberation NSW campaigned to have Arna transferred to the Western Plains Zoo given that she had been a solitary elephant for six years and this was causing her significant distress. Imagine a life alone and bound by foot shackles except when performing.

Animal Liberation wrote to the then Director General of the Department of Agriculture, stating that if the annual permit was to be issued for Stardust Circus to keep Arna—therefore meaning she would be kept as a solitary elephant—then it would challenge that decision in the New South Wales Supreme Court. This was confirmed and Animal Liberation took Stardust Circus to the Supreme Court, arguing that Arna suffered psychologically as a consequence of her imposed solitude. I sought to have Arna—then in her mid-40s—paired with Gigi, a retired elephant from Ashton Circus. Animal Liberation lost the case but in 2001 Stardust Circus arranged for Gigi to join it. But the psychological damage had been done. In 2008, for reasons apparently unknown, Arna struck out against her handler. His injuries included a broken back and a ruptured aorta and were found to be the result of a "severe blunt trauma", with the cause of death being a direct result of Arna crushing his upper back with her foot as he lay on the ground. However, I was informed by a trapeze artist at the circus that Arna's and Gigi's handler had beaten Gigi with a piece of four-by-two timber before approaching Arna.

As I stated at the time, it has been proven that elephants who kill once will frequently kill again. Ashton Circus elephant Abu killed three workers: in 1974, 1983 and again in 1987. His partner at the time had been Gigi, who was later bought by Stardust Circus as the new companion for Arna. In response to public concern and a directive from the Department of Primary Industries, Stardust retired 53-year-old Arna and her companion elephant Gigi, 50, to the Western Plains Zoo, where they lived out their years free of shackles, long hours in the back of beast wagons, and the glare and noise of the circus ring. This tragic episode ended the sorry history of performing elephants in circuses.

This brings me to the ongoing suffering of the remaining exotic animals in travelling circuses in New South Wales. Lions, camels and rhesus macaque monkeys are still exhibited and forced to perform for human entertainment. Animal circus owners tell us that because their lions have been bred for multiple generations in captivity and their macaques have been bred or sourced from zoos, and because the animals are shown affection as if they were companion animals and are extensively trained, they do not suffer from stress or boredom. In 2009 a University of Bristol study found that circus animals spend most of their days confined, with between 1 per cent and 9 per cent of each day taken up with performing or training and the remaining time spent in so-called exercise

pens. In other words, for at least 90 per cent of each day, the animals are in small, barren, temporary pens that are set up on the featureless, dusty or muddy back paddocks of New South Wales. Monkeys fare even worse, stuck in sterile cages that would be an animal welfare scandal if used in zoos.

Exercise pens are significantly smaller than minimum zoo requirements for outdoor enclosures. Given that there is no difference between the needs of a lion in a zoo and the needs of a circus lion, what is the explanation or justification for that? The reality is that a profitable travelling circus could not have pens the size of zoo enclosures. The circus animal standards therefore allow for this anomaly based on a commercial imperative. The science, however, is very clear that wild animals such as lions cannot flourish in domesticated settings regardless of how long they have been bred in captivity. According to Price in 1999, the conditions of captivity:

... constrain an animal's behaviours and restricts appropriate, or allows inappropriate, social interactions, both intra- and inter-specifically ... According to Mason et al in 2001, wild animals that have been bred for tens of generations in captivity still show extremely high motivation to perform certain activities seen in their wild counterparts. Be under no illusion that exotic circus animals are anything other than wild animals forced to adapt to and submit themselves to humans. They may have been hand reared, which makes them less fearful towards humans, and they may be described by their handlers as "tamed", but they can never be considered domesticated. Indeed, in order to tame them, infant animals in circuses are regularly separated from their mother and hand reared. Studies by Dettling in 2002, McEwen in 2007 and Reimers et al in 2007 have shown that this increases stress-related behaviour and can cause an elevated and prolonged stress response. These increased stress sensitivity effects can last into adulthood.

Circus owners may speak of generationally breeding lions into docility but no studies have been undertaken to establish that selective reproduction has taken place. Genetically speaking, exotic animals in circuses are identical to their wild counterparts. They express similarly high motivation to perform their species-specific behaviours and their instincts are unaffected. As a result, allegedly tamed exotic animals in captivity are often unpredictable and under stressful circumstances are likely to become aggressive. The University of Bristol study that I referenced earlier examined behaviour, health, living and travelling conditions and compared the conditions of non-domesticated animals in circuses with their counterparts kept in zoos. The study found:

Circus animals spent a great amount of time performing stereotypies, such as head-waving, pacing and repetitive abnormal behaviours, especially when shackled or confined in beast wagons.

Stereotypies are caused by a captive animal's repeated attempts to adapt to its environment or by a dysfunction of the central nervous system. Locomotory stereotypies include pacing and similar behaviours. Oral stereotypies include repetitive movements with the tongue or repeatedly biting an object. An animal may also perform repetitive movements of the whole body without moving from one place to another, such as swaying. The category would include, for example, a stereotypy sometimes shown by primates that consists of the animal moving its body backwards and forwards while seated. Other stereotypies include excessive grooming, leading sometimes to hair loss and dermatitis.

The motivation for locomotory stereotypies of carnivores is not known with certainty and is likely to result from the combination of several factors. Some studies suggest that lack of space is important, while others point to the inability to perform the normal behaviour of the species as the main cause. In carnivores, pacing is more common in those species that usually travel long distances in the wild. Regardless of how many generations have been born into captivity, all confined exotic animals are at risk of developing stereotypies due to confinement, boredom and the stress caused by the inability to perform normal behaviours. Stereotypic behaviour is particularly associated with performances in circus elephants and, in short, they are driven mad.

The presence of stereotypies is indicative of poor welfare in circus animals. Inadequate diet and housing conditions, and the effects of repeated performances, can also lead to significant health problems. Circus animals travel frequently and the associated forced movement, human handling, noise, wagon movement and confinement are important stressors. Available evidence suggests that performing near spectators may cause severe stress to wild animals. This can be exacerbated by restricted movement options, harsh lighting, exposure to loud or aversive sounds, strange odours and extreme temperatures. For example, stereotypies increase when the music starts just before a performance. I have witnessed that myself.

The type of training that is used affects the welfare of the animals. While we cannot be sure about the exact nature of training methods, any training procedures that include physical punishment will be stressful for and impose fear on the animals undergoing them. In the United States, People for the Ethical Treatment of Animals, known as PETA, has previously exposed the use of bullhooks on elephants in order to obtain their compliance. Although there is no conclusive evidence as to whether animals habituate to travel, confinement in beast wagons for long periods is a definite welfare concern.

Circuses have a limited ability to make improvements such as providing increased space, environmental enrichment and appropriate social housing that zoos may be able to provide. Given the financial and physical limitations of circuses, social animals are often housed singly, or in groups smaller than the average in the wild,

or in unnatural groupings. That prevents establishment of normal social dynamics and has significant consequences for behaviour and welfare. Consequently, the University of Bristol study found that the only non-domesticated animals suitable for circus life would have low space requirements, simple social structures, low cognitive function, non-specialist ecological requirements and an ability to be transported without adverse welfare effects. None of the commonest species exhibited by circuses, such as elephants and large felids, meet those criteria. They concluded that the species of non-domesticated animals commonly kept in circuses appear the least suited to a circus life.

Animal circuses are closing all around the world. The most famous in the United States, Ringling Bros. and Barnum and Bailey, made the decision to close earlier this year after almost 150 years in the business. They attributed the closure to changing community tastes in entertainment, and the community's growing concerns regarding animal welfare. Forty-five countries have already banned or are transitioning to ban animal circuses, citing animal welfare concerns as the main reason. May New South Wales join Sweden, Costa Rica, India, Finland, Singapore, Switzerland, Norway, Austria, Belgium and other countries in moving to ban animals in circuses.

The time is up for exotic animal circuses in this State. The circus families themselves know that they are the last generation to crack the whip against the majestic lion and the magnificent tiger. The shackles of countless generations of tortured elephants will never again be used to subjugate these magnificent gentle and intelligent giants. I respectfully ask my fellow members to support this bill and give these animals the compassionate response they deserve. May their final years be spent in a sanctuary rather than in the confines of a beast wagon. I commend the bill to the House.

Debate adjourned.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2018

Messages

The DEPUTY PRESIDENT (Mr David Shoebridge): I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendment to the abovementioned bill.

Motions

COMMITTEE PARTICIPANTS PROCEDURAL FAIRNESS

The Hon. NATASHA MACLAREN-JONES (11:28): I move:

- (1) That the House adopts the following procedures to provide procedural fairness for inquiry participants:
 - (1) **Inviting and summoning witnesses**
A witness will be invited to give evidence at a hearing unless the committee decides that a summons is warranted.
 - (2) **Information for witnesses**
A witness will normally be given reasonable notice of their hearing and will be provided with the inquiry terms of reference, a list of committee members and a copy of these procedures.
 - (3) **Opportunity to make a submission before a hearing**
A witness will normally be given the opportunity to make a submission before their hearing.
 - (4) **Opportunity to request a private (in camera) hearing**
A witness may request, before or during their hearing, that some or all of their evidence be heard in private (in camera). The committee will consider this request and if it declines, will advise the witness of the reasons why.
 - (5) **Publication of evidence taken in private (in camera)**
Prior to their private (in camera) hearing, a witness will be informed that the committee and the Legislative Council have the power to publish some or all of the evidence given. If the committee intends to publish, it will normally consult the witness, advise them of the outcome; and give reasonable notice of when the evidence will be published.
 - (6) **Attendance with a legal adviser**
With the prior agreement of the committee, a witness may be accompanied by and have reasonable opportunity to consult a legal adviser during their hearing. The legal adviser cannot participate in the hearing and will not be sworn in or give evidence, unless the committee decides otherwise.
 - (7) **Attendance with a support person**
With the prior agreement of the committee, a witness may be accompanied at their hearing by a support person. The support person will not be sworn in or give evidence, unless the committee decides otherwise.
 - (8) **Witnesses to be sworn**
At the start of their hearing a witness will, unless the committee decides otherwise, take an oath or affirmation to tell the truth, and the provisions of the Parliamentary Evidence Act 1901 will then apply.

- (9) **Chair to ensure relevance of questions**
A committee chair will ensure that all questions put to witnesses are relevant to the inquiry.
- (10) **Questions to public officials**
Public officials will not be asked to give opinions on matters of policy; and will be given reasonable opportunity to refer questions to more senior officials or to a minister.
- (11) **Questions on notice**
A witness may request to take a question on notice and provide the answer in writing at a later date to be determined by the committee.
- (12) **Objections to answering questions**
Where a witness objects to answering a question, they will be invited to state the grounds for their objection. If a member seeks to press the question, the committee will consider whether to insist on an answer, having regard to the grounds for the objection, the relevance of the question to the inquiry terms of reference, and the necessity to the inquiry of the information sought. If the committee decides that it requires an answer, it will inform the witness of the reasons why and may consider allowing the witness to answer the question on notice or in private (in camera).
- Witness appearing by invitation**
(a) If a witness who appears by invitation continues to refuse to answer the question, the committee may consider summoning the witness to reappear later, and will advise the witness that as they will be under oath and so subject to section 11 of the Parliamentary Evidence Act 1901, they may be compelled to answer the question.
- Witness appearing under summons**
(b) The continued refusal by a witness, having been summoned, to answer the question while under oath, may constitute a contempt of parliament under the Parliamentary Evidence Act 1901, and the committee may report the matter to the Legislative Council.
- (13) **Evidence that may seriously damage the reputation of a third party**
Evidence about to be given
(a) Where a committee anticipates that evidence about to be given may seriously damage the reputation of a person or body, the committee may consider hearing the evidence in private (in camera).
- Evidence that has been given**
(b) Where a witness gives evidence in public that may seriously damage the reputation of a person or body, the committee may consider keeping some or all of the evidence confidential.
- Opportunity to respond**
(c) Where a witness gives evidence that may seriously damage the reputation of a person or body, the committee may give the person or body reasonable access to the evidence, and the opportunity to respond in writing or at a hearing.
- (14) **Evidence that places a person at risk of serious harm**
Where a witness gives evidence that places a person at risk of serious harm, the committee will immediately consider expunging the information from the transcript of evidence.
- (15) **Tendering documents**
A witness may tender documents during their hearing. The committee will decide whether to accept and to publish such documents.
- (16) **Inviting and ordering the production of documents**
A witness will be invited to produce documents unless the committee decides that an order to produce the documents is warranted.
- (17) **Requests for confidentiality**
A person or body may request that documents provided to a committee be kept confidential in part or in full. The committee will consider the request and if it declines, will advise the person or body of the reasons why, and give reasonable notice of when the documents will be published.
- (18) **Transcripts**
A witness will be given the opportunity to correct transcription errors in their transcript of evidence. Amendments to or clarifications of evidence may be requested in writing.
- (19) **Treatment of witnesses**
Witnesses will be treated with courtesy at all times.
- (20) **Improper treatment of inquiry participants**
Where a committee has reason to believe that a person has been improperly influenced in respect of the evidence they may give to a committee, or has been penalised, injured or threatened in respect of evidence given, the committee will take all reasonable steps to ascertain the facts of the matter. If the committee is satisfied that such action may have occurred, the committee may report the matter to the Legislative Council.
- (21) **Inquiry participants before the Privileges Committee**
Where the Privileges Committee inquires into a matter which may involve an allegation of contempt, the committee may adopt additional procedures as it sees fit in order to ensure procedural fairness and the protection of inquiry participants.

- (2) This resolution have continuing effect until amended or rescinded.

The adoption of this motion will be a significant step for the Legislative Council committee system and it will continue to be used for years to come. This motion is a result of an inquiry conducted by the Legislative Council Privileges Committee and its report entitled "Procedural fairness into inquiry participants". The final report, which is before the House, was tabled on 28 June 2018. The background to the report lies in the recommendation of the Select Committee on the Legislative Council Committee System, which concluded in 2016. I note the work of the Hon. Scott Farlow, who chaired that committee. The select committee noted that, while Legislative Council committees act conscientiously to protect participants in their inquiries, there are no formal, publicly available procedures that can be referred to in ensuring witnesses are accorded proper process and fair treatment.

The select committee therefore recommended that an inquiry be referred to the Privileges Committee in regards to the protection and fair treatment of witnesses. This led to a reference from the President of the Legislative Council to the Privileges Committee in August 2017 to be observed by the committees to provide procedural fairness for inquiry participants. In conducting this inquiry into procedural fairness, the Privileges Committee took the view that the public is entitled to expect that participants are treated fairly by committees at all times. Procedural fairness ensures that witnesses are given an adequate opportunity to be heard and are informed of their options when giving evidence. It also ensures that committees are aware of how the interests of inquiry participants might be affected by their decisions and guards against perceptions of the arbitrary use of committee power.

The application of procedural fairness ensures that witnesses are given an opportunity to be heard and that, in their decisions, committees are cognisant of how the interests of inquiry participants might be affected by committee decisions. These considerations are especially important in light of the impact of publishing written and oral evidence on the internet and broadcasting hearings live. For any witness, attending a parliamentary committee hearing may be unusual and stressful. Ensuring witnesses are fully informed about all relevant procedures encourages effective participation in inquiries. The imperative to inform a witness of the committee process is even greater in the context of a controversial inquiry, where committee members will justifiably wish to exercise the inquiry power by asking challenging questions and interrogating the evidence at hand.

In the report the committee noted the Legislative Council committees already have a suite of procedural protections based on standing orders to ensure the protection and fair treatment of witnesses. By communicating these protections to inquiry participants, thereby informing them of their rights, we further enable fair treatment to occur. However, the main issue that the committee found was that these protections have never been gathered together in a uniform format which provides ease of access and communication to the public.

The committee examined other Houses of Parliament, including the Federal House of Representatives, the Victorian Legislative Council, the Western Australian Legislative Council, the Queensland Parliament and the New Zealand Parliament. By contrast, these parliaments have adopted guidelines, resolutions or standing orders setting out procedures and conventions regarding committee process and ensuring procedural fairness. Our committee received submissions from other Houses of Parliament and jurisdictions to gain an insight into procedural protections for witnesses. One example we looked at is the Australian Senate, which has a resolution in place setting out procedural protections for witnesses. We identified seven additional paragraphs to the Senate resolution to better reflect the practices of the Legislative Council.

In the interests of clarity for witnesses, the language was modified to reflect contemporary legal and lay terminology. Each paragraph was simplified as far as possible in plain English, such as "evidence that reflects adversely on" was replaced with "evidence that may seriously damage the reputation of", as is done in the New Zealand Parliament. The committee concluded that the adoption of a Senate-style resolution by the Legislative Council would foster greater clarity and consistency and enhance public confidence in the committee system. Accordingly it recommended that the House adopt a resolution specifying the procedural protections to be followed by council committees.

As I mentioned, the form of the wording of the resolution recommended by the committee drew on similar resolutions. This motion proposes that the House adopts the resolution recommended by the Privileges Committee in its report of June 2018. The resolution sets out 21 rights and powers of committees, and informs witnesses of their rights in an accessible form. The resolution was drafted under the direction of the Clerk Assistant-Committees, in close consultation with the Procedure Office, and carefully scrutinised by the Clerk and Deputy Clerk before being considered in detail by the Privileges Committee.

The resolution serves as a succinct source of procedural guidance for committee members and clerks. The matters addressed in the resolution are comprehensive, encompassing and expansive. They include providing advice on issues relating to inviting and summoning witnesses, swearing of witnesses, the opportunity for witnesses to request a private hearing, attendance with a legal adviser, objections to answering questions, evidence

that may seriously damage the reputation of third parties, evidence that places the person at risk of serious harm, the tendering of documents and inviting the production of documents. The Government is confident of the adoption of this motion. This is a bipartisan committee and I thank all members for their support of the recommendations in this motion. The committee system will be enhanced by informing witnesses of their procedural rights via a complete set of procedures to be followed at all stages of inquiries. I commend the motion to the House.

The Hon. PETER PRIMROSE (11:40): I am the Deputy Chair of the Privileges Committee, and this motion has bipartisan support. I have spoken in this House many times before about how important the committee system is to this House. I have spoken about how it has developed, how it has changed and how critical it is to the body politic of New South Wales. I have also made it clear that it is my view that, of all the committees in this place, the most important is the Privileges Committee. The Privileges Committee does not deal with day-to-day politics; it develops the skeleton of the body politic that allows all of those other inquiries, the day-to-day operations, the discussions that take place and the decision-making in our democracy, to actually occur. The other valuable part of the Privileges Committee is that—having previously been Chair, a long-term member and now Deputy Chair—there has been acceptance on a bipartisan basis that it will not become partisan. There has been acceptance that this committee, beyond anything else, must talk out the issues and judge them on the basis of rationality and discussion—and go beyond the issues of partisan politics. I am very pleased that this motion does precisely that.

When discussing some of the issues, be they matters of privilege, the rights of witnesses or any of the other numerous matters that the committee has dealt with, many people's eyes will glaze over. These are certainly not the matters one would expect to appear on the front page of the scholarly journals of record that we read every day. Over the years we have been confronted with many critical matters in relation to our relationships as a Chamber with each other, issues about what members may or may not say and whether members may be excluded from debates in this Chamber. Indeed I well recall that, when a member of this House had all of the contents of their office removed by the Independent Commission Against Corruption, this House, on the basis of a unanimous recommendation by the Privileges Committee, unanimously and without debate twice accepted a report that I presented as the then Chair, which asserted its fundamental rights. I give this as a preview of how important what may be seen to be arcane matters are to keep the skeleton and the structure of our democracy, through its hard-won rights over many centuries, in place, growing and intact so that all of those other activities can take place.

Procedural fairness is often used to refer to common law principles concerning statutory and prerogative powers designed to ensure the fairness of the decision-making procedures in courts or other administrative bodies. The term "procedural fairness" is often used interchangeably with the term "natural justice". It encompasses the hearing rule that requires that a person be given an opportunity to present their case with knowledge of any prejudicial material that might be taken into account by the decision-maker and the rule against bias, which protects the right to have a decision made by a decision-maker who is neither biased nor might reasonably be apprehended to be so. At the root of the concept is the provision of a fair hearing and, in a non-litigious context, the notion that an individual be given an adequate opportunity to be heard.

The Hon. Natalie Ward: *Browne v Dunn*.

The Hon. PETER PRIMROSE: Yes. Members will recall that we have called judges to this Chamber. Indeed, I have had the privilege of being present when we have called judges before the bar of this House to explain—

The DEPUTY PRESIDENT (Mr David Shoebridge): Magistrates.

The Hon. PETER PRIMROSE: Magistrates. Members of the judiciary have been called before this place and we have required them to explain to the House—and to its satisfaction—whether they should continue in that role. They were afforded all of those principles. We regarded it as an onerous responsibility on all members of the House, many of us without legal backgrounds but certainly well aware of the weight of responsibility on us, to provide procedural fairness to everyone—as we would to any other witness who appeared by any committee in this place. Many of the various submissions to the inquiry we are considering today referred to the fact that Australian courts and tribunals have a duty to afford such procedural fairness. The requirement to provide procedural fairness also arises in respect of investigating agencies—for example, the Independent Commission Against Corruption must afford procedural fairness to those who may be adversely affected by its findings. The commission is also required to issue guidelines in relation to aspects of procedural fairness in the conduct of its public inquiries.

There is no legal requirement for Parliament, or a parliamentary committee, to observe procedural fairness. However, the public is entitled to expect that the committees of this House and, I would suggest, the

other House, will have regard to the principles of fairness when conducting their inquiries. The application of such principles is particularly important in light of the impact of publishing committee evidence and reports on the internet and broadcasting committee hearings live. The Clerk of the Australian Senate has observed that, in the context of parliamentary committee inquiries, procedural fairness does not require mimicry of the rules and procedures applied by the courts but rests on procedures that provide substantive natural justice—or, as I would propose, procedural fairness.

There is debate as to whether procedural fairness can be achieved in the context of a committee inquiry, given that a House of Parliament is a political assembly rather than an impartial and independent tribunal. However, the Law Society of New South Wales argued in its submission to the inquiry that the current standards of public administration and fairness require parliamentary committees to be guided by such principles of procedural fairness to the maximum extent possible. A distinction can be drawn between procedural fairness and the obligation on a committee to consider and protect the interests of inquiry participants who may be vulnerable, such as persons with a mental illness, young people and Indigenous people. Committees have adopted special measures to protect the interests of such persons where the circumstances have required it.

I well recall moving many years ago for a very simple thing such as the production of a brochure for potential witnesses to outline what happens at a committee and the rights and responsibilities of witnesses. That was readily taken up by the committee system and the Clerks, and it is now regarded as standard process. We have certainly moved well beyond that, but that was a very simple way of recognising procedural fairness being given to those participants. The previous speaker has already outlined the various recommendations of the committee and I will not seek to canvass all of those, but in the short time left I will address one aspect of the recommendations relating to requests for confidentiality, which is covered in item 17. Confidentiality is clearly a matter that many committees wrestle with in regard to hearings in an open structure. I was recently part of a parliamentary inquiry into the issue of bullying in emergency services, which required extensive consideration of who would be entitled to confidentiality given the fact that they were making allegations against other parties. The issue of request for confidentiality is considered in the matter before us today. The paragraph as drafted states:

A person or body may request that documents provided to a committee be kept confidential in part or in full. The committee will consider the request and if it declines, will advise the person or body of the reasons why, and give reasonable notice of when the documents will be published.

This paragraph could apply to submissions, correspondence, tendered documents, answers to questions on notice, or to attachments to any of these. As drafted, "a person or body" may request confidentiality. This enables the procedure to apply not only to witnesses but also to third parties, such as a person named in the document.

As a matter of procedural fairness, and consistent with both the opportunity given to witnesses to request a private (*in camera*) hearing ... and the procedure for publication of evidence taken in private ... it is reasonable that a committee consider a request to keep documents confidential, and in the event that it declines, that it provide the reasons why, then give the person requesting confidentiality notice of when publication will occur. The amount of notice considered reasonable would be determined by the committee. Each of these steps is normal committee practice.

Where a committee is contemplating publication of a document (in full or in part) against the wishes of an individual or organisation, there is a balance to be struck between the interests of that person or body and the public interest. It is possible, for instance, that publication will do significant harm to the reputation of a person, that it may affect their career, and/or that it will place information in the public domain that an organisation believes will affect its ability to fulfil its role. The effect of the paragraph is to ensure the committee at least consider the request, and in doing so, pay due regard to the interests of the person or body, then advise them of the outcome in a timely way so that they may ready themselves for publication.

It may be argued that too great a use of confidentiality by committees undermines the accountability of inquiry participants for the things they tell a committee. On this view, it may be better to publish more and make greater use of the provision for opportunity to respond ... and to investigate any negative reprisals for participants ...

On the other hand, committees do have significant responsibilities towards inquiry participants and third parties, such as to protect their privacy, their reputation, or their vulnerability to recriminations, and in such instances the use of confidentiality can be a powerful preventative tool.

...

In practice, the process very often involves a dialogue between the committee and the person or body that mirrors the consultation process articulated in draft paragraph 5 regarding publication of evidence taken in private. In most cases this enables a middle ground to be found, for example to publish some parts of a document and suppress others, to the acceptance of both the person or body and the committee. There are many examples of this occurring in Council committees.

We have seen many examples in committees. I reiterate how important the Privileges Committee is to the continued operation of this House—I think all members accept that. When it makes reports to this House, I urge members as part of their busy day to consider reading those reports or at least reading the executive summary, because at some point in their parliamentary careers those reports and the effects of them will touch their practice and the people they represent.

Reverend the Hon. FRED NILE (11:54): I speak very briefly in support of the motion of the Hon. Natasha Maclaren-Jones on behalf of the Privileges Committee on its inquiry into procedural fairness for

inquiry participants. Over my 37 years in Parliament I have been involved in many inquiries, and I have felt the need for such a list of considerations for the committee and the committee Chair. I am very pleased that this motion has been presented today. It has the full support of the Christian Democratic Party.

The Hon. Dr PETER PHELPS (11:55): I support the motion and, as a member of the Privileges Committee, I add my support to the comments made by the Hon. Peter Primrose. The work of this committee is excellent. While I initially had some reservations about the codification of the established practices of the committee in relation to witnesses, fearing that it may lead to a diminution in the power of the Parliament to actively investigate matters, I am very happy with the way that the ultimate codification of these existing practices has come out. Like the Hon. Peter Primrose, I too raise concerns about the use of in-camera testimony and non-publication of material.

My view has always been to prefer publication to non-publication, except in the most exceptional circumstances, for two reasons. First, if adverse comment is made against a person, that person should have the right to know and to counteract what has been said or written about them. Secondly, for those of us on committees who receive material in private which then cannot be testified because of the confidentiality of it, it places us in an invidious position of saying that it is untested material—and are we to believe it without any further examination? I appreciate there are circumstances where that might be the case, but section 20 of these new provisions must be given full effect to.

If we have a preference for public disclosure, people who make those disclosures should have the absolute knowledge that they will be protected with the full force that this Parliament can bear upon those who would seek to punish them or in any way improperly influence their testimony before or after they give that testimony. Whether or not I am here after March next year is beside the point: This Parliament, this House, must give full effect to section 20 of these new procedures for witnesses and it must ensure that no-one in this State has any fear of coming before a committee in public and telling the truth. I commend the motion to the House.

The Hon. MATTHEW MASON-COX (11:58): I make a few brief comments in relation to the tabling of this important report. Harking back to a little bit of history, before my unexpected departure I was the Chair of the Privileges Committee at the time this inquiry was initiated. I am now very pleased to be back in that position and I commend the Chair in my absence, the Hon. Natasha Maclaren-Jones, and the committee for an excellent report. I publicly associate myself with the comments of the Hon. Natasha Maclaren-Jones, the Hon. Peter Primrose and the Hon. Dr Peter Phelps, who I believe summed up very eloquently the importance of the Privileges Committee in this place and the important outcome that we see before us today.

As the Chair of the committee and a member of this place, I have always been very respectful of the Privileges Committee and its role, in a multipartisan way, to safeguard the privileges, immunities and powers of all members of this place and the institution as a whole. The Privileges Committee is a critical piece of the fabric of democracy in this State and one that perhaps is not recognised as much as it should. By putting in the public domain a clear articulation of the principles of due process or natural justice that apply to witnesses before committees, the Privileges Committee will be able to signal and perhaps demystify its role in the public discourse and its importance to the continuing traditions and dignity of this institution. It is an important step in the evolution of the Privileges Committee and the procedures of the committees of this House.

It would be remiss of me not to reflect on recent events in this place, in particular, the changes to procedures that have occurred since the establishment of the committee on committees. It is important to note the evolution of these changes. As a result of some tumultuous moments in this House in recent times, significant changes have occurred in the way the House handles Cabinet documents. In that respect, further evolution will occur, perhaps in the next parliament. Of late, on several occasions committees have issued summonses that require the production of documents at a committee hearing. In that context, witnesses have objected to appearing before a committee and providing those documents. Such objections need to be handled in a precise fashion. Witnesses should understand their responsibilities before a committee of this place. These changes will provide clarification. It is important to note that this is a process of evolution. Given the recent debates about Cabinet documents, this process has some way to go. No doubt it will be revisited in both Chambers in the next Parliament.

Witnesses will say that they cannot respond to a question because of Cabinet-in-confidence or commercial-in-confidence or a variety of reasons. Witnesses must understand the prerogative and powers of this House and its importance to public accountability in this State. As I stated previously, it is an important step along the road. An evolution is taking place; it would be remiss of us not to acknowledge that. There are further issues to be clarified in that regard. I look forward to being part of that process as Chair of the Privileges Committee and a member of this place in the new parliament to further clarify the powers of this Chamber and its pre-eminence as a House of review and in keeping the Executive—whoever that might be—accountable to ensure the interests of the people of New South Wales are protected.

Mr DAVID SHOEBRIDGE (12:05): I too indicate my support for the proposed rules. I note the careful observations of the Hon. Peter Primrose, the Hon. Dr Peter Phelps, the Hon. Matthew Mason-Cox and the Government Whip. The committee must be multipartisan in its role to protect the stature, the power and the independence of committee work. Of both Chambers of this Parliament, it is the committees that tend to do the hard work. It is crucial that committees and their powers are respected. Paragraph (10), relating to public officials, proposes:

Public officials will not be asked to give opinions on matters of policy—

I am sure all members would agree with that; that it is not their job—

and will be given reasonable opportunity to refer questions to more senior officials or to a minister.

I agree but I add this caveat. "Reasonable opportunity" needs to be defined. Where officials have given certain advice or have held certain functions, should they have reasonable opportunity to duck-shove the question to another official or the Minister? In those circumstances, I do not believe that is reasonable. Where officials have undertaken certain work and have specific knowledge of a matter by dint of that work, they should be required to answer questions and not hide by referring them to another official or a Minister. With those observations, I indicate my support for the motion.

The Hon. NATASHA MACLAREN-JONES (12:05): In reply: I acknowledge and thank all those who have contributed to the debate: the Hon. Peter Primrose, Reverend the Hon. Fred Nile, the Hon. Dr Peter Phelps, the Hon. Matthew Mason-Cox and Mr David Shoebridge. I acknowledge also the committee members: the Hon. Greg Donnelly; Dr Mehreen Faruqi, who was a member when the inquiry was conducted; the Hon. Trevor Khan; and the Hon. Shayne Mallard. This committee is different to other committees in that a lot of the work is done on a bipartisan basis. The motion and the recommendations contained within it will be significant to assist and facilitate not only witnesses but also all inquiries moving forward. There was a lot of discussion on this motion, particularly around in-camera evidence. These changes will provide opportunity for the new Chair and committee members in the next parliament to revise and amend where necessary. I commend the motion and thank all those who participated.

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

Motion agreed to.

INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE SPECIAL REPORT ON GLOBAL WARMING

Debate resumed from 18 October 2018.

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (12:08): As the Minister for Energy and Utilities, I remark on the motion moved by Mr Jeremy Buckingham, which is in two parts. The first part of the motion notes three pieces of information: it comments on the Intergovernmental Panel on Climate Change Special Report on Global Warming; it makes an observation about the National Energy Guarantee; and it makes an assertion about the Government's energy and emission reductions policy, which I certainly will not leave unremarked upon. The second part of the motion dictates what the member no doubt believes is the direction the policy should go in. I will remark on all of those matters. It is useful in that respect to commence my remarks noting the views of Australia's Chief Scientist, Dr Alan Finkel, AO, a pre-eminent expert on climate and energy policy. Dr Finkel has cautioned:

We have to look squarely at the goal of a zero-emissions planet, then work out how to get there while maximising our economic growth.

That is a direct quote. Dr Finkel has emphasised that reducing emissions will require "an orderly transition". Further, he has cautioned that the transition will have to be managed over several decades. This is consistent with the approach the New South Wales Government is taking. The Government has a responsible, measured approach to reducing emissions, as set out in the NSW Climate Change Policy Framework. The framework sets an aspirational objective of achieving net zero emissions by 2050.

In relation to the energy sector, the Government is committed to ensuring a smooth transition to a modern energy system that delivers affordable and reliable power to New South Wales customers. For the medium term, New South Wales coal-fired power stations play an important role in helping to achieve this objective. At the same time this Government is attracting billions of investment dollars for renewable energy projects. As of October 2018, 11 projects totalling over 1,500 megawatts of renewable energy generation are under construction. We are working to encourage investment in new clean energy technologies such as pumped hydro and energy

storage. These initiatives will be important in reducing New South Wales' emissions while ensuring we continue to meet our energy needs and keep energy prices down.

I have stated many times in this House the views of the Government on the National Energy Guarantee [NEG]. We publicly supported it and, as I noted yesterday in question time, we raised no objection in principle to its previous policy iterations or variations, the environmental impact statement and the Clean Energy Target. The Federal Government has made it clear it wishes to progress a reliability obligation. Indeed, it will be a key agenda item at tomorrow's meeting of the Council of Australian Governments [COAG] Energy Council of Ministers. Although most would have preferred the NEG as initially proposed by the Energy Security Board, nevertheless all major stakeholders support the need for a reliability obligation-style mechanism.

We need investment in generation and we need to ensure our system is reliable as it transitions to a cleaner generation mix. If the COAG Energy Council agrees to implement the reliability obligation component of the NEG, the mechanism will be brought into effect through the national electricity law. I hope to see the framework of the reliability obligation of the NEG, including the legislation rules and guidelines, fully implemented in a timely manner to ensure that the benefits are realised as soon as possible. It will be incumbent on us to clearly communicate to the private sector the investment we want in New South Wales generation and to progress complementary measures to support the private sector investment we need. We are already working on this.

The motion claims that the Government has no credible energy policy. It ignores a range of actions that directly contribute to a reduction in emissions in New South Wales consistent with our aspirational net zero target by 2050. In particular, the New South Wales Climate Change Fund helps households and businesses save energy and money, unlocks the benefits of clean energy and enhances community resilience to a changing climate. The fund has supported a number of programs including the construction of Australia's first major solar farms at Nyngan and Broken Hill. The Home Power Savings Program has helped 220,000 low-income households reduce their energy use. The Innovative Demand Response Program supports the State's energy security. We were the only State in Australia who partnered with the Australian Renewable Energy Agency during the most recent summer to support demand response and we will, of course, be doing it again this year.

Mr Jeremy Buckingham: This summer?

The Hon. DON HARWIN: The honourable member interjects, but the key point at which the State's electricity grid, the nation's electricity grid, is always at most risk is during summer. The Climate Change Fund has also funded components of the \$112.5 million Energy Bill Relief Package. It is helping households and small businesses to upgrade to more energy-efficient equipment and to save on energy bills. In addition, it has funded the \$30 million Regional Community Energy Program, which includes three streams to address these challenges and improve energy reliability for consumers.

The three streams are, first, a community energy project fund that will provide grant funding for community-led dispatchable energy projects, such as a solar and battery system on a sports centre; secondly, grants for up to five regional community energy hubs to help improve access to energy advice to reduce bills for households and business; and, thirdly, grants to regional and remote communities to install emergency backup systems for key evacuation locations such as local halls and high schools. Households in regional areas generally pay more annually for electricity than those in metropolitan areas. It is harder for regional community energy groups to get projects off the ground. All of these projects are contributing to sensible action on emissions while empowering those who want to deliver sensible solutions. The recently announced \$55 million Emerging Energy Program will bring forward private sector investment to support the next generation of large-scale energy and storage projects in New South Wales. Eligible projects must demonstrate that they can provide dispatchable or on-demand energy to help meet the State's energy needs.

The Government is also working with WaterNSW to provide opportunities for the private sector to invest in new pumped hydro, floating solar and other energy and storage projects on the State's water assets. WaterNSW closed the process for proposals on 10 September 2018, and I look forward to seeing the results of the short-listing process in coming months. The Government recently awarded funding to five feasibility studies and five demonstration projects under the Clean Energy Knowledge Sharing Initiative to support early adopters of modern energy technologies. These are the sorts of initiatives that will help move us towards a cleaner energy future. The Government is supporting solar access solar gardens trials in Blacktown, Shoalhaven and Byron Bay. This is helping renters, low-income households and those living in apartments to save money on their electricity bill. That is important. All of those measures are critical. It is important to keep in mind the need for engineering and economic solutions, not just blind faith and ideology.

I have spoken at length in the House, as recently as yesterday, on the need to ensure we have a robust transmission system. Our existing transmission network was built primarily around 50 years ago to connect our

fleet of coal generators to major centres such as cities and industry. We cannot increase the supply of energy in New South Wales without unlocking transmission capacity. The New South Wales transmission network service provider, Transgrid, currently has only enough capacity on its network for approximately one in 20 of the projects that have made a connection inquiry. As I indicated to the House yesterday, the challenges are clear, but I will reiterate them.

In the State's Central West region 9,000 megawatts of large-scale energy projects seek to connect but less than 1,000 megawatts of connection capacity is available. In the New England region, energy projects worth 11,000 megawatts seek to connect but less than 800 megawatts of connection capacity is available. In the south and south-west of the State, more than 4,500 megawatts of inquiries have been made but no connection is available. This pipeline of potential investment has grown without any State-based renewable energy target. That is exactly why the Government has been working on a transmission infrastructure strategy. Our strategy will enhance and build on the Australian Energy Market Operator's [AEMO] Integrated System Plan, released in July.

The role of the AEMO is to look at the best outcomes for the National Electricity Market [NEM] as a whole. The aim of the Government is to build on the AEMO's work to ensure the outcomes reflect the best interests of New South Wales. The goal of the strategy will be straightforward: to ensure New South Wales can access the low-cost power generation it needs into the future. Facilitating transmission will help unlock private sector investment in new generation, help deal with market blockages and, importantly, support lower wholesale and overall retail prices for consumers. By supporting new private sector investment in energy generation in New South Wales, we are also helping to reduce the risk of high wholesale electricity prices caused by uncompetitive bidding and rebidding strategies.

An important addition to our transmission strategy is our proposal to work to renewable energy zones which coincide with the three areas that I outlined—Central West, New England and the south-west of the State—to ensure that we can overcome some of those capacity constraints. I am pleased that the AEMO's ISP accepted the zones as priority regions for grid development as part of its 20-year plan for transformation of the NEM. The zones will play a critical role in helping us bring about a cleaner energy future. [*Time expired.*]

[*Business interrupted.*]

Visitors

VISITORS

The DEPUTY PRESIDENT (The Hon. Courtney Houssos): I welcome 60 year 5 students from Nowra Anglican College, guests of the member for Kiama.

Motions

INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE SPECIAL REPORT ON GLOBAL WARMING

[*Business resumed.*]

The Hon. ADAM SEARLE (12:23): The Opposition supports the motion moved by Mr Jeremy Buckingham. I will unpack the motion, just as the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts did. Paragraph 1 (a) simply notes the content of the Intergovernmental Panel on Climate Change [IPCC] special report, which is not a mystery. Paragraph 1 (b) is a matter of fact: that the Federal Government has abandoned the National Energy Guarantee [NEG] as a mechanism to limit greenhouse gas emissions. In question time this week Minister Harwin noted that abandonment occurred in the dying days of the Turnbull Government, 72 hours before Mr Turnbull was bundled out of his position as leader of the Federal Liberal Party. Even Mr Turnbull was beginning to back-pedal on and unravel the NEG. There has been a complete abandonment by the Federal Coalition Government on what was beginning to be a mere sketch of an energy policy. As I noted in my adjournment speech last night, Malcolm Turnbull made one good observation on his way out the door, which was that his side of politics has a problem developing a credible energy policy.

The Hon. Don Harwin: In Canberra.

The Hon. ADAM SEARLE: I note the interjection "in Canberra", to which I will return. Paragraph 1 (c) of the motion states that the Government has no credible energy policy or emissions reduction policy. Mr Jeremy Buckingham did not specify which government he was talking about. One could infer that he was talking about the Federal Government but it applies to this State Government as well. To make good that point, I refer to the matters outlined by Minister Harwin. This is when the Government hopes that everyone will fall asleep and get lost in the detail. He referred to the \$55 million fund to bring forward private sector investment in energy generation and storage. The best that can be said about that policy is that it is a start. During a regular day we

consume 7,500 to 8,500 megawatts and at peak 13,000 to 15,000 megawatts, which is a lot of energy, most of which today is coal-fired power that will be retired over the next 10 to 15 years. Where is new investment to replace that?

The Minister has said a lot this week about the billions of dollars of investment coming forward in new renewables in New South Wales. But in the same breath he says that we cannot have it because the transmission system is crap. Who has been in government for eight years? The Minister said he could not realise the benefit of new investment in new generation without upgrades to the transmission system. That is news to a lot of people who want to invest in renewable energy and it is not crystal clear to everybody in the system. I think it is an excuse the Government is putting forward for the upcoming election in relation to its inaction on bringing forward new investment. The truth is that New South Wales is missing out on new investment to Victoria and Queensland because the New South Wales Government has no plan or mechanism to bring forward new investment.

Even before we get to net new energy available for New South Wales, what is the Government doing about replacing the existing coal-fired power that will be retired over the next 10 to 15 years? If the system is overburdened and congested and can only take so much traffic, what will the Government do to replace the existing energy as it falls out of the system? The truth is the Government has put all its eggs in one basket. In the past eight years of government, the only thing the Government has done is to follow Malcolm Turnbull and his plan for the NEG. How did that work out? It did not work out for Malcolm Turnbull, it has not worked out for Scott Morrison and it certainly will not work out for the present administration in New South Wales.

No plan for transmission is the problem. In the past eight years, what has this Government been doing on transmission to make sure that the grid is fit for purpose to meet the challenges of the future? The Government's officials at the energy inquiry could not even commit that this Government's response to the Integrated System Plan [ISP] would be released before the election. Yesterday the Minister said it would be released shortly. I ask the Minister if he is talking "shortly" as a geological construct over the next few years or is it "shortly" as in the next few days or months? When it is released, will there be any ambition or vision in the document or will it merely be a thin recitation of the ISP ending with "Somebody should do something about this"? Will there actually be a plan for the Berejiklian Government to finally put its shoulder to the wheel and be part of the solution rather than the obstacle?

Net zero emissions by 2050 is a cross-party objective. I note it is the position of the State Government, the Federal Opposition and the State Opposition. Labor looks forward to working on that. But again the Minister sought to outline all the different goodies being pursued through the Climate Change Fund. Each of those projects may well be worthwhile but they are very small-scale in scope. I am not detracting from them but this is hardly the vision and effort necessary to transform our energy system to make it sustainable and reliable into the future. It also obscures the fact that of the \$289 million raised every year through the Climate Change Fund, this Government has had trouble getting the money out of the door. At least until recently, the fund was \$400 million under-spent over a number of years.

I do not think the figures have been reconciled yet for the most recent announcements. The current Government just does not believe in actually doing something about climate change. The stuff it does do is small-scale; it is retail. It is good for the small number of people who benefit but it is not transformative and it is not the effort and vision that is required to take us where we need to go. The Minister says, "Well, we're achieving some things; we're getting investment," but in the same breath says, "We can't have it because the transmission system is not up to scratch." We have done this without a State-based renewable energy target. But the Government has been dragged along on the coat-tails of the former Federal Labor Government's renewable energy target, which is what has driven investment to date. That closes and, yes, there will be a bit of a tailwind. There will be a bit of a flow-through from investment decisions already made as they are implemented. But unless there is an extension of the renewable energy target or an emissions reduction target or emissions intensity scheme is put in place, there will be no mechanism to drive further investment as fast as it needs to occur and there will be a problem.

We will not have the investment coming through as we need it. That will lead to further spikes in wholesale electricity prices because our supply will be put at risk. That is not good enough. If the Minister's contribution is the best that the current Government can do after eight years in office, then a further term in office of the present administration will be bad news for the energy system and the people who depend upon it in New South Wales. I return to the Federal Government's vision and its approach to the IPCC report. Federal Deputy Prime Minister Mr McCormack said that his Government would not change policy "... just because somebody might suggest that some sort of report is the way we need to follow and everything we should do."

Apart from his appalling grasp on the English language: "some" report? A report from a United Nations body of eminent climate scientists, not just some report—but for him it is "some" report. A week or so ago, when this was newsworthy, he had not read the report. He had not been briefed on it and neither had the Federal energy Minister.

Why? Because they just do not care or they cannot get their heads around it. It is appalling that for people in such high office, saving the planet is such a low priority. The next generation will look back and hang their heads over the lack of commitment or vision by the present State and Federal administrations.

Again, the Prime Minister—the current Prime Minister, that is—has claimed that Australia will meet its Paris Agreement targets. But that is not what the Federal environment department says. Its figures show that emissions are rising. The Energy Security Board advises that Australia will fall short of those targets. For the Coalition, the substitute for action is Trumpian and Orwellian: "Rather than face facts and have policies addressing them, let's just make it up." It is the big lie. They hope that if it is repeated often enough, people who are struggling to get through their daily lives, worried about their families and jobs, and getting from Monday to Friday so they can spend the weekend with their families, will not notice that the Prime Minister is being untruthful and that the Federal Government, far from leading, is not even following. It is disgraceful.

The IPCC report is sobering for Australia, not merely environmentally but also economically. Holding global warming to 1.5 degrees Celsius rather than 2 degrees Celsius will be the difference between the survival of some coral in the Great Barrier Reef and its complete decline. That would be a tragedy because of its immense World Heritage values: one of the great wonders of our natural world destroyed by human action and inaction. But what about all the tourists who come to Australia to see the Great Barrier Reef and the millions and billions of dollars of inbound money they bring? They will not keep coming if the Great Barrier Reef is dead. Have those opposite and the Coalition parties in Canberra thought about that? It is not about hugging a tree, stopping a mine or liking a walk in the wilderness. This is about the future of great assets such as the Great Barrier Reef and, indeed, the future of our planet. Let us talk about the Federal environment Minister.

Mr Jeremy Buckingham: Who?

The Hon. ADAM SEARLE: Melissa Price—apart from her recent interaction with the former President of Kiribati.

The Hon. Matthew Mason-Cox: He's here today.

The Hon. ADAM SEARLE: I know; he is here in the building today. Even Melissa Price has had to concede that there has been a slight increase in Australia's emissions, but of course she has blamed liquid natural gas production. It is not funny, but what does she say? She has dismissed the IPCC report as "their opinion". It is not their opinion. The IPCC report is the professional scientific work of the leading climate scientists on this planet. It is not their belief. That attitude of the Federal environment Minister reveals a number of things. Firstly and most obviously, she is not up to the job. Secondly, it reveals the deeply ideological approach taken by the Coalition parties to energy policy and climate policy.

They are in denial that the world is on fire. They are in denial that things need to change and that the change needs to be fundamental if we are to maintain a liveable planet for successive generations. Change is inconvenient; it requires that we do things differently. Everybody who does well now will have to make adjustments. But if this generation does not make those fundamental decisions, the world we leave our children and their children will be much poorer economically as well as much harder to live in physically. Is that really the legacy this generation wants to leave the next and the one after? I earnestly hope not.

Mr SCOT MacDONALD (12:38): I will approach the motion from the point of view of the Hunter Valley. This conversation has been going on for quite a long time. The Hunter Valley is a hotspot for coal generation and raw materials. It is the premier export coal port in the world, at about 160 million tonnes. It is also the epicentre of a lot of heavy generation. I will give the example of Tomago Aluminium. I commend the work of our energy Minister and the Government, which has been practical and not bound by zealotry. The Government has come at this from the point of view that we have a target to reach by 2050. I believe that we have a pathway to get there, but we will not get there with zealotry. This morning I had a bit of a Twitter exchange with people who think that a 30-megawatt battery in Victoria is the answer to our energy dilemma.

Tomago Aluminium uses about 11 per cent of this State's energy generation. It employs 1,000 men and women and produces a product that is needed across industries and in our daily lives. The product it makes is exported and is hugely important. In a changing energy environment Tomago needs a reasoned, practical and pragmatic energy policy to continue to employ people and to do what it does so well. It is emblematic of what the State needs. I will say right here and now that I think the Intergovernmental Panel on Climate Change [IPCC] provides a credible pointer to our climate challenge, but we cannot ignore what we need to deal with on the ground. We have an ageing coal fleet and Liddell will be closing down in 2022. The challenge is how we will replace that energy. I think the nameplate generation capacity of Liddell is about 1,800 megawatts and it routinely produces about 1,000 megawatts.

The Government is engaging with AGL about how that generation will be replaced. It is not being driven by ideology; it is driven by what is practical and affordable. This Government was one of the first to sign up to the prospect of the National Energy Guarantee [NEG]. I thought the NEG had every element that we needed—affordability, emissions and reliability targets. I believe our Minister is continuing on that policy pathway. I hope the Minister continues to engage with the Council of Australian Governments on a solution, whether it is called a NEG or something else. I hope the Government continues to aspire to and plans to reach those goals of reliability, affordability and lower emissions. Tomago Aluminium needs an electricity price of about \$50 to \$55 per megawatt, otherwise it just will not work and jobs will be put at risk.

I know AGL is closely engaged with the Minister's office about how to replace the 1,000 megawatts needed at this stage—and probably more as time goes by—through a good mix of energy generation. They are looking at providing about 250 megawatts of gas, about 100 megawatts through an upgrade of Bayswater and nearly 900 megawatts of renewables across Coopers Gap, Silvertown and solar offtake. They are substantial and practical measures that the Government is continuing to engage in. Whether or not we agree with everything continues to be a work in progress, but we are not driven by zealotry or the view that we must be at a percentage of renewables—as I hear from other people across the country. I understand Labor is still signed up to 50 per cent renewable generation and other parts of the Green movement and Labor in other States are looking for 100 per cent.

One hundred per cent renewable energy will not work in our industrialised economy. New South Wales is the leading State for heavy industry and economic growth. People may have a goal of achieving 50 per cent or 100 per cent renewables, or a figure in between, but we are not there yet. To say otherwise is misleading to the community and a risk to jobs. I firmly believe we should continue to aspire to the 2050 target rather than a percentage of renewables because the battery technology is not there yet. It is certainly not able to support heavy industries such as Tomago Aluminium. In the conversation about the IPCC and other aspects of the motion I hear very little about how we can continue to support jobs like those centred in the Hunter Valley.

We can have a warm inner glow about 30-megawatt batteries and the battery that South Australia built. Those batteries would not provide enough power to support Tomago for more than about seven minutes. That is just not good enough. If Tomago went down for around three hours the potlines would melt and it would cost tens of millions of dollars to repair them. If that happened it would be hard to justify rebuilding the Tomago plant. That would mean 1,000 jobs would be gone from the Hunter Valley. As I said, Tomago is emblematic of many heavy industries across the Hunter Valley and New South Wales.

Our approach has to be practical and pragmatic. It should not be driven by zealotry, which is very dangerous. Trying to reach a renewable energy target that Labor or The Greens might put on the table—whether it be 50 per cent or more—has not proven to be technically feasible at this point. We are having conversations with generators such as AGL to replace much of the retiring fleet with a range of technologies. I am not satisfied that AGL has got it right at the moment by proposing \$83 per megawatt hour. If we extended Liddell the price would be \$106, but \$83 is still too dear. I know that conversation is continuing between the Minister, the Government and AGL. At least those conversations are under way.

In summary, having warriors on all sides of the debate is not delivering the outcomes we need in New South Wales. This Government has not gone down the path of being a warrior because it solves nothing and it does not keep jobs. Picking a target for renewables means dismissing what we heard about the grid being unable to absorb or cope with some of the proposed targets. Of course, we still need peaking capacity and the ability to generate after 5.00 p.m. when the sun goes down and the wind drops. We will hear from the mover of the motion that we have to abandon our coal fleet tomorrow. That will not do the job. Equally, I think the motion shows disrespect to South-East Asia, India and other areas that are electrifying and modernising now. In the Western world we have enjoyed the fruits of air conditioning. We have good quality jobs, live in comfortable homes and have an electrified train system.

Mr Jeremy Buckingham: They don't have that in Malaysia or Singapore, do they?

Mr SCOT MacDONALD: I am talking about places such as the Philippines, Vietnam and Cambodia. We can pontificate about how we must switch off coal power and insist that people in other countries have a lower standard of living than we have, but that is not an answer. I think that shows an elitist and disrespectful view—

The Hon. Dr Peter Phelps: That is arrogance.

Mr SCOT MacDONALD: —and arrogance. Many countries in South-East Asia want to match our standard of living, our longevity, our low morbidity levels, our education levels, our health services. I know that Mr Jeremy Buckingham, who moved this motion, will tell us that today, or at the latest tomorrow, we have to close coalmines and switch to renewables. That does not answer what is happening in Asia; it does not answer

what is happening around the globe. It is not an answer to the circumstances we find ourselves in. This motion is a political statement; it is not about serving the people of New South Wales.

The Hon. JOHN GRAHAM (12:50): I thank Mr Jeremy Buckingham for moving the motion on the Intergovernmental Panel on Climate Change, because its recent report is very significant. I note the wideranging contributions to this debate. The panel's special report has been years in the making. It was released on 8 October after three years, several drafts and 40,000 reviewer comments. It is 1,200 pages written by 91 researchers from 44 countries. The report does not cover new science, but it reviewed more than 6,000 studies that have been conducted into climate change. Importantly, all of the participating governments, including the United States, signed off on the 30-page precis of the report. It is important for this debate that I put that fact on the record, because it is evidence of how the political system has judged this report on the science.

One of the key messages from the report was that the authors professed the "high confidence of a robust difference"—in the words they chose—between a rise in temperature of 1.5 degrees Celsius and 2 degrees Celsius. That is a confronting finding; there is no doubt about that. The panel talks about the difference between those two futures and the consequences for the world. One thing it did not do—and this is an important point for us—is look at the costs of making changes to combat climate change, as there is to be more work in this area. One thing that should weigh heavily on this House is the cost of not acting. We know that there will be real economic costs for the citizens of New South Wales if we do not act. It is a very important report and I join my colleagues who referred to today's visit to Parliament House by the former President of Kiribati, His Excellency the Hon. Mr Tong. I welcome him and his delegation to the House.

I turn to policies closer to home and make some observations about the energy policy in New South Wales. The first thing I will zoom in on is evidence taken by the Legislative Council Select Committee on Electricity Supply, Demand and Prices in New South Wales concerning the fate of the Vales Point Power Station. We heard evidence that this power station was sold for \$1 million, but its owners said that its last valuation was around \$720 million. We asked the power station's owners how much profit it made last year, and we were told that its last annual profit was \$90 million. You could not buy a house in Sydney for \$1 million, but that is what this power station went out the door for. One of the reasons that the power station was sold for such a low price was that this Government anticipated a closure date for this asset in 2021 or 2022. However, the owners told us that they want to keep the power station operating for decades and keep the money rolling in.

The public was told that the sale price of \$1 million was above the retention value for the asset at the time of the sale. That is clearly wrong. This was a terrible deal, a terrible privatisation. I raise that issue in the context of looking at the Government's energy policy. It is difficult to find the answer to what its energy policy is, because at the same time that the Deputy Premier puts out a range of views on coal, he has called for—

The Hon. Mick Veitch: Nuclear.

The Hon. JOHN GRAHAM: I will get to nuclear. As I was saying, he has called for the Government to fund a new coal plant in the Hunter. He said, "I hope the Federal Government—or at State level—someone builds a clean coal power station and gives confidence to the sector that coal is palatable, that gas is palatable." On the one hand, we have privatisation—with Vales Point sold for less than the price of a Sydney House—and, on the other hand, we have the Deputy Premier talking about State funding for coal assets. When asked by *Sky News* about AGL on 19 April 2018, the Deputy Premier said that the New South Wales Government should compulsorily acquire the Liddell Power Station if AGL fails to act. Earlier in the debate Government members spoke of replacing Liddell; I am not sure that that is the position of the Government. At least one member of the Government, the second most senior member, is talking about buying Liddell. Those opposite talk on the one hand about privatising and on the other about buying assets.

On the nuclear question, the Deputy Premier said, "This has to be part of the mix." But the Premier said that the jury is still out on nuclear. We are not clear on where this Government stands on nuclear power. The Leader of the Government might not have noticed that one of the most entertaining things about being on the Opposition backbench is watching the Government benches when the Leader of the Government talks about energy. Sometimes he talks about renewable energy and sometimes he talks about coal. Different members of the Government backbench and frontbench light up at different times, as he refers to the various bits of the energy mix. Their faces light up, they sit up straight, and different members are beaming depending on whether they are for renewables or for coal. I accept the Minister is for both; I have just observed the Government backbench and frontbench members reacting quite differently depending on what he is talking about.

I note that the Government talks about privatising on the one hand, nationalising on the other hand. The Government talks about nuclear energy on the one hand and talks about the jury being out on the other. Some Government members are for renewables, some are for coal. This begs the question: What is the Government's economic policy? What is this Government's energy philosophy? How is this Government going to tackle the

challenge set down by the IPCC? Earlier in the week I referred to the Credit Suisse report that revealed that Australia is per capita the wealthiest nation in the world at the wealthiest time in human history. That means that if any nation can afford to tackle climate change, we as a nation can afford to do so at this time. We simply have to take up the challenge.

The Hon. WALT SECORD (12:58): As the shadow Minister for the North Coast, I contribute to debate on this motion on the Intergovernmental Panel on Climate Change special report on global warming. First, I wish to indicate that we support this motion. Secondly, I thank my colleague and The Greens member Mr Jeremy Buckingham for bringing this matter before the House and therefore giving us an opportunity to canvass the failure of the Liberal Party and The Nationals to tackle climate change. Sadly, the Liberal Party and The Nationals are completely duplicitous and dishonest on climate change. But luckily that duplicity has been exposed this week. I point to their love of coal and coal exploration, despite their pleas that they support and want to see an expansion of renewable energies such as solar and wind power. I note the hypocrisy of their Parliamentary Secretary the Hon. Ben Franklin—

The Hon. Don Harwin: Point of order—

The Hon. WALT SECORD: Where is he? Upstairs counting his shares.

The Hon. Don Harwin: The member has directly reflected on another member of this House. He has used words that are unparliamentary.

The Hon. WALT SECORD: I did not say anything. You are making things up.

The Hon. Don Harwin: The member used the word "hypocrisy".

The Hon. WALT SECORD: I think that was evident.

The Hon. Don Harwin: The member falls foul on two counts: He has used unparliamentary language about a member and he has reflected on a member without doing so by way of substantive motion. The member should be called to order.

The DEPUTY PRESIDENT (The Hon. Courtney Houssos): Does the Deputy Leader of the Opposition wish to speak?

The Hon. WALT SECORD: I am mindful of the time.

The DEPUTY PRESIDENT (The Hon. Courtney Houssos): I note the point of order taken by the Leader of the Government. I believe that the Hon. Walt Secord's use of the word "hypocrisy" referred to the Government, not to the individual member. I also remind him of the standing orders in relation to reflections on members.

The Hon. WALT SECORD: I note that this Government has a record of hypocrisy on coal and renewables. We have situations where members of this Government are knitting quilt covers and baking scones with Country Women's Association types, and hugging trees with environmentalists, but then pouring their salaries into coal exploration shares—coal exploration in developing countries with very poor environmental standards. We have members of Parliament who, because of their duplicity, have now been exposed on the North Coast and are now the subject of means highlighting that hypocrisy.

The DEPUTY PRESIDENT (The Hon. Courtney Houssos): I will now leave the chair. The House will resume at 2.30 p.m.

The ACTING PRESIDENT (The Hon. Trevor Khan): Order! According to sessional order, proceedings are now interrupted for questions.

Visitors

VISITORS

The ACTING PRESIDENT (The Hon. Trevor Khan): I welcome to the gallery Mr Ted Walsh, Treasurer of the Ballina RSL Sub-Branch, guest of the Hon. Ben Franklin.

Questions Without Notice

COAL-FIRED POWER STATIONS

The Hon. ADAM SEARLE (14:30): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Given that Federal Minister for Energy Minister Angus Taylor has confirmed that the present Morrison Government is examining a short list of new coal-fired power projects to

underwrite, will the Minister guarantee that, as part of any arrangement, his Government will not contribute New South Wales funds to any new coal-fired power station?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:31): While I have not received a formal briefing on any plans that the Morrison Government might have in respect of the matters raised by the Hon. Adam Searle in his question, let me say this: This Government has been consistently quite clear in its remarks that it is our preference that the private sector take the lead on investment in new generating capacity. We believe that, with the appropriate policy settings in place, the private sector is more than able to meet the challenge of providing the generating capacity we need to help us through what is going to be a difficult transition towards 2050, when we aspire to have a net zero-emission State, which will be a much cleaner energy future. As I indicated at the outset, I will take a closer look at whatever the Federal Government offers before I respond directly. The position is as I indicated—and has been the position of the Government for some time.

SYDNEY PERFORMING ARTS

The Hon. NATASHA MACLAREN-JONES (14:32): My question is addressed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Will the Minister update the House on how the Government is supporting the performing arts in Sydney? Are there any alternative policies?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:32): I thank the Hon. Natasha Maclaren-Jones for her question.

The Hon. Walt Secord: You lost *Hamilton*.

The Hon. DON HARWIN: I think that is a bit premature.

The Hon. Adam Searle: Don't respond to interjections!

The Hon. DON HARWIN: Indeed. I am sure many honourable members have seen media reports today about the Live Performance Australia report, which states that for the first time Victoria has the largest crowds and more revenue. In real terms, shows in New South Wales attracted 6.9 million people who spent \$616 million on tickets as opposed to in Victoria, where 7.5 million people spent \$639 million on tickets. Live Performance Australia noted that this was substantially down to the popularity of Melbourne's musical theatre offering. I assure the House that this Government acknowledges the problem and we are working hard to rectify it. We have to attract world-class musicals to Sydney, but we also have to have somewhere for audiences to see them. This Government, though Destination NSW, has targeted both new works and fan favourites with attraction funding for *Charlie and the Chocolate Factory*, *Waitress*, *Chicago* and *Saturday Night Fever* already announced, with many more to come.

The Hon. Walt Secord: *Chicago*? I've never heard of that one.

The Hon. DON HARWIN: That is not what you said in the papers this morning. As I have said many times before, we simply need more lyric theatres in Sydney. This Government plans to retain a creative industries presence in Ultimo, including a new Broadway-style theatre that will fill a critical gap in Sydney's cultural infrastructure. The planned new theatre will provide a state-of-the-art 1,500-seat performance space for musicals, live music and screen-based programming. The inclusion of the lyric theatre responds to the well-recognised need for more theatre space in Sydney as identified by Infrastructure NSW in the State Infrastructure Strategy. A new theatre would increase Sydney's international competitiveness for first-run major touring musicals and theatrical productions. In 2018 Destination NSW estimated that every new large-scale musical in Sydney creates more than \$37 million in visitor spend.

We are also investing \$140 million for the complete rejuvenation and revitalisation of the Riverside theatre complex at Parramatta. The new Riverside complex will truly benefit Parramatta's status as Sydney's second central business district [CBD] and we hope will be a premier location for all performing art forms including mainstage musicals. This, along with moving the Powerhouse museum, is all part of our strategy for cultural infrastructure in Sydney's second CBD—a plan that Opposition members supported as well until it got too hard for them. They should take some advice from the former Labor Minister for Western Sydney, David Borger, who supports our strategy for Parramatta. Their former Minister backs the move of the Powerhouse and the redevelopment of the Riverside theatres because he knows it will be great for Parramatta and great for Western Sydney. The Hon. Walt Secord is talking down Sydney with his remarks in this morning's *Sydney Morning Herald*. Instead, we are talking Sydney up. We are getting on with the job— [Time expired.]

MEMBERS OF PARLIAMENT TRAVEL ALLOWANCE

The Hon. WALT SECORD (14:37): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Is the Minister confident that all Government members of the Legislative Council who are currently claiming the Sydney travel allowance—an entitlement worth up to \$61,000 per year—are properly doing so and are within the rules and conditions stipulated in the determination of the Parliamentary Review Tribunal?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:37): I will respond this way: There has never been any suggestion made to me that any of them are not, and I am confident that they all are.

DEPARTMENT OF TRANSPORT HELPLINE

Ms DAWN WALKER (14:37): My question is directed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, representing the Minister for Disability Services. It has been reported that Transport for NSW has decided to cease over-the-phone Opal top-ups and trip planning advice via the 131 500 line. What arrangements will be put in place to support people with an intellectual disability and older people who use public transport, given that many do not own a smartphone, do not have access to the internet, face challenges using top-up retailers and find using Opal machines at stations difficult?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:38:3): I thank the member for her question. Potentially the question should have been directed to the Minister representing the Minister for Transport but, given that the member has asked specifically about people with a disability, I have sought some advice. I am advised that from early November Opal top-up, trip planning and timetable services will only be available to those customers that require voice-based services—for example, rural and regional customers with technology constraints and those with accessibility challenges.

Additional support will be offered to customers affected by top-up changes, with increased levels of training for customer service representatives to help them identify customers in genuine need of assistance with these services. I am advised that there has been a shift in the way customers plan for their travel, with more and more customers choosing to top up and plan their trips online. The Government is continuing to invest in those services. We understand that for a small number of customers, the changes to over-the-phone top-ups will require a small shift in their travel behaviour, but Transport for NSW staff and call centre operators will be working to help support those affected customers through the transition.

As I said, to support customers affected by the changes we are increasing the level of training for customer service representatives to help them identify those customers in genuine need of help with the services. The goal is to deal with all these inquiries on a first-call-resolution basis. Transport for NSW self-service tools, including opal.com.au and the Opal travel app, provide flexible and easy access to personalised information. These options provide convenient services and offer customers faster response times when compared to a physical contact centre, which is why we will continue to encourage all customers to try topping up through the existing digital channels. We are also encouraging customers to set up automatic top-up options so that they can automatically top up their card every time the balance becomes low. If these digital channels are not easily accessible, customers can also top up at an Opal top-up or ticket machine or an Opal retailer.

DROUGHT RELIEF

The Hon. TAYLOR MARTIN (14:40): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on the latest drought conditions and how this Government is continuing to support our farmers and regional industries?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (14:41): I thank the honourable member for his important question. The New South Wales Government has had very strong interest from farmers in our drought assistance measures and we are continuing to deliver real drought relief through the Department of Primary Industries [DPI], the NSW Rural Assistance Authority [RAA], Local Land Services [LLS] and other New South Wales Government agencies. We have received more than 1,800 Farm Innovation Fund loan applications and provided more than \$250 million in funds for people to improve on-farm infrastructure and drought resilience. We have also received more than 4,000 applications for drought transport subsidies.

Recently I announced the New South Wales Government would make it easier for farmers and their families to access the transport subsidy program by relaxing the gross off-farm asset test and supporting the next

generation of new entrants. Farmers can now go to their nearest LLS office, some DPI research stations and 37 Service NSW offices for assistance with completing and submitting drought transport subsidy applications. This will speed up the processing time frames, ensuring farmers get their subsidy payments as quickly as possible.

Following welcome rainfall throughout September, the area of the State in intense drought has reduced, particularly in the eastern part of the Central West, much of the Central Tablelands and parts of the Northern Tablelands, South East, Murray and Riverina Local Land Services regions. It will take time for the improvement in conditions to be reflected in agronomic performance. Without effective follow-up rainfall, the improved conditions experienced in September may constitute a "false break".

Tomorrow, Premier Berejiklian and I will attend the National Drought Summit in Canberra, which will provide a rare opportunity for farmers and representatives of banks and State and Federal Governments to converse at the same forum. I will be pleased to report to the summit on our progress in rolling out our assistance programs. The summit will also focus on how we can build preparedness for the future. Once again, New South Wales is ahead of all other States in this regard. Our Farm Innovation Fund allows for preparedness at a farm level. Our rebooted Safe and Secure Water Program will provide water security for smaller communities around the State. Just last night the Deputy Premier committed every cent of the proceeds under the Snowy Hydro Legacy Fund to regional New South Wales, backing transformational regional projects to build on the rapid growth and opportunities there. Our first priority for those funds is for water security in priority catchments, adding to our already significant investment in this area.

As I indicated to the House earlier this week, this month we have announced business cases examining infrastructure options in the Macquarie and Lachlan valleys. We will have much more to say about water policy and water infrastructure over the coming weeks and months. I invite those opposite to outline their plans for regional water given that, if misfortune befalls us all, they could occupy the Government benches in a little under five months. The people of regional New South Wales want to see fully articulated and costed policies, not flights of fantasy by Labor candidates. Silence on this matter is not acceptable.

We are absolutely committed to making sure that we support all of our regional communities. One important change we have made to the Rural Assistance Authority is to add an extra shift allowing staff to be available into the evenings. If farmers have questions or if we need to follow up with some more forms, sometimes the best time to contact them is eight or nine o'clock at night. We have had more success and been able to process applications quicker as a result of putting on this extra shift. It has been welcomed by our producers and means that those who need assistance are getting it.

RENEWABLE ENERGY TRANSMISSION NETWORK

Mr JEREMY BUCKINGHAM (14:45): My question is directed to the Minister for Resources, and Minister for Energy and Utilities. The Minister has repeatedly mentioned the need to augment the transmission network to facilitate the transition to renewable energy in New South Wales and Australia. Does the New South Wales Government support building new interconnectors between New South Wales, South Australia, Queensland and Victoria? Rather than defer to Australian Energy Market Operator and Australian Energy Regulator regulatory approval processes in his answer, will the Minister outline his Government's actual position, policy or vision on new interconnectors—if indeed it has any position at all?

The Hon. Don Harwin: Point of order: Yesterday I was asked a question about timing. Today I am asked a question seeking the actual announcement of policy that has not yet been announced. In that respect, the question is out of order. The member cannot seek an announcement of policy.

Mr Jeremy Buckingham: To the point of order: Was there a point of order?

The ACTING PRESIDENT (The Hon. Trevor Khan): Yes.

Mr Jeremy Buckingham: I can provide the Chair with the question. It did not seek an announcement of government policy.

The ACTING PRESIDENT (The Hon. Trevor Khan): Having read the question, I ask Mr Jeremy Buckingham to ask his question again without the words that have been crossed out. The question will then be in order.

The Hon. Niall Blair: To the point of order: I seek clarification of your ruling, Mr Acting President.

The ACTING PRESIDENT (The Hon. Trevor Khan): I note that part of Mr Jeremy Buckingham's question was out of order. It would be legitimate for him to ask the part that was in order. It is easiest if the member asks the question to the point where he falls into error.

Mr JEREMY BUCKINGHAM: Does the New South Wales Government support building new interconnectors between New South Wales, South Australia, Queensland and Victoria? Rather than defer to Australian Energy Market Operator and Australian Energy Regulator regulatory approval processes in his answer, will the Minister outline his Government's actual position?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:49): Yesterday I indicated that I would be making an announcement shortly. In answer to the question, when I make an announcement shortly on policy, all those matters will be covered. The second half of Mr Jeremy Buckingham's question referred to the Regulatory Investment Test for Transmission [RIT-T] and Commonwealth regulatory processes. They are really regulatory processes of the Australian Energy Regulator [AER], which is a market body and a Council of Australian Governments [COAG] body. It is not a Commonwealth body. The AER will conduct the RIT-T.

At the COAG meeting that was held before August, I put the very transmission issue that the member is talking about on the agenda. The RIT-T was developed at a time when we had an abundance of energy. In fact, arguably we had too much energy. It was one of the reasons that the National Electricity Market was set up. We had surplus energy and arguably more generating capacity was being built than Australia needed. We are definitely not in that circumstance anymore. There is now a transition to a cleaner energy future. Therefore, some would argue, clunky tests done in the past, such as the RIT-T, are perhaps not as agile as they need to be for the new era.

I will briefly comment on initiatives of the new South Australian Liberal Government under the wise leadership of its energy Minister, Dan van Holst Pelican, and his exceptionally good chief of staff, who is known to a number of members. South Australia's electricity transmission company, ElectraNet, has proposed a new interconnector between Wagga Wagga in New South Wales and South Australia's mid-north. In August 2018 the South Australian Government announced a \$14 million package to fund preliminary planning and environmental activities to fast-track development of the interconnector.

Independent modelling of the proposal has estimated that annual residential customer bills would fall by up to about \$30 in South Australia and \$20 in New South Wales if the interconnector proposal proceeds. The proposal is still subject to a regulatory investment test—that is, the RIT-T—to determine if it is the best option for consumers. That is the sort of approach South Australia is taking; it is taking action at the same time as the AER regulatory processes are taking place. The New South Wales Government is undertaking its own rigorous analysis as part of—*[Time expired.]*

MEMBERS OF PARLIAMENT TRAVEL ALLOWANCE

The Hon. WALT SECORD (14:53): My question is directed to the Leader of the Government. Given that the Government Whip, the Hon. Natasha Maclaren-Jones, is claiming the Sydney allowance and in the official register of disclosures issued this week stated by her own hand that her principal place of residence is in the Southern Highlands, despite her husband's official enrolment address being listed as Sydney's northern beaches, will the Leader of the Government investigate and require her to repay the allowance and then refer the matter to the Independent Commission Against Corruption?

The Hon. Don Harwin: Point of order: I draw attention to the following ruling of President Burgmann on 10 May 2006:

Questions concerning parliamentary entitlements of a member should properly be put either to the Presiding Officer or to the Parliamentary Remuneration Tribunal.

President Burgmann went on to say that she would not respond in this place to answers directed to her about the administration of Parliament and that members who have those sorts of questions should speak to her in her office. I suggest that if Opposition members wish to make an allegation or assertion, however misplaced, about a member's entitlements, that is the procedure they should follow.

The Hon. WALT SECORD: To the point of order: Before preparing the question I sought considerable advice on the appropriate person to direct it to. My understanding is that if I direct it to the President he does not have enforcement powers. This relates to the conduct and activity of a member of the Government.

The Hon. Don Harwin: Further to the point of order: The Leader of the Government answers questions in relation to members of the Executive Government. The Government Whip is not a member of the Executive Government. Putting the question to me on the basis that the Hon. Natasha Maclaren-Jones is a member of the Government is not actually the distinction. The distinction is whether the member is a member of the Executive Government and the question concerns the affairs of the Executive Government.

The ACTING PRESIDENT (The Hon. Trevor Khan): The last point that the Hon. Don Harwin raised is correct. Regardless of whether members sit on one side of the Chamber or the other, they are not different from

each other in any particular way unless they hold a position as part of the Executive. It is clear that, whatever her merits, the Hon. Natasha Maclaren-Jones is not a member of the Executive Government. Issues about entitlements are matters relating to the operation of the Parliament, not the Executive Government. A number of rulings by President Burgmann seem to be consistent on the matter. The Hon. Don Harwin quoted one. Questions about the parliamentary entitlements of a member should properly be put to the Presiding Officers or to the Parliamentary Remuneration Tribunal, not to the Leader of the Government. The question is out of order.

ABORIGINAL LANGUAGES EDUCATION

The Hon. BRONNIE TAYLOR (14:58:0): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. Will the Minister update the House on what the Government is doing to support the learning of Aboriginal languages in early childhood services?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:58): I thank the Parliamentary Secretary for her question and her interest in these programs. Last week it was my pleasure to update the House on the work that the Government is doing to invest in the future of Aboriginal languages in schools. Today I will update the House on how our youngest learners are also being given opportunities to engage in Aboriginal language and culture thanks to the support of our Government. We know that Aboriginal languages are an important part of the cultural heritage of the first peoples of New South Wales. We acknowledge the importance of Aboriginal languages for past, current and future generations.

After the introduction of our historic languages legislation last year, the New South Wales Government is taking proactive steps to encourage the passing on of Aboriginal language from one generation to the next. We are providing strong support for Aboriginal language programs through a number of initiatives, including the recently announced initiative Ninganah No More. Ninganah means "be quiet", and the goal of Ninganah No More is to help ensure Aboriginal languages are no longer unheard within our community. This program supports the delivery of Aboriginal language programs in early childhood services, providing an opportunity for Aboriginal language and culture to be developed and nurtured in the earliest stage of formal education across New South Wales.

It was fantastic to see many services from across the State take up the opportunity to engage in this program, particularly in regional locations. Some of the services that successfully applied for the program are Gulargambone Preschool, Braidwood Preschool in Monaro, Giiguy Gamambi Preschool, Junee Preschool and Coffs Harbour Community Preschool. Aboriginal children who engage with language are found to have a stronger connection with their culture and, as a result, show increased self-esteem and participation rates as well as higher literacy and numeracy outcomes. For non-Aboriginal children, engaging in language promotes understanding and respect for local Aboriginal culture. Aside from the direct connection to Aboriginal culture, we know there are numerous developmental benefits to learning a second language during the early years. Evidence shows that children who learn a second language have increased cognitive abilities and that a second language supports children in developing their English language skills, thereby helping to better prepare children as learners.

The Ninganah No More program has five core objectives: to increase the literacy and vocabulary skills of Aboriginal children in New South Wales; to support Aboriginal children to develop into bilingual speakers; to develop stronger links between early childhood education services and their local Aboriginal communities; to increase and strengthen Aboriginal language programs being delivered in early childhood education services in New South Wales; and to support all children in learning Aboriginal culture and language. The language components of the programs are to be co-developed and delivered by an Aboriginal and/or Torres Strait Islander person who has support to deliver a local Aboriginal language program.

The application also required documentation confirming support for an individual to deliver a local Aboriginal language program, such as a letter of support from the local Aboriginal Education Consultative Group, the NSW Land Council, or other relevant local Aboriginal organisation. By requiring that the program be co-developed and delivered by an Aboriginal and/or Torres Strait Islander person with the support of a local Aboriginal organisation, the program acknowledges that Aboriginal people are the custodians of Aboriginal languages and have the right to control their growth and nurturing. The Ninganah No More program is an example of our Government's commitment to supporting the inclusion of Aboriginal language and culture in early childhood education in New South Wales and contributing to better outcomes and learning experiences for all children. I must say, with both my ministerial hats on, that it is a program that I am very proud of and I cannot wait to see positive outcomes for the children.

RECYCLED WATER INITIATIVES REVIEW

Mr JUSTIN FIELD (15:03): My question is directed to the Minister for Resources, and Minister for Energy and Utilities. On 25 September, in answer to a question from me about an independent review into the barriers to cost-effective recycled water initiatives, the Minister said that the review had been completed and the report was with the Government but that the Minister was not happy with the length of the process. Given that, why has the Government still not responded a month later to the review report? Will the Minister make the report public? When will the Minister respond?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:03): At this stage I will take the question on notice, but I will endeavour to provide the honourable member with the response at the end of question time.

MEMBERS OF PARLIAMENT TRAVEL ALLOWANCE

The Hon. WALT SECORD (15:03): My question is directed to the Acting President of the New South Wales Legislative Council, the Hon. Trevor Khan. Given that the Government Whip, the Hon. Natasha Marianne Maclaren-Jones, is claiming the Sydney allowance and that in the official register of disclosures issued this week states, by her own hand, that her principal place of residence is in the Southern Highlands, despite her husband's official enrolment address being listed as on Sydney's northern beaches, will the Acting President investigate? Will the Acting President require the member to repay the allowance and then refer the matter to the Independent Commission Against Corruption?

The Hon. Don Harwin: Point of order—

The Hon. WALT SECORD: Cover up! Covering up for a rorter.

The ACTING PRESIDENT (The Hon. Trevor Khan): The Hon. Walt Secord's interjection is inappropriate. I call the member to order for the first time.

The Hon. Don Harwin: My point of order is along the same lines as my previous point of order, which is that in terms of the rulings of past Presidents, of which there are a number, questions concerning the administration of the Parliament are not put to the President in question time. For example, a 1992 ruling of President Willis stated:

It is not an appropriate use of question time to address to the Chair matters relating to the administration of Parliament; rather these should be brought to the President's attention in chambers.

President Willis made a similar ruling in 1997 and President Burgmann made four such rulings in October and November 2000. There was an additional ruling made in May 2006, which I referred to earlier. Clearly, this is not a convention of the House; it is a matter to do with the administration of the Parliament. The Clerk signs off on a member getting the Sydney allowance, and therefore it is appropriate that it be dealt with according to past practice.

The Hon. Dr Peter Phelps: To the point of order: Chapter 11 of the standing orders of this place contains standing orders relating to questions seeking information. Standing Order 64 (1), (2) and (3) outline the three categories of persons to whom questions can be put: a Minister, other members when questions relate to matters connected with business on the *Notice Paper* which the member has challenged, and chairs of committees when questions relate to the activities of that committee. It is not merely a case of precedent. There is simply no capacity within the existing standing orders for a question seeking information to be directed to the President in this Chamber.

The ACTING PRESIDENT (The Hon. Trevor Khan): The Hon. Dr Peter Phelps has, to use the vernacular, hit you out of the park. The question is out of order.

PRESERVATION OF STATE HISTORY

The Hon. CATHERINE CUSACK (15:08): My question is directed to the Minister for the Arts. Will the Minister update the House on how the New South Wales Government is supporting the preservation of history in New South Wales?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:08): I thank the Hon. Catherine Cusack for her question. The Hon. Catherine Cusack was with me last Friday in Port Macquarie when I made a number of important announcements in this respect.

The Hon. Penny Sharpe: Was the member for Port Macquarie there?

The Hon. DON HARWIN: I met with her earlier in the day on some energy matters, since the member asks. The New South Wales Government has contributed \$50,000 to 21 organisations from regional New South

Wales, Western Sydney and metropolitan Sydney to help fund diverse historical topics. These topics include dairying communities, saddlery, Indian subcontinent migrants, new walking tours, and the digitisation of exhibitions and important historical information. Under this cultural grants program, which provides organisations with up to \$5,000 each, important opportunities are provided to expand the knowledge and understanding of local history and heritage across the State. This recent round of funding will provide essential help for a number of skilled historians across New South Wales to work on historical projects that are important to local communities.

I will refer to some of the 21 historical projects that have been funded by the Government. Adelong Alive Museum is publishing a brochure and walking map to outline changes in Adelong's streetscape since the gold rush era and to show the historical significance of the town's buildings and how they have changed. Albury and District Historical Society will use the funds for the digitisation of the 1943 editions of the *Border Morning Mail* for the National Library of Australia's search engine. The grant to Armidale and District Historical Society is for the publication of the latest edition of the journal that reports on local historical events, including historical talks and articles of regional historic interest.

Further, GyMEA Community Aid and Information Service is undertaking an oral history project of Indian subcontinent migrants who have settled in the Sutherland shire and also is creating an historical archive of undocumented history. The grant to Jindera Pioneer Museum and Historical Society will go to the publication of a book that celebrates the objects, stories and essence of the Jindera Pioneer Museum, as part of the museum's fiftieth anniversary. The Shoalhaven Historical Society is undertaking research to uncover the lost people and businesses involved in the local saddlery industry, which was vital to the industrial, commercial and social development of Nowra. I am sure my colleague, the Deputy Leader of the Government, knows that the very first winner of the Melbourne Cup came from Nowra. The horse's name was Archer. Archer actually rode to Melbourne—

The Hon. Niall Blair: Walked.

The Hon. DON HARWIN: He walked to Melbourne. [*Time expired.*]

GOVERNMENT ENERGY POLICY

Mr JEREMY BUCKINGHAM (15:12): My question without notice is directed to the Minister for Resources, and Minister for Energy and Utilities. Has the Government considered the Federal Government's proposal to indemnify new power generation projects against the future risk of a carbon price? Will the Federal Government's plan to do so be discussed by the Council of Australian Governments Energy Council tomorrow? What impact will this policy have on the New South Wales Government's aspirational target of net zero emissions by 2050?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:13): As it happens, I have the agenda for tomorrow's Council of Australian Governments Energy Council's twentieth ministerial meeting. I am having a just quick look through it.

The Hon. Walt Secord: That is the first time you have ever looked at it.

The Hon. DON HARWIN: It only arrived today.

Mr Jeremy Buckingham: I'm glad you're reading it now.

The Hon. DON HARWIN: As I said, it only arrived today.

Mr Jeremy Buckingham: Really?

The Hon. DON HARWIN: This often happens.

The Hon. Niall Blair: Where is it at?

The Hon. DON HARWIN: Since you have asked, it is at an office not far from Sydney Airport. The topics on the agenda include summer readiness, which is obviously a critical and ongoing focus of our interest. We will then spend some time talking about the National Energy Guarantee and the retailer reliability obligation, followed by a discussion on the Australian Competition and Consumer Commission's retail electricity pricing inquiry and, no doubt, a riveting discussion on the need to expand the board of the Australian Energy Regulator. Finally, we will discuss a review of the Energy Security Board's work program. I do not think the Federal Government's thinking on those matters has reached the point where a paper is going to come to us for decision tomorrow.

LOBBYISTS REGISTER

The Hon. GREG DONNELLY (15:15): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, Minister for the Arts, and Leader of the Government. Given yesterday's question in relation to Mr David Begg and his use of the title "strategic adviser", will the Government investigate why he is listed as "inactive" on the official lobbyist register but is active as the "general manager, government" at Daylight Agency, a public relations firm with a government relations and lobbying arm?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:16): I am not in any way connected to that question as the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, but as the Leader of the Government I am happy to take the question. In all honesty, if the question is to do with whether or not someone is on the lobbyists register, then the question is best directed towards the New South Wales Electoral Commissioner, who, under legislation, has responsibility for enforcement of the lobbyists register requirements. I suggest that the honourable member should do that because the Parliament has decided that is the process in relation to whether or not matters require investigation and then enforcement of the code.

EXPORT INDUSTRIES

The Hon. SCOTT FARLOW (15:17): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on how this Government is recognising our State's export industries?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:17): Last night I had the pleasure of attending the New South Wales Export Awards 2018, where our State's exporters received the recognition they richly deserve. The night featured export champions from across every sector of our diverse economy. While each business has its own unique story, they all share in common a burning ambition to succeed, backed up by great ideas and a lot of hard work. In 2017 New South Wales exported \$46 billion in goods and another \$36 billion in services around the world, which together made a massive contribution to our shared prosperity in New South Wales. That is why the New South Wales Government works so hard to support our export industries through the Department of Industry, particularly through the TradeStart team and the export workshops that we run around the State.

I will briefly mention a few of those who took home an award last night. They are mixing it with the best on the world stage and winning. Some are household names such as Cochlear Industries, a very worthy winner of the International Development Award; and Freelancer dot com, the world's largest freelancing, crowdsourcing and local services marketplace, took out the Digital Technologies Award. Other winners are perhaps well known to the wider public but in their markets they are internationally renowned. ETP Ion Detect of Clyde in Western Sydney, world leaders in the development of electron multipliers for the mass spectrometer industry, took out the Western Sydney Exporter Award; and Spell and Gypsy Collective of Byron Bay, which exports its eclectic clothing and fashion accessories to 130 countries worldwide, deservedly took out the Regional Exporter Award.

The New South Wales Government salutes every company that was honoured last night. Not only are they successful in their chosen fields, but they also act as role models and examples to so many other companies that are considering exporting, and that is a good thing. As studies have comprehensively shown, companies that export are more resilient, more innovative and have greater success than those that do not. Nothing typifies that more than two of last night's winners—Flavourtech from Griffith and Soprano Design from North Sydney. Flavourtech won the Manufacturing award and Soprano Design won the Innovation in Export award. Not only are they both leaders in their fields, but both also earn the majority of their revenue from international sales.

Despite all the outstanding contenders—and, as the saying goes, there could only be one winner on the night—I had the great honour to present last night's top award to e-commerce retailer Showpo of Sydney. Not only did Showpo win the E-Commerce award, but its combination of a shopper-friendly online store, keenly priced female fashion and innovative social media-led marketing also convinced the judges that it was a worthy winner of the 2018 Premier's NSW Exporter of the Year award. The New South Wales Government congratulates all of the winners and finalists at last night's awards. In my mind, they are all winners and are all outstanding ambassadors for our State's export industries. We should recognise not only those who won but also everyone who went through the process and was a finalist in the awards last night. They certainly are taking what we can do here in New South Wales and competing on the world stage.

We know that we have got many fantastic large companies that are doing great things, but what was really exciting about last night was hearing a lot of the stories of those smaller companies—companies that are start-up businesses that started in a garage, in a shed or on a kitchen table. Some of them are seeing massive

growth and are putting on more staff and opening up other offices around the world. They are just great examples of what businesses and business owners in New South Wales can do.

COAL-FIRED POWER STATIONS

Mr JEREMY BUCKINGHAM (15:21): My question without notice is directed to the Minister for Energy and Resources. In response to a question from journalist Katharine Murphy yesterday in the *Guardian*, the Federal Minister for Energy, Angus Taylor, said, "It's new generation if it would otherwise be gone, that's the point." The Federal Minister was referring to retrofitting and renovating old coal-fired power stations. Does the Government agree that retrofitting and renovating old coal-fired power stations is new generation?

The Hon. Don Harwin: Point of order: With the greatest of respect to the honourable member, he has asked me a question which concludes "Does the honourable member agree". He is effectively asking me for an opinion. The question is out of order.

Mr JEREMY BUCKINGHAM: To the point of order: I said, "Does the Government agree ..."

The ACTING PRESIDENT (The Hon. Trevor Khan): Questions must not ask for an expression of opinion. The question is out of order.

COMMERCIAL FISHING INDUSTRY

The Hon. MICK VEITCH (15:23): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Despite the parliamentary inquiry into commercial fishing noting that a social impact assessment should have been conducted prior to the Minister's commercial fishing reforms, why has the Minister only begun preparing a framework for a possible future impact assessment a full 18 months after the original committee recommendations, and when will the Minister initiate a social impact assessment?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:23): I thank the honourable member for his question. I can advise the House that the report provides an extensive overview of options for better understanding the social and economic impact assessment of the Commercial Fisheries Business Adjustment Program. Members will be aware that during the Government's commercial fishing reforms a number of assistance measures were available in order to mitigate the impacts of the reform; these included generous government subsidies to help fishers buy and sell, low interest rate loans, grants for business and legal advice, retraining assistance, cooperatives business advice, rent relief for cooperatives on Crown land, a waiver on boat licence fees, hotlines, a cap on the fees and charges until 2023, and the assistance of the Small Business Commissioner.

All of the report's recommendations have been considered and we have taken them on board as far as possible. While providing comments and suggestions on the existing assistance program, the report will be most useful in scoping and establishing our ongoing monitoring around the performance of the affected fisheries. The report covers a large range of social and economic indicators and potential approaches for monitoring them. Ongoing monitoring must strike the right balance between agreed useful monitoring measures and the demands on fishers and other stakeholders to provide the information. The Department of Primary Industries—Fisheries will be seeking industry support and advice to determine how best to proceed. We gave the commitment during the commercial fishing parliamentary inquiry to monitor the impacts of the reform, and that is what we are doing. The report itself notes that as fishers are able to adjust to the implementation of reforms, the nature of the impacts experienced may shift substantially, with past studies indicating an often large difference between anticipated impacts and those experienced during the implementation.

The Department of Primary Industries is in the process of identifying a suitable independent provider to begin monitoring the reforms once they are fully implemented by mid next year. This monitoring will include surveys of fishers in the industry, those who have exited and other stakeholders such as fishing cooperatives. We have had some work done on the modelling or what we thought some of those socio-economic impacts could be, but the most important part is tracking the impact of the reforms on the sector as everything gets implemented because not all of the reforms have been switched on yet. As the member knows, there has been a large transition through the reform and we are at the point where the fishers have been able to get the shares that they need, but some of the management arrangements will not be switched on. We are going through the impact assessment process for some of the species that are moving to quota in southern parts of the State and we need to be able to closely monitor the impacts of the reforms.

As I have indicated, some work was done to look at what some of the potential impacts could be, but, more importantly, we need to continue to support our fishing industry and ensure that those who have invested are going to be able to enjoy these reforms. We need to get rid of the uncertainty. Those opposite keep coming up

with ways to provide more uncertainty to those who have been through the reforms and to those who have invested. Those opposite want to hit pause and want to add another parliamentary inquiry or another review into these processes. The fishers are telling us that they want to get on and have certainty in the investment that they have made in their business. We are going to give certainty to this sector—certainty that those opposite when they were in government failed to do because they thought it was too hard. Those opposite should not keep playing games with the commercial fishing industry in New South Wales. [*Time expired.*]

The Hon. MICK VEITCH (15:28): I ask a supplementary question. Will the Minister elucidate his answer with respect to the social impact assessment and when he will commence the social impact assessment?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:28): I thank the honourable member for his question. As I said in my previous answer, the Department of Primary Industries is in the process of identifying a suitable independent provider to begin monitoring the reforms once they are fully implemented by mid next year. That is what we need to ensure. If the member wants, I can repeat for another minute what I said earlier. Not all of the changes have been implemented. I will continue what I was saying before the time expired for my previous answer. You would have a right to question what we are doing—

The Hon. Mick Veitch: You bet.

The Hon. NIALL BLAIR: —if you had the best interests of this sector at heart. But you did nothing when you were in government. The former Ministers created more uncertainty for this sector than anyone else.

The Hon. Walt Secord: Point of order: My first point of order is that all comments should be directed through the Chair. My second point of order is that the Minister is debating across the Chamber and he is personally attacking a member.

The ACTING PRESIDENT (The Hon. Trevor Khan): While the Hon. Walt Secord attempted to raise three issues in his points of order, they were all wrong.

The Hon. NIALL BLAIR: When Labor members were in government, all they did was kick down the road the hard decisions that were needed to be made to support this industry. The only decisions made were when Eddie Obeid was the Minister—he rocked up to Port Macquarie and closed down fishing out of the Hastings River without once speaking to those fishers. That co-op is now gone because of what those guys did when they were in government. The Government is here to support that industry.

The Hon. Mick Veitch: Point of order: The question was about this Minister's social impact assessment. I ask the Chair to draw the Minister back to the question.

The ACTING PRESIDENT (The Hon. Trevor Khan): The Minister is being generally relevant to the question asked.

The Hon. DON HARWIN: I believe the Minister has concluded his answer. If honourable members have further questions, I invite them to place them on notice.

RECYCLED WATER INITIATIVES REVIEW

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:31): Mr Justin Field asked me a question earlier in question time and I said that I would attempt to get further information for him at the end of question time. The particular report he refers to has been received. My department is consulting with all of the affected stakeholders prior to considering a whole of government position, which will then be considered in the appropriate forums before a public announcement is made.

Deferred Answers

GRIFFITH BASE HOSPITAL STAFF

In reply to **the Hon. ROBERT BROWN** (20 September 2018).

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

NSW Health takes allegations of bullying and harassment seriously and there are robust policies in place designed to ensure appropriate action at a local level.

GRIFFITH BASE HOSPITAL

In reply to **the Hon. ROBERT BROWN** (20 September 2018).

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

I am advised that meals at Griffith Base Hospital are provided by HealthShare NSW via a kitchen located within the hospital. Local produce, including fruit, vegetables and meat are purchased from local suppliers.

Personal Explanation

MEMBERS OF PARLIAMENT TRAVEL ALLOWANCE

The Hon. NATASHA MACLAREN-JONES (15:31:48): By leave: During question time the Deputy Leader of the Opposition, the Hon. Walt Secord, misled the House by stating that my husband was not enrolled at the same address as I am in the Southern Highlands. My husband and I both happily reside and are enrolled in the Southern Highlands.

MEMBERS OF PARLIAMENT TRAVEL ALLOWANCE

The Hon. WALT SECORD (15:32): I seek leave to make a personal explanation.

Leave not granted.

Motions

INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE SPECIAL REPORT ON GLOBAL WARMING

Debate resumed from an earlier hour.

The Hon. WALT SECORD (15:32): As the shadow Minister for the North Coast, I resume my contribution on the Intergovernmental Panel on Climate Change Special Report on Global Warming and to continue to highlight the duplicity and dishonesty of the Berejiklian Government, especially members of its Executive on climate change. Day after day, we see Government members of Parliament, especially North Coast members of The Nationals, attending functions and morning teas claiming to be a new brand of The Nationals. We see them knitting quilt covers, baking scones with the Country Women's Association and hugging trees with environmentalists but, in reality, they are pouring their salaries into coal exploration companies.

For the record, I reject their feeble excuses that their investments in companies such as Firestone Energy Limited—a West Perth-based coal company, which currently is exploring for coal deposits—are not important because they claim they have lost money on those investments. After an embarrassing question time earlier this week, we saw one member of Parliament confirm that he had bought shares in 2011, but had "lost money on them". They want sympathy for losing money on their investments in coal. Make no mistake, they have been caught out and they are now trying to find a fig leaf to cover-up their embarrassment. Make no mistake, they bought those shares—

The Hon. Don Harwin: Point of order—

The Hon. WALT SECORD: I am referring to the collective.

The Hon. Don Harwin: While there was a certain amount of latitude that could be given to the honourable member in this motion, he is now seeking to personalise remarks. He is using debate on a motion that is quite specific to make remarks effectively about an individual, who he named earlier in question time and he is making very little attempt to conceal that. My points of order are: first, the Hon. Walt Secord is out of order because he is not being relevant, or even generally relevant, to the motion before the House; and, secondly, he is sailing very close to the wind, if he is not actually breaching the obligation to not reflect on a member.

The Hon. Penny Sharpe: To the point of order: I listened carefully to the Hon. Walt Secord's contribution. He is not directing his comments to one member of this place or another. He is using collective terms, which is perfectly within the standing orders, and he is being relevant. The discussion is about energy policy, climate change and the Intergovernmental Panel on Climate Change report. What he is canvassing within his remarks is well within the standing orders and he is being relevant.

The ACTING PRESIDENT (The Hon. Trevor Khan): Whilst I was not in the chair before the luncheon adjournment, it was very clear before the luncheon adjournment that the member was reflecting on an individual. Therefore, the comments that he has made now cannot simply be sterilised from those earlier comments. I advise the Hon. Walt Secord to not get up—I am making a ruling. Therefore, the member should reflect carefully upon what he says from this point on. He should direct his attention to the motion that is before the House. I do not consider that his comments at the present time are even close to being directed towards that motion. I invite the member to deal with the motion before the House, rather than what he is dealing with at the present time.

The Hon. WALT SECORD: On that note, I will draw my remarks to a conclusion. But as way of background, I emphasise that the exploration of coal—

The Hon. Catherine Cusack: Point of order: The member just indicated that he would accept your ruling and then went on to say, "But by way of background ..." as if he was going to re-canvass the issue.

The ACTING PRESIDENT (The Hon. Trevor Khan): I do not uphold that point of order.

The Hon. WALT SECORD: As way of background, the Firestone Energy Limited is a major investor—

The Hon. Don Harwin: Point of order: The member is now going straight back to remarks that he was making earlier. Therefore, he is continuing to add to a reflection on a member.

The ACTING PRESIDENT (The Hon. Trevor Khan): I agree.

The Hon. WALT SECORD: To suit the convenience of the House, I will draw my remarks to an end. As the shadow Minister for the North Coast, I recognise that the families of Ballina, Byron and the entire North Coast know that climate change is real and they do not appreciate the duplicity of The Nationals on this matter. I thank the House for its consideration.

The Hon. PENNY SHARPE (15:38): I make a short contribution on the Intergovernmental Panel on Climate Change Special Report on Global Warming. I thank Mr Jeremy Buckingham for moving this motion. It has been too long since we lost bipartisanship regarding serious action on climate change. We have known about climate change for more than 40 years and we have been talking about making a transition and change ever since. Time and again we remain thwarted when it comes to taking real action. We have gone backwards. There was a time when both sides of politics in Federal Parliament agreed that they had a responsibility and a duty to take action on climate change. It is a pity that we have failed to do anything for a decade. I say to those who have questions about climate change: many of you claim to have business experience and to understand risk management. Therefore, if you do not believe in climate change, surely the changes that are occurring on the planet regarding climate behaviour would lead you to believe action is necessary. But you do not.

There is an incredible amount of scientific consensus in relation to the need to tackle global warming. It is disappointing that "global warming" has been dropped from the language in exchange for "climate change". I think "global warming" is probably a better description of what has been happening. "Climate change" seems a nice term for the tough decisions we have to make. In Australia we are decades behind where we should be in respect of taking action. The people of Australia are fed up with it. When you talk to mainstream Australians, they tell you that all of the toing and froing in relation to the issue is a joke. They can see what is blindly obvious: We have a lot of sun, it does not cost much to generate energy off it and it does not do any damage to the environment. We also have quite a lot of wind—not as much as other countries, but we have a fair bit. There is a lot in this building! We can produce wind energy, it is cheap and it has little impact on the environment.

We have to talk about coal; we have to talk about gas; we have to talk about how we are going to meet the international commitments we have made. It has taken a long time to achieve international consensus on climate change. That is a pity. There were many attempts. People will remember Copenhagen and what a disaster that was. We finally got to Paris and, for the first time in a long time, there was hope that the global community could come together and do something to save the planet. We have to take action, make difficult decisions and transition away from carbon pollution in our atmosphere. Australia signed up to that. It is of great regret—no, it is outrageous—that Australia's standing in the international community is so low because we did not hold up our side of the bargain we signed up to. It would have been far more honest for Tony Abbott to go and say, "We are not signing this because we do not believe it and do not have any intention of taking action." Instead, he changed his mind five different ways, depending on political opportunism, and he signed Australia up.

Once that happened, we were supposed to take action. But here we are, years into a Federal Liberal-Nationals Government, and there is still no energy policy. There is no policy. It makes some of those opposite unhappy and uncomfortable, and so it should. Our international obligations should matter to people. This afternoon I was lucky to meet with the former President of Kiribati, His Excellency Anote Tong. For people who pretend to care about this issue, who believe we should be a good international neighbour, that we have a special role in the Pacific and a close relationship with people in the Pacific—for people who pretend to care about people other than themselves on this continent—I urge them to speak to His Excellency Tong.

His people are losing the land they live on because of sea level rise, a direct impact of climate change. Even if people want to ignore the science and the risk, the humanitarian impact is something that we should not ignore. Anyone who is a decent person cannot ignore it. I was pleased to talk to His Excellency Tong. He did say he has more hope. He has been coming to Australia and knocking on the doors of people such as ourselves for quite a few years and he now feels that there is change in the wind. He feels that there is a momentum amongst

elected representatives, pushed by the community, to get our act together and to deal with the issue. We could talk about the Wentworth by-election, but I am not going to do that.

The Hon. Dr Peter Phelps: Go on.

The Hon. Shayne Mallard: You just did.

The Hon. PENNY SHARPE: I did not talk about it that much. I could talk about it more. I come back to the point I made before.

The ACTING PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Dr Peter Phelps to order for the first time.

The Hon. PENNY SHARPE: I come back to the point I made previously: Ordinary Australians understand that climate change is happening. Our globe is getting warmer and we have an increasingly small window of opportunity to turn that around. We can continue to leave our head in the sand and pretend it is not happening. We can argue the toss on the science that 97 per cent of scientists agree with—I dare anyone to find another issue where there is that level of consensus—and we can pretend that our neighbours in the Pacific are not drowning. They will have to move from their homelands because they will no longer be able to live on their islands as a result of sea level rise. We can continue to ignore the fact that droughts will become more frequent and harsher. We can continue to ignore that all of the weather patterns indicate we are having the hottest year—every year. That brings with it disease and other challenges.

We can continue to ignore the fact that we have rivers that have never previously been dry that are now drying out. We will be challenged in regard to our food security. We can continue to ignore it all. We will not be the ones to pay for it. We will be long gone when the planet becomes unliveable because we failed to make the necessary decisions. I will comment on the energy policy and the National Energy Guarantee. It is beyond the normal hustle and bustle of politics to find ourselves in such a poor position. It is unbelievable that the Australian Commonwealth Government does not have a policy on energy other than, "we want to keep electricity prices down". We all do. We know the impact that has on individuals. There is no mechanism to do that.

In the meantime, we continue to argue the toss in relation to renewables. This is beyond embarrassing; it is reckless and irresponsible. I think about my kids and the kids that they may have one day—they are the people who will be dealing with it. Young people in our community already understand that we are selling them short by failing to come to grips with policy in this space. It is beyond time we need to do that. The latest Intergovernmental Panel on Climate Change again shows how important this is.

Recently the Government in this place had a go at State governments picking up the slack in this space. Some State governments have been waiting for Federal leadership for a decade and it has not come. I think States are left with no option but to go it alone and take action. I will not speak much longer on this. I know we are running out of time for the debate. I want to say that our failure to take action on climate change, our failure to live up to our international obligations, our failure to deal with emerging problems and the lack of policy to deal with them condemns all elected representatives to contempt in the eyes of the Australian public. Members can understand why we have never been held in such low regard.

Mr JEREMY BUCKINGHAM (15:49): In reply: I thank the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, the Hon. Adam Searle, Mr Scot MacDonald, the Hon. Walt Secord and the Hon. Penny Sharpe for their contributions to this debate, regardless of the merit of them. As Mark Twain said, "Never argue with an idiot. They will drag you down to their level and beat you with experience." We have seen in this place the Government make foolish, redundant, moribund, archaic arguments against the cost of renewables, creating doubt around the science of climate change. As the Hon. Penny Sharpe said, it is a terrible reflection on all of us. An overwhelming consensus of data amongst incredibly bright and sophisticated scientists informing the Intergovernmental Panel on Climate Change [IPCC] has been condemned as ideology—

The Hon. Penny Sharpe: Point of order—

The ACTING PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Dr Peter Phelps to order for the second time. What is the Hon. Penny Sharpe's point of order?

The Hon. Penny Sharpe: You have dealt with it.

Mr JEREMY BUCKINGHAM: Who should we trust? The National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the Bureau of Meteorology—or Mr Scot MacDonald? Every single time, I will back the people who can put a probe on the moons of Saturn and Jupiter and land people on the moon—people who know so much about the science of our planet—before this Government and its back-of-a-beer-coaster economic analysis. This may be one of the last motions—if not the

last motion—I will debate in this Chamber, but it is probably the most important motion I have moved. The IPCC raised some very important matters in its report and stated some incredibly alarming things—

The Hon. Dr Peter Phelps: Alarming? It is an alarmist report.

The Hon. Penny Sharpe: Point of order: It is one thing for the Hon. Dr Peter Phelps to have continually interjected when I was making my contribution, but he should allow Mr Jeremy Buckingham to be heard in silence. Mr Acting President, I ask you to call the Hon. Dr Peter Phelps to order.

The Hon. Dr Peter Phelps: To the point of order: I was merely trying to assist the member with his use of adjectives. He used the word "alarming"; I think he meant "alarmist". I was just trying to assist him in that regard.

The ACTING PRESIDENT (The Hon. Trevor Khan): I encourage the Hon. Dr Peter Phelps to remain in the Chamber for a further seven minutes. To achieve that outcome he should not interject any further.

Mr JEREMY BUCKINGHAM: The IPCC states that the population most disproportionately at risk of adverse consequences from global warming is our community: the people who are dependent on agricultural, coastal livelihoods in south-eastern Australia. The "Minister for Lack of Energy" has given a dithering, blathering, dawdling response—fiddling while Gilgandra burns and fiddling while we miss out on massive amounts of renewable energy investment that Victoria and Queensland get instead. New South Wales is forever at the bus stop waiting and hoping for the National Energy Guarantee to turn up. The Government has been captured by the ideologues and The Nationals—

The Hon. Wes Fang: Hear, hear!

Mr JEREMY BUCKINGHAM: —anchored to the 1950s—and I note nodding from those opposite. The Government is stuck on 1950s energy policy. It thinks the Chitty Chitty Bang Bang energy policy will work. I concur with the contributions of the Opposition, except that of the Hon. Adam Searle, who said that next generations will condemn us. It is not next generations who will condemn us but this generation. The young farmers of New South Wales, Farmers for Climate Action and any reasonable tapped-in person says, "Get on with it now. Deal with climate change, grasp the nettle and recognise the threat and the opportunity." That is the great opportunity we have: We need a government whose members have vision, energy and ticker, who will lead instead of waiting for someone to turn up and give them some sort of a clue because they are clueless. [*Time expired.*]

The ACTING PRESIDENT (The Hon. Trevor Khan): The question is that the motion be agreed to.

The House divided.

Ayes 16
Noes 20
Majority 4

AYES

Buckingham, Mr J
(teller)
Field, Mr J (teller)
Moselmane, Mr S
Searle, Mr A
Shoebridge, Mr D
Wong, Mr E

Donnelly, Mr G

Graham, Mr J
Pearson, Mr M
Secord, Mr W
Veitch, Mr M

Faehrmann, Ms C

Houssos, Mrs C
Primrose, Mr P
Sharpe, Ms P
Walker, Ms D

NOES

Amato, Mr L
Clarke, Mr D
Farlow, Mr S
Harwin, Mr D

Mallard, Mr S
Mitchell, Mrs
Taylor, Mrs

Blair, Mr
Cusack, Ms C
Franklin, Mr B (teller)
MacDonald, Mr S

Martin, Mr T
Nile, Revd Mr
Ward, Mrs N

Brown, Mr R
Fang, Mr W
Green, Mr P
Maclaren-Jones, Mrs
(teller)
Mason-Cox, Mr M
Phelps, Dr P

PAIRS

Mookhey, Mr D
Voltz, Ms L

Ajaka, Mr
Colless, Mr R

Motion negatived.

Adjournment Debate

ADJOURNMENT

The Hon. DON HARWIN: I move:

That this House do now adjourn.

WESTERN SYDNEY AIRPORT

The Hon. SHAYNE MALLARD (16:03): An amazing transformation is underway in Sydney's west. Over the next 10 to 20 years the potential for Western Sydney and its people is truly boundless. At the centre of this potential is a new city supported by the construction of the new Western Sydney Airport that will connect the region and the people of Western Sydney to the world. On the doorstep of one of Australia's most transformational infrastructure projects, the Western Sydney Aerotropolis will become a thriving economic hub delivering new jobs, homes, infrastructure and services in the heart of Western Sydney. Western Sydney is a focus of development and growth for State and national governments, already attracting public investment of more than \$20 billion across transport, health and education infrastructure. In March this year, then Prime Minister Malcolm Turnbull, New South Wales Premier Gladys Berejiklian and eight Western Sydney mayors signed the Western Sydney City Deal, a 20-year agreement for the Western Parkland City in which the aerotropolis is located.

The Western Sydney City Deal is the single largest planning, investment and delivery partnership in the history of Australia, and it is now underway. The aerotropolis will make a significant contribution to 200,000 new jobs for Western Sydney by establishing a new high-skill jobs hub across aerospace and defence, manufacturing, health care, freight and logistics, agribusiness, education and research industries. The aerotropolis will be the catalyst for employment growth in the metropolitan centres of Liverpool, Penrith and Campbelltown and the broader western city. The new Western Parkland City will be one of Australia's most connected cities. The Australian and New South Wales governments have jointly committed to deliver the first stage of the North South Rail Link from St Marys to Badgerys Creek aerotropolis via Western Sydney Airport, with a joint objective of having rail connected to the Western Sydney Airport in time for its opening. There will also be rapid bus services linking Liverpool, Penrith and Campbelltown with the aerotropolis by the time the airport opens.

An Investment Attraction Office will be established to attract international companies, with global defence and security leader Northrop Grumman Corporation the first to commit to the Aerotropolis. The New South Wales Government has also signed two international investment agreements with global corporate giants Mitsubishi Heavy Industries and the Sumitomo Mitsui Financial Group, which have committed to be a significant part of the Aerotropolis. This demonstrates that international business confidence in the Aerotropolis and the future of Western Sydney is sky-high.

A new university, schools and vocational education and training facilities will align with the high-skilled businesses and industries of the aerotropolis. The creation of an Aerospace Institute at the aerotropolis will be the immediate focus of skills and education planning. The Aerospace Institute, located on Commonwealth lands at North Bringelly, will include a world-class science, technology, engineering and mathematics university, a high-performance secondary school and an advanced vocational education and training facility. This integrated education facility will be an anchor institute in the aerotropolis. The institute will be delivered in partnership through co-investment of government and industry, connecting students to the knowledge-intensive jobs of the future aerotropolis.

Western Sydney is a key contributor to the New South Wales visitor economy and Western Sydney Airport will bring a significant new flow of visitors to an airport that is an hour or less from key Blue Mountains destinations and much closer to Western and south-western Sydney than the point at which visitors arrive in Sydney today. Western Sydney Airport will provide vitally needed aviation capacity, better enabling our tourism sector to capture the opportunities from rapidly growing markets—particularly from Asia, which will continue to increase over the coming decades. There are hidden jewels all around this region that have the potential to be great tourism products. It is a brand-new and increasingly large market for tourism operators in these regions to target.

I have to ask why the Blue Mountains and Blacktown councils continue to oppose the new airport at Badgerys Creek and the tremendous opportunities the airport and associated aerotropolis will bring to the region

over the next generation. Both councils are controlled by Labor and both have local Labor members of parliament who are clearly not onside with their State and Federal party colleagues and not supportive of the airport. In the Blue Mountains, the State Labor member is joined by the Federal Labor member for Macquarie in their antagonism to the airport.

But what are they fearful of? Tens of thousands of well-paid new jobs for the next generation of Western Sydney residents? Direct and indirect airport-related jobs that will help stop the exodus of highly skilled young people from the region? Local jobs within a 30-minute drive, improving the quality of life for Western Sydney residents and families? Are they afraid of the investment in business that is already arriving? Are they afraid of the new businesses and entrepreneurs and increased living standards in Western Sydney?

I call upon the Blue Mountains and Blacktown councils and the local Labor members of Parliament to stop playing short-term politics on this issue. They should take their heads out of the sand and open their eyes to the great opportunities the new second airport will bring to the region. It is time to work with the State and Federal Governments and maximise the opportunities and benefits for their local communities. The community understands the benefits. The communities of Penrith and Liverpool are aware of the opportunities and investment in jobs. They will not reward Labor members of Parliament who block the opportunities for their communities and their kids. Those Labor members need to get on board for real jobs and investment and a greater Western Sydney.

FIRST NATIONS PEOPLE TREATY

STATE ASSETS PRIVATISATION

The Hon. DANIEL MOOKHEY (16:08): Labor is committed to negotiating a treaty with the First Nations people of New South Wales. We always tell tales of the derring-do of our forefathers and foremothers—stories about the British settlers starting the colony that has turned into the country we love. But too often we edit out the experiences of First Nations people: the story of how Aboriginal peoples were shoved from this State's circles of wealth and shut out of the corridors of power, as well as the stories of the activists who fought back for centuries to be let back in.

Treaty-making is a merger of these two stories so that the next stage of reconciliation can begin. It is reparation, yes—and equally a declaration of Australian solidarity, fairness and mutual responsibility for all. The welfare of all Australians is now the birthright of every Australian, including First Nations Australians. Treaty-making is ambitious, and it must be. It is ambitious because we want change. NSW Labor wants the mass incarceration of First Nations people to end and a restorative criminal justice system to stand in its place. We want child removals to end and for every family to thrive. Jobs for all, decent health care, equality and social justice are our ambitions. Treaty-making is progress because it puts self-determination at the centre of decision-making. Without First Nations people having an equal seat at the table, no serious progress can be made.

Some say that treaty-making is New South Wales signing a treaty with itself. Others argue that treaty-making is symbolism taking precedence over so-called practical reform. Sentiments like that have circulated since a Prime Minister first said them in the late 1990s. They are being said again in the other States of the Commonwealth that have started treaty-making. In New South Wales, we have a choice to make. We can debate forever whether treaty-making offends the dictionary definition of the word "treaty" and argue endlessly over whether symbolic and practical reconciliation are at permanent odds with each other, or we can instead say that we prefer talking about how we can close the wealth gap, the health gap and the education gap between First Nations and other Australians. First Nations Australians will talk as equals, with power, and show us all that while Australian democracy is not perfect it can always be perfected.

NSW Labor stands foursquare against the further privatisation of the people's assets—no sale of our remaining electricity assets, no sale of Sydney Water, no sale of public bus services and no sale of New South Wales hospitals. In the past eight years the poles and wires that carry our electricity and the power plants that make it, motorways, ports and even the land titles office have been sold, sold, sold. They make up just some of the \$60 billion worth of assets that have been sold off since this Government came to power. It is enough for people to worry that all the family silver is gone. What is left for the Liberal Party and the forever supine National Party to sell? They could sell what is left of publicly owned power: Essential Energy and the 49 per cent of Ausgrid. They can re-erect the "for sale" signs in front of Goulburn, Maitland, Bowral, Wyong and Shellharbour regional hospitals. They failed to sell them last year. They will try again.

As for public bus services, who amongst us thinks Andrew Constance is done privatising those? He sold off the inner west's bus services earlier this year. If he comes back he will try to sell off public bus services in the rest of Sydney as well as in regional New South Wales. The media, the Opposition and even its own workforce has asked the Government to promise no sale of Sydney Water. It refuses. Toll roads, rail services, Service NSW,

the forestry corporations, Hunter Water, Essential Water, icare, public housing and public lands could all be auctioned off if the Liberal Party refuses to rule out further privatisation ahead of next March's election. Why will the Government sell them? To pay for infrastructure blowouts and promises.

Simply put, every dollar gobbled up by Gladys Berejiklian's failing CBD light rail project is one less dollar to pay for the Parramatta Light Rail. Every extra dollar spent paying contractor claims on the amorphous \$17.8 billion WestConnex project is one less dollar available to build the urgently needed congestion-busting western metro link from Parramatta to the central business district. If the Government ignores independent advice from its agencies and builds the northern beaches tunnel toll free, it will have no choice but to sell public assets owned by the many to pay for lavish promises made to the few.

BLUE MOUNTAINS GREATER GLIDER

GENDER DIVERSITY

Ms CATE FAEHRMANN (16:13): A study in the *Australian Journal of Zoology* published by the CSIRO on 12 September 2018 has found that the key factor in the range contraction of the greater glider in the Blue Mountains is climate change. The "great flying phalangers" of early explorers are Australia's largest gliding possum and the second largest gliding mammal in the world. They are found in patchy distribution in eucalypt forests along the east coast of Australia. They have been facing enormous pressure due to habitat destruction, especially logging. In 2016 they were listed as vulnerable by the Commonwealth Threatened Species Scientific Committee, which concluded that the species has undergone a substantial overall reduction in numbers and the decline is ongoing, with the cause uncertain. In the 1980s they were common and widespread in the Blue Mountains but lately they have proved very difficult to locate. Only one greater glider was recorded on the BioNet Atlas of NSW Wildlife database between 2004 and 2015 so the researchers set out to find out what was going on. They found:

The range of the greater glider is predicted to contract with climate change. Following indications of a decline in the Blue Mountains, we collated records and undertook surveys in 2015-16 to assess whether a decline has occurred and whether the decline is associated with climate change or other factors. We were unable to relocate greater gliders at 35% of our study sites, even though all were in known former locations. The species is now rare at lower elevations but remains relatively common at higher elevations: About seven times more abundant above 500 m than below ... The most likely cause of the decline is the direct and indirect effects of a marked increase in temperature in the Blue Mountains. Similar declines are likely throughout the distribution of the species with increasing climate change.

The decline in greater gliders in the lower Blue Mountains in the last 20 years suggests that a tipping point has been reached ... As temperatures continue to increase, and as heatwaves, droughts and fires become more frequent and more severe, greater gliders, once widespread in the Blue Mountains, can be expected to become increasingly restricted to the highest elevations.

Because of climate change we are facing a global extinction crisis and Australia is one of the regions where extinctions will be highest. Australian rodent the Bramble Cay melomys was the first mammal worldwide to be declared extinct due to climate change. These are the canaries in the coalmine. We are in a climate emergency and this Government has no climate change plan. It is not just a disgrace, it is criminal.

In yet another attack in a series of attacks against the trans and gender diverse community in the United States, according to a memo set to be released later this year by the Trump administration "transgender" could be defined out of existence. The memo reads, "Sex means a person's status as male or female based on immutable biological traits identifiable by or before birth," and seeks to narrowly define gender as a biological, immutable condition determined by genitalia at birth. The new definition would essentially get rid of Federal recognition of the estimated 1.4 million Americans who have opted to recognise themselves, surgically or otherwise, as a gender other than the one they were assigned to at birth.

Should the new policy go into effect, the only way for people to legally dispute the sex on their birth certificate would be through genetic testing. It would also mean that recently enacted protections for transgender people would no longer be in place. In other words, what the medical community understands about people and what people understand about themselves is irrelevant. This is just the latest move in an ongoing attack that excludes the population from civil rights protections and rolls back the Obama administration's more fluid recognition of gender. Trump has also tried unsuccessfully to ban trans people from the military and is working to erase them from the 2020 census. Although there is much more to be done, the lesbian, gay, bisexual, transgender, intersex, queer movement has had some significant wins in Australia. But the actions in the United States show just how fragile these wins can be and demonstrate the importance of a strong movement combined with political action to support the rights of trans and gender diverse people.

The Trans Pathways survey was the largest survey conducted into trans young people in Australia. It examined the mental health of trans people between the ages of 14 to 25 and found almost 80 per cent had self-harmed, compared with around 11 per cent of the young people in the general Australian population. A staggering 48 per cent had attempted suicide, compared with 2.4 per cent in the general population. Trans young

people are also 10 times more likely to suffer from serious depression and anxiety than other young Australians. Trans Pathways found that when trans young people reach out for help from medical and mental health services they are regularly met with service providers who are not experienced with, or even aware of, gender diversity. Instead of winding back recognition and protection of gender diverse and trans people like the United States is doing, let us lead the change by creating policies that are more inclusive of trans people, including by ensuring they are counted in data collection methods such as the census.

INVICTUS GAMES

The Hon. BEN FRANKLIN (16:18): I acknowledge the men and women from around the world who have descended upon Sydney to take part in the 2018 Invictus Games. The value, motivation and opportunities that the Invictus Games journey provides for our service men and women is life changing and, for some, life saving. Sadly, the selfless service those men and women have given our country often goes largely unrecognised. Too often the physical and mental injuries they have sustained are left in the dark, out of sight, out of mind. The Invictus Games has changed that.

The games give us an opportunity to shine a light on those unsung heroes who are facing enormous physical and mental hardship following their service and allow them to showcase their resilience and determination to continue staying strong. It is also our time to throw our support behind those courageous men and women. Every person taking part in the games is a glowing example of strength, honour and optimism for our service men and women who have returned home. They are a true demonstration of courage, endurance, mateship and sacrifice. They are a reminder to us all what selfless duty really looks like. For many people, these games are a key element on their journey to recovery—not just recovery from the physical injuries but also recovery from the emotional and mental toll their service has taken.

This afternoon I would like to pay tribute to two of the members of the Australian team hailing from the New South Wales North Coast. Through the examples of these two athletes I honour every competitor taking part in the games. Jamie Tanner joined the Australian Army in 2001 and served in Timor Leste, Iraq and Afghanistan. After suffering from numerous musculoskeletal injuries, post-traumatic stress disorder, depression and adjustment disorder, Jamie was discharged in 2011. Jamie's experiences since being discharged have not been without challenge, for both himself and his family. Jamie joined the Army at a young age, and after more than 10 years of service adapting back to the civilian world was difficult.

This adjustment has taken Jamie on a journey of extreme highs and extreme lows. Most days have been filled with anger, isolation, fear and frustration, but sometimes there are moments of happiness. The impacts of this challenging time have extended to his family. His partner, Leesa, walked the journey with him, a journey that for her involved isolation, suicide protection and safeguarding their children. The whole Invictus Games experience pulled Jamie from a dark place. He went from days spent in his walk-in wardrobe sheltering from light, noise, people and the world to being part of a team and a community and experiencing motivation, fitness, participation, people and purpose. The Invictus community has become his second family. These games have been invaluable for Jamie, who said:

Adaptive sport has been the way for me to join in again—not just in sport, but in life in general. Sport is helping me to become comfortable around people. It's given me a reason to leave the house, to work on my physical fitness and to become a part of a team.

Jamie, you have gone above and beyond in your efforts. Congratulations not just on your results at the games but also for your courage, bravery, strength and endurance. You are one of our nation's biggest heroes. I know our home community on the North Coast will forever look up to you as a shining example and role model. Pilot Officer Nathan Parker joined the Royal Australian Air Force as a teenager in 2014. Just over a year later he was involved in a bus rollover accident while returning from a training exercise. This accident caused the amputation of his left hand, tendon damage to his right hand and multiple facial lacerations. For Nathan, training for the Invictus Games played a key part in his recovery. Sport and exercise were within his reach and under his control. They provided him with goals and visible signs of improvement. As Nathan said:

Even if everything else seemed to be going wrong, every small improvement on the rowing machine or the track was a significant victory, a step forward and, most importantly, progress.

While Nathan has made incredible progress on his road to recovery, he has also achieved so much more competing in these games. On Monday, Nathan secured a gold medal for the Indoor Rowing Men's IR3 Four Minute Endurance, reaching a distance of 1,157 metres. He also took out the silver medal with a distance of 338 metres in the Indoor Rowing IR3 One Minute Sprint. Nathan, congratulations. Your achievements have been an absolute inspiration; you are unstoppable. Your courage, commitment and determination will ripple through our community on the North Coast as you continue to be an ambassador and leader in the region. We know you have an incredible future ahead of you, and I cannot wait to see what else you can achieve. On behalf of the New South

Wales Government and everyone in this place, I extend my warmest thanks and congratulations to every person taking part in the games. They did not have to step up to the challenge, they did not have to represent our country again, but they did. Thank you for being leaders for our country. Our world is a better place because of you.

WOMEN IN LOCAL GOVERNMENT

The Hon. PETER PRIMROSE (16:23): It is now 100 years since women, who had already gained the vote, also became eligible to be elected in New South Wales. The Women's Legal Status Act 1918 stated that women would now be able "to be elected and to act as Lord Mayor or alderman of the Municipal Council of Sydney, mayor, president, alderman, or councillor of any municipality or shire under the laws relating to local government." In 1928, Lilian Fowler, a Labor stalwart, became the first female alderman in New South Wales. Lilian was also Australia's first female mayor, having been elected to that position in December 1938. As the shadow Minister for Local Government, I was invited to attend and address the recent Local Government NSW Annual Conference in Albury. Given 100 years have passed since the introduction of the Women's Legal Status Act, I was heartened to see the number of New South Wales women who had been elected to councils throughout our State.

From the introduction of the Act, it took 10 years before the election of a woman to a council and a further 20 years for a woman to be elected mayor. Now in 2018, it is no longer uncommon for women to aspire to and achieve public office; indeed, it is now the norm. I am proud of the role that the Labor Party has played over 100 years in supporting and encouraging women to aspire to and achieve public office at all levels, often commencing in local government. Local Government NSW is headed very ably by Councillor Linda Scott, recently elected as the Deputy Lord Mayor of the City of Sydney. Linda is passionate about local government and the issues that confront communities from across New South Wales. Whether it be cats, libraries, or waste, Linda is out there advocating on behalf of metropolitan and regional councils and in particular working to improve the role of women in local government.

Along with Linda, other members on the Local Government NSW executive who are equally passionate about local government and the role it plays in the community include Penrith City Councillor Karen McKeown, who is also the Labor Party candidate for the seat of Penrith; Broken Hill City Council Mayor Darriea Turley, who is also the Country Labor Party candidate for the seat of Barwon; Waverley Council Councillor Marjorie O'Neil, who is also the Labor Party candidate for the seat of Coogee; Shellharbour City Council Mayor Marianne Saliba, who was the member for the former seat of Illawarra; and Blacktown City Council's Julie Griffiths, who is a long-term and active community leader.

Returning to Lilian Fowler's story, she ultimately lost her place on Newtown Council when it was merged with the City of Sydney, proving that forced council mergers have always been an endless source of trouble. Her service in local government provided the impetus for Lilian to become only the third woman elected to the New South Wales Legislative Assembly, from 1944 to 1950. Her name lives on today in numerous street names throughout the inner city and the Federal seat of Fowler.

Many other women councillors today similarly seek the opportunity to serve in State and Federal politics. These include Councillor Debra O'Brien from Armidale Regional Council, who has put her hand up to run for Country Labor in the seat of Northern Tablelands; Councillor Annette Alldrick, from Shoalhaven City Council, who is running for Country Labor in the State electorate of South Coast; Councillor Charisma Kaliyanda from Liverpool City Council, whom we hope to see as the future member for Holsworthy; and former Councillor Leanne Atkinson, who served on the Snowy River Shire Council before it was forcibly merged, and is now the Country Labor candidate for Bega. Judging by their achievements as local councillors, these women will be committed and dedicated local members, and I look forward to working with them in the New South Wales Parliament when they are elected in March next year.

GOVERNMENT ENERGY POLICY

Mr JEREMY BUCKINGHAM (16:27): Tomorrow will be the first meeting of the Federal and State energy Ministers since the Federal Liberal Party killed the National Energy Guarantee process, plunging the country's energy and climate policy into disarray and darkness and leaving the New South Wales Liberal Government rudderless and utterly devoid of any coherent energy policy going into the State election. What can we expect to see on the Council of Australian Governments [COAG] agenda? During today's question time, the Minister for Energy and Utilities was reading the agenda—obviously he is not very well prepared. That means we can expect the same thing that we have seen signalled by Federal energy Minister Angus Taylor from the day he took on the role—the Trump-like proposal to use taxpayer money to extend the life of the ageing, uneconomic fleet of Chitty Chitty Bang Bang coal and gas plants and the potential compulsory acquisition of these failing fossil fuel assets.

What will not be on the agenda tomorrow? Emission reductions and clean energy targets. These are staggering omissions. The recent Intergovernmental Panel on Climate Change [IPCC] report warned that to keep global warming below 1.5 degrees Celsius demands a rapid and urgent phase-out of coal power. It stressed in no uncertain terms that burning coal is incompatible with a future livable climate. The choices made now will decide whether we avert catastrophic climate change and keep warming below 1.5 degrees Celsius or face dire consequences. No policy area is more critical to this effort than energy policy.

Clearly, the National Energy Policy must prioritise a proper, realistic plan to rapidly reduce carbon emissions to avoid more than 1.5 degrees Celsius of global warming. The COAG meeting should be discussing how we keep people, communities and the planet safe from climate change. The meeting should be discussing how we can put in place a pollution reduction pathway consistent with Australia's obligations under the Paris Agreement in the national electricity objectives. The meeting should be developing a mechanism for the orderly retirement of coal-fired power stations. It will not be. However, in what can only be described as an effort to defy gravity, the meeting will be concocting schemes to prop up our failing, broken and decrepit coal-fired power stations.

The energy policy debate has been hijacked by climate deniers and the mining lobby in a desperate bid to keep the failed and flailing fossil fuel industry in business. Globally, all of the metrics for coal-fired power development are in decline and coal-fired power is in its death throes. If we look to the United States, this year alone power companies have retired 12.3 gigawatts of coal-fired power—that is more than has been retired in a single year since 2015—and another 19.8 gigawatts of coal-fired power plant capacity will be shut down between 2018 and 2022. Since 2010 nearly 40 per cent, or 86 gigawatts, of the coal-fired power capacity of the United States has been either shut down or designated for closure. Ten countries in the European Union with coal-fired power capacity have ended either coal use for power generation or have pledged to phase it out by 2030, namely, Austria, Belgium, Denmark, Finland, France, Italy, Netherlands, Portugal, Sweden, and the United Kingdom. The powerhouses of the European Union and the United Kingdom are all phasing out coal.

The Hon. Dr Peter Phelps: Germany?

Mr JEREMY BUCKINGHAM: Wait for it. In the United Kingdom electricity provided by coal dropped from 39 per cent of overall generation in 2012 to just 2 per cent last year, with the country planning to retire its remaining 15.5 gigawatts of coal-fired capacity by 2025. While Germany has 50 gigawatts of coal plant capacity and an additional 3,120 megawatts under development, it plans to set an end date for coal use in 2019. Globally, the last decade has seen a surging trend in coal plant retirements, with 97 gigawatts retired over the past three years. In fact, since 2006 we have seen a total of 258 gigawatts retired from global coal production. That is great news.

We are seeing also the retirement of ageing coal fleets across North America and Europe. That tired, old infrastructure will be retired in the coming decade, just as this Government will be retired in coming months. The Greens do not support paying coal-fired power stations to stay open and we do not support paying compensation for "asset value" losses. Coal generators have already received billions of dollars in government handouts, and coal investors have understood the need to transition to clean energy for more than 30 years. Rather than planning to prop them up, the science demands that we bring their retirement forward to avoid catastrophic climate change. It is time to move beyond coal and grasp the nettle of renewable energy. It is also time for new governments at the State and Federal levels to grasp that opportunity.

The ACTING PRESIDENT (The Hon. Trevor Khan): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 16:33 until Tuesday 13 November 2018 at 14:30.