



**New South Wales**

# **Legislative Council**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Wednesday, 17 June 2020**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE COUNCIL

**Wednesday, 17 June 2020**

**The PRESIDENT (The Hon. John George Ajaka)** took the chair at 10:00.

**The PRESIDENT** read the prayers.

### *Documents*

#### **WESTERN HARBOUR TUNNEL AND BEACHES LINK**

##### **Production of Documents: Further Order**

**The Hon. JOHN GRAHAM (10:03:33):** I seek leave to amend private members' business item No. 509 outside the order of precedence for today by omitting from paragraph (6) the words "Tuesday 16 June 2020" and inserting instead "Thursday 18 June 2020".

**Leave granted.**

**The Hon. JOHN GRAHAM:** Accordingly, I move:

- (1) That this House notes the failure of the Government to comply with orders of the House relating to the final business case for the proposed Western Harbour Tunnel and Beaches Link, and strategic business case for the proposed Western Harbour Tunnel and Beaches Link.
- (2) That on 13 May 2020 this House:
  - (a) agreed to a further order for the production of the final business case for the proposed Western Harbour Tunnel and Beaches Link and the strategic business case for the proposed Western Harbour Tunnel and Beaches Link by 9.30 a.m. the following day; and
  - (b) resolved that, should the Leader of the Government fail to table the documents in compliance with that resolution, he be required to attend in his place at the table at the conclusion of prayers, on the next sitting day following the passing of this resolution to explain his reasons for continued non-compliance.
- (3) That this House notes that, on the next day, correspondence was received from the Leader of the Government advising that a further response to the order would be provided no later than 2 June 2020, being the next sitting of the House.
- (4) That this House notes that, on Tuesday 2 June 2020, the Clerk received correspondence from the Minister for Transport and Roads advising that "no documents are held by Transport for NSW that are covered by the terms of the Order which are lawfully required to be produced" and that "Even if the documents which are sought by Mr Graham were covered by the terms of the Order, they are Cabinet documents, and the Legislative Council has no power to require such documents to be produced."
- (5) That, on Tuesday 2 June 2020, the Leader of the Government attended in his place to explain his reasons for continued non-compliance.
- (6) That, under Standing Order 52 there be laid upon the table of the House by 2.00 p.m. Thursday 18 June 2020, the following documents created since 1 January 2019 in the possession, custody or control of Transport for NSW:
  - (a) the final business case for the proposed Western Harbour Tunnel and Beaches Link;
  - (b) the strategic business case for the proposed Western Harbour Tunnel and Beaches Link; and
  - (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
- (7) That this House reiterates that, should the Leader of the Government fail to table the documents in compliance with this resolution, it is open to this House to take all necessary action, including censuring the Leader of the Government, adjudging the Leader of the Government as guilty of contempt and suspending the Leader of the Government for whatever period necessary to cause compliance with this order of the House.

**Motion agreed to.**

#### **FLOODPLAIN HARVESTING**

##### **Tabling of Report of Independent Legal Arbiter**

**The Hon. MARK BANASIAK:** I move:

- (1) That the report of the Independent Legal Arbiter, the Hon Keith Mason, AC, QC, on the disputed claim of privilege on documents relating to an order for papers regarding floodplain harvesting be laid on the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

**Motion agreed to.**

*Motions***CENTRAL COAST SURF LIFE SAVING AWARDS**

**The Hon. TAYLOR MARTIN (10:05:57):** I move:

- (1) That this House notes that:
  - (a) on 6 June 2020, Surf Life Saving Central Coast Branch held the 2020 Awards of Excellence;
  - (b) the awards were streamed live online for the first time in the branch's history due to the COVID-19 pandemic restrictions;
  - (c) the awards recognise members of the 15 surf lifesaving clubs and support operations that have excelled at branch level in junior development, surf lifesaving, education, surf sports and support operations; and
  - (d) the following awards were presented:
    - (i) Rookie of the Year: Cohen Crook (Terrigal);
    - (ii) Trainer of the Year: Pam Edmonds (Umina);
    - (iii) Assessor of the Year: Chris Fillingham (Toowoon Bay);
    - (iv) Facilitator of the Year: Ramzy Fawzy (Shelley Beach);
    - (v) Surf Sports Team of the Year: Female Masters (North Avoca);
    - (vi) Coach of the Year: Mick Magurren (Umina);
    - (vii) Official of the Year: Chris Gathercole (Avoca);
    - (viii) Young Athlete of the Year: Lachlan Braddish (Umina);
    - (ix) Masters Athlete of the Year: Paul Lemmon (Terrigal);
    - (x) Open Athlete of the Year: James Koch (Shelley Beach);
    - (xi) Rescue of the Year: Peta Howlett, Rosy Pragano and Shelley Smith (Umina);
    - (xii) Patrol Competition: Umina – 1017 Points, Terrigal – 996 Points, Ocean Beach – 994 Points;
    - (xiii) Patrol Captain of the Year: Laura Luchi (Copacabana);
    - (xiv) Administrator of the Year: Daniel Kingsley (Shelley Beach);
    - (xv) Service Team of the Year: Education Team (Shelley Beach);
    - (xvi) Young Volunteer of the Year: Jamie Cairns (Ocean Beach);
    - (xvii) Volunteer of the Year: Richard Green (Terrigal & Avoca);
    - (xviii) Young Lifesaver of the Year: Kai Darwin (Umina);
    - (xix) Lifesaver of the Year: Paul Dowdell (Shelley Beach); and
    - (xx) Club of the Year: Umina – 1st, North Avoca – 2nd, Ocean Beach – 3rd.
- (2) That this House congratulates:
  - (a) award recipients for their dedication and commitment to the community on the Central Coast and the safety of its beaches; and
  - (b) Surf Lifesaving Central Coast and its member clubs for a successful 2019-20 season which included 22,000 preventative actions, 559 rescues, first aid administered on more than 800 occasions and no lives lost between the flags.

**Motion agreed to.**

*Documents***YOUNG HIGH SCHOOL JOINT USE LIBRARY AND COMMUNITY FACILITY****Production of Documents: Order Amended**

**The Hon. MICK VEITCH (10:07:27):** I move:

That the resolution of the House of 3 June 2020 under Standing Order 52, relating to the Young High School Joint Use Library and Community Facility be amended as follows:

- (a) In the opening paragraph omit "Department of Education" and insert instead "School Infrastructure NSW."; and
- (b) In paragraph (a) omit all words after "all" and insert instead "original documents not made available online relating to the new Young High School Joint Use Library and Community Facility project."

**Motion agreed to.**



**FLOODPLAIN HARVESTING****Report of Independent Legal Arbiter**

**The CLERK:** According to the resolution of the House this day, I table the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, dated 11 June 2020, on the disputed claim of privilege on documents relating to the order for papers regarding floodplain harvesting.

**NAMBUCCA STATE FOREST**

**Mr DAVID SHOEBRIDGE (10:08:26):** I seek leave to table a document comprising a printout of the names of 23,810 citizens who have signed an online petition stating that the logging of the Nambucca State Forest is unacceptable and not approved by the local community, and call on the Government to take action to stop the logging of the Nambucca State Forest.

**Leave granted.**

**Mr DAVID SHOEBRIDGE:** I table a printout of an online petition relating to Nambucca State Forest. I move:

That the document be published.

**Motion agreed to.**

*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 conduct of the business of the House this day.

**Motion agreed to.**

**ORDER OF BUSINESS**

**The Hon. NATASHA MACLAREN-JONES (10:15:54):** I move:

That the order of private members' business be as follow:

- (1) Private members' business item No. 517 standing in the name of the Hon. Mark Buttigieg relating to the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020.
- (2) Private members' business item No. 546 standing in the name of the Hon. Catherine Cusack relating to the vandalism of public monuments.
- (3) Private members' business item No. 554 standing in the name of Ms Abigail Boyd relating to an order for papers regarding funding for independent disability advocacy services.
- (4) Private members' business item No. 306 standing in the name of the Hon. Mark Banasiak relating to an order for papers regarding recreational fishing around Sydney Harbour.
- (5) Private members' business item No. 557 standing in the name of the Hon. Rod Roberts relating to deaths in custody.
- (6) Private members' business item No. 558 standing in the name of the Hon. Wes Fang relating to the Regional Youth Taskforce.
- (7) Private members' business item No. 533 standing in the name of the Hon. Emma Hurst relating to puppy farms.
- (8) Private members' business item No. 139 standing in the name of Reverend the Hon. Fred Nile relating to the Crimes Amendment (Zoe's Law) Bill 2019.
- (9) Private members' business item No. 507 standing in the name of the Hon. Mick Veitch relating to the Water Management Amendment (Water Allocations—Drought Information) Bill 2020.
- (10) Private members' business item No. 555 standing in the name of the Hon. Natalie Ward relating to the night-time economy.
- (11) Private members' business item No. 570 standing in the name of Ms Cate Faehrmann relating to the Gomeroi People's sacred sites and artefacts.
- (12) Private members' business item No. 567 standing in the name of the Hon. Mark Pearson relating to the restoration of the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019.
- (13) Private members' business item No. 573 standing in the name of Mr Justin Field relating to an order for papers regarding bushfire-affected forests.
- (14) Private members' business item No. 548 standing in the name of the Hon. Mark Latham relating to the Tomago Aluminium smelter.

- (15) Private members' business item No. 550 standing in the name of the Hon. Walt Secord relating to the impact of COVID-19 on the State's economy.
- (16) Private members' business item No. 504 standing in the name of the Hon. Mark Banasiak relating to an order for papers regarding rules-based environmental water.
- (17) Private members' business item No. 564 standing in the name of Ms Abigail Boyd relating to domestic violence statistics.
- (18) Private members' business item No. 556 standing in the name of the Hon. Courtney Houssos relating to an order for papers regarding electronic devices provided to schools.
- (19) Private members' business item No. 565 standing in the name of the Hon. John Graham relating to the ancient Indigenous caves at Juukan Gorge.
- (20) Private members' business item No. 488 standing in the name of the Hon. Natasha Maclaren-Jones relating to the seventy-fifth anniversary of Victory in Europe Day.
- (21) Private members' business item No. 560 standing in the name of Mr David Shoebridge relating to a select committee on the oversight role performed by the Law Enforcement Conduct Commission.
- (22) Private members' business item No. 478 standing in the name of the Hon. Adam Searle relating to an order for papers regarding TAFE underpayments.
- (23) Private members' business item No. 526 standing in the name of Ms Cate Faehrmann relating to poker machines.

I indicate that the private members' business items at paragraph Nos 2 to 7 and 10 to 22 in the motion will be considered in the short form format.

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

**Motion agreed to.**

*Presiding Officers*

#### **ASSISTANT PRESIDENT OF THE LEGISLATIVE COUNCIL**

##### **Election**

**The PRESIDENT:** According to the resolution of continuing effect, I announce that the office of Assistant President is vacant and it is necessary to choose a member to be Assistant President. I call for nominations for the office.

**The Hon. MARK LATHAM (10:20:38):** I propose to the House and move:

That the Hon. Rod Roberts be elected Assistant President.

I am confident in the knowledge that he will do a very good job for the Chamber. Speaking in support of my nomination of the Hon. Rod Roberts, I assure the Chamber that he is functional—meeting the criteria that was set by the Labor Opposition. In fact he is more than functional. He has had a distinguished professional career as a police officer, meaning he can easily handle the rowdy crowd opposite and any other reprobates around the Chamber, which from time to time might even include me. I know from his distinguished service as the Deputy Leader of One Nation that from time to time he will even put me in my place. He will be even handed, independent and reliable. He has impressed every member with his common sense and level-headed attitude over this parliamentary term. He will serve with great distinction as a very fine Assistant President of this wonderful Chamber, the oldest standing democratic Chamber in the country.

**The Hon. NATALIE WARD (10:22:00):** I propose to the House and move:

That Reverend the Hon. Fred Nile be elected Assistant President.

I speak in support of my nomination of Reverend the Hon. Fred Nile as Assistant President. He is the longest standing and most experienced member of this House. It is important that we bring to the office of Assistant President somebody who understands the magnitude of the task of this Chamber, who represents it and is capable, with the knowledge that comes with longstanding experience, and who is able to represent the good work that we do here. Reverend the Hon. Fred Nile has previously served in the position of Assistant President for 11 years. He is well acquainted with the role and he is well able to discharge his responsibilities, having done so and being aware of the requirements. He has served on a number of committees—many more than I am able to articulate in the one minute I have to speak. He brings his experience and, having given longstanding service, he also brings a respectful manner in which he deals with all members in this Chamber, unlike others. He brings a gravitas to the position. I commend his nomination to the House and to all members.

**The Hon. ADAM SEARLE (10:25:10):** I propose to the House and move:

That the Hon. Courtney Houssos be elected Assistant President.

It is important for us to understand that this office is not just a bauble or a trinket to be shared around; it is an important office of this Chamber. It is important that in filling this role we not only have a person who can represent the Chamber effectively and send a clear signal to the community that we take it seriously, as we should, but we also have a person who is functional, alert and able to fulfil all of their duties when in the chair. That is an important qualification. I urge all members to put that at the forefront of their minds when casting their votes.

**The PRESIDENT:** Before we proceed to the ballot, I invite the Hon. Rod Roberts, the Hon. Courtney Houssos and Reverend the Hon. Fred Nile to address the Chamber if they wish to.

**The Hon. ROD ROBERTS:** I submit myself to the will of the House.

**The Hon. COURTNEY HOUSSOS:** I submit myself to the will of the House.

**Reverend the Hon. FRED NILE:** I submit myself to the will of the House.

**The PRESIDENT:** According to standing orders, I announce that there being three nominations a ballot will be held. Before proceeding to the ballot, the bells will be rung for five minutes.

#### **Ballot**

**The President** announced that the House would proceed to a ballot; that the Clerks would distribute ballot papers for members to complete in their places; that members were requested to write upon their ballot paper the name of the candidate for whom they wished to vote; that when voting was completed the Clerks would ask members to deposit their paper in the ballot box; and that the candidates were the Hon. Rod Roberts, Reverend the Hon. Fred Nile and the Hon. Courtney Houssos.

*[The ballot was conducted.]*

#### **Declaration of Ballot**

**The PRESIDENT:** I announce that the result of the ballot was the Hon. Rod Roberts, 15 votes, Reverend the Hon. Fred Nile, six votes, and the Hon. Courtney Houssos, 20 votes. As no member has received the 50 per cent plus one vote, it will be necessary to conduct a second ballot. As Reverend the Hon. Fred Nile has received the least number of votes, he will be excluded from the second ballot. The second ballot will therefore be between the Hon. Rod Roberts and the Hon. Courtney Houssos.

#### **Ballot**

**The President** announced that the House would proceed to a ballot; that the Clerks would distribute ballot papers for members to complete in their places; that members were requested to write upon their ballot paper the name of the candidate for whom they wished to vote; that when voting was completed the Clerks would ask members to deposit their paper in the ballot box; and that the candidates were the Hon. Rod Roberts and the Hon. Courtney Houssos.

*[The ballot was conducted.]*

#### **Declaration of Ballot**

**The PRESIDENT:** I announce that the result of the second ballot was the Hon. Rod Roberts, 21 votes, and the Hon. Courtney Houssos, 20 votes.

**The Hon. Rod Roberts** was declared elected Assistant President of the Legislative Council.

#### *Bills*

### **BUILDING AMENDMENT (MECHANICAL SERVICES AND MEDICAL GAS WORK) BILL 2020**

#### **Second Reading Debate**

**Debate resumed from 3 June 2020.**

**The Hon. NATALIE WARD (10:50:14):** I speak on behalf of the Government in response to the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. From the outset I make it abundantly clear that the Government supports a strong regulatory framework for the licensing of persons who carry out medical gas work in New South Wales and has committed to legislating to address these issues. On behalf of the Government and the Minister responsible, I acknowledge the Hon. Mark Buttigieg for the genuine interest he has shown in this matter and for bringing forward this bill. While the Government will oppose the bill, the Government has given notice to introduce the Gas Legislation Amendment (Medical Gas Systems) Bill 2020 in the other place.

The bill to be introduced by the Government will establish a more coherent and workable regulatory and licensing scheme for persons and entities involved in medical gas systems in health and medical facilities in

New South Wales. In fact, work has already commenced on developing the Government's response with a regulation listing the classes of gases to be covered by the scheme and approved by the Executive Council this morning. That regulation will commence on 1 November. Two weeks ago this House came together and demonstrated that this Parliament can work co-operatively to pass meaningful legislation in the best interests of the people of New South Wales in order to lift the standards of residential construction. The Minister has committed to work with Labor as the Government finalises the licensing scheme in the coming months.

Before I turn to the substance of this bill, it is important to acknowledge the tragic incidents that are at the heart of the issue we are debating here today. As a mother, I cannot be more sincere in my contribution. Two tragic incidents occurred in June and July of 2016 in which two newborn babies were mistakenly administered nitrous oxide through an oxygen outlet at Bankstown-Lidcombe Hospital. As a result of being administered the wrong medical gas, one baby, John Ghanem, died and the other suffered serious brain injuries. Further failure to test the gases before the new outlets were commissioned resulted in an oxygen outlet in one of the operating theatres dispensing nitrous oxide instead of oxygen. Tragically, this was not discovered until after both incidents. While I am sure no words I can offer in this place will bring comfort to the families of those two children, I again extend my deepest condolences and sympathies to the families and thank them for their advocacy on this issue.

I now turn to the contents of the bill. The Government opposes the bill because of a number of deficiencies that will make the bill unpractical and unworkable. The Government's biggest concern is that the bill before us creates a shell for a licensing framework under the Home Building Act 1989 without the detail necessary to ensure a comprehensive and effective regulatory regime around it. As currently drafted, the bill is flawed. The Opposition's bill proposes to amend the Home Building Act 1989 to establish a licensing scheme for persons engaged in the construction, installation, maintenance, repair, alteration, testing or commissioning of medical gas or medical gas systems. The bill appears to have been copied from Victorian plumbing legislation without any consideration of how the provisions of that legislation would interact with existing New South Wales laws.

The bill seeks to extend its ambit to mechanical heating and cooling systems used in air conditioning, including heating and cooling towers that are used in buildings. This is unnecessary. The Home Building Act 1989 already substantively covers persons involved in those processes. The definition also extends to all premises where medical procedures are carried out, and this could be problematic. For example, the Victorian legislation includes veterinary surgeries, which appear to be beyond the intended scope of this bill. The basis of the licensing framework in the bill is also inadequate. The bill combines work requirements and licensing procedures within the one instrument. This is inconsistent with building standards and licensing frameworks in this State. For example, licensed gasfitters have oversight under the Gas and Electricity (Consumer Safety) Act 2017. The licensing and regulation of these persons is contained in the Home Building Act 1989.

The bill also lists the education and experience requirements for licence holders. This detail is better placed in the Orders and published in the *NSW Government Gazette* to allow the Government to update requirements expeditiously as they change from time to time. This is the process used for mandating qualifications for other licensing frameworks used in New South Wales and it would be sensible to adopt the same approach for the licensing of medical gas. The bill also requires an experience component of at least four years for licensees. Again, any experience component is best left to the regulator, to be determined in consultation with the industry that is to be regulated. It should not be arbitrarily placed in the Act. Last but certainly not least, the Government will oppose the bill on the basis that it has been developed without any consultation or consideration of its impact on the provision of medical services and industry practitioners and of the availability of training to meet the time frames in the bill. This clearly needs to occur so we can ensure industry is ready and those installing medical gas are properly qualified when the scheme commences.

Licensed gasfitters and plumbers will also need to undertake additional units of competency for medical gasfitting. Most registered training providers in New South Wales do not currently offer that course. This could mean that plumbers and gasfitters who have only ever worked on home installations and who have no specialist medical gas qualifications could be working on medical gas systems in our hospitals. Surely that is not the intention of the honourable member? Further, the bill is silent on how those with specialist qualifications outside of the plumbing and gasfitting trades will be recognised. The failure to do so cannot be underestimated. That is because this bill, upon assent, will immediately prohibit anybody who is not currently a plumber or gasfitter from working with medical gases in New South Wales.

This means that any skilled, experienced practitioners who may, in fact, have relevant training in medical gas will no longer be able to work. There has been no consideration for how those additional qualifications might be recognised or considered. A failure to do so could cause major and immediate disruption to the supply of medical gases in our hospitals because we may end up with a lack of people who are licensed to undertake such work as the scheme commences. There are 203 private hospitals, 220 public hospitals, 75 day surgeries and 7,247 dentists in New South Wales. Not one of them appears to have been consulted on the bill before the House.

Indeed, the second reading speech mentions only a union and other unnamed people. While the Government supports the intent of the bill, there has been insufficient consultation with medical gas suppliers or potential licensees. The Government has committed to legislating to address this issue. We take it seriously but we want to address the issue effectively, which means establishing an appropriate and robust licensing system.

Today the Gas and Electricity (Consumer Safety) Amendment (Medical Gas Work) Regulation 2020 was approved by the Governor. The regulation brings specific medical gases under the overall regulatory regime of the Gas and Electricity (Consumer Safety) Act. This is the first step in the Government's process for establishing a strong regulatory framework for the licensing of persons who carry out medical gas work. The regulation has put the industry on notice that a strict and robust licensing framework, with appropriate oversight, is on the way. The object of the Government's bill is safety first. The Government's bill will extend the strong compliance and enforcement powers of the Gas and Electricity (Consumer Safety) Act to medical gases, while amending the Home Building Act 1989 to establish a new category of medical gas licensee. This will enable the Government to put in place specific obligations that apply to the medical gases that are in the scope of the new regime and deal with installation, commissioning and testing as well as requiring compliance with the Australian Standards on medical gas installation. We need all these elements in place and working end to end.

The bill will operate concurrently with the existing requirements for persons who undertake medical gas work to comply with the Australian standard for medical gases under the Work Health and Safety Act 2011. The Government's bill will include strict requirements for the observation of Australian standards to ensure the testing of nonflammable medical gas pipeline systems and to ensure that medical gas systems, once installed, are regularly tested to ensure all components are continuing to operate safely, reliably and consistently. The Government recognises that responding in a timely manner is critical but it is also critical to ensure that the system we establish is robust, effective and comprehensive. To this end, the Government is committing to establishing a licensing framework by 1 November, which is earlier than the commencement of the private member's bill if it is passed. The Government thanks the honourable member for bringing this important issue to the House. Government members take this seriously and we look forward to delivering on our promise to strengthen the regulation of medical gas work.

**Ms CATE FAEHRMANN (11:00:30):** As Health spokesperson and on behalf of The Greens I support the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. The bill has come about because of the most tragic circumstances, which we have heard about today from members and from the Hon. Mark Buttigieg when he spoke in this Chamber previously. These circumstances should never have been allowed to happen. I commend the work of the Hon. Mark Buttigieg on his passionate advocacy for the families and for his determination to see the law changed so that no other family goes through what the Khan and Ghanem families have. In 2016 at the Bankstown-Lidcombe Hospital two newborn babies were administered nitrous oxide instead of oxygen. John Ghanem died and Amelia Khan left hospital with life-altering brain damage.

The honourable member in his second reading speech outlined what Amelia and her family are now going through. It is incredibly moving but disturbing that they should have to cope with this for the rest of their lives. Amelia is now vision impaired, she will never be able to walk independently, she is likely to have lifelong quadriplegic cerebral palsy and intellectual disabilities and she is unlikely to develop speech. Essentially she will be dependent on others for all aspects of her care, when, as we know, she was born a healthy baby. What happened at Bankstown-Lidcombe Hospital, that is, nitrous oxide being delivered instead of oxygen, is something that should never have happened. It is tragic beyond words. We know that this happened because a contractor incorrectly installed gas pipes which were subsequently not properly tested or commissioned. When NSW Chief Medical Officer Dr Kerry Chant was tasked with investigating these two tragic incidents in 2016, her final report stated:

If correct procedures were followed when the gas was installed in July 2015 the error would have been identified.

Four years on, this bill essentially does what the Government should have done years ago. The Hon. Natalie Ward informed this place that the Government will in fact act now. Clearly that is only as a result of the Hon. Mark Buttigieg's pressure on the issue. It is not good enough that there has not been anything done in this place since Dr Kerry Chant's report and since those incidents. Both Victoria and Queensland require individuals to have a mechanical services and medical gas licence. In fact, Queensland responded to the situation in New South Wales by legislating on 5 September 2018. Almost two years ago the Queensland Government introduced legislation because of what happened in New South Wales, yet here we are debating a private member's bill. We should have been debating a Government bill before I became a member here, the second time around, way back in 2016 or 2017.

It is completely unacceptable for Government members to say that they are onto it and are introducing a regulation and to trust them that things are going to be okay when we do not have a Government bill before us. This private member's bill is before us now and The Greens wholeheartedly support it. In Queensland the Liberal

National Party Opposition did not oppose the Government's legislation at the time. One has to wonder why on earth the delay here? What possible excuse or justification could there be for the Government, for the health Minister at the time, Jillian Skinner, and the subsequent health Minister, Brad Hazzard, not to make this an urgent matter? They should have tasked their public servants to get on with the job of ensuring that this does not happen again. They should have done the work that is before us in this private member's bill.

I would be really interested to hear the Government's excuse as to how this has not occurred. What if the same thing happened again two years later? What if another baby at another hospital, or at the same hospital, had indeed been delivered nitrous oxide instead of oxygen? Of course we are thankful that has not happened but without this legislation in place we know that the risk is so much greater that that could happen again. Imagine having to confront the family of yet another baby who has either died or whose life has been severely impacted as a result of Government negligence, to be honest, especially when it has already occurred and has not been fixed. In fact, NSW Chief Medical Officer Dr Kerry Chant said at the time:

We are taking steps to further strengthen our system to ensure the public has confidence that this will not happen again.

And health Minister Jillian Skinner said:

The public can be assured the health system is safe.

What steps were taken? None. Here we are again debating a private member's bill put forward by the Hon. Mark Buttigieg to fix this. The bill introduces licensing requirements for mechanical services plumbing work by amending the Home Building Act 1989. We have heard that mechanical services work is a very specialised type of plumbing that includes the construction, installation, replacement, repair, alteration and maintenance testing or commissioning of any fixed component used in a reticulation system for the supply or removal of medical gases from the gas source to the wall outlet. It is complex work and requires comprehensive technical training to be performed safely.

There is no requirement currently in New South Wales for a worker to have a qualification or formal training to work with medical gas. It is incomprehensible that four years after those two tragic cases we are debating this bill. There is no requirement for any education or experience to undertake work that can be dangerous and even fatal. I will not explore the details of the bill further. The Hon. Mark Buttigieg's work on this has clearly been extensive and consultative. His determination to see justice for John Ghanem and Amelia Khan and their families is commendable. The Greens support his work and certainly hope that this bill is supported in this place.

**The Hon. PENNY SHARPE (11:08:20):** I will make a brief contribution to the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. Firstly I congratulate the Hon. Mark Buttigieg on his pursuit of this issue. The Government has clearly and completely dropped the ball on this matter. In 2016 there were two horrific incidents at a hospital where a baby died and another baby was irreversibly injured, leaving two families distraught. There is quite a simple solution to make sure this never happens again and that is exactly what is in this bill today. It is so disappointing that Government members oppose the bill. Let us be honest about why they oppose it: They oppose it because they have not got their act together. The Minister was incapable of coming up with a bill, or was not interested in coming up with a bill, until finally the Government was embarrassed into taking action. We just need to be honest with ourselves about why that is. You can make all of the excuses about the imperfections of the bill but if you wanted to get this done today you would move the amendments—if you had genuine concerns—but no. We have had a bill rushed into the lower House from an incompetent Minister who—

**The Hon. Sarah Mitchell:** Point of order: The member in her contribution should not make reflections on Ministers in the other Chamber and she should be called to order.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** I will not call the member to order in this instance but I agree that any such comments should be made by substantive motion.

**The Hon. PENNY SHARPE:** I might think about doing that but I accept the Deputy President's ruling. We have a Minister who has failed on building regulations and failed on the building commissioner. He has got one job, which is regulation in this State. These issues are complex but if he cannot get it right in ensuring that a qualified person installs medical gas where it is a matter of life and death for the babies that are birthed in the hospitals in New South Wales, what is the point of him having the job? I congratulate Mark Buttigieg on doggedly pursuing this issue. We have joked that it is very rare an Opposition backbencher finds himself on *60 Minutes* for all the right reasons. He has done that because he has been prepared to work with the Ghanem family and the Khan family. I know all members share the great horror of what has happened to them and we are all committed to ensuring it never happens again. But there is no reason why this bill cannot pass today and it really should pass today.

The final comment I want to make—and he will not like me mentioning him but I am going to—is that journalist Chris O’Keefe has followed this story from day one. He has pursued this issue up hill and down dale. He has worked closely with the families to have them tell their stories. That has added great weight to the importance and the expedition of this issue. I recognise the work he has done as a journalist to bring this story to light and to get us to this point today—and we should be supporting this bill today. This should have been done two years ago. This is a failure of the Government. Those opposite can make all the excuses they like but let us be clear here: They failed to do their job and they are now going to weaken a bill so they can say, "It was our bill and we fixed it." They should just get over the pettiness around this. This is a very simple issue that will make a difference. It will make it safer for women birthing their babies and for babies in this State. It should have been done two years ago.

**Mr DAVID SHOEBRIDGE (11:12:18):** As The Greens industrial relations spokesperson I indicate my support for the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. I appreciate and endorse the comments of my colleague Ms Cate Faehrmann, who led for us on this bill. It was four years ago at Bankstown-Lidcombe Hospital when two newborn babies were administered what was effectively a poisonous gas instead of oxygen. One child, Amelia Khan, has been left with irreversible brain damage and lifelong quadriplegic cerebral palsy. She is vision impaired and has intellectual disabilities. That beautiful young girl has a life of dependence and her family has a world of ongoing grief and love, all mixed up.

Equally, Sonia Ghanem woke after an emergency caesarean section at that hospital and was informed that her little boy John had died, again because he was administered poisonous gas instead of oxygen. That was four years ago. In those four years the Government has not done its job. I commend the Hon. Mark Buttigieg for stepping into the breach, because that is what he has done. He has stepped up and he has brought to this Parliament, working with the families. I heard the Parliamentary Secretary criticise him because he had worked with the union and other unnamed stakeholders. I thought it was unworthy criticism from the Parliamentary Secretary.

**The Hon. Natalie Ward:** Point of order: That is not an accurate reflection of my submission in any sense. The point of my submission was that there was not wider consultation—that there was only consultation with the union. I ask the member to withdraw his reproach on my comments.

**Mr DAVID SHOEBRIDGE:** To the point of order: It was that the comments were only made to critique the member for the nature of his consultation. The member is making a debating point and I stand by my comments.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** I bring Mr David Shoebridge back to the content of the second reading debate and the bill itself. I have been informed that as it is a debating point, if the member would like to make a personal explanation later on in the day—

**The Hon. Natalie Ward:** I do not need to. Hansard will record what I said, not what Mr David Shoebridge wants me to have said.

**Mr DAVID SHOEBRIDGE:** I will not take issue with your ruling.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** Again, I draw Mr David Shoebridge back to the content of the bill in front of him, rather than what other members have said.

**Mr DAVID SHOEBRIDGE:** I commend the work of the Hon. Mark Buttigieg. I commend his working with the families. I commend his work with the unions. I commend the research he has done on the laws that apply in Queensland and Victoria. I contrast that to the work of NSW Fair Trading and to the work of the Minister, with all of the resources the Minister has to hand. On one side is a single member, without any of that institutional resource, who brings before this House a complex, comprehensive and considered bill to address the issues four years after those tragic deaths and on the other is a Minister who has made some promise that something will be done by November.

I do not know how you can look at that contrast and not come together to rally around and support the work that has gone into this bill, to endorse and support it. Surely if there is something that should be above politics it should be acknowledging this work needs to be done. We need to regulate this area. We need to ensure tragedy does not occur. We should put aside pettiness about who is going first and who brought it there. Put that pettiness aside and support and endorse this bill. I say to the Government that if you do not back this bill, when you do not have a solution on the table, when you have a Minister and a department that have comprehensively failed, that is yet another failure of government because this should be above politics.

The bill regulates mechanical services and medical gas work. As you would know, Mr Deputy President, the provision of medical gas is a complex provision. It has a high degree of specialised work in it. As we know, it is a matter of life or death if you get it wrong. Mechanical services can also include work in air conditioning

systems in large buildings which, again, if you get it wrong, through the spread of diseases such as legionella, has a life and death impact. What this bill seeks to do is regularise and ensure that the people who install those mechanical services—life and death work—are licensed and regulated and know what they are doing.

Unlike New South Wales, the two States that have gone ahead and ensured that medical gas services are regulated—Queensland and Victoria—actually have building authorities. Again, the absence of a single, coherent building authority in New South Wales has obviously made the work of government harder here. Nobody has ultimate responsibility. It is kind of mixed up between NSW Health and NSW Fair Trading. We do not have a coherent, single building authority and once again NSW Fair Trading has shown itself unable to do its job and unable to regulate. This is a structural failure in the New South Wales Government which it is about time the Government came on and acknowledged.

This bill does not seek to reinvent the wheel. It has looked at those successful models that exist in Queensland and Victoria, taken the key concepts and requirements from them and brought them into this legislation to provide a credible and comprehensive regulatory measure. I say again, it is both credible and comprehensive. The kind of nitpicking we have had from the Government of this bill could be done of any Government bill. This is genuinely fine work from a private member who has brought before this House a credible solution.

I say to the Government, rather than push it off until November, rather than try to pretend that NSW Fair Trading can pull its act together and do something better, support the bill, work on putting some regulations through and let us get this sorted this week. I could go into some detail about how this bill works. I know that it has been dealt with in detail by the member in his second reading contribution. I say again it is credible and it is comprehensive. We can sort this out today. Let us think about young lives, let us think about safety and let us legislate.

**The Hon. WALT SECORD (11:19:25):** As the shadow Treasurer and as a former shadow Minister for Health, I speak to the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. Firstly, I congratulate my colleague the Hon. Mark Buttigieg for bringing this matter to the New South Wales Parliament and for his tireless efforts in working to support the families affected by the horrific Bankstown-Lidcombe Hospital baby gassing tragedy. I also cite his work with the New South Wales Plumbing Trades Employees Union. This is a private member's bill and I know that very few private member's bills actually get passed by this Chamber. It would be worthwhile to pass this bill and I urge the Government to put aside petty differences and bickering and a vague promise of action in November and instead to support this bill and help its passage today. I will be brief, as I wish to symbolically express my support for this bill.

This is a bill to amend the Home Building Act 1989. The object of the bill is to provide for the licensing of contractors, and the certifying of supervisors and tradespersons who carry out mechanical services work, including medical gas systems work. The legislation is designed to prevent a repeat of the tragic events that took place at the Bankstown-Lidcombe Hospital in 2016, when two newborn babies were catastrophically administered poisonous gas instead of oxygen. A cross-connection of medical gas delivery outlets was the cause of these events. I am aware of the details of the tragedy because it occurred when I was the shadow Minister for Health and the then member for North Shore, Mrs Jillian Skinner, was the Minister for Health. Again, I urge the Government to support this bill. I also express my condolences to the Ghanem family and extend my support to the Khan family. The best tribute and the best mark of respect to both babies would be for the Government to support this bill and allow for its passage today.

**The Hon. JOHN GRAHAM (11:21:45):** I briefly join my colleagues in supporting the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020. When good work is done, it is important to recognise it. I recognise the work of my colleague in the Chamber. As a parent I cannot imagine anything worse than the tragedy that the Ghanem family and the Khan family have experienced. It is an incredible act of generosity from the families to take a moment to try to change the situation for other families, other parents. I really thank the families for what they are doing and I commend the bill to the House.

**The Hon. MARK BUTTIGIEG (11:22:40):** In reply: Firstly, I acknowledge those who contributed to the debate on the Building Amendment (Mechanical Services and Medical Gas Work) Bill 2020, the Parliamentary Secretary the Hon. Natalie Ward, my Greens colleague Cate Faehrmann, my Labor colleagues Penny Sharpe, Walt Secord and John Graham and, of course, Mr David Shoebridge also from The Greens. I had naively assumed that when I brought a bill like this to the House that had a lot of legwork put into it, was thoroughly researched and involved consultation with the relevant stakeholders—and I will go into that process in more detail later—the Government may actually reach out and get on board to try to knock legislation into shape to a point where we are ready to legislate right here, right now.



We wish not to legislate in two months time, when we sit again, or on 1 November or by light-touch regulation, but by a robust legislative response. Let me be clear: This is not about the Labor Party, it is not about the Government, it is not about Mark Buttigieg; it is not about anyone other than the families who have gone through this tragedy. It is also about the families who may go through the same tragedy if we do not pass legislation as soon as possible. Right here, right now out there in the real world the work that led to the tragedy is happening as we speak—unqualified, unregulated, unlicensed, no certification whatsoever. We are debating this bill almost four years to the day after the tragedy—this Friday, 20 June, will be the fourth anniversary of the tragic poisoning of young baby Amelia due to the switching of nitrous oxide and oxygen lines because there is no standard. There is no licensing requirement or accountability.

During the intervening four years there has been no shortage of attention paid to this issue. There was no shortage of media coverage when this issue occurred in 2016. There was the poisoning of baby Amelia, who for the rest of her life will require the highest level of care by her family. Amelia and her family will suffer through no fault of her own and no genetic defect, but simply because of human error that could have been avoided had we had a robust regulatory and licensing system in place. A month later those same switched lines caused the poisoning and death of baby John. We had the SafeWork investigation into the hospital, which was subsequently dropped in lieu of an enforceable undertaking—basically, a tick-and-flick so that contractors coming into the hospital have to register. The poor soul who did the deed, who, had we had a licensed and regulatory system would not have been accountable, was fined \$100,000.

Four years on, only this week at Nepean Hospital we have evidence of this sort of work still happening right here, right now by people literally walking in off the street. Seven of the 14 people at Nepean Hospital installing medical lines have had no training, have no qualification, have no certification. I have received more updated reports of contaminated lines at Westmead Hospital. The Government says that its approach will be more robust and more thorough, yet not once—other than at the eleventh hour outside this Chamber this morning—has the Government reached out. I have only just received contact from Minister Anderson's office to say that they want to talk about the legislation. That is absolutely fine, but let us get this legislation through this House today, let us talk about amendments if they improve the bill and let us pass this legislation through the lower House on Thursday. We can get on board and pass legislation on a unity ticket for the benefit of those families and for the benefit of the people of New South Wales.

We constantly hear across the Chamber and from our constituents the question: Why do we have to have this political divide, where both sides cannot get on board for the common good and legislate in favour of the residents they are supposed to represent? I understand that that is not always possible; we have ideological differences and philosophical differences to prevent that from happening. But this legislation is not about ideology, it is not about politics, it is not a partisan issue. This is an issue we all agree on and there is a legislative fix. It is incumbent on us to fix this situation with legislation—again, not in two months, not in three months, not in six months but right here, right now. This Chamber has the capacity to push through this bill. Those opposite have the influence and the responsibility to talk to their colleagues to approach us about doing what we have to do to get this legislation through tomorrow—not in six months, but tomorrow.

I will walk members through some aspects of the bill that the Parliamentary Secretary referred to. This bill has not been undertaken lightly. We have industry experts. Those opposite are often fond of criticising Labor for our links with the unions, but I tell you what: Those links with unions and key stakeholders are critical for us to be able to bring this sort of legislation to the table, because they have members who actually are doing the work. They know how these things work because they live it and breathe it. I wonder sometimes, without trying to sound derogatory, whether those opposite—particularly the Parliamentary Secretary, who led for the Government—have actually read my bill. The fact of the matter is this: There is a whole genre of work called mechanical services. The installation of medical gas part of a specialist subset of work that the plumbing trade refers to as mechanical services. It does not just involve the installation of pipework for medical gas, which caused the Bankstown tragedy.

When you are a plumber starting off in your trade, you pick from two areas which one you want to go into. You might pick the licensed trade of water plumbing, which is what we all think of as a traditional plumber. When Joe Bloggs comes to your house to plumb the bathroom, he or she is fully licensed, has done a five- or six-year TAFE course—Certificate III—and is trained in traditional water plumbing. If you decide to go down the other path, which is the installation of medical gas and the pipework associated with things like cooling towers and industrial-scale air conditioning, that is a wholly separate genre of work that is totally unregulated and does not require any certification, training or experience. What we have is a system where people, by dint of experience, learn on the job but never have any formal training or qualification.

This bill says that if we have that class of person out there doing that work, it makes sense to legislate to regulate the whole gamut—not just medical gas, but also the mechanical services associated with cooling towers.

As my honourable colleague pointed out, if that work is done incorrectly it causes legionnaire's disease. We remember the reports of deaths in Sydney from legionnaire's disease over the past few years. If you get those things wrong, it is just as deadly as medical gas. So why not recognise that class of work? The people who specialise in medical gas also do mechanical services, so the bill is comprehensive in the sense that it covers all of that genre of work. If we were to legislate just for medical gas, which is what the Government suggests, all that remaining work continues to be unregulated. We could find ourselves in a situation where someone installs something incorrectly, there is an outbreak of legionnaire's disease and deaths as a result, and we had not taken the opportunity to legislate when we could. I criticise the Government's point about this legislation being unnecessary in terms of regulating and certifying mechanical services in that broader genre.

The legislation amends the Home Building Act. For those who know how the Home Building Act works currently in kindred trades, everyone would be familiar with electricians. I am a qualified electrician by trade. If you want to get an electrical licence, you do a four-year TAFE course, you get four years of on-the-job experience, your employer reconciles that training with NSW Fair Trading and you get a licence. Similarly, with water plumbing it is a four- or five-year apprenticeship—it is actually longer than electrical—licence, trade, and off you go. If you want to work on mechanical services—the cooling towers I was talking about earlier—and medical gas, all bets are off. We have evidence of bakers baking bread or plasterers installing chipboard one day and the next day installing medical gas. This bill amends the Home Building Act to fill in that chasm and bring it up to the same standard as electrical work and water plumbing so that if you want to do that work, you actually have to go and get the proper qualification and the proper licence.

I heard the Parliamentary Secretary say, "The bill is not comprehensive enough. It will take two years. What does the member say about all those who are out there working on medical gas right now? Is he suggesting that work will stop overnight?" Again, I wonder whether the Parliamentary Secretary actually read the bill, or whether Minister Anderson has briefed her on the detail, because clearly they are not across it. The bill will institute a two-year period whereby the certification licensing and training system would not take effect for two years after assent to allow the training market to mature. That training market, as the Parliamentary Secretary said in a critical sense, specifies national competencies. Guess what? The Victorian regime and the Queensland regime are doing this right now. They have used national competencies, which are recognised throughout Australia, for medical gas and mechanical services as part of their training package.

This bill will engender or induce the training market to start to provide those competencies so that in the two-year ramp-up period, TAFE and other institutions will start to provide those courses. The industry will reorientate itself, knowing full well that if you want to go into mechanical services, those are the competencies you have to do. In the interim, what the bill does—as happens in kindred trades in a ramp-up period—is allow the Secretary of NSW Fair Trading to determine whether someone is competent based on experience, qualifications and any exams the secretary may deem necessary.

Let us flesh that out in a practical sense. If I am a person installing mechanical services—be it the pipework associated with cooling towers or medical gas at Nepean Hospital—and I can show the Secretary of NSW Fair Trading that I have been doing this for X amount of years or that I have passed this or that practical examination or that I have got the technical competency, the Secretary of NSW Fair Trading will have the power under this bill to grant a licence. It will mean that those people who are doing this work properly and are fair dinkum—not the bodgies who are coming in off the street without any qualifications—will be able to do the work. Then, after two years, the industry will have come up to speed in terms of providing the competencies and the licensing system will kick into gear.

This is not a half-baked approach. This has been thoroughly researched. Again, I implore Government members to back us in on this. There is still time. They should vote with us on this and get their lower House colleagues to do the same. If they think there are improvements, they should be fair dinkum about it. The Government has given notice that it is going to introduce its licensing bill, which, as I said, is restricted and confined solely to medical gas. The legislation has not been read a second time. We do not know what it looks like. Minister Anderson has reached out only just this morning via his staffer. I have not had an in-depth conversation. If members opposite want the intel to make this work, get on board with this bill now. We can knock it into shape and have it into law on Thursday, and we can actually go out on a unity ticket and tell the people of New South Wales that for once both sides of the Parliament got on board and legislated in favour of those families who have suffered this terrible tragedy and injustice.

I put it on the record that all members have a responsibility and are in fact culpable if we do not get together on this legislation. We must drop the politics and the games and work together to implement the legislation this week—not in six months. How would it be if as a result of the inaction of this House a similar tragedy happens—a death or another accident—because we failed to get our heads together, because we were too busy playing political games and because the Government wants to take ownership. Worse still, how would it be if we kick it

to the gutter until the media heat goes out of it and we delay and obfuscate so that four years down the track, when I am halfway through my term, we are still debating this legislation. That is not on and it is not happening. I assure the House that the Labor Party and certainly I as the lead on this issue will not let this go until we reach an outcome. I know there are a lot of decent people on the other side of the House and I would like to think that we can work together on this bill and get it done this week—not in two months or in six months. That is not good enough.

The bill has been well researched and it is thorough. It is based on consultation with the unions and industry. I received a bit of criticism about the level of consultation. Before I wind up, I note that unions are co-stakeholders with employers. Guess what? The companies that employ union members have an interest in the industry and the NSW Plumbers Union has an interest in those companies because those companies pay its members. If its members do not get paid, the NSW Plumbers Union does not have any members. The union and the companies talk to each other and there are companies telling the NSW Plumbers Union that the situation is insane, that we need regulation and licensing and we need it now because there is too much uncertainty and too much liability.

A plumber who is doing this sort of work and doing the right thing does not want a race to the bottom where Mr Shonky is doing it for half the price but is switching or contaminating gas lines gas lines. This is a no-brainer. The legislation is comprehensive. It is a good foundation. If members are serious about this issue, vote with us right here, right now. Let us get the bill into the Legislative Assembly and pass it, on behalf of New South Wales residents but, more importantly, on behalf of those poor families, the Khan family and the Ghanem family, so that at least something positive comes out of it. I commend the bill to the House.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** The question is that this bill be now read a second time.

**Division called for.**

**Call for a division, by leave, withdrawn.**

**Motion agreed to.**

### **Third Reading**

**The Hon. MARK BUTTIGIEG:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### *Motions*

### **PUBLIC MONUMENTS**

**The Hon. CATHERINE CUSACK:** I move:

That private members' business item No. 546 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. CATHERINE CUSACK (11:47:39):** I move:

That this House:

- (a) notes that Sir Winston Churchill said, "Those who fail to learn from history are condemned to repeat it.";
- (b) acknowledges the importance of recognising all parts of our shared history;
- (c) supports the preservation of the heritage of all New South Wales and Australian cultures for the future generations of our nation; and
- (d) condemns vandals who seek to erase our history by engaging in criminal acts to deface and destroy public monuments.

In March 2001 in Afghanistan the Taliban blew up the world's two largest standing buddhas, one of them 165 feet high. The magnificent Buddhas of Bamiyan, which were 1,700 years old, were carved out of a cliff that in ancient times was home to hundreds of monks. The television footage made me gasp in disbelief. I have wondered ever since about the mentality that drives a vandal to destroy an icon belonging to other peoples' cultures. Fast-forward to May 2016 when I travelled to a very different Muslim country, Jordan, where I was able to visit a Syrian refugee camp. On the trip back to Amman my driver spoke with pride of Jordan's incredible human heritage, including places like Petra and so many of the Old Testament and New Testament sites.

I asked how it could be that in Jordan the icons of non-Muslim cultures, including invaders like Christian crusaders, could have been so carefully preserved over millennia. He explained that Jordanians consider themselves blessed to be custodians of such treasures. He told me their cultural significance does not belong to

Jordan but that it belongs to the world and it is their honour and responsibility to protect them for the world. Here in Australia I feel equally passionate for Aboriginal heritage. The destruction of any sacred site by a mining company has rightly triggered outrage in this country. I say this for sure: It does not reflect the values and attitudes of the overwhelming majority of Australians in 2020.

The statue of Captain Cook in Hyde Park is no Bamiyan buddha, but it is pretty special to many of us. He is integral to the history of modern Australia. I assume vandalising Captain Cook is saying to every non-Aboriginal Australian who admires him that we are all racists and we all deserve to be torn down. To my knowledge, Aboriginal people are not interested in attacking Captain Cook's statue or erasing the facts of history—quite to the contrary. But the clandestine way in which this vandalism was done, with the perpetrators trying to sneak away in the dead of night, was almost designed to give the public the impression that Aboriginal people were responsible for desecrating the statue. Thank goodness suspects were apprehended. They are not Aboriginal and the outrage that this has generated must not be channelled towards Aboriginal people, who appear innocent of this crime.

It seems likely that green activists have done this. I accept the matter is before the courts but the important point is that we must not allow their plots to derail the tremendous progress we have made as Australians since the 1960s to reconcile our cultures and find ways to move forward together. Yesterday I was really offended when The Greens actually defended this action and compared it to the American civil rights movement of the 1960s. I mean, I do not recall Martin Luther King sneaking about with a spray can in the dead of night, vandalising statues. In fact, everything I know about him and the likes of Mahatma Gandhi, the greatest civil rights leader in history, suggests they were pacifists who rejected violence and hatred. They were trying to bring people together, not tear them apart.

It is utterly perverse to invoke the memory of those great and inspiring events in defence of a sneaky act of vandalism against Captain Cook's statue. I understand what is going on in the United States, I really do; but that is not Australia in 2020, thank God. This effort by an extremist ideology rooted in Marxism is to weaponise our history. Make no mistake: the narrative is not about justice for Aboriginal Australians. It is a bigger plan to restructure our nation socially and economically. Vandalising statues is a frightening tactic of radicals and we should not underestimate them. Denigrating and weaponising history is dangerous to Australia's democracy and future. If Parliament is a pluralist institution then we are right here right now with the opportunity for people to state their case and do things properly. Criminal acts that incite hate and divide our community should be condemned by all. This is the place here and now to make those decisions and show the respect that will help our Indigenous brothers and sisters and that is essential to improve their lives.

**The Hon. PENNY SHARPE (11:52:40):** I have only three minutes allocated for my speech so I will be brief. The first thing I would say is that this motion is of limited value in relation to the issues of the day. We have just had an economic statement that talks about 10 per cent unemployment, a contraction of our economy, 250,000 people out of work and we have wage cuts. We have a whole range of things to debate yet the Government has chosen to make this its priority motion for today. The second thing is that if we talk about history, at least we should get history correct. It was not Sir Winston Churchill who said that those who fail to learn from history are condemned to repeat it: It was the Spanish-American philosopher George Santayana. I thought about moving an amendment to correct that but I will not waste the time of the House.

**The Hon. Catherine Cusack:** He paraphrased it.

**The Hon. PENNY SHARPE:** I take the interjection. Even the paraphrasing was wrong. Winston Churchill said in the House of Commons in 1948, "Those who fail to learn from history are doomed to repeat it." The Hon. Catherine Cusack could not even get the quote right let alone the person who said it. The Opposition has two amendments, one of which, new paragraph (e), seeks to add a point. I move:

That the motion be amended as follows:

- (1) Omit paragraph (d) and insert instead the following new paragraph:
  - (d) condemns vandalism.
- (2) Insert the following new paragraph after paragraph (d):
  - (e) unequivocally supports the right to peaceful and non-violent protest, the rights of working people to undertake industrial action, freedom of assembly, free association and political expression.

The Opposition's amendment to paragraph (d) is something that all members should support. I think I should also move a George Santayana amendment but, because of the shortness of time, I will not do so. The final point I make about the motion is this: Where is the outrage? Where is the outrage in relation to a range of different Aboriginal sites that have been destroyed in New South Wales under this Government? We have had many discussions over many years over places like the Butterfly Cave in Wallsend, which was completely ruined. It

was a very special women's birthing cave for which heritage listing was sought but was not successful and the site has had ongoing problems with development. That cave has been destroyed. Where is the outrage about that?

Later we will discuss the outrage about the grinding grooves near the Liverpool Plains that the Indigenous owners are extremely upset about. It is something that we cannot allow to happen. What happened in Western Australia brings shame upon all of Australia. Forty-five thousand years of heritage was gone in one second. I am happy to have a serious debate about the manner in which we protect special Aboriginal sites. I acknowledge that the Hon. Don Harwin listed some sacred sites when he was the heritage Minister. The real question is this: What will really save those sites?

My final point is that if we want to talk about heritage, what is happening with the Parramatta Female Factory? What is happening with the Parramatta Royal Oak Hotel that also will be destroyed by this Government? I look forward to members supporting the amendments.

**The Hon. SCOTT FARLOW (11:56:02):** "The truth is incontrovertible. Panic may resent it; ignorance may deride it; malice may distort it, but there it is."—spoken by Sir Winston Churchill in the House of Commons in 1916. It is as relevant today as it was on the day it was said. We have moments in our history of which we are proud.

**The Hon. Penny Sharpe:** It was 1948. You got it wrong too. Can you get your dates right?

**The Hon. SCOTT FARLOW:** The Hon. Penny Sharpe should listen. We also have moments in our history of which we are not so proud, but that does not change the fact that it is our history. We cannot simply decide to hide from our history, cover it up or destroy it simply to please far-left extremists. We acknowledge our shared history, our history of greatness and our moments of shame. But we cannot hide parts of that history. We cannot engage in Orwellian groupthink. We cannot let ourselves be told what history we can and cannot believe in by extremists. As Churchill said, "... if we open a quarrel between the past and the present, we shall find that we have lost the future."

It is worth thinking back to one of my favourite novels, *1984*—in particular its depiction of a Marxist-style removal of statues and cultural icons. Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered and the process is continuing day by day, minute by minute: History has stopped. Is this the type of future that we want to embrace? Is this the New South Wales, the Australia, that we want? I can tell members now that the Government side of the House does not want that and will not accept that.

Several years ago the world collectively watched in horror the footage of the ISIS trying to change history in Iraq, Syria and Libya. Those horrible scenes of cultural destruction sought to destroy remnants of the past, remove the cultural connection between the people and their past and were rightly condemned globally. We are an old nation collectively with over 60,000 years of history. Any aim to destroy, belittle or remove any part of that history, either from the past 200 years or the past 20,000 years, is completely unacceptable. Cook, Macquarie and others are part of the reason our nation is what it is today. The vandals who are defacing statues and destroying public property are not protesters: They are simply vandals and anarchists. They are people who are seeking to tear down our society—people who have no respect or regard for the rule of law and people who use a false veil of protest to hide their disgusting actions.

Behaviour never lies. We must call out these acts for what they are and condemn these actions of criminality. Tearing down and vandalising our monuments is tearing down ourselves. It is time we built up our history, added to it and added further monuments. Our intention is to keep history and to build it up, not to tear it down.

**The PRESIDENT (11:58:53):** I am very reluctant to stop a member from speaking when there is a clear time limit of three minutes only. Continued interjections compel me to do one of two things: stop the member from speaking, in which case the member will lose time, or immediately call members to order for the first time, or second time, if that is appropriate. I do not intend to give any warnings during these debates in the 30-minute short-form format; I will simply call the member to order, without any warning whatsoever, if they keep interjecting because I think it is the only way we will be able to get through this. I am always reluctant to call members to order, especially when we are all facing difficulties in this COVID situation, but I have to at some stage say that enough is enough, and I will call members to order.

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

*Questions Without Notice***STATE ECONOMY**

**The Hon. ADAM SEARLE (12:00:07):** My question without notice is directed to the Minister for Finance and Small Business. Given there are 806,000 businesses in New South Wales and only 69,000 of those—8.6 per cent—have received any assistance from the Government, does the Minister stand by his claims that the Government's stimulus measures are, in fact, a success?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:00:31):** I thank the member for his question. As I understand it, we are getting some jobs figures out today and there seems to be a bit of a rebound in relation to jobs figures.

**The Hon. Walt Secord:** Tomorrow.

**The Hon. DAMIEN TUDEHOPE:** Tomorrow is it?

**The Hon. Walt Secord:** Thursday. Pay some attention.

**The Hon. DAMIEN TUDEHOPE:** You must be looking forward to it, because they are optimistic.

**The PRESIDENT:** The Minister will resume his seat. I remind members about the safe distancing rules; I think they are a little bit too close to each other. The first question has been asked by the Leader of the Opposition—a very important and good question. The Minister spoke for exactly 12 seconds, the Hon. Walt Secord interjected and, sadly, the Minister started to respond to the interjections. I will not have a bar of that. I call the Hon. Walt Secord to order for the first time. I call the Minister, the Hon. Damien Tudehope, to order for the first time. I will continue to do so. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** Thank you. I am not thanking you for the call to order. I respect the ruling that the President has made. Let us drill down into the job figures. The NAB conducts a survey on business confidence and the findings of the NAB, after looking at the way businesses are responding to coming out of the pandemic, is that there is a sharp increase in business confidence in New South Wales. The short answer is that what we have done in keeping businesses going during the pandemic—whether it is through Federal or State assistance, payroll tax relief, land tax relief, assisting landlords and tenants to reach new rental agreements, putting new cleaners on or employing new staff at Service NSW—has all contributed to the fact that, as of today, there is a perception in the business community that they will come out of this pandemic period quicker than we thought.

We look for the assistance of all those opposite in making regulation changes and lifting red tape to stimulate the planning system to get business moving because all those contribute to the measures to give businesses confidence that they can continue to contribute to the economy. The Leader of the Opposition suggests that because of the low uptake in some of the grants that have been offered the stimulus packages have not been effective. The reality is that when we ask businesses how they see the future, they say they are seeing a significant opportunity for recovery at a much quicker rate. Let us be realistic and go down to the tints of this. Last weekend people in all parts of New South Wales saw the manner in which businesses were starting to thrive again—there was hardly a cafe or restaurant that did not have customers from early in the morning until late at night, and hotels have opened up. Most businesses are now operating again and there is an air of optimism. [*Time expired.*]

**The Hon. ADAM SEARLE (12:05:00):** I ask a supplementary question.

**The PRESIDENT:** I advise the Hon. Daniel Mookhey that he interjected three times and he was just about to commence his fourth interjection when the Leader of the Opposition sought the call to ask a supplementary answer. If I hear a fourth interjection from the Hon. Daniel Mookhey, I will call him to order.

**The Hon. ADAM SEARLE:** Will the Minister elucidate on those parts of his answer where he said that we should be asking businesses how they see the future and that "they are starting to thrive" and could he indicate to the House whether he and the Government are saying that businesses in New South Wales do not need assistance?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:05:47):** That is just how the Opposition treats every issue facing the economy of New South Wales: the Opposition talks it down. On this side of the House—

**The Hon. Adam Searle:** Point of order: The Minister is debating the supplementary question. We are not talking anything down; we are just asking the Minister to be straight with the House about what he is saying or not saying.

**The PRESIDENT:** The Minister should be directly relevant to the supplementary question. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** We on this side of the House see opportunities for encouraging businesses to reopen and to thrive and survive, and that is the way the Government has approached this. All of the surveys relating to businesses—whether they were surveys done by the Office of Small Business, the National Australia Bank or the ANZ Bank—have pointed to the fact that businesses are seeing opportunities coming their way. Yesterday, when the Treasurer made the announcement of the \$3,000 additional grant—

**The Hon. Daniel Mookhey:** Recycled grant.

**The PRESIDENT:** I call the Hon. Daniel Mookhey to order for the first time.

**The Hon. DAMIEN TUDEHOPE:** I point to the announcement of the \$3,000 grant. Business NSW immediately welcomed—

**The PRESIDENT:** The Minister will resume his seat. I have indicated on previous occasions that when I give a member a warning about the number of times they are interjecting and that member continues to interject I will call that member to order. There appears to be a clear handing over of the baton to another colleague to interject, in a very clever way, once only. Then the baton is handed over to another member to continue the interjections. Be assured that the last member who has the baton and interjects will be the member who is called to order. That will hopefully prevent the continual handing over of the baton. The Hon. Mick Veitch gets away with it this time. I call the Hon. John Graham to order for the first time. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** There was an immediate response from Business NSW saying what a great initiative this was to inject that money into businesses to assist them to reopen in COVID-safe environments.

#### GREAT SOUTHERN NIGHTS

**The Hon. SHAYNE MALLARD (12:09:09):** I address my question to the Minister for Finance and Small Business. What is the New South Wales Government doing to help the live music industry revive as COVID-19 restrictions are eased?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:09:30):** I thank the honourable member for his question. This is a story that I wanted to come into the Chamber and tell, because I knew that members opposite would just love to hear it. We know that the live music industry was hit hard by the COVID-19 restrictions. Live music venues were closed for several weeks as we all worked together in the fight against the deadly virus. Now, as we lift many of the restrictions, the New South Wales Government is excited to be partnering with the Australian Recording Industry Association [ARIA] through its tourism and major events agency, Destination NSW, to support the recovery of the live music, entertainment and hospitality industries.

Great Southern Nights will see 1,000 COVID-safe gigs take place in Sydney and throughout regional New South Wales during November 2020. Venues across New South Wales, from the bush to the city, are invited to nominate to be involved in this exciting new event. Artists are also invited to nominate to join the headline acts that are already on board. Let us have a look at some of those headline acts. Jimmy Barnes said:

I know fans are hungry for live music while lots of musos and roadies are just plain hungry. All these shows will be a great way to kickstart the live music sector—it's great that the Government is putting money behind it making that happen right across our State during Australian Music Month.

Missy Higgins said:

I'm just really excited to get playing live again and to see some live music acts—it's just so good for reconnecting and healing the soul. Keep an eye out for more about Great Southern Nights, I will see you guys there.

Thelma Plum said, "Can't wait to play a gig in regional New South Wales in November", and Tash Sultana said—

**The Hon. Mick Veitch:** This is your playlist, isn't it?

**The Hon. DAMIEN TUDEHOPE:** Yes, this is my playlist. Tash Sultana said, "This feels like Christmas Day to musicians in 2020." They are all thankful to this Government. Great Southern Nights will culminate with Australia's premier music industry event, the ARIA Awards, in Sydney. ARIA chief executive officer Dan Rosen said:

We're proud to create this opportunity for Australian musicians, and help bring back the live music scene right across NSW. Live music events bring visitors, culture and excitement to communities. This initiative will provide an invaluable boost for the artists, crew, venues and music community that make gigs happen.

Industry research by MusicNSW indicates that live music generates approximately \$3.6 billion and 23,000 jobs for the New South Wales economy. Music lovers, including members Opposite, can also register their interest at [www.greatsouthernights.com.au](http://www.greatsouthernights.com.au) to ensure they do not miss out on hearing the 1,000 acts.

**The PRESIDENT:** I did not call Opposition members to order for their continued interjections, which forced the Minister to scream his answer to be heard, because there were also interjections coming from Government members. This does not help the Chair in any shape or form. I have explained to members on a number of occasions that, because of the changes to the sessional orders, I have to listen carefully to every aspect of a Minister's answer. If a supplementary question is asked and a point of order is taken on it, I do not want to have to say that I could not hear the answer and so I cannot make a ruling. I ask all members to assist me. Screaming loud interjections and compelling a Minister to scream back not only makes it difficult for me but also, I can assure you, it makes it difficult for Hansard. It is very unfair on Hansard.

#### **SMALL BUSINESS RECOVERY GRANT**

**The Hon. PENNY SHARPE (12:04:04):** I direct my question to the Minister for Finance and Small Business. Given that only 8.6 per cent of businesses have received any support from the Government during the COVID crisis through the stimulus package, what is the Minister's response to further concerns from small business that the \$3,000 Small Business Recovery Grant is a rebranding of the small business fund that was not taken up by small business the first time around?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:14:34):** I thank the member for her question, which appears to paraphrase the question asked by the Leader of the Opposition. In relation to the support that we have given to small business through the \$10,000 small business grants, which we make no apology for, we have targeted those grants towards businesses which have the greatest potential problems in getting to the other side of this crisis. In terms of the parameters we put around it, make no mistake, they were directed at that level of industry which was most at risk of having to shut down as a result of the crisis. There are masses of indirect initiatives which the Government has put in place, whether it is payroll tax, land tax or rental relief—all of which, in many respects, may not have been covered in the figures which the Hon. Penny Sharpe identified in her question.

The attitude towards business, whether through JobKeeper, JobSeeker or small business grants, we make no apology for. We have a package that was designed to make businesses successful. The money which has been identified as the subject of the \$3,000 business grant is the money which was not taken up as part of the \$10,000 business grant. When a question was asked in relation to the \$10,000 business grants and the low take-up rate, I said that that money would be available for businesses, and we were true to our word. True to our word, we said if the money was not taken up by small businesses under the small business grant scheme, the same money would still be available for small businesses, and it has been made available for those small businesses. We have made sure that businesses can use the grant to reopen their businesses in COVID-safe ways and to make sure that they can get their customers back and their businesses operating again. The Government makes no excuse for making sure that that money is available to business.

#### **WATER SECURITY**

**The Hon. ROBERT BORSAK (12:17:19):** I direct my question to the Hon. Bronnie Taylor, representing the water Minister. As this House is well aware, the Shooters, Fishers and Farmers Party has been calling for more dams for the past decade as a means to ensure water security across all of New South Wales. This has fallen on deaf ears with the Liberal-Nationals Government. Following on from yesterday's road to Damascus moment, will the Minister explain what she is doing to help reduce household water bills in rural New South Wales? Does she believe that pricing is the best way to ensure water security because of years of neglect in providing new water infrastructure?

**The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:18:14):** I thank the honourable member for his question, which relates to a Minister in the other House whom I represent. It is great that he has mentioned dams, because the National Party is building dams. We know how important they are for our communities and for water security. As the honourable member's question contains details about water pricing and initiatives in Sydney, I will take the question on notice, get the required detail and respond to him as soon as possible.

#### **LOCAL SCHOOLS, LOCAL DECISIONS**

**The Hon. LOU AMATO (12:18:49):** I address my question to the Minister for Education and Early Childhood Learning. Will the Minister provide an update on the reform to Local Schools, Local Decisions?



**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:19:05):**

I thank the member for his question. As members know, earlier this year I announced that it is the Government's intention to reform Local Schools, Local Decisions. The program was announced in 2012 and was intended to give government schools more authority to make local decisions about how best to meet the needs of their students. The assumption behind Local Schools, Local Decisions that principals best know their school communities and are therefore best placed to make decisions about how to run a school is a sound one. Indeed, this assumption has not changed. We very much want to get out of the way and let our best principals get on with the job of educating future generations.

But Local Schools, Local Decisions has also had a number of unintended consequences. It has made it difficult to ensure that the programs taught in schools reflect evidence-based best practice. It has hindered the Government's ability to scale best practice approaches to learning adopted by our highest performing schools across the system; it has neutralised the Government's ability to proactively change the pedagogical approach of underperforming schools; and it has added to the administrative burden for principals across the State. Since I announced our intention to reform Local Schools, Local Decisions we have been busy working on what these reforms will look like in our school communities.

It is very clear that we must remove the administrative burden that this policy has placed on principals. It is clear that we must regain the ability to step in and implement evidence-based best practice teaching methods in underperforming schools. It is clear that we must see more uplift from the record amounts of Gonski funding we are providing to our schools. It is our intention to announce further detail later this year, with the reforms to be implemented in 2021. We will shortly begin extensive consultation with our stakeholders as to the detail of the reforms. The reforms will also consider the findings of the New South Wales Auditor-General's performance audit of the use of needs-based funding as well as the findings of the Local Schools, Local Decisions evaluation.

The reforms will be targeted to clarify accountability, reduce administrative burden and provide schools with enhanced support to strategically manage available resources and focus on lifting student performance. This reform is about giving us the policy levers to better scale the teaching methods of our best schools across the system. It is not about centralising control. The better a school performs, the more hands off we will be. But it is imperative that we have better oversight of schools that are underperforming. That is why we will drive school performance by setting firm targets, using diverse metrics with real consequences if schools cannot meet them in the form of our stepping in and proactively helping them and looking at the methods that can be employed to assist them to turn their results around.

As a Government we have made sacrifices to ensure that we have delivered record amounts of needs-based funding to our schools. This is because we are a Government that prioritises education and our commitment to the principles of Gonski funding will never waver. But with increased funding comes an increased expectation that we will see an uplift in performance. We need to remember that the architecture of this policy was designed in a pre-Gonski world. We now need a system that is fit for the levels of recurrent funding that we now have. [*Time expired.*]

**GREYHOUND WELFARE**

**Ms ABIGAIL BOYD (12:22:17):** My question without notice is directed to the Minister for Finance and Small Business, representing the Minister for Better Regulation and Innovation. The minimum space requirement for greyhound housing areas for a single dog as proposed by the Greyhound Welfare and Integrity Commission's draft code of practice for the greyhound racing industry is a space of three metres squared, or approximately 1.73 metres by 1.73 metres. When comparing the average height and weight of a greyhound with the average height and weight of an Australian human male, the equivalent space requirement for a human man would be seven metres squared, or approximately 2.64 metres by 2.64 metres. To better understand the experience they are subjecting greyhounds, which Government Ministers are willing to spend 19 hours a day sleeping, eating and defecating in a space just over 2.5 metres by 2.5 metres?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:23:25):** It is a difficult question. I think the question is really encapsulated in the last line: Which Minister is prepared to do that? I must say that I have not surveyed my colleagues and I certainly have not surveyed members opposite about which or any of them is prepared to accept the challenge. If in fact the input of the question—I must say, I am perplexed by whether there is a question in it—is whether I think the requirement is appropriate, that is a matter for the greyhound industry authority and I am sure it sets up rules and regulations in relation to it.

However, if the question is just drawing attention to the fact that the member thinks that this is an unacceptable practice, then she gave a very detailed introduction to her question which elaborated on the grounds for asking the question. Given the confused nature of the question, I have to say that I do not know if any members are prepared to engage in the accommodation which she has identified. The serious component of her question is

whether that level of accommodation for greyhounds that she has articulated is appropriate. I say that the regulations that are set out by the greyhound industry association should in fact be adhered to and it is a matter for the association as to how it regulates and enforces them.

**Ms ABIGAIL BOYD (12:25:20):** I ask a supplementary question. Given that the Minister stated that he had not surveyed his colleagues as to which of them would be prepared to spend that time within that space, he then went on to say that none of them would be prepared to do that. Will the Minister elucidate that part of his answer? Does he need to take the question on notice?

**The Hon. Natasha Maclaren-Jones:** Point of order: Firstly, the member is debating the Minister's answer and, secondly, it is a new line of questioning.

**Ms ABIGAIL BOYD:** To the point of order: The supplementary question was asking for elucidation on the Minister's answer to the original question. I am asking for elucidation as to whether or not those members that he has not surveyed are in fact willing to spend 19 hours in a 2.5 metre by 2.5 metre space.

**The PRESIDENT:** As I have indicated to members previously, for a supplementary question to be in order it needs to satisfy three aspects or, as I have said on a number of occasions, tick three boxes. Firstly, it must be actually and accurately related to the original question; secondly, it must relate to or arise from the answer; and, thirdly, it must seek to elucidate a part of the answer given. I believe Ms Abigail Boyd ticked all three boxes. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:27:13):** I thank the honourable member for her request that I survey additional members about their proclivity to seek that sort of accommodation. It is not something I am prepared to do because there might be some who agree to do so and that may be reflective on them. The sentiment of the question is that the questioner does not think that that accommodation for greyhounds is appropriate. If she had framed the question around improving conditions for greyhounds and their accommodation, that may have been something that I would invite the Minister to address. However, I rely on my previous answer that the regulation of the greyhound industry is a matter for the authority. In those circumstances, I will not be issuing a survey to members to indicate their attitude towards changing their living conditions.

#### LAND TAX

**The Hon. WALT SECORD (12:28:40):** My question without notice is directed to the Minister for Finance and Small Business. Given yesterday he admitted that his Government had only provided \$659,374 in land tax relief out of a \$440 million fund—one-tenth of 1 per cent of the fund—does he stand by the effectiveness of this program?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:29:17):** I thank the Hon. Walt Secord for his question. As the Prime Minister said, in a time of national crisis we must all share the burdens and cooperate together so we can emerge on the other side ready for recovery. The National Cabinet agreed at its meeting on 3 April 2020 to a National Cabinet mandatory code of conduct for small and medium enterprise commercial leasing principles during COVID-19. We in New South Wales have implemented this code to provide a way forward for tenants and landlords to negotiate new arrangements.

**The Hon. Walt Secord:** Point of order: My point of order relates to relevance. My question was specific. It was about the Government yesterday admitting \$659,374 of land tax relief out of a fund of \$440 million. The Minister is talking about Federal relations, not about the fund.

**The PRESIDENT:** I do not need to hear from the Minister. I was attempting to listen very carefully to the Minister. I missed some of what he said because the Hon. Daniel Mookhey was interjecting. As I have indicated previously, that presents a difficulty when I cannot hear every word a Minister says and it becomes very difficult for me to uphold a point of order. But I did hear enough to know that the Minister was being relevant to the one part of the question not mentioned in the Hon. Walt Secord's point of order: "... does he stand by the effectiveness of this program?" In order to answer that part of the question, I believe the Minister was being directly relevant.

**The Hon. DAMIEN TUDEHOPE:** To assist tenants and landlords who without help cannot reach a mutually acceptable agreement, the Government has enhanced the mediation services offered by the Office of the Small Business Commissioner. As at 10 June 2020, 17 additional advisers and case managers have been onboarded in the mediation services team, with more to come. Over 400 applications for mediation relating to COVID-19 have been filed. There have also been 16,070 telephone calls regarding commercial tenancies to Service NSW, of which 56 per cent were resolved through the provision of information, with the remaining 736 being referred to the Office of the Small Business Commissioner for further expert assistance.

The New South Wales Government agencies are continuing to honour the six-month rental deferral period for eligible small businesses and not-for-profit tenants announced as part of the second stimulus package. Additionally the New South Wales Government is making a contribution to offset some of the cost to landlords of agreeing to rent reductions. While capped at 25 per cent of annual land tax up to the value of rent reductions granted by the landlord, in most cases, as I mentioned yesterday, the rent reduction will significantly exceed the land tax relief claimed as at 16 June. As at today's date, over 3,650 applications for land tax relief have been received relating to rent reductions in excess of \$316 million.

There are thousands upon thousands more we do not know about who are getting on with the job and entering into new leasing arrangements during this challenging time. It is very pleasing to see landlords responding to the call of the National Cabinet to share the burden with their COVID-19-impacted tenants and together get help throughout this national crisis. Of the 4,847 properties claimed, 1,633 are residential properties and 3,214 are commercial properties. As at 16 June 2020, 525 customers relating to 614 properties have been provided with land tax relief to a value of \$2.7 million. The land tax relief scheme remains open until October this year. [*Time expired*]

**The PRESIDENT:** I call the Hon. Trevor Khan.

**The Hon. WALT SECORD:** I have a supplementary question, Mr President.

**The PRESIDENT:** The Hon. Walt Secord is too late. I have already given the call to the Hon. Trevor Khan.

**The Hon. WALT SECORD:** Saved by the President again!

**The Hon. Don Harwin:** Point of order—

**The PRESIDENT:** I do not need to hear the point of order. The Hon. Walt Secord will immediately withdraw his comment. Imputations against the Chair are completely unacceptable and the Hon. Walt Secord knows that.

**The Hon. Don Harwin:** As well as grossly disorderly.

**The PRESIDENT:** The Hon. Walt Secord will withdraw the comment.

**The Hon. WALT SECORD:** I withdraw.

**The PRESIDENT:** I call the Hon. Walt Secord to order for the second time. When a member seeks the call, and I acknowledge the member and give him the call, that is the end of it. If a member wishes to ask a supplementary question or if a member wishes to seek the call beforehand, they should do so. It is not for me to withdraw a call that has been given. I gave the call to the Deputy President.

#### **COVID-19 AND MENTAL HEALTH**

**The Hon. TREVOR KHAN (12:34:26):** My question is addressed to the Minister for Mental Health, Regional Youth and Women. How is the Government supporting people in acute mental health facilities during the COVID-19 pandemic?

**The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:34:53):** I thank the Hon. Trevor Khan for his question. During the COVID-19 pandemic, infection control measures meant that many businesses, aged care facilities, schools and public places had to temporarily close. People across the State restricted their travel and visits to loved ones—a tough but terrific effort that helped to ensure the spread of the virus was minimised. Ultimately we saved lives. People living with a mental illness and their loved ones also did their part. It is easy to forget that for some people with a mental illness the lockdown was a particularly stressful and anxious time. A COVID-19 outbreak in a mental health unit would have been disastrous and therefore visitation and leave had to be restricted or removed entirely. This has been very tough on many.

Our loved ones can be our absolute lifeline. The simple joy of a visit when you are an inpatient in a mental health facility can do wonders for your mental health. That is why the New South Wales Government has invested \$6 million across all of the 121 acute mental health inpatient units in New South Wales to increase diversionary therapy activities and programs. This is part of the \$73 million package announced by the New South Wales Government for the COVID-19 mental health response. Therapeutic activities support recovery from mental illness and can include therapeutic art classes, reading groups, computer skills, cooking, music therapy, craft—even pet therapy or other programs. Improving access to meaningful activity can avoid triggers that require the use of restrictive practices, such as restraints and seclusion.

The funding enables mental health facilities to provide a range of evidence-based treatment, therapy, rehabilitation and psychosocial support to help people to achieve the best outcomes for their mental health, physical health and wellbeing. Each mental health unit is working with their consumers and carers to decide which programs will provide the most benefit—a tailored approach to best meet the needs of individuals. We may not get a second wave and we may not need to lockdown our inpatient units again but this program will still be an important part of recovery at any time. This new funding for therapeutic programs builds on our capital works program to enhance the environment of mental health units, with \$20 million invested in 2018-19 and a further \$22.3 million invested this year. This has enabled improvements such as new therapeutic equipment and furnishing, sensory rooms and other upgrades to infrastructure to make each environment more supportive of wellbeing.

As I have travelled around the State and inspected therapeutic improvements it has been terrific to see things like exercise equipment and other facilities that are really helping people to recover. It is fantastic. Therapeutic activities enable people to explore their strengths but most of all to develop new skills. This is one of the many ways in which the New South Wales Government is supporting people who are experiencing mental illness to lead fulfilling and contributing lives. [*Time expired.*]

### POST-TRAUMATIC STRESS DISORDER TREATMENT

**Ms CATE FAEHRMANN (12:37:49):** My question without notice is directed to the Minister for Mental Health, Regional Youth and Women. Is the Minister aware of the medical use of MDMA and some other currently illegal drugs as part of psychotherapy for patients with severe and treatment-resistant post-traumatic stress disorder—a therapy which is being given breakthrough therapy designation by the United States Food and Drug Administration [FDA] and is achieving outstanding results, such as remission rates of between 60 per cent to 80 per cent? Former Federal trade Minister, Andrew Rob, who is now a board member of Mind Medicine Australia, is a strong advocate. He said, "It is potentially the most significant innovation in mental health we've seen in decades." Is the Minister aware of this research?

**The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:38:51):** I thank Ms Cate Faehrmann for her question. I am not aware of that particular research. If Ms Cate Faehrmann would like to send it through I would love to have a look at it and would love to have a conversation with her about that. If that research is rigorous and tested, then absolutely it is something that we should be looking at and that we should consider. Obviously I would consider all things, depending on the research, but I would love to have a look at it and then I could comment further.

**Ms CATE FAEHRMANN (12:39:20):** I ask a supplementary question. The question related to the medical use of MDMA broadly and the Minister responded in relation to the research I mentioned, but the question also asked if the Minister was aware of the medical use of MDMA and currently illegal drugs. Is the Minister also aware of the issue broadly, not just that particular piece of research? Has the Minister received any briefings on the issue broadly?

**The PRESIDENT:** The supplementary question is out of order. Ministers can answer any part of the question they wish to answer. The supplementary question must seek an elucidation of part of the answer. To simply repeat part of the question that was not answered and to say in the supplementary question that the Minister did not answer it makes it incredibly difficult for me to uphold the supplementary question.

### STUDENT ELECTRONIC DEVICES

**The Hon. COURTNEY HOUSSOS (12:40:37):** My question without notice is directed to the Minister for Education and Early Childhood Learning. Given that the Centre for Independent Studies and the Grattan Institute have both stated the negative effects that remote learning had on already disadvantaged students, why did the New South Wales Government issue only 7,313 computers and 7,830 internet devices to students during this period, compared to the Victorian Government, which issued 48,000 computers and 21,000 internet devices?

**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:41:19):** I thank the member for her question in relation to devices and the response during the COVID pandemic. I think the member also referenced the Grattan Institute report that came out earlier this week which talked about some of the gaps in relation to remote learning, the fact that it has been a difficult period for education and that there has been challenges and disadvantage associated with learning from home. We have acknowledged that. We have always said that we know this is a disruptive school year. We have said that having students learning at home or learning remotely is not the same as students being in a classroom and being face to face with teachers, and that is why we have moved to bring students back to school during term 2.

Obviously, we have looked at the reports that the member referenced in her question and we note that the Grattan Institute report spoke about the issues nationally and that all the States and Territories will have to deal

with the fact that this has been a very disruptive school year. In relation to the types of devices that we have been sending to school communities, the member is correct, we have been providing support to those school communities. We have sent out extensive resources to schools and we have prioritised year 11 and 12 students with the devices that have gone out. The devices are designed to complement the existing resources to support students learning from home. The member referenced some figures in her question that have been provided to her in response to the Public Accountability Committee inquiry. Additional resources have gone out as well and it is important to note that we have been procuring extra devices to send to school communities to deal with the COVID pandemic, and that is ongoing. Students can also use their own devices. There is also the ability for many of our schools to lend out to the school community existing devices that they have.

So it is varied; some devices have been provided by the department and some have been lent out by the schools themselves. I also know of examples where local community organisations and P&Cs also provide devices to children to use. There has been a range of ways in which we have been able to support students through this pandemic. Learning from home has included access to internet devices but, as I have said in the House in the past, physical work packs have also gone out. Internet connectivity is an issue in some areas of the State, so we have provided devices that have been preloaded. School communities have worked in innovative ways to teach children when they have been learning from home. Internet technology and devices have absolutely been a part of that, but we have also used other methods, which we have used for many years, including schools of distance education, where physical work packs are sent to students who have issues with internet connectivity. I am proud of what we have done to support students learning from home and the extra resources that we have provided in internet supplies, dongles and devices. I believe that we have a strong track record. [*Time expired.*]

**The Hon. COURTNEY HOUSSOS (12:44:20):** I ask a supplementary question. My supplementary question relates to the part of the Minister's answer where she talked about the resources provided by local schools and P&Cs. Could the Minister outline if any of those resources have been mapped by the department?

**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:44:48):** I will take the bulk of the question on notice. The department absolutely spoke to school communities about what they had and what they needed. We went through a process with the school community to identify and determine what was needed to best enable students to have access to the appropriate equipment and what they had. I will take the part of the question relating to P&Cs and local school communities on notice and come back to the member with any relevant information that the department may hold.

**The Hon. ANTHONY D'ADAM (12:45:22):** I ask a second supplementary question. I seek an elucidation of the Minister's answer in relation to the provision of devices as it relates to the incident at Cabbage Tree Island Public School and why the devices that were provided to that school were provided so late in the crisis.

**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:45:56):** I thank the member for his question on Cabbage Tree Island Public School. This was a case I was aware of and, obviously, there was significant media interest in that school. I am advised in relation to Cabbage Tree Island that there have been regular meetings as well as telephone and email conversations between both the principal and the Director of Educational Leadership. The principal of Cabbage Tree Island Public School communicated to the Director of Educational Leadership that there was difficulty sourcing enough devices for all students who did not have computers at home.

Due to online learning not being a viable option for all students, the decision was made to move to paper-based packs. The school delivered education continuity, providing work to students in hard copy organised for the week, and that had been picked up by parents or dropped off by a certain date. There is updated information that I do not have in front of me, but I also know that several iPads were procured and supplied to that school. I will get the facts around that and provide some further information to the member very shortly.

#### EXPORT ASSISTANCE GRANT

**The Hon. TAYLOR MARTIN (12:47:11):** My question is addressed to the Minister for Finance and Small Business. Will the Minister update the House on what the New South Wales Government is doing to encourage small and medium-sized businesses to engage in the export market out of New South Wales?

**The Hon. Mick Veitch:** You could have just asked him outside.

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:47:36):** Are we going to digitise party membership? Is that what we're going to do?

**The PRESIDENT:** The Clerk will stop the clock. The Minister will resume his seat. I remind the Minister that he is required to be directly relevant to the question asked. I have had a close look at the question and I cannot

see how the beginning of his answer is in any way directly relevant to it. I advise honourable members that it was difficult for me to hear what the Minister then said after that because of all of the interjections. I remind the Minister that he is already on one call to order. I ask him to be directly relevant to the question.

**The Hon. DAMIEN TUDEHOPE:** I thank the member for his question. There is more good news coming our way. We know that businesses in New South Wales are the best in the nation, but we can also agree that they are some of the best in the world. This is especially true of our regional businesses, which have so much to offer, and we want to encourage them to succeed on the world stage. Whether it is a bottle of wine, livestock, wool products or so much more, New South Wales businesses are the cream of the crop. That is why this Government has established a \$12.8 million package to boost regional exports. Exports accounted for 14 per cent of the State's economy before COVID-19 and it is vital that we provide targeted assistance to businesses to help invigorate exports as part of our dynamic economic recovery. This package includes an export assistance grant of \$10,000 to assist export-ready or export-capable New South Wales businesses to access new markets and to re-enter old ones, including those that were disrupted by the COVID-19 pandemic.

Up to 1,000 small and medium-sized businesses, including regional businesses, will be able to benefit from this new grant. The package will also provide more local trade advisers, increased presence in key Asian markets and a new ecommerce program to develop alternative channels to market. The new measures build on existing exporter support available through the Government's export adviser network and Export Capability Building Program. It is part of its broader global New South Wales strategy to nurture trade investment and innovation. It is not just the Government that thinks that giving our regional business a hand up is a good idea; just yesterday Stephen Cartwright from the NSW Business Chamber had this to say:

This support from the Government will encourage more regional businesses to explore their exporting options and get the right advice and assistance to access the best channels to market for their products.

What an endorsement. This package is designed to unlock the regions and boost international trade once again, making it easier to get exports from paddock to port and from paddock to plate.

#### WATER SHARING PLANS

**Mr JUSTIN FIELD (12:51:57):** I direct my question to the Minister for Mental Health, Regional Youth and Women, representing the Minister for Water, Property and Housing. As part of the Basin Plan's water resource plan development process, a post-exhibition change has been made to several draft water sharing plans for regulated rivers, including the Namoi, Macquarie and Gwydir rivers, which changes the definition of planned environmental water. Such a change may be in breach of clause 10.28 of the Basin Plan and sections of the Water Act, and therefore may not be eligible for accreditation by the Murray Darling Basin Authority [MDBA]. Will the Government follow advice provided by the MDBA when it comes to reductions in planned environmental water before it signs off on plans that are expected to come into force on 1 July this year, before the MDBA is due to formally accredit the plans?

**The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:52:25):** I thank the honourable member for his very detailed question on water, which is directed to Melinda Pavey, the water Minister, who resides in the other place and who I represent in this Chamber. As the question is detailed, I will take the question on notice and I will endeavour to get a detailed response as soon as possible.

#### STATE ECONOMY

**The Hon. DANIEL MOOKHEY (12:53:16):** I direct my question to the Minister for Finance and Small Business. Given the Treasurer said yesterday, "The pandemic does not provide an opportunity to reform but an obligation to reform", why are the only reforms on the Government's agenda privatisation, wage cuts and an increase in taxes?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:53:43):** I thank the honourable member for his question. Clearly he did not have an opportunity to read the Treasurer's speech yesterday. I did not see a program of privatisation mentioned at all in his speech.

**The Hon. Daniel Mookhey:** Rule it out.

**The Hon. DAMIEN TUDEHOPE:** I will not rule it out. In terms of what the Government has done in response to the pandemic and the road back to recovery, the Treasurer had this to say, "With fiscal capacity a new challenge ahead, now is not the time for reckless spending." I will make sure that I get the sentence right this time. "But it is not the time for severe austerity either." I place the emphasis on "not". He said:

We will strike the right balance, supporting growth while charting a measured course towards fiscal repair. Our strong balance sheet and Triple-A credit rating means we have more freedom than other States to access the funds we need. But we must make every dollar count with targeted spending that gets results. Some people believe cutting red tape, regulation and tax cuts is the only way

out. Others say only direct government stimulus and intervention can help. We are not interested in ideology. We are only interested in what works.

Our five-point recovery plan will focus on deregulation, productivity, tax reform, digitisation and trade and investment.

These are the things that the Government is concentrating on. He continued:

We will seek to ensure government is an enabler not an obstacle to growth. This means looking at making permanent some of the temporary regulatory changes we have announced, as well as fast-tracking projects that grow our economy. We have one goal above all—to create jobs to get New South Wales working again. That is what success looks like.

I refer to the member's question. He said that the only way that we seek to stimulate the economy is through privatisation and wage cuts—they are not the things that we are looking at. We are looking to stimulate the economy through vision. That is what members of the Opposition lack over there. It is all ideology. We saw it all play out in relation to the wage freeze debate, but this is a government that has vision. [*Time expired.*]

**The Hon. DANIEL MOOKHEY (12:56:58):** I ask a supplementary question.

**The PRESIDENT (12:57:03):** I remind all members of Standing Order 64, which was amended by the recent sessional orders, as they would be aware. Standing Order 64 (5) states:

(5) At the discretion of the President:

- (a) one supplementary question may be immediately put by the member who asked a question to elucidate the answer, and
- (b) one further supplementary question may then be immediately put by another non-government member to elucidate the same answer.

The operative term is, "at the discretion of the President". I have been very reluctant to not allow a member to ask a supplementary question when it is done appropriately and when it ticks the three boxes. However, in order for me to know whether the supplementary question is appropriate, I need to be able to hear the answer from the Minister. I have absolutely no idea what the last part of the Minister's answer was because of the large number of very loud interjections. I will allow the Hon. Daniel Mookhey to ask his supplementary question, but if a point of order is taken that the question does not seek to elucidate part of an answer, I have no way to determine that. The Hon. Daniel Mookhey has the call.

**The Hon. DANIEL MOOKHEY:** Will the Minister elucidate the part of his answer where he said that the Government is considering making temporary changes permanent and where he flags deregulation? Which temporary changes is the Government proposing to become permanent, and what precisely is the Government proposing to deregulate?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:59:05):** Certainly a vast range of deregulation programs have been announced in respect of small things. They include things that relate to outdoor eating areas, for example. Those announcements have been made. We intend that they will become permanent in the short term. I invite the honourable member to peruse the numerous announcements that the Treasurer has made in relation to deregulation.

#### ARTEXPRESS

**The Hon. DON HARWIN (12:59:50):** My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on the ARTEXPRESS 2020 exhibition and what the impact of COVID-19 has been?

**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (13:00:07):** That is a great question from a member who is extremely interested in the arts. It could not have been asked by a better member in the Chamber. Many would know that ARTEXPRESS is a rite of passage for young artists, a place to discover some of the best talents in New South Wales and Australia—the Oscars of the New South Wales art world, if you will. With galleries in Sydney and the regions hosting or planning to host artworks from the class of 2019 forced to close because of COVID-19, organisers have had to find a new way to allow our best art students to exhibit their work. Thanks to determination and creativity, the exhibition is not only going ahead but also taking a whole new form. ARTEXPRESS Virtual 2020 is the answer. For the first time our best HSC visual arts students' work will be exhibited virtually for all to enjoy.

Consideration for ARTEXPRESS is challenging. Almost 450 students from across New South Wales were nominated for ARTEXPRESS 2020 from 8,552 artworks submitted by visual arts students for the 2019 HSC. Some 50 exceptional student artworks across 12 visual art forms were chosen for this year. The works include painting, drawing, photo media, sculpture, ceramics and graphic design. Technicians captured these 50 artworks through a process called photogrammetry, which allows viewers to examine the artworks in exceptional detail as

3D objects from 360 degrees. Fittingly, the technology for this virtual exhibition was provided by someone who exhibited in ARTEXPRESS 10 years ago.

Michael Rampe and Peter Reeves, co-founders of Pedestal 3D Pty Ltd, provided the technology to capture the works and the software platform as their virtual home. Peter Reeves exhibited in ARTEXPRESS in 2010. The technology used is impressive. Artworks are placed in a virtual exhibition that you can move around and the detail is to such a level that you can see individual brushstrokes. The only thing you cannot do is physically touch the works, but aside from that they may as well be real life.

This exhibition is all about the students and showcasing their artistic talent. One of the students is Sama Padmini Cooper from Katoomba High School, who drew friends and family in ink for her work entitled *Sonder*. Sama has already been commissioned by her old school to create a mural celebrating the diversity of people and culture. Other works include prints by Talia Hrnjak from Northern Beaches Secondary College Freshwater, a ceramic work by Monica Haselhuhn from Bowral High School in the Southern Highlands, entitled *Forget Me Not*, and a sculpture by Caleb Barnes from Lithgow High School entitled *Gargoyle for Sydney Harbour Bridge*. Of course, there are many more works in the exhibition.

I congratulate each one of the students on their incredible efforts and achievements in this field. For many students it will be the start of their artistic careers like renowned artists before them. People such as Ben Quilty, Melissa Chu and Jasper Knight were all hung at ARTEXPRESS. The exhibition would not be possible without the curator. I thank Ron Pratt, who is head teacher of performing and visual arts at Wyndham College and head of marking for HSC visual arts for 10 years. He has done an incredible job curating the ARTEXPRESS Virtual 2020 exhibition. It is available online and I encourage all members to check it out.

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

#### *Supplementary Questions for Written Answers*

#### **LOCAL SCHOOLS, LOCAL DECISIONS**

**The Hon. ANTHONY D'ADAM (13:03:36):** My supplementary question for written answer is directed to the Minister for Education and Early Childhood Learning. Will the Minister advise the House of the number of underperforming schools that will be targeted for turnaround under the measures that the Minister announced today in her answer to a question from the Hon. Lou Amato?

#### *Questions Without Notice: Take Note*

#### **TAKE NOTE OF ANSWERS TO QUESTIONS**

**The Hon. MARK LATHAM:** I move:

That the House take note of answers given to questions.

#### **LOCAL SCHOOLS, LOCAL DECISIONS**

**The Hon. MARK LATHAM (13:04:37):** I reflect on the comments of the Minister for Education and Early Childhood Learning about the welcome reform of Local Schools, Local Decisions. I do not think we have a minute to spare to fix up our schools. Even Professor Geoff Masters, the head of the curriculum review, has said we have the fastest falling school academic results in the world. How many government reports does it take before we see government action? The Minister's comments today are welcome, but they are simply a reflection of what was already announced in February. Some four months later we are no further advanced in the reform process.

In the past 12 months there have been three scarifying reports about the Department of Education. One report was from the Auditor-General on professional development and accreditation of teachers and the second was from Portfolio Committee No. 3 - Education on measurement and outcome-based budgeting. The third report, which was somewhat lost in the COVID crisis, was the performance audit delivered by the Audit Office of New South Wales on 8 April entitled *Local Schools, Local Decisions: needs-based equity funding*. You could not find a report that is more critical of a government agency. The criticisms in it are damning of the incompetence and, at times, the hopelessness of the Department of Education in getting the basics right. The conclusion starts as follows:

The department has not had adequate oversight of how schools are using needs-based equity funding—

These are the Gonski rivers of gold—

to improve student outcomes since it was introduced in 2014.

That was some six years ago. The conclusion continues:



While it provides guidance and resources, it has not set measures or targets to describe the outcomes expected of this funding, or explicit requirements for schools to report outcomes from how these funds were used.

This is billions of dollars of public money effectively unaccounted for, unmeasured, untargeted and in some cases unused. It is quite extraordinary that the department could waste and not attend to this volume of money over a six-year period. The report goes on, and this is the worst aspect of it:

Reporting on the expenditure of equity funding and the impact achieved was of variable quality in school annual reports we reviewed. There were significant discrepancies between equity funding received and what schools reported against each equity category in several schools. Few schools described a measurable impact on student outcomes.

We have got schools that are not properly accounting for their use of equity funding against the proper equity category and schools that do not even bother to report to say that they have spent this money, supposedly on student improvement. Where is the impact on student outcomes being measured and reported? This is simply hopeless. I urge the Minister not to delay, nor to have a new round of consultations. There are three reports that point the way forward. If the Parliament does not fix up what is happening inside the Department of Education it is betraying the young people of New South Wales who need a better start in life, who need measurement and proper use of funding rather than this constant stream of—[*Time expired.*]

### STATE ECONOMY

**The Hon. DANIEL MOOKHEY (13:07:42):** In question time the Minister spoke about the Government's good cheer for businesses and for the New South Wales economy. He said how in the greatest downturn since the Great Depression the Government offers good cheer to those who are doing it tough. For every business that is in fear of closure, and for the 250,000 people who we know are likely to be unemployed by the end of this month, the Government's good cheer is not enough. The Government needs to provide the State and the economy with a clear strategy to bring back—in the words of the shadow Treasurer—jobs, jobs, jobs to the people of New South Wales. We did not hear that at all in question time today.

For a second time the Opposition probed the stimulus programs that the Government nominates as being the key to jobs returning. What have we learnt? Today we heard the Government double-down again on its paltry effort to distribute land tax relief to commercial and residential tenants. Again the Minister boasted of only distributing \$659,000 of a \$440 million program and took credit for providing this to 3,000-odd landlords. On average that works out to be \$195 for each applicant. The Minister is taking a victory lap for handing out only \$659,000 of a \$440 million program. The real scandal is not what the Minister said in question time, but what he did not say. This program closes in 13 days—and in 13 days this \$440 million that was promised to landlords will disappear. We are yet to hear the Minister say a single word about what will happen to the \$439 million his Government promised the commercial or residential landlords and tenants of New South Wales.

Labor has been up-front in saying there should be a \$140-odd million hardship fund for residential tenants. There is more than enough money to go around and fund that particular initiative. If the Government has run out of ideas and if the Government does not know what to do with that \$440 million, here is one idea that the Government can adopt right now—implement the hardship fund so that that money actually gets to the people to whom it was promised. We saw the exact same sin committed again in relation to the small business grants program. The Minister is taking a victory lap over a recycled program that is less generous than the first one. The Minister could not give out a \$10,000 grant and now says that the businesses of New South Wales and the people they want to employ can have a \$3,000 grant. Why should any of them have any confidence in the New South Wales Government's ability to offer them any help when so far the Minister has failed to deliver on the promise he already has made? [*Time expired.*]

### COVID-19 AND STATE ECONOMY

**The Hon. SHAYNE MALLARD (13:10:48):** I participate in the debate to take note of answers given by the Minister for Finance and Small Business, the Hon. Damien Tudehope—and what informative and outstanding answers they were in relation to questions on the economy and COVID-19.

**The PRESIDENT:** The Hon. Shayne Mallard should ignore interjections and continue with his speech so he does not lose time.

**The Hon. SHAYNE MALLARD:** I particularly welcome the answer to my question on the issue of the live music economy, which I have thought would attract bipartisan support in this House—particularly from the Hon. John Graham, considering his participation in the inquiry into the live music industry. The committee reported to this House that the live music economy in this State already was very fragile for all kinds of external reasons. At that time COVID-19 was a real threat to the live music economy and still is. I welcome the announcement by the Minister for Jobs, Investment, Tourism and Western Sydney of the 1,000 COVID-safe gigs project and the investment in getting that part of our economy on its feet.

The live music economy is not just the live music industry. As the Minister mentioned in response to the question, live music venues support a lot of other sectors referred to by the Minister, such as bars and restaurants as well as their hospitality workers, cleaners, sound technicians, et cetera. Many different sectors of the economy rely on the live music industry. The live music economy is critical to our broader economy that has been hit very hard by COVID-19. Among all the reports concerning COVID-19—sometimes the large volume of reports can be overwhelming—some members would be aware of a report last week by the Australian Bureau of Statistics pointing out that the inner city areas of Melbourne and Sydney, such as Alexandria and Erskineville, have been hit hardest by unemployment caused by COVID-19.

JobKeeper statistics have identified that over one in 10 workers in Sydney and Melbourne inner city areas are out of work. Residents of those inner city areas are hospitality workers, musicians, artists, people involved in the travel industry, and predominantly young people and women. They are the people who have been hit hardest by the current crisis and they are the people the Government is targeting for assistance. I call on all members of this Government to strongly support the Government's initiatives to support the recovery of the economy and talk up the economy. I commend the Minister and the 1,000 COVID-safe gigs project. I know from personal experience that the hospitality industry is starting to pick up but remains fragile. We should not risk its recovery by undermining attempts to revive it. I commend the Minister's answers.

### STATE ECONOMY

**The Hon. WALT SECORD (13:13:35):** As the shadow Treasurer, I take note of answers given by the Minister for Finance and Small Business. I wish to correct a statement made by the Hon. Daniel Mookhey, who said, "Jobs, jobs, jobs". I say no to that. I say, "Jobs, jobs, jobs and even more jobs." That is what the Labor Party is about.

I wish to talk about the lack of support in the face of 7.75 per cent unemployment. The Minister did not know, but tomorrow new unemployment data will be released by the Australian Bureau of Statistics [ABS]. The Minister would not know that. We are facing the toughest time since the Great Depression in Australia, with 275,000 jobs lost. Under this Government we have also seen the State's triple-A credit rating reduced from stable to negative. In the Minister's answer he referred to the Government responding to the low take-up of relief grants. There is absolutely a low take-up, with 19,540 businesses seeking deferral of payroll tax out of 806,000. That is incredible and is indicative of failure on a massive scale by this Government. The Government has been forced to rebadge \$10,000 grants, which no-one has been able to access, to \$3,000 grants. As for land tax, \$659,374 has been granted out of a possible fund of \$440 million, which is absolutely unacceptable. There is very little relief for landlords and tenants.

In conclusion, I refer to the answer given in relation to the night-time economy. Much of the credit in this sector must go straight to our colleague the Hon. John Graham for his work and his roundtable discussion from which he sought ideas from the entertainment industry. He put those ideas forward to Parliament and forced the Government to act. The Minister referred to comments made by Dan Rosen of the Australian Recording Industry Association. I conclude by making the observation that the answer given by the Minister for Finance and Small Business, in the words of Missy Higgins, would have left a scar.

### STATE ECONOMY

**The Hon. SAM FARRAWAY (13:15:40):** I take note of answers given by the Leader of the Government and Minister for Finance and Small Business related to the New South Wales economy and support given by the New South Wales Government. Yes, we all know COVID-19 presents an unprecedented health crisis that has profound economic impacts on our State and national economy. I was very interested to hear the Minister refer in his answers to the *NAB Monthly Business Survey: May 2020* and the results of the survey released a short while ago on 9 June. The results report that New South Wales business confidence rose from minus-18 in May to minus-40 in April. As we know, confidence is still suffering during COVID-19; however, across Australia confidence does appear to continue to show signs of recovering.

**The Hon. Penny Sharpe:** You can't just re-read what the Minister said in his dixer. That is plagiarism.

**The Hon. SAM FARRAWAY:** Despite what others may say, the New South Wales Government has been on the front foot to get businesses through these tough times. One of the things that I took from the Minister's answer is definitely the deferral of payroll tax. As one of the very few people in this House who, I suspect, actually has paid payroll tax, I can confirm that it is good to see that level of support from the New South Wales Government. The point I make about the Government's stimulus and support is that the injection of \$14 million into the Business Connect NSW program will result in the engagement of 30 additional business advisers and that the program will continue for another 12 months. The funding will support many Business Connect NSW outlets

throughout regional areas of the State. I give a big shout-out to Bruce Reynolds and his team at Central West Business HQ.

**The Hon. Ben Franklin:** Bruce!

**The Hon. SAM FARRAWAY:** Yes, Bruce Reynolds out at Blayney. Business HQ administers the Business Connect NSW program throughout the broader Central West region. But on top of that, there are other benefits from the stimulus packages, such as the rolled out 21 fee-free TAFE NSW short online courses that are assisting people in regional areas of the State who wish to re-educate and upskill. While this House has heard much doom and gloom from Opposition members today about Government support and what the Government has implemented, fantastic measures have been put in place.

Certainly I assure the House, from having been in business and paid payroll tax and from continuing to engage with and listen to people in the business sector, the situation is not all gloom and doom. Granted this is a tough time but the support is out there. The \$10,000 business grants were designed for mum and dad businesses that do not pay payroll tax. This Government approved more than \$348 million in grants by 15 June and a further \$127 million will be provided up until the closing date, which has been extended to 30 June. I say, "Well done, Minister Tudehope", and, "Job well done, Treasurer Perrottet." I know that those who are in small business appreciate the Government's support.

**The PRESIDENT:** I again remind members that interjections are disorderly. I remind the Hon. Walt Secord that he is already on two calls to order. He may wish to have an early mark. If that is what he wants, he should let me know so I can assist. I inform the Hon. Rose Jackson that even though she is seated in the public gallery I can hear her interjecting. Enough is enough; otherwise, Government members will begin interjecting when an Opposition member is speaking. Do I then call all members to order and close down the take-note debate of answers to questions?

#### STUDENT ELECTRONIC DEVICES

**The Hon. COURTNEY HOUSSOS (13:19:29):** We already have huge disparities within our education system in New South Wales. The Centre for Independent Studies has estimated that students from disadvantaged social backgrounds are already behind by approximately 37 weeks in numeracy and 35 weeks in reading compared with the typical Australian student by the time they are 15. Last week modelling by the Grattan Institute revealed that during the COVID pandemic disadvantaged students had slipped a further six weeks behind—triple the usual rate—and it estimated that more than \$1 billion of intensive tuition would be the way to help them catch up.

Today in question time I asked about the preparations that were made as students began homeschooling and remote learning. I asked what were the preparations the Government made and why did the Government issue only 7,313 computers and 7,830 internet devices across a school system that has over 2,000 schools, when our counterparts in Victoria issued 48,000 laptops and 21,000 internet devices? The Australian Bureau of Statistics tells us that 34 per cent of households with children do not have internet access at home. It is a clear example of where there is going to be disadvantage if something like remote learning is about to occur. We know where the disadvantage is; we know where the Gonski money is going. Why did this Government, as it went into a period of remote learning, leave it to individual schools, individual P&Cs and individual parents to pick up the tab instead of providing appropriate support for them?

It is an absolute disgrace that during a global health pandemic, which we knew was coming and we had months to prepare for, this Government found only 7,313 laptops and 7,830 internet devices to give to more than 2,000 schools. Students were left to fend for themselves during a period when they needed more support than ever. The Government should have prepared better. The question now is what is the Government going to do to help students catch up? What is the Government going to do now to help our students right across this State and address educational disadvantage?

#### ARTEXPRESS

#### GREAT SOUTHERN NIGHTS

**The Hon. BEN FRANKLIN (13:22:14):** I take note of two answers given today, the first by the Minister for Education and Early Childhood Learning, the Hon. Sarah Mitchell, about ARTEXPRESS Virtual. ARTEXPRESS Virtual—and I speak from a little personal experience here as the Parliamentary Secretary for the Arts—is a passionate and wonderful annual showcase of exemplary artworks from the previous year's HSC examinations, but this year it is special because it is online. These works have been shown in not only Sydney but also around the State in different exhibitions, but this year it is online and that means people can see the artworks in all parts of regional New South Wales that have not had access before. They can see them not only in regional New South Wales, which is critical, but also across the country and across the world.

That is the sort of quality we are talking about with these artworks—they are extraordinary. People do not just have the capacity to see them in 2D, they can see them also in 3D. The Minister highlighted this extraordinary technology and I recommend every person in this Chamber has a look at the virtual gallery online—it is genuinely quite something. It is the way of the future when we talk about access to the arts for regional New South Wales. The second answer I take note of is in relation to—

**The Hon. Penny Sharpe:** The night-time economy.

**The Hon. BEN FRANKLIN:** Yes, the answer given by the Minister for Finance and Small Business to the question regarding how we are supporting the night-time economy and the live arts industry. I acknowledge the work that the Hon. John Graham has put into this space, but he is not Robinson Crusoe. The Hon. Shayne Mallard is the chair of the Parliamentary Friends of Music and he does an extraordinary job. I know well what a critical job that is. The Hon. Don Harwin, as arts Minister, made an incredible contribution to so many venues and programs. I am sure that the Minister for Finance and Small Business himself has his own eclectic taste in many modern things that will be spoken about in this Parliament.

Great Southern Nights is a really important initiative, as I am sure that the Hon. John Graham and all those in this Chamber would agree. It is curated by the Australian Recording Industry Association and an industry advisory committee across a multitude of venues, not only in Sydney but also in regional New South Wales. We have been hit by COVID so deeply, and people who are involved in the arts industry, the live arts industry and the venues that support those industries have been hit in a devastating way. The New South Wales economy is supported by live music to the tune of \$3.6 billion a year, and the industry provides 23,000 jobs. It is a critical industry and those people have been hit hard. I encourage anyone who is watching the broadcast of these proceedings to go to [www.greatsouthernights.com.au](http://www.greatsouthernights.com.au) to register their interest. It is a fantastic program.

#### STUDENT ELECTRONIC DEVICES

**The Hon. PENNY SHARPE (13:25:24):** I take note of a couple of answers given by various Ministers today. First, I take note of the answer given by the Hon. Sarah Mitchell in relation to the rollout of devices to kids. It is very clear from the figures that the Hon. Courtney Houssos quoted that New South Wales did give out some computers and some dongles, but it was manifestly inadequate to the needs of kids. One of the impacts of COVID, which I think we will learn more about in the next 12 to 18 months, is how it has doubled-down on the inequality and the digital divide of those who have access to online learning and those who do not.

I take note of the Hon. Ben Franklin's comment about ARTEXPRESS. It is great that it is online. That is fantastic; we all love ARTEXPRESS. But there are kids and families who will never see anything of it online because they do not have access to the internet. Some families have one device, which might be somebody's phone, which is the only access to the internet kids have to try to do their HSC studies and their exams and to try to learn. One of the community organisations I have been working with told me the story of a woman who currently attends TAFE and has three kids. During COVID she has been trying to complete her TAFE course and homeschool three kids online. She has had to roster the use of her phone to try to do that work.

It is all very good for us to beat our chests about how great it is and the numbers always sound really good, but each family that does not have access to the internet does not have access to education and they have been put greatly back. We need to properly take note of that. I became aware recently of the promises that the Department of Communities and Justice made to kids in out-of-home care—17,000 of them, who are some of the most disadvantaged kids in our community, kids who cannot safely live at home. Despite all the promises that they would get a device and extra support, not one computer has been rolled out. The department is still faffing around. It has had applications for 6,000 devices and not one has been put in the hands of kids, and the kids are back at school. It is a failure and we cannot keep saying we have done well when it is clear that we have not done well enough at all.

If one fundamentally believes in equality, access to the internet, data, advice and support is a fundamental thing; it is as important as turning on the tap for water or having electricity in our homes. If we do not get to grips with that, more people will be left behind. We need to do better. [*Time expired.*]

#### GREAT SOUTHERN NIGHTS

**The Hon. JOHN GRAHAM (13:28:31):** It warmed my heart to hear the Leader of the Government and other members speak about the live music industry in Sydney and across New South Wales. I apologise—I might have got too excited during the answer of the Leader of the Government today. I apologise also to Hansard; my interjections may have been a little bit out of order. But it was fantastic to hear the Leader of the Government talk about live music—it is so important for jobs for some of the lowest paid workers in the State. I welcome also the contributions of other members. I thank my colleague the Hon. Walt Secord for crediting me with some of this work. The truth is there are strong supporters of this industry right across the Parliament. I am very upset with the

Hon. Ben Franklin, who spoke before me and stole my material by crediting them, but I agree with all the observations he made. But he did miss one member: the Hon. Rod Roberts provided crucial support to the music festival industry. I credit him for that.

I have come out in support of the Great Southern Nights initiative. I thought it was fantastic and I was up-front about that. I have said I hope we have venues left, because November is a long way away. I certainly credit the initiative. I thank Dan Rosen and ARIA for doing that. ARIA Week is always an important time of the year. ARIA does a great job and Dan has really assisted the Government greatly. Hopefully this is a real moment when we get things back on the road in Sydney on music. I will provide a bit of context though, because my view is that the Government could and should act far more quickly in this area and do far more. I will refer to the Melbourne Live Music Census from 2017 prepared by Dobe Newton, the lead singer of The Bushwhackers, which is a fantastic country music band. This is what the report found in Melbourne:

On a typical Saturday night—including Census Night, 93% of venues in the CBD and 96% of venues in the precincts featured live performances.

That was on a single typical Saturday night. It says:

They presented a total of 800+ advertised performances by musicians and DJs.

... another 150+ performances took place in the outer suburbs.

On a single night there were nearly 1,000 gigs in Melbourne. In November we will have 1,000 gigs in Sydney. There is a lot more to do if we are going to get Sydney up and running. This is a good start, but the Government has much more to do. We will debate that later today, but I encourage it to get going on this. This is about jobs.

**The PRESIDENT:** Order! Pursuant to standing orders debate is interrupted to allow the Minister to respond.

#### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. SCOTT FARLOW (13:31:40):** Of course, as the Hon. Duncan Gay used to say, "You need a question time strategy." The Opposition has come in here today somehow thinking the discovery of small business grants, a \$750 million program, being reapportioned to make sure all of it goes to small businesses is some sort of scandal. The small business grants have been focused and targeted at small businesses that are below the payroll tax threshold and with less than 20 employees and we have seen the money go out the door throughout New South Wales. We have also seen the Minister for Finance and Small Business look to extend the program deadline to 30 June and then implement, as of 1 July, a new small business program of \$3,000 recovery grants to get businesses working again—what a wonderful initiative.

The program was announced on 3 April, less than five days after New South Wales had the highest COVID-19 case numbers, at 212 cases. It was a time when we were being told about a six-month hibernation, when we thought businesses would be going to the wall and would not be able to reopen. Thankfully, because of the efforts of this Government, and particularly because of the efforts of all people in New South Wales, businesses have been able to reopen quicker than expected. These new \$3,000 small business grants are going to help businesses get back to work. What does the Illawarra Business Chamber say about it? It says:

The application process for this grant commences the day after the current \$10,000 Small Business Grant program closes, showing that the Government is acutely aware of the plight of the hundreds of thousands of small business owners, and their employees, across NSW.

The business chamber commends these new initiatives to get New South Wales back to work. What do businesses across the State say about it? It has a 99 per cent thumbs-up rating for the application process through Service NSW. Applications from companies with a combined headcount of 141,170 people have been received—that is businesses supporting 141,170 jobs. I know businesses that have applied for the grant; some received it within less than 48 hours. They were amazed at how quick and how easy the process was. Some businesses were able to use the money during the period when they are not operating to invest in their business or to renovate. At a restaurant the other night they were telling me just that story, that because of those grants they were able to invest and renovate their shop while they had to be closed. They are now able to reopen bigger, better and fresher. With a new \$3,000 grant we will see that even more. To pick up on the words of Jimmy Barnes, although to paraphrase him a bit, "The finance Minister is somebody who has jobs, jobs, jobs and even more jobs behind the driving wheel." [*Time expired.*]

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

**Motion agreed to.**

*Written Answers to Supplementary Questions***STATE ECONOMY**

In reply to **the Hon. WALT SECORD** (16 June 2020).

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business)**—The Minister provided the following response:

- The New South Wales Government has responded appropriately to limit the spread of COVID-19 in local communities. We have invested in our health system and made laws that have worked to stop the spread of the virus and have worked with the community to encourage the practice of social distancing and good hygiene.
- Now is the time to move from response to recovery and the time to get people back to work and keep businesses in business.
- As part of this recovery process, the New South Wales Government has announced a \$3 billion boost towards job creating projects, increasing the Government's infrastructure pipeline to a guaranteed \$100 billion.
- Work is underway to identify the shovel and screwdriver ready projects, which may include the upgrade of schools, hospitals, showgrounds, courthouses, social and affordable housing, roads and community facilities around the state.

**The PRESIDENT:** I will now leave the chair. The House will resume at 3.00 p.m.

*Private Members' Statements***MEDIA OWNERSHIP**

**The Hon. SHAOQUETT MOSELMANE (15:01:41):** My wife, my staff and I were recently subjected to a sustained malicious media campaign by some in our mainstream media, with 32 press, radio and television attacks in seven days. I will use the three minutes that I have in my private member's statement to make a few observations. I place on record my respect for the many professional journalists who take their role seriously. They must be acknowledged. On the other hand, I register my disgust at those other unethical, unprofessional so-called "journalists". With the concentration of media ownership in the hands of a few comes a practice or a capacity to influence. The direct consequence of that capacity is the abuse of power. Sadly, their influence on the political affairs of our nation has become oppressive. One only has to look at what they have done to a string of political leaders such as Kevin Rudd, Julia Gillard, Bill Shorten and the latest being Malcolm Turnbull.

On 25 February I wrote a 1,500-word article entitled *A Nation in Crisis Needs Leadership*, pointing to the sluggishness of our leadership in tackling the coronavirus and citing the *Ruby Princess* as an example of utter incompetence. By way of comparison, I made reference to the way the Chinese leadership tackled the coronavirus. I merely repeated what President Trump, Vice President Pence and the head of the World Health Organisation were saying at the time, only to find myself being mauled by right-wing media ratbags such as 2GB's Alan Jones and Ray Hadley, Andrew Bolt and Peta Credlin on Sky News and their panic merchants, and by some in the press manufacturing and packaging their own garbage and portraying it as journalism. It was a vicious, malicious and disproportionate orchestrated campaign intended to do me maximum political damage—a campaign that is fuelled by those who oppose justice for Palestine and those anti-China zealots who oppose a respectful Australia-China relationship.

There are a number of lessons here. The first is that a significant section of our media has become a political force intent on running—or rather, creating—the nation's political agenda. For the sake of our democracy that power must be curtailed. The second is that our media is heavily concentrated in the hands of a few, thus making our media laws inadequate against abuse of power. Laws must therefore be introduced to break up excessive media ownership. The third lesson is that our defamation laws are skewed in favour of the media moguls smashing the average citizen's ability to defend themselves against abuse. The laws there must be reviewed and balanced. The fourth lesson is that given the excessive power of media in Australia that Media Monitors, the Australian Communications and Media Authority as well as the news and media Commonwealth Ombudsman have perhaps become no more than paper tigers. Parliament must legislate to empower these bodies to check against further abuse.

**BUSHFIRE HAZARD REDUCTION BURNING**

**The Hon. ROBERT BORSACK (15:05:05):** It is refreshing to see in the papers today that the newest royal commission into bushfires has found a lack of hazard reduction burns and red and green bureaucracy have hampered firefighting. The Shooters, Fishers and Farmers Party [SFF] has constantly sounded the hazard reduction drum to no avail, with this Government and its predecessors denying common sense to gain the green vote. It is ignorance and arrogance that has led us to this point despite multiple reports, inquiries and royal

commissions over the past 20 years. Consecutive governments have ignored the submissions from many professionals and volunteers who put their lives on the line.

The knowledge of rural and regional communities that live and breathe the bush and whose properties are under constant threat of bushfires and their pleas for the ability to conduct hazard reduction have been ignored. As a result we saw what is now known as "Black Summer". Yet only a few months post-Black Summer we have the Premier parading the green hired-gun scientists and pseudoscientists filing out to announce that "hazard reduction is not the panacea". Of course, at this stage it is not. Decades of neglect have meant that now we need entire land management, we need to make structural changes to the bush and we need to ensure our fire trails are maintained regularly. We must finally start acting on the recommendations that come around year after year and bushfire after bushfire like groundhog day.

Our Ministers in important portfolio positions like Environment and Heritage must be capable of these appointments. What was denied in summer is now being justified in winter. This must be embarrassing for the Government. Its own Deputy Premier is now spruiking SFF policy to allow landowners whose homes neighbour national parks and reserves to conduct hazard reduction burns. The SFF says whatever it takes—even policy pinching—to start implementing common sense in bushfire management. Words are cheap. The Deputy Premier appears to be powerless and toothless in Cabinet, delivering nothing and achieving even less. The SFF will make it easier for him.

My colleague in this place, Mark Banasiak, has a tree thinning bill, which would be a good start if the Deputy Premier was genuine. We need to forward this to him and his Government for its support. We will also introduce a bill after we come back from parliamentary recess that will allow landowners the ability to clear land within 200 metres, even if that means clearing land in a national park or a State forest. Again, we look forward to the support of the Deputy Premier and his Government when we introduce the bill to the House. Many of our communities in this State have been left traumatised after the Black Summer fires. If the Deputy Premier is genuine in his latest call to allow landowners to back-burn in national parks I commend him. However, if he is simply playing politics with this issue he should hang his head in shame and resign.

#### ARTS AND ENTERTAINMENT INDUSTRY

**The Hon. DON HARWIN (15:07:58):** Over the past 10 weeks—to the day, in fact—there have been good days and bad days for me, something I will reflect on at another time. I worked especially hard to advocate for the arts for three years as Minister and it has not been easy being benched just when the sector needs most help. I have to say that Minister Fletcher and the Australian Government's response has been far better than has been characterised by some.

The Federal shadow Minister for the Arts, Tony Burke, is circulating a petition stating that the Federal Government "has failed to act to save the arts and entertainment sector". However, the work of the Bureau of Communications and Arts Research has found that more than 90 per cent of people working in the arts sector have employment arrangements that mean they can receive JobKeeper. Some 23 per cent of those eligible are in fact sole traders with an Australian Company Number or Australian Business Number. For everyone else there is the safety net of JobSeeker, a payment that is comparable at \$1,100, particularly considering the eligibility of those people on JobSeeker for a wide range of payments and supplements that those on JobKeeper cannot get. Unfortunately for Mr Burke, it would seem the facts get in the way of his not-so-good story.

I am pleased to say that the New South Wales State Government has responded magnificently and its response has been the most comprehensive of any State Government, which is very heartening. The State Government's initiatives include an interim package of \$6.34 million, including rent relief for 38 arts organisations who are tenants in State Government properties and a number of other measures. The Government pivoted its successful \$216 million Creative Kids program to widen eligibility to include digital programs and provided extra funding so that Creative Kids providers can develop digital content for the program. The Government immediately increased by 50 per cent project funding in round two of the Arts and Cultural Development Program to just under \$2 million. I am delighted that the success rate was a very high 32 per cent for applicants. That was an immediate response. That program has been very well received.

Of course the highlights are the Government's \$50 million Rescue and Restart package with money for hibernation and the restart of the arts sector in New South Wales and, as members heard during question time, the Government's Great Southern Nights initiative, which is all about turbocharging live music venues with the 1,000 COVID-safe gigs in Music Month this coming November across Sydney and New South Wales. A big tick to our arts Minister, Premier Gladys Berejiklian!

## FEDERALISM

**The Hon. ANTHONY D'ADAM (15:11:07):** I am unusual in the Labor Party because I am a supporter of States' rights. I am a believer in federalism and I treat appeals for national unity and national interest and national consistency with some scepticism. I am not a nationalist and I do not think our national community should be assigned a higher status over other communities that exist within our national borders or that may transcend those borders. The appeal to national interests is often a means of pursuing uniformity. The impulse to uniformity is an authoritarian impulse and should be embraced with caution. I think we in Australia should revel in our diversity as it is actually a source of great strength. The discourse of national unity is consistently deployed to erode the role and powers of States and State Government and concentrate ever greater power in the Commonwealth. It is a discourse that should be challenged.

Federalism is a tool to guarantee diversity in our public debate. We saw the creative tension of our federation in action when New South Wales and Victoria dared to take a different approach to the management of the COVID-19 pandemic to that of the Prime Minister and the Commonwealth. It was a dynamic that reshaped the approach and shifted the Commonwealth to a position of more action. I think we should bring a sceptical eye to the proposal to entrench the so-called National Cabinet process as an enduring structural innovation in our national governance. It is not a Cabinet and it is not accountable to any single Parliament, and its deliberations lack the transparency that should underpin our key democratic institutions. Its nexus of accountability is mediated through a number of layers. Premiers are not presidents. They have Cabinets of their own to which they owe a duty of collective responsibility.

We should also be hesitant to sign up to any further erosion of the tax base of the States as this inevitably leads to further dependence on the Commonwealth as a funding source with its attendant strings attached. Payroll tax is one tax that gets a pretty bad rap, but it is also one of the few levers the States have to influence the behaviour of firms and should not be surrendered lightly. Ours is a great democracy. Our federal system is a guarantor of that democracy. As State legislators, we should be vigilant in our efforts to ensure that our Executive arm does not weaken the independence and powers of this Parliament and this State.

## NATIVE FOREST LOGGING

**Mr DAVID SHOEBRIDGE (15:13:25):** In the wake of the unprecedented 2019-20 summer fires while forests and communities were still recovering, logging recommenced. This also included so-called salvage logging in Gondwana rainforest around Nambucca—forests that we should be helping to recover from the fires, not be smashing even further. The Forestry Corporation began logging around Nambucca in early June. I understand there are plans to log most of the remaining forest this year at Myrtle, Bungawalbin, Doubleduke, Styx River, Lower Bucca and Kalang Headwaters State forests. These forests are loved by their local community and could be incredible drawcards for the region. Species that live in these forests include the masked owl, the powerful owl, koala and the little bent-wing bat. I learned while we were at the embassy that Jonah had been at camp overnight and had seen a greater glider right next to the newly made logging roads.

Logging these forests would be an environmental disaster. It would endanger species and make them more at risk from bushfires in future years. While in Nambucca State Forest, I had the privilege of seeing a seriously endangered native orchid that volunteer ecologists had identified at the site. I thank them for taking the time to share it with me and hope that it is protected in the future, but it should not be up to volunteers to be doing that. There is little by way of consistent enforcement and oversight and the number of ecologists sent in by Forestry Corporation to survey these forests is hopelessly and woefully inadequate. Something like the little dendrobium tetragonum subspecies could be part of global orchid tourism. It could be part of our economic future, or just another victim of native forest logging.

On my visit I was welcomed with a song by the Gumbainggir people and presented with the *Gumbainggir Dictionary and Learner's Grammar*. This language is very much alive. The embassy set up in the forest has Gumbainggir people and non-Aboriginal people all speaking language on country. It is a powerful thing. When reading the dictionary I came across "tree nouns", which, for those who are interested, is on page 278. Tree nouns are ordinary nouns but relate specifically to trees. They actually allow different grammar for tree names and parts of trees like leaves or flowers. I cite the example of "girrunum guaray bagiing", which literally translates to "bloodwood flower burnt (by the sun)" and means that the bloodwood flowers had wilted. Imagine a culture so connected to the forest around the people that it has a unique grammar like this one, just for the trees. Those people are asking that this forest, which is of immense cultural importance to them, not be logged.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I call Reverend the Hon. Fred Nile to order for the first time.



**Mr DAVID SHOEBRIDGE:** This House claims that it cares about the Gumbainggir people, so I ask members to show it by supporting their request and joining with First Nation peoples to stop the logging.

### **FIXING COUNTRY ROADS PROGRAM**

**The Hon. SAM FARRAWAY (15:16:33):** After visiting with the Minister for Regional Transport and Roads, the Hon. Paul Toole, in May to announce \$16 million for road safety projects for the Orange electorate, last weekend it was great to be back in Orange for the official opening and ribbon-cutting for what can only be described as a vital piece of road infrastructure. Instead of the red carpet, the Orange City Council Mayor, Reg Kidd, Councillor Jeff Whitton and Federal member for Calare and I were greeted by the beautiful new road, which is better known as the southern feeder road overpass. This significant project to upgrade the southern feeder road and create the overpass cost \$18.4 million. I am proud to say that this project received significant support and contribution from the New South Wales Government, with over \$8 million coming from two different State funding streams.

After the ribbon was cut we all watched as the first vehicles, both big and small, took to the new asphalt and tried out the new route. These upgrades are vital because they provide a more direct route for heavy vehicles travelling from the Mitchell Highway to Orange's southern industrial area. This road will increase productivity, drive jobs and create opportunities in industries such as agriculture and transport. That not only is great for Orange but also will have flow-on effects for the rest of the broader Central West region at a time when economic growth and increased productivity are needed most. Not only will this make life easier for traffic to get from the highway to the Leewood industrial estate, but the new bridge and overpass will make it a lot easier for residents of Glenroi to get to the sportsgrounds from the hospital and new medical precinct. The new route from the Cadia mine will help families and the workforce get from A to B quicker and safer.

The completion of this project is testament to the importance of the New South Wales Government's funding projects for regional roads. The Fixing Country Roads program is about moving freight more efficiently and supporting jobs, economic growth and productivity across regional New South Wales by reducing the cost of getting goods to market. Road safety upgrades like this can be a massive financial burden on local government. I am pleased that a project of such size is completed. It is terrific that the New South Wales Government could play such a large role in getting this project off the ground and completed. Of course, when such announcements are made and accomplishments such as this are completed, the public always will remind us that there is more to do. In the past few days many people in Orange have reached out to me and said just that. I am pleased to be able to say to the people of Orange that stage three of the works includes upgrades to the notorious Dairy Creek Road. I look forward to being back in Orange to see desperately needed upgrades underway and, with the support of the New South Wales Government, the upgrade to that currently dangerous stretch of road completed.

### **COVID-19**

**The Hon. COURTNEY HOUSSOS (15:19:31):** We are now in our first recession in 29 years, but this economic recession is, in one key way, unique: It has been caused by the restrictions imposed to address a global health pandemic. Today there are nearly eight million diagnosed cases of COVID-19 worldwide, with just over 433,000 deaths. The scale of this global health pandemic has not been faced for a century. But here in Australia, thanks to the diligence of the Australian people in adhering to the restrictions, we have been able to avoid the scale of devastation so far that COVID-19 has wrought overseas. It is the economic consequences that are being felt by millions across our country.

In his statement on the economy yesterday, the Treasurer said that it is expected that our unemployment rate will nearly double to 7.75 per cent in the June quarter, with young female workers most affected. Hundreds of thousands of families across New South Wales have lost jobs, had their hours cut or found their jobs under pressure. This economic instability, combined with the social distancing required to address the global health pandemic—not to mention the remote learning that parents have juggled as well—has meant that this has been and continues to be an incredibly stressful time for so many. The steps taken to address COVID-19 have forced us to physically distance ourselves from others—from our loved ones, especially the elderly, from our friends, and even from our incidental interactions in a shop or on the street. There is something deeply dehumanising about it; it feels so unnatural not to hug or shake hands and to have to stand so far away from each other. I can only imagine what it was like for those who have died from COVID, isolated from their loved ones in their final moments. Even the doctors and nurses caring for COVID patients must do so from a safe distance. I find comfort in the fact that I believe it reveals an essential part of our humanity to connect with others.

I put on record my sincere thanks and support for those workers who could not work from home over these past months. Last week the House agreed to my motion acknowledging the timely International Hospital Cleaners Day that occurred on Monday. I also acknowledge our hospital cleaners, nurses, supermarket cashiers and shelf packers, school cleaners, childcare educators, bus, train and truck drivers and many, many more. Many of those

roles are not well paid but—and many of us had the luxury of working from home, which they did not—it is clear who the essential workers are that we need to keep our economy and our lives going.

#### DEPUTY PREMIER

**The Hon. MARK BANASIAK (15:22:24):** John Barilaro said to me in budget estimates last year:

No, it is not common practice, as you would be aware, of governments to support private members' bills. Definitely The Nationals will not be supporting a bill from the Shooters, which is really just a protest party that looks for opportunity.

That quote was in relation to my National Parks and Wildlife Amendment (Tree Thinning Operations) Bill 2019. If we are the party of opportunity, we thank The Nationals for every opportunity they have given us and continue to give us. They should also thank us. Although The Nationals do not support private members' bills, they certainly pinch them and dress them up as their own.

This morning I hear that John Barilaro is now talking about allowing landowners to have more access to national parks for fire reduction purposes—another Shooters, Fishers and Farmers Party policy that he slammed, did not support in the House and is now spruiking like a used car salesman. What exactly is the Deputy Premier doing? One day he is an expert in epidemiology, the next he is the unofficial spokesman for the National Rugby League. The Nationals' leader cannot come up with his own policies. I imagine the Shooters, Fishers and Farmers Party policy page online would be bookmarked as one of his favourites in Google.

The Deputy Premier has refined the art of always having something to say and doing nothing. He calls for the Powerhouse Museum to be scrapped, but votes with both hands in Cabinet. He claims that we can no longer stand by the current Murray Darling Basin Plan, only to have his party colleague and water Minister sign over even more New South Wales water rights to the Commonwealth. He acknowledges that the koala State environmental planning policy threatens farmers, landowners, developers and the timber and mining industries, yet under the fog of COVID-19 he signs-off on it.

Is it any wonder that this is the same leader that has presided over the loss of two seats to the Shooters, Fishers and Farmers Party, one to Labor and the consolidation of a third for the Shooters, Fishers and Farmers Party? This is certainly an accomplishment that would be very difficult to beat. He is one of a kind. Only a particular type of person can turn a catastrophic defeat into some sort of victory lap. Only a particular type of person can pull the wool over everybody's eyes for so long and get away with it. The Animal Justice Party must be champing at the bit to start an inquiry into animal cruelty in the lower House, because currently there is a monkey riding a brumby in there on a daily basis.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I remind members that they should refer to a member in the other place either by their electorate or, if they are a Minister, by reference to their title. A point of order on that was not taken last week, and I am not taking a point of order now, but there are some forms of the House that should be maintained.

#### GREAT WESTERN HIGHWAY

**The Hon. SHAYNE MALLARD (15:24:48):** It is timely that I speak shortly after the Hon. Sam Faraway spoke because I, too, am going to talk about roads—all roads to which he and I are closely connected. The Great Western Highway upgrade program proposes to deliver about 34 kilometres of a new four-lane divided highway between Katoomba and Lithgow. As I have said previously in the House, the New South Wales Government has committed to \$2.5 billion in funding for the initial planning and construction of the duplication of the highway. It is the final missing link to connect to the greater west of New South Wales.

I make specific reference to Blackheath—I spoke previously about Medlow Bath—as the route options through that village are much more complex. Blackheath is, instead, being treated as a separate strategic study area where Transport for NSW wants to work with the community to co-design the route options. Transport for NSW has officially launched the Blackheath Co-Design Committee. The 21-member committee had its first meeting on Wednesday 6 May 2020, joined by an independent facilitator and chaired by Transport for NSW, and the committee is currently meeting online due to the COVID-19 pandemic restrictions. The members of the committee, which include community representatives, were selected through an independent interview process. The purpose of the co-design committee is to facilitate a process which involves representatives of the community working collaboratively with Transport for NSW to refine potential route options through Blackheath for the highway upgrade.

The co-design committee provides a forum for discussion between Transport for NSW, the Blue Mountains City Council, local key stakeholders such as police and emergency services and property owners, and community representatives. The committee is not a decision-making body or a regulatory body; it performs an advisory and consultative role only. The final decision will be made by the State Government, with recommendations from the

committee contributing to the design-making and decision-making process. Preliminary investigations identified several broad options, and this important first stage of consultation has helped the project team to better understand community concerns and the potential impacts of these options.

The following options were discussed in the community engagement material: an option to duplicate the existing highway through the centre of Blackheath; an option to build an outer bypass with bridges across Shipley Road, Centennial Pass, Porters Pass track and over the rail line at the north; an option to build a bypass running next to the rail line, either at ground level or a cut-and-cover tunnel; and an option to build a long or short tunnel beneath Blackheath that would remove some long-distance traffic from the village centre. One option not on the table is to do nothing. The Great Western Highway upgrade is a much-needed missing link. The upgrade will save lives, improve travel times and reinforce the visitor and economic activity of the region.

The design committee is a consulting mechanism developed by professionals to take the political heat and game playing out of the process. That is why I am disappointed that local Labor is not showing any leadership and is, instead, politicising this upgrade and the co-design committee. Calling the committee a "puppet of Transport for NSW" and a "sham" is a farce. It is a truly disappointing lack of leadership from Labor in the area. I call upon Labor to get on board with this job-creating project.

#### **GOCUP ROAD AND SNOWY MOUNTAINS HIGHWAY INTERSECTION, TUMUT**

**The Hon. MICK VEITCH (15:27:49):** I would like to continue with the roads theme, which seems to have been the main topic of today's private members' statements—and rightly so. A number of members in the House would have heard me raise before the issue of the Gocup Road and Snowy Mountains Highway intersection in Tumut.

**The Hon. Penny Sharpe:** Many times.

**The Hon. MICK VEITCH:** Many times. Even at budget estimates it is a regular line of questioning of mine. I have been concerned about that intersection for quite some time. Going way back to when we were in government I have been waxing on about the fact that this intersection is a problem. As MPs, if we do something and then something bad occurs, we feel quite ill. I had a letter to the editor published about some safety enhancement works being undertaken at that intersection. I did not say that we should not be doing that; I supported the safety enhancement works, but I said that if we do not do more there will be some real issues at the intersection. The letter was published on the Friday and on the following weekend a young mother and her children had a horrific accident at that intersection. I felt quite ill when I was told, and my thoughts are with the families of the mother and the truck driver. The truck driver survived.

The people of Tumut are not saying, "Do not do the safety enhancements at this intersection", but a number of people in Tumut are saying that the intersection needs to be changed. The problem is this is an historic horse-and-cart arrangement that has been formalised over the years. There is a serious lack of vision coming from Gocup Road onto the Snowy Mountains Highway and, unfortunately, the line markings there erode very quickly. People do not know that in one direction there is a stop sign and in the other direction there is a give-way sign. It is quite confusing. Even locals avoid the intersection at times. The logging trucks that roar through there are also a problem. People have footage of near misses every day at this intersection. I say to the Government that whilst the safety enhancement works are welcome and appreciated, let us listen to the community.

A number of possible solutions to this intersection have been discussed by a number of people, including moving the intersection completely and providing a greenfield site for a new intersection. If we do not get this right, there will be further accidents at this intersection like the one we witnessed recently. Every member of the House is probably sick of hearing me talk about Gocup Road. I have said for a number of years, including when we were in government, that this intersection is a problem and that if we do not do something about it someone is going to be killed—and they were.

#### **UNIVERSITY OF NEWCASTLE**

**The Hon. TAYLOR MARTIN (15:30:57):** Earlier this month the 2021 QS World University Rankings were released. I am happy to share that my alma mater, the University of Newcastle, has climbed a further 10 places to sit among the world's top 200 universities. This is an important milestone that the university has been striving to achieve for a number of years. Since 2014, when the university was ranked 298, it has steadily improved its academic and employer reputation, faculty-to-student ratio, citations per faculty and international student ratio each and every year. The university has improved its overall ranking each year to achieve this latest result. The Vice-Chancellor of the University of Newcastle, Professor Alex Zelinsky, AO, said:

Our sector is facing a number of unprecedented external challenges and the University of Newcastle itself has dealt with bushfires, droughts as well as a pandemic affecting our students, staff and communities in the past year.

The move from 207 to 197 in 12 months reflects our unwavering focus on delivering inspiring and innovative teaching and learning programs for our students and leading critical research breakthroughs.

I congratulate the vice-chancellor, faculty, staff and students as well as the whole Hunter and Central Coast community for this result.

### *Motions*

## **PUBLIC MONUMENTS**

### **Debate resumed from an earlier hour.**

**The Hon. DON HARWIN (15:32:41):** I endorse this motion. I am delighted that the House has the opportunity to discuss our crucial history. As a nation we have done well with our history. Our cultural institutions can do much better. In fact, one of the reasons that the Standing Committee on Social Issues currently has a reference on the future of two of our cultural institutions is that our cultural institutions must pay much closer attention to our history. For example, international visitors who come to Sydney express their overwhelming disappointment that they do not get to know enough about our nearly 60,000 years of Indigenous history prior to European settlement. Frankly, none of our cultural institutions focuses as well as they should on Australian history. Why is this important?

I could not express it any better than Adam Lindsay, the executive director of both the State Archives and Records Authority and Sydney Living Museums. On social media over the weekend he said, "As public collections and cultural institutions are here for the public, the people that work for these institutions need to share their knowledge and expertise in a way that is accessible and in a form that excites. To this end, public cultural institutions are here to work through topics that are in the hearts and minds of the public, to encourage discourse and conversation about our past, present and future and to reflect and sometimes challenge perceptions, attitudes and beliefs."

I have a very strong view that upgrading the importance of history is an essential part of bringing together what sometimes seems to be a binary view on historical issues, which is very unhelpful and which is dubbed by many as the history wars. It is important to focus on these issues in this debate. I thank the Hon. Penny Sharpe for mentioning what I did at Calga—in fact there are five other places. Personally I have no problem with the amendment that the member has moved. It is incredibly important to work on Aboriginal cultural heritage. I agree with some of the comments Ben Wyatt made after the Western Australian experience. In fact I was trying to achieve exactly the same thing for Aboriginal cultural heritage here. It is important that Aboriginal-controlled organisations play a bigger role so that we have a better outcome on these issues.

**The Hon. ANTHONY D'ADAM (15:36:13):** If we are going to quote dead white men, I am going to quote Orwell, who said, "Those who control the present control the past and those who control the past control the future". Orwell knew the power of history and he knew that narrative justifies action in the present. I will draw a line of distinction. We have talked about history in this debate but we need to distinguish between events and history. Events occur but history is never objective. History is the product of authorship. In that sense, history is always a question of choices and it should always be something that is contested. The historian makes a choice to omit or to include particular facts or particular events and to interpret them.

When we come to the question of monuments, monuments are statements of values. They are a type of choice and a type of communication and they are always contextual. We have to think about monuments in the context that they were erected as well as for the values they represented and that the community sought to communicate at that time. But, of course, values change over time and context changes and we should re-evaluate the appropriateness of particular monuments. I take exception to the notion of thinking about the actions that have occurred in relation to monuments recently as some form of mindless vandalism. It is not mindless vandalism; it is a political statement and it is a form of protest. This is about dramatising the omission of certain facts in history, and that is a legitimate thing that should not be condemned outright. Ultimately, this action has produced appropriate debate that we should relish and welcome in a pluralist society about whether those monuments still represent the values of our community and the stories that we want to elevate and celebrate.

I also take issue with the question of unlawful action because law is socially constructed. Coming from the trade union movement, industrial action is characterised as unlawful but, in my view, it still remains legitimate. It is a form of protest and, of course, there are consequences for unlawful action. Those who break the law suffer the consequences but that does not necessarily mean that they do not have a point that should be validly made. The comparison with the civil rights movement is a valid one because the context has changed. The law-breaking of another time is something that we now celebrate, and we should view what has occurred in that context.

**The Hon. MARK LATHAM (15:39:27):** I support the motion and thank the Hon. Catherine Cusack for bringing it to the attention of the House. It has been a good debate with important points made. I acknowledge the

point made by the Hon. Anthony D'Adam that these statues are not just reflections of historical figures but acts of history. When leaders and societies decided at that time in history to build the statue and unveil it there was a historical context and a decision made that I think in itself should be honoured. I think all aspects of Australian history are fascinating.

I reject the notion of history wars, given that a figure normally associated with the Left, Manning Clarke, has reached some sort of broad consensus with an historian associated with the other side, Geoffrey Blainey. Members can read their books and think there is some form of genuine historical factual consensus that has been reached about our history. There are many glorious aspects of Indigenous history and some that are by today's standards intensely uncomfortable; so too of our history post-1788. However, just because we are uncomfortable with an aspect of history it does not mean that it needs to be torn down, that it needs to be defaced or destroyed. You can learn from all of those things—that is the whole point of studying history. History is not there to be glorified. It is to be analysed and to spread education and understanding of where we came from and perhaps where we are going for the future.

However, what I do reject in the comments of the honourable member is this notion of social construction. Ultimately, the postmodernist view that everything we know—all our history, our laws, everything we know about ourselves—has been socially constructed is a form of sneering at working people. To say that they have not got free-thinking agency to know who they are, to understand the facts of our history, that they have been mesmerised and hypnotised by the hegemony of the liberal democratic capitalist system: that is what postmodernism is all about. I reject it on that basis. People are smart. We live in a well-educated society compared to our predecessors. People can make up their own minds. Those who try to impose the false narrative of social construction do no service to the people they would otherwise purport to represent in this place. People can work out the facts for themselves. They can understand the comfortable, the glorious and the uncomfortable aspects of all our history going back 60,000 years.

Of course, to tear down the statues is wrong, because in its most damaging form it sends a message to young Indigenous people that this is what you do. The basic lesson of history—the most important lesson of history if you are interested in social justice—is that no group suffering poverty, no group entrenched in disadvantage has ever got out of those problems in an environment of chaos and lawlessness. It takes an element of stability, social opportunity and hard work to lift yourself out of those circumstances. That is what we should aim at. Encouraging young people to destroy statues is the very worst thing you can do in our society and it debases the argument about Indigenous advancement.

**The Hon. SAM FARRAWAY (15:42:34):** I speak in debate on this motion. As we have heard many members in this House express today, I feel strongly about our important monuments and statues in acknowledging our country's history. Obviously that includes the uncomfortable moments that have shaped who we are and the societies that we all live in. If I have learnt anything growing up and then running small businesses it was that the mistakes that you make along the way are always an opportunity to learn and move forward as a better person with knowledge not previously possessed. This ability to reflect helps us develop enough understanding of how and why figures in the past did something that you or I or any member in this House would not give a moment of thought today.

For example, you cannot learn about the United Nations and human rights without learning about the tragedies of the Second World War. There is a quote, "You can hide memories, but you can't erase the history that produced them." I think that this has become more and more relevant for us right here in New South Wales as the years go by. Across our great State there are statues, street names and plaques dedicated to those who walked before us. Some are sports stars, historical figures and even MPs, and I am sure many of them have interesting or what we would now consider controversial histories.

In the past we have seen monuments commemorating our Anzacs defaced, removed, vandalised—whatever you want to call it. It is totally unacceptable and ultimately against the law. I doubt that anyone in this Chamber or out the streets agrees with the concept of war or would enjoy the prospect of taking part in the horrific battles, torture and fear that war brings to society as a whole. Remembering times of war forces us to remember the sacrifices, the mateship, Simpson and his donkey, and the Unknown Soldier. These monuments force us to reflect on how lucky we are to stand here today as citizens of a free nation.

This ability to reflect is why it is important that we work together to preserve statues and monuments marking the history of our State and our nation. In order to not repeat the mistakes of the past it is important to remind ourselves what happened and why. You cannot deny that people like Captain Cook, Sir Richard Bourke, Captain Arthur Phillip and Lachlan Macquarie played important roles in the State's history and helped shape the events that have led us all here today. It is vital that we continue to have an open and frank discussion about the good, the bad and the ugly. We may all be looking at the same statue or watching the same television show but that does not mean that we are all thinking the same thing—nor should we have to. That is part of being an

Australian. We are one nation on one journey, made of many people but with one goal: to live a life without having to experience or see others experience the tortures of the past. I support the motion.

**The Hon. ROSE JACKSON (15:45:40):** The things that we commemorate, the history that we choose to celebrate, the motions that members move in this Chamber, the time that we spend in this Parliament: these things do have significance. Naturally, so too do the things that we do not commemorate, the history we choose not to talk about and how we do not choose to spend our time. I start by noting two contrasts. The first is the decision to spend time today debating this issue instead of spending that time discussing the state of the New South Wales economy—over 200,000 people out of work, an unemployment rate climbing to double digits, the State in a recession. The real threat to this State is not some immature kids taking petty action spray-painting a statue. The real threat to this State is economic collapse. That is the thing that we should be debating.

The second choice I highlight is the choice to debate this motion but fail to even give any mention, credence or platform to the preservation of Indigenous heritage sites. That is something that in a much more serious and direct way is under threat. That is something that we are literally seeing obliterated forever before our eyes. Those things are not being debated and discussed in this motion.

Like many previous speakers in this debate, I find the professional offence-takers on both sides of the debate really maddening. I think that the utter unbridled hysteria from people who would get as offended by *Gone with the Wind* as they would by someone spray-painting a statue does not actually help anyone. Thoughtful, serious debate about these things is exactly the type of stuff that is going to stop immature young people thinking that spray-painting a statue is the only way to get their point across. Obviously I disagree with that form of political expression. I understand that Parliament is the proper place to thoughtfully debate these things. Clearly those young people do not feel that they have a voice here. Without one Indigenous member in this entire Parliament it is not hard to see why they might feel like some form of action outside those democratic processes is the only way to have their voice heard.

There are a number of ways we can sensibly, thoughtfully have this debate. We can talk about new plaques. We can talk about moving statues to museums. We can talk about creating additional monuments. None of that is done with language about "vandals" and "anarchists" and assuming that we are all racist—that does not help. That is not a constructive contribution to this debate. If members were serious about supporting monuments then they would support the sculptures and the artists who have been devastated by the coronavirus. But this debate is not really about history; it is about political pointscore.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Before I call Reverend the Hon. Fred Nile, I remind Government members that they are not to interject. At least four members interjected during the Hon. Rose Jackson's contribution. There is no need.

**Reverend the Hon. FRED NILE (15:49:05):** I support the motion moved by the Hon. Catherine Cusack that acknowledges the importance of recognising all parts of our shared history. In part the motion states:

- (c) supports the preservation of the heritage of all New South Wales and Australian cultures for the future generations of our nation; and
- (d) condemns vandals who seek to erase our history by engaging in criminal acts to deface and destroy public monuments.

Yesterday I issued a statement in similar terms and stated my support for the Hon. Catherine Cusack's sentiments expressed in the motion. A previous speaker in the debate referred to the criticism of young people or teenagers vandalising statues, et cetera. I am sure that that member recognises that one of those people apprehended was a staff member of a member of Parliament, not a child but an adult. It is important to acknowledge the situation addressed by the motion. I support the motion.

**The Hon. JOHN GRAHAM (15:50:32):** I also would prefer to be debating jobs but I welcome the Hon. Catherine Cusack moving the motion. Certainly at my home the matter has been the subject of discussion around the kitchen table. One of the most offensive things that can be said in our house, which unfortunately often gets said elsewhere, is that history is boring. That generally evokes a strong reaction from around the table—certainly from the adults. But this topic has caught the attention of the kids and provoked a bit of discussion, which is welcome. There is a lot of anger in the debate on both sides of the Chamber. Given some of the facts of dispossession, deaths in custody and massacres—many of which are not marked around the State—I understand that anger.

I am much more a supporter of the politics of love. I would like to see, instead of things being torn down, the addition of more signs, more statues and more context, as my colleagues have argued for. That is what I would like to see. I mention some of my favourite statues, which are in Martin Place—the two statues of small children, *Youngsters* by Caroline Rothwell, which often catch our eye. That is a fantastic addition. I welcome the motion,

the debate and the challenge to the existing statues. This is an important discussion and it is good that we have spent time on it today.

**The Hon. CATHERINE CUSACK (15:52:04):** In reply: I thank the Hon. Penny Sharpe, the Hon. Scott Farlow, the Hon. Don Harwin, the Hon. Anthony D'Adam, the Hon. Mark Latham, the Hon. Sam Faraway, the Hon. Rose Jackson, Reverend the Hon. Fred Nile and the Hon. John Graham for their contributions to the debate. I request that the amendments moved by Labor be voted on seriatim. The Hon. Penny Sharpe spent much of her speech arguing that this motion is unimportant and questioning the accuracy of a quote. There was a lot of dithering about the source of the quote, a foreshadowed amendment in relation to it and, right at the end, the foreshadowed amendment was retracted. I believe that all members of this House are deeply respectful of Aboriginal and European heritage. If this is the Hon. Penny Sharpe that I know, I choose to believe that that approach and her contribution was not authored by her.

This is an incredibly serious issue. What concerns me is Labor's continuing calculation that vandalising statues that are iconic to European heritage is unimportant and beneath them to properly consider the significance and the views of ordinary Australians. In fact, it is very clear to me that Aboriginal people were not responsible for these criminal acts and I have never known Aboriginal people to say the sorts of things depicted or encourage those behaviours. The Aboriginal people I speak to are into reconciliation and negotiating a way in which we can all live and be happy together. They are not tearing down our heritage. They want us to respect their heritage. It is simply wrong for Labor to say that that is not embedded in the motion. It is also wrong for Labor members or any member to question Government members' commitment to Aboriginal heritage.

For more than a decade I have been advocating for a separate Act for Aboriginal heritage in this State. Members know that at a vulnerable moment in my career I stepped up to protect Aboriginal heritage in the Dharawal National Park. The Bowraville inquiry also was a moment when one steps up. To say that people like me do not care about Aboriginal people is not only grossly offensive but also inaccurate. It is all about falsely changing the narrative. I am sorry that The Greens have not contributed to the debate and were not even present in the Chamber for it. I note that The Greens are rarely in the Chamber these days. That really is just a piece of self-serving theatre.

I think the disdain for democracy displayed by the actions on the weekend—sneaking around in the dead of night to make it look like Aboriginal people did them to sow division—is disgusting. But for our outstanding police, they almost got away with it. All cultures deserve respect, especially our incredibly rich Aboriginal heritage. Vandalise one and you vandalise them all. I urge members to understand what is under attack and that what is needed is mutual cultural respect.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** To circumvent any other thing that might happen, I note the presence in the Chamber of Ms Abigail Boyd. The Hon. Catherine Cusack has moved a motion, to which the Hon. Penny Sharpe has moved two amendments. A request has been made that the questions be put seriatim. The question is that amendment No. 1 of the Hon. Penny Sharpe be agreed to.

**Amendment negatived.**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** The question is that amendment No. 2 of the Hon. Penny Sharpe be agreed to.

**Amendment agreed to.**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** The question is that the motion as amended be agreed to.

**Motion as amended agreed to.**

#### *Bills*

### **CONSTITUTION AMENDMENT (WATER ACCOUNTABILITY AND TRANSPARENCY) BILL 2020**

#### **Received**

**Bill received from the Legislative Assembly.**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** According to the resolution of the House of 16 June 2020, as the message on the bill has been received from the Legislative Assembly, the bill now stands referred to Portfolio Committee No. 4 - Industry for inquiry and report.

*Documents***DISABILITY ADVOCACY SERVICES****Production of Documents: Order**

**Ms ABIGAIL BOYD:** I move:

That private members' business item No. 554 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**Ms ABIGAIL BOYD (15:58:34):** I move:

- (1) That this House notes that:
  - (a) on 8 August 2019 this House called for the Government to ensure secure long-term funding for independent disability advocacy, information and peak representative organisations be provided as soon as possible;
  - (b) on 19 December 2019 the Ageing and Disability Commissioner in his report entitled *Review into Disability Advocacy in NSW* recommended "that the Government should provide a budget allocation of \$13 million for FY 2020-21, and \$14 million for FY 2021-22 ... \$15 million for FY 2022-23", noting that there was "a significant impact of no long-term, sustainable funding on the capacity of advocacy services, and ability for organisations to retain or upskill staff, evaluate programs and develop long-term working relationships";
  - (c) on 27 February 2020 this House called on the Government to provide certainty for independent disability advocacy services by publicly committing to adequately fund the sector on a long-term basis;
  - (d) independent disability advocacy organisations are still without secure long-term funding, with the Government currently agreeing to fund these organisations until the end of 2020 only; and
  - (e) the Minister for Families, Communities and Disability Services has failed to explain to the House or the community why secure long-term funding is still not being provided to independent disability advocacy organisations despite the motions passed by this House and despite the Ageing and Disability Commissioner's clear recommendations.
- (2) That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 31 March 2019 in the possession, custody or control of the Department of Communities and Justice, the Treasury, the Minister for Families, Communities and Disability Services or the Treasurer relating to the funding for independent disability advocacy services:
  - (a) all documents, correspondence, and phone records concerning the motions of the House passed on 8 August 2019 and 27 February 2020 in relation to the funding of independent disability advocacy services;
  - (b) all documents, correspondence and phone records concerning the recommendations provided in the Ageing and Disability Commissioner's report entitled *Review into Disability Advocacy in NSW*;
  - (c) all documents, correspondence and phone records concerning all government decisions to roll over or extend the funding for independent disability advocacy services; and
  - (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The reasons for this motion are clear on its face. I do not need to remind members of the history of this issue and of the repeated calls by this House for a response from Minister Ward to provide these organisations with the secure long-term funding they so desperately need and which the Ageing and Disability Commissioner has now recommended. But perhaps I do need to remind members of what is at stake here.

As confirmed by the commissioner, independent disability advocacy organisations are vital in improving the lives of the more than 1.3 million people in New South Wales with a disability—the vast majority of whom are not eligible for the NDIS—by working to protect people with a disability from abuse, neglect and exploitation. They have been doing this work for decades on a shoestring, powered on by their commitment to people with a disability and their determination to put them at the forefront of this Government's mind. Without funding certainty these organisations face significant stress in managing their operations. Will they need to move to cheaper premises? Will they be able to keep their staff? When they do not know how much they are going to receive or whether they will receive any funding at all past the end of the year, the individual stresses that places on these incredible advocates is onerous and deeply unfair.

These organisations have been asking for years now for a secure, long-term funding arrangement. They have spent significant time and effort lobbying the Minister for funding, time which could otherwise have been spent getting on with the actual work that people with a disability in this State sorely need them to do more of. They have received excuse after excuse—waiting until the Ageing and Disability Act is in place; waiting until the commissioner conducts his review; waiting until the Government responds to the commissioner's recommendations, whenever that might be—and the months tick on. The latest excuse is that the decisions on long-term funding that should have been made years ago have been delayed because this year's budget has been delayed, and that because of COVID the Minister has been busy.



Disability advocacy organisations and the people with a disability who rely on them have also been extremely busy throughout this period, with their workload significantly increasing, as they have not only helped the Government to identify gaps in its responses but also helped individuals to navigate the changing requirements that were not communicated with people with a disability in mind, that did not take into account their particular circumstances and that left them wondering, for instance, whether they would get arrested because the police would not accept that they were involved in exercise when leaving their house in a wheelchair to get some fresh air. Yet every few months or so this Government throws them another crumb—another commitment to extend their funding for three or maybe six months more. This is a situation that cannot continue. We must give these organisations certainty and if the Government cannot do that it needs to take a very good look at the way it manages its finances. I commend the motion to the House.

**The Hon. PENNY SHARPE (16:02:01):** Labor will support this call for papers in relation to disability advocacy. I will not go through in detail all of the issues around disability advocacy and the lack of funding in New South Wales; it has been canvassed a lot in this House and is also set out in the motion by Ms Boyd. The Government has a decision to make. Is the Government going to let these organisations, which are often the only voice that people with disability have, advocate for their individual and systemic needs or not? This constant giving of a little bit of money to get the Government out of a tight political spot for the next six months will not sort out the issue.

We spent a lot of time in this Chamber talking about the establishment of the office of the Ageing and Disability Commissioner. One of the first jobs that this House made the commissioner do was to undertake a review of disability advocacy, and he did a very good job. The commissioner made a very good report that dealt with many of the issues that Ministers and others privately acknowledge whenever they make excuses about why they do not want to do things or when they whisper in corridors about why they cannot do this and how the organisations are not doing what they say they are going to do. The review is done and Rob Fitzgerald, who is a very professional, skilled and experienced person in these matters, gave a report. This Government has treated that report with contempt. All the Government has done is to basically guarantee funding for disability organisations until the end of this year.

I make the point that in relation to the disability advocacy issue generally we need to remember that now that the NDIS exists in New South Wales—about which we are all very happy and which has made a big difference to many, many people's lives—less than 10 per cent of people get support from the National Disability Insurance Agency. The idea that somehow the State has no role in relation to disability and disability inclusion and that it is all a matter that we shift off to the Feds has to stop. New South Wales has a role in disability inclusion. We have to make sure that all of our services are accessible and are able to do what they are supposed to do. We rely on disability organisations to give us advice and to engage in interminable numbers of meetings and consultations—whether they are heard or not we will continue to debate for a long time. It is time for the Government to put up or shut up when it comes to disability advocacy funding. If the Government is not going to fund these organisations anymore, it should tell the truth. In the meantime, give us the papers. We urge the Government to sort this out in the budget in October.

**The Hon. MARK LATHAM (16:04:53):** There is no more genuine and impressive advocate for people with a disability than the Hon. Penny Sharpe, but I think in these debates from time to time a discordant voice is perhaps important. I look at the motion and I think there is a problem right across the advocacy sector. It speaks of independent disability advocacy groups. How independent can any group be if it is funded by government? It seems to me the most powerful advocacy in a democracy is those who do not rely on government funding and who speak with absolute frankness, without fear of losing the support of the government that might cut them right off. Unfortunately, and I think this ultimately comes at the expense of funding services for people with a disability, there is a tendency in modern government for the government to fund advocacy groups to make it look like it is caring, knowing that it can cut them off—as the Hon. Mick Veitch says, quite possibly not caring at all. The advocacy groups grow in number and the amount of funding that goes into them grows. Meanwhile, there is still the shortage of real-life disability services that make a tangible, positive difference.

I know this motion will go through, but perhaps we all need to rethink the paradigm here, where these groups are not truly independent, where government can do this as some sort of political strategy, and they become one big committee that moves from meeting to meeting in a minibus. You have too many meetings, too much advocacy and not enough outcomes. So I am sceptical about this. I note that the Minister, Gareth Ward, himself from a background of disability, would be open to people coming to talk to him about particular needs—I hope he would be open. I have had discussions with him; I take him at face value. I think he is a good man and a pretty good Minister—not necessarily always cut from my political beliefs, but in this particular area I believe he does a pretty good job and we should give him a fair crack at it.

I know the motion will go through, but for those who support this endless series of so-called independent advocacy groups, I would just argue that their independence obviously cannot stand if they are part of the State machine and they are part of State funding. You can have too many of these groups. Surely the first priority is to get the money out to the people who need it on the frontline services.

**The Hon. NATASHA MACLAREN-JONES (16:07:20):** The Government opposes the motion that has been put forward by Ms Boyd. I have been advised that Minister Ward and his department have been in constant contact with the advocacy sector over the past few months to ensure that it is both supported and protected during COVID-19. It is disappointing that Ms Boyd is using the time in this Chamber to debate this motion and, more importantly, she is taking the focus away from what is important. I have been further advised that the Government has been engaged and has been transparent with both the advocacy sector and the shadow Minister since this report has been handed down in Parliament. In fact, Minister Ward is very open to the opportunity to discuss this matter further with Ms Boyd.

This is just a fishing expedition by a member who has not asked for a meeting with the Minister on this matter, nor has she tried to have an open dialogue with the Government. The scope of this order is excessively broad and the facts of this matter have been repeatedly presented to this House. The fact is that this is another call for papers under Standing Order 52 that is going to waste valuable resources of the department, which should be focused on other matters. Since the Ageing and Disability Commissioner's report into disability advocacy funding in 2019, Minister Ward advised the Parliament that he has met on multiple occasions with disability advocates, funding organisations and people with disability to discuss the report and to reaffirm the Government's commitment to disability advocacy.

It might surprise Ms Boyd to learn that the Minister and the Department of Communities and Justice are in regular contact with funded disability advocacy organisations. For instance, I am advised that Minister Ward has written to all funded agencies to inform them of this extension of funding through to the end of 2020. The response to this report is being considered as part of the Government's budget process. Our resources must be focused on working closely with the advocacy sector as well as with the Commonwealth Government to deliver the best outcomes for people with disability. Therefore, the Government will not be supporting this motion but we will not be dividing on it.

**Ms ABIGAIL BOYD (16:09:27):** In reply: I thank the Hon. Penny Sharpe for her contribution, for her continued support and advocacy on this issue and for putting the arguments in favour of this motion so clearly. I also thank the Hon. Mark Latham for his contribution. I agree with some aspects of it, particularly in relation to the potential inefficiencies that arise when you have organisations that are funded by the Government spending a significant amount of their time having to beg the Government for their continued operation. That needs to change.

In relation to the contribution from the Hon. Natasha Maclaren-Jones, which I thank her for, her advice from Minister Ward's office about his performance in the role does not accord with the performance review given by the sector and it does not align with those statements. There is not adequate consultation and there is not transparency. Writing a letter to somebody a month or so after they have written to you is not consultation. I spoke with the Minister this morning and we could not agree on this issue. It is incorrect to say that we have not spoken when we have. I am left with no choice but to continue with this motion and I told the Minister that this morning.

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

**Motion agreed to.**

## **RECREATIONAL FISHING TRUST FUND**

### **Production of Documents: Order**

**The Hon. MARK BANASIAK:** I move:

That private members' business item No. 306 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. MARK BANASIAK (16:12:19):** I seek leave to amend private members' business item No. 306 outside the order of precedence for today of which I have given notice by inserting in paragraph (1) "and Regional NSW" after "Environment".

**Leave granted.**

**The Hon. MARK BANASIAK:** Accordingly, I move:

- (1) That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents in the possession, custody or control of the Department of Planning, Industry and Environment and Regional NSW:
  - (a) any documents which disclose:
    - (i) the costs related to the saltwater access officer project funded under the Recreational Fishing Trusts Investment Plan 2015-16 and 2017-18;
    - (ii) the travel, consumable and operational costs funded under the Recreational Fishing Trusts Investment Plan 2015-16 and 2017-18, for each financial year covered by the plan; and
    - (iii) details of the personnel, including employment start and finish dates, funded under the Recreational Fishing Trusts Investment Plan 2015-16 and 2017-18, for each financial year covered by the plan.
  - (b) all correspondence created between 30 July 2017 and 17 August 2019 between the Department of Primary Industries staff and Darren Gardner and Joanne Craft from Manage Meant relating to piers 1, 2, 3, 4, 6, 7, 8 and 9 at Walsh Bay;
  - (c) all Ministerial briefs, briefing notes or meeting minutes created between 30 July 2017 and 17 August 2019 relating to tenancy, allowed activities and fishing ban at piers 1, 2, 3, 4, 6, 7, 8 and 9 Walsh Bay, Sydney Harbour wharves;
  - (d) all documents relating to the advice prepared by the Department of Primary Industries which informed the fishing ban at Barangaroo Reserve as cited in *The Sydney Morning Herald* article of 31 October 2015 which stated, "the fishing ban was based on advice from the NSW Department of Primary Industries not to consume fish caught west of the Harbour Bridge"; and
  - (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This order for the production of documents under Standing Order 52 is important because there is no trust in the Recreational Fishing Trust Fund. The intention or vision for this fund, as the Department of Primary Industries [DPI] calls it, is to deliver a wide range of programs to boost recreational fishing opportunities in New South Wales. The Government justified the implementation of the recreational fishing fee to recreational fishos by telling them the money they paid will go into this trust fund and will subsequently be spent on improving resources. For years—around 19 years, actually—shareholders and participants in the recreational fishing industry have questioned the return on that investment. They question the accountability of the trust, its transparency of reporting and the performance of that investment.

The trusts are not independently audited, and the disclosure of the investments is a snapshot at best. In fact, the past few years were missing from the website until I asked a question in this House in October last year. Until then we had not seen a published list of expenditure since 2011. Now that we have them we can see why they were withheld. "Jobs for the boys" is at it again with large sums being shifted through these funds. Almost 50 per cent of the funds have gone on costs for employment within DPI with no accountability. For example, how did these employees of DPI return a benefit to the recreational fishermen of New South Wales? We know through a request under the Government Information (Public Access) Act [GIPAA] that administrative fees have blown out to the point that they consume the majority of funds.

The original intent of these trust funds was that they would only take a small 10 per cent towards administrative fees. That now sits at around 70 per cent. This is far too much when you consider the return that our recreational fishermen get from that fund. These trusts have become cash sea cows for the Government, a private play fund paid for by salt-of-the-earth fishos. The only results these fishos see are their access rights being removed by the chardonnay-sipping elites who pull the strings of the Government, which prioritises multimillion dollar apartments in places like Barangaroo and Walsh Bay. These fishermen existed long before the gentrification of these waterside properties. Now, through their own licensing fees, they are having their rights removed and are victims of an inner class war.

It is clear that these trust funds are no longer delivering on their intended outcomes, which is why I have called for these papers. Again I demand that transparency should go hand in hand with this Government. My Fishing Legislation Amendment (Right to Fish) Bill 2019 would deliver proper auditing and transparency, which will negate the necessity of another order for papers under Standing Order 52. I commend the motion to the House.

**The Hon. MICK VEITCH (16:14:55):** When I was the shadow Minister for Primary Industries for four years I spent a fair bit of time trawling through, as the honourable member said, the matters relating to local trusts and recreational fishing trusts. It would be true to say that recreational fishers across the State, both freshwater and saltwater, have a real problem with the way in which this trust operates. Their licence fees, their hard-earned cash, goes into this trust and it is meant to fund projects to the benefit of recreational fishers across the State. I have put in a number of Government Information (Public Access) Act [GIPAA] requests around this particular trust to try to get to the bottom of it. I should probably put in a GIPAA request to see how much ink is used by the Department of Primary Industries to black out the GIPAA requests, because it is heavily redacted. That tells me there is actually something wrong here.

People are being paid out of the trust who, in my view, should be funded by the department. We are moving hard-earned fishing fees away from worthy recreational fishing projects to fund people in the department who should be paid for by taxpayers, not by recreational fishing licences. At budget estimates I prosecuted this case. The honourable member has been there, he has listened to me and guess what? The department does not deny that it is doing this—the issue is how long it has been doing this for. This money should go towards fishing projects. It may go to fish-cleaning tables—I do not even mind if it goes to boat ramps—but this is money from fishing licences that was originally meant for restocking and for a range of other fishing enhancements for recreational fishers in the State.

This order for the production of documents under Standing Order 52 may actually lift the redacted ink from some of my GIPAA requests. It might actually show me what I was not allowed to see via the GIPAA request process. I commend the honourable member for bringing this order for papers motion to the House. There is a degree of secrecy around the recreational fishing trusts and it needs to have a light shone upon it. Recreational fishers will tell you that they actually do not know how the trust is audited, whether or not the accounts are properly audited or whether they are audited in accord with the requirements of a government-held trust. We support this Standing Order 52 request. I look forward to reading the documents and I look forward to finding out what was redacted from my GIPAA requests. Labor will be supporting the motion.

**Mr JUSTIN FIELD (16:17:40):** I support this call for papers under Standing Order 52. This has been an area of interest for me for some time, though I come at it from a slightly different angle to the honourable member, as I am sure he would agree. Whilst I concur with the concerns raised by him and by the Hon. Mick Veitch about the transparency of the trust, I think it is useful for members to know before they vote on it—and I encourage them to support this—that quite a significant amount of money is spent directly to benefit recreational fishers. It is useful for members to know what we are talking about. Last year over \$3 million was allocated for artificial reefs around the State, in particular at Merimbula, Newcastle and Wollongong. Of course, these artificial reefs do not create a great deal of additional biomass in the water. They tend to attract fish and make them easier for fishermen to catch.

There is an important reason that we look at the expenditure of this fund, and that is because we need to think about the long-term future of recreational fishing. At its core it is about protecting habitat and ensuring that we have healthy waters—both the waters of the inshore environment and the estuaries that support fishing there. Ultimately, you need fish to fish. I will look at these documents when they come back. I want to make sure that the money is being spent in a way that ensures the future of recreational fishing, and not just short-term additional benefits for recreational fishing licence holders. I think that is in the short-term interests of recreational fishers, not their long-term interests. I am not a recreational fishing licence holder. Some of the other expenditure devices include fishing aggregation devices, other ways to attract fish from the ocean and make them easier to catch, and game fish tagging programs. There is quite bit of money going into stocking both for coastal and freshwater species.

One of the other areas where money is spent is on access infrastructure, including boat ramps and the like. Clearly a lot of money is being spent on infrastructure and support for recreational fishers. Most of it is targeted at making it easier for them to do their job. I quite enjoy the challenge of recreational fishing. I do not mind that it is a hard thing. It is hard to get out there and hard to access. There is a bit of a challenge in it. It seems to me, though, that a lot of the expenditure here is really going on making it easier. Maybe fishing is getting a bit too easy. I do look forward to seeing this information, seeing the benefits that accrue to recreational fishing licence holders and seeing how much of that is going to the long-term future of healthy, sustainable marine environments for all users of that environment, including fishers.

**Ms CATE FAEHRMANN (16:20:35):** On behalf of The Greens I also support this call for papers, really in a spirit of supporting calls in this place for greater transparency. In his contribution the Hon. Mick Veitch stated that he has in fact been trying to receive information that is largely redacted. That is just not good enough. When we look at the history of the fishing licence fee and the reason why it was brought in, I think it is incredibly important that members in this place and members of the public, including recreational fishers—those who pay the licence fee—are able to see that their money is being spent effectively.

It is worth remembering the history of the recreational fishing licence and why it came into being back in 2000-01. This was when that fantastic—not really so fantastic—Labor Party fisheries Minister Eddie Obeid was the Minister. He introduced that licence fee largely to be able to buy back some of the commercial fishing ground, so to speak, to make some areas of the State "waters of the State" for recreational fishing zones in those areas that are popular with anglers. At the time Minister Obeid stated:

... our fish belong to the whole community and the recreational fishing fee will help ensure the sustainability of this tremendous resource for future generations ...

All money from the fee will go into a trust to improve recreational fishing. This includes a commitment to create recreational fishing areas along the State's coastline ...

It is very important that the public knows whether all of that money is indeed going towards that. The influence of some members of the recreational fishing lobby—and potentially the member who has moved this motion—on the Government in terms of its revoking sanctuary zones and allowing more fishing in sanctuary zones is really to the detriment of recreational fishing overall. We need to be extremely careful in this place that calls for papers go towards the object of making sure that the Government is as transparent as it can be. I believe that is what this motion does. That is why The Greens support this motion.

**The Hon. NATASHA MACLAREN-JONES (16:23:31):** I will not speak for long on this motion. The Government does not oppose the motion.

**The Hon. MARK BANASIAK (16:23:47):** In reply: I thank the Hon. Mick Veitch, Mr Justin Field, Ms Cate Faehrmann and the Hon. Natasha Maclaren-Jones for their contributions to this debate. I acknowledge the different views as to why certain members are supporting this call for papers. I say to those members who do have a different view that the concerns about habitat protection and habitat development are of equal concern to recreational fishers, because obviously it is of benefit to them that there are fish for them to fish for into the future. Once again I comment the motion to the House.

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

**Motion agreed to.**

#### *Motions*

#### **DEATHS IN CUSTODY**

**The Hon. ROD ROBERTS:** I move:

That private members' business item No. 557 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. ROD ROBERTS (16:25:30):** I move:

That this House notes that:

- (a) the truth matters;
- (b) in New South Wales between 1995 and 2019 there were 923 deaths in custody, including 112 deaths of Aboriginal persons;
- (c) only 12 per cent of deaths in custody between 1995 and 2019 are attributed to Aboriginal persons;
- (d) death by natural causes contributed to approximately 50 to 60 per cent of all deaths in custody;
- (e) death at the hands of other inmates (homicide), suicides and drug overdoses are recorded as deaths in custody;
- (f) deaths as a result of police operations are classified as deaths in custody, that is, offenders who crash a motor vehicle and die whilst trying to evade, or die as a result of a jump or fall whilst decamping from police; and
- (g) all deaths in custody are thoroughly investigated by the State Coroner.

The motion I move today is about the truth. It is devoid of rhetoric, spin, opinion, interpretation or political ideology. It is not designed to incite or inflame what is already a very emotive subject matter. The purpose of this motion is to inform and add balance to the argument. How is this done? It is done by providing facts and evidence, and only facts and evidence. I implore members of this House to read carefully the words of the motion, for it is those words that we will be debating. I have very carefully and selectively chosen those words. As I said previously, I do not set out with the intention to inflame or cause division. The motion does not call for members to state a position in the Black Lives Matter debate. It does not ask, "What camp are you in?" It simply states the facts. Yesterday in addressing this Chamber on another matter the Hon. Damian Tudehope stated:

When wrongdoing is done it should be called out, and any failure to do so is a failure to uphold our responsibilities as members.

Not only should we call out wrongdoing, but it is also incumbent upon us to call out misinformation. Whether that misinformation is espoused intentionally or by mistake and misunderstanding is a discussion for another time. This motion sets out to right that misinformation by providing facts and evidence. I know that we cannot use props in this Chamber, but I wish I could to emphasise my point on misinformation. The vast majority of members have probably seen some graffiti on a wall in Macquarie Street that has been added in the last couple of days and was in fact still there at 11 o'clock this morning. It is right opposite the pedestrian crossing from Martin Place. That graffiti states, "434 Aboriginal deaths in police custody since 1991 royal commission. Zero convictions. End police racism and brutality."

I can see how an ill-informed member of the general public would find this confronting and alarming, but it is just not true. We know, and I will confirm, that over half the deaths in custody are from natural causes and have nothing to do with alleged police racism or brutality. Of course, the overwhelming majority of these deaths occur in correctional facilities way removed from the police. This is the type of misinformation and rhetoric that this motion sets out to dispel. Yesterday in a debate in this Chamber the Hon. Adam Searle, Leader of the Opposition, stated, *inter alia*, it was:

... a cheapening and a distraction of a proper debate around those issues to attack or to deface public property ... He was talking about that particular matter that members discussed yesterday. I suggest it is a cheapening and a distraction of a proper debate around the issue to not acknowledge the true facts and statistics. Statistics is a mathematical science of the collection, analysis and presentation of data. Statistics are used for making informed decisions. Quite often in this Chamber we hear cries of "climate denier" and "follow the science". I proffer the same argument. Do not be a denier and follow the science of statistics; know the facts. Because when we are ignorant we leave ourselves open to manipulation. In this Chamber we should always search for the truth.

What is a death in custody? Let me explain it to the House. It has been agreed by all mainland State and Territory governments in their response to the recommendations of the Royal Commission of Inquiry into Aboriginal Deaths in Custody that the definition of a "death in custody" should at least include the death wherever occurring of a person who is in prison custody, police custody, detention as a juvenile or detention pursuant to the Commonwealth Migration Act 1958; the death wherever occurring of a person whose death is caused or contributed to by traumatic injuries sustained or by lack of proper care while in such custody or detention; the death wherever occurring of a person who died or is fatally injured in the process of the police or prison officers attempting to detain that person; and the death wherever occurring of a person who died or is fatally injured in the process of that person escaping or attempting to escape from prison custody or police custody or juvenile detention. [*Time expired.*]

**The Hon. JOHN GRAHAM (16:31:16):** I speak on behalf of the Labor Opposition in this debate. I thank the Hon. Rod Roberts for his speech. As I said in a previous debate today, these are emotional issues. Given the history, I understand why. I recognise, though, that it is helpful to ground the debate in facts. The approach adopted by the Hon. Rod Roberts is welcomed. I foreshadow that the Opposition will move an amendment to the motion that will add three new facts and two statements which the Opposition believes reflect the views of, hopefully, all members of the House. I move:

That the question be amended as follows:

- (1) Insert the following new paragraph before paragraph (a):
  - (a) The overrepresentation of Aboriginal people in custody is a national tragedy,
- (2) Insert the following new paragraphs after paragraph (a):
  - (b) in the quarter to March 2020, 31 per cent of new prisoners were Indigenous while making up only 3 per cent of the State's population,
  - (c) the number of ATSI women in New South Wales gaols between March 2013 and June 2019 has risen by 33 per cent to 946,
  - (d) 29 per cent of the total prison population are Aboriginal, despite being only 3 per cent of the State's population,
- (3) Insert the following new paragraph after paragraph (g):
  - (h) that recommendations of the Royal Commission into Aboriginal Deaths in Custody are implemented and regularly reviewed.

I have moved the amendment to add some facts to the facts already brought to the table by the Hon. Rod Roberts but also to make clear what I think is the view of this Chamber: That we believe that the over-representation is a national tragedy and we believe that the recommendations of the royal commission should be regularly reviewed. Following discussion, I am hopeful that the amendment may prove acceptable. For the information of members, I will indicate that the facts that form the basis of the amendment are drawn variously from the Australian Bureau of Statistics March quarter 2020 and from the Bureau of Crime Statistics and Research. Finally I must say that we just have to do better in this area. I think that is the view of all members of this House. These are emotional issues and the discussion is best based on fact. The issues are not confined to the United States. They confront us here. We must face up to them. We are best to do that with the cold facts in front of us as we strive to tackle these issues as a State and as a nation.

**The Hon. NATALIE WARD (16:34:11):** I support the motion and thank the Hon. Rod Roberts for bringing the matter to the attention of the House. The over-representation of Aboriginal people in the criminal justice system is a national tragedy for which there is no simple solution. In New South Wales Indigenous people make up approximately 3 per cent of the population but approximately one-quarter of the adult prison population. This tragedy is not confined to New South Wales. In every State or Territory Aboriginal people continue to be

over-represented in the criminal justice system. It is the responsibility of all governments and all Australians to reduce this over-representation.

The New South Wales Government is committed to reducing over-representation. As a Parliamentary Secretary but also as an advocate in this area who truly believes in these approaches, I will outline some of the Government's current initiatives, which include investing \$330 million to reduce reoffending as well as reforms to sentencing, parole and driver licence disqualification. To track those programs and initiatives, the Department of Communities and Justice has developed an Aboriginal Justice dashboard, which monitors trends and provides a clearer understanding of Aboriginal people's involvement in the criminal justice system to inform the additional targeted interventions. A Government initiative that is particularly close to my heart is expanding the Youth Koori Court to provide early intervention to help Aboriginal and Torres Strait Islander children get back on the right path and hopefully avoid our criminal justice system. Other Government initiatives include breaking down barriers between Aboriginal people and the justice system in local courts in rural, regional and metropolitan areas through the circle sentencing program.

After receiving the Bureau of Crime Statistics and Research recent evaluation demonstrating the important role this program plays in reducing imprisonment and reoffending of Aboriginal people in New South Wales, the Attorney General requested a briefing from his department on how New South Wales can continue to support this program, including its potential expansion. The briefing suggested having Aboriginal Client & Community Support Officers in court to assist defendants and victims understand processes and outcomes, such as bail conditions, and promoting the What's Your Plan? program, which is designed to increase compliance with apprehended domestic violence orders and is now operating at 50 New South Wales courts.

Just this week the Minister for Indigenous Australians, the Hon. Ken Wyatt, MP, wrote to the Attorney General to inform him that the Commonwealth Government will continue to fund the Custody Notification Service over the next three years. That notification service is a 24-hour welfare and legal advice phone line for Aboriginal or Torres Strait Islander people who are taken into police custody. The Custody Notification Service is provided by the Aboriginal Legal Service and was established in 2000 following recommendations of the Royal Commission of Inquiry into Aboriginal Deaths in Custody in 1991. The service provides Aboriginal and Torres Strait Islander people with access to on-call solicitors, ensuring that they are able to obtain early legal advice. Those solicitors also conduct welfare checks on Aboriginal or Torres Strait Islander people who are in custody. The service fields more than 15,000 calls a year. I am pleased to support the motion and indicate that the Government will support the Opposition's amendment.

**Mr DAVID SHOEBRIDGE (16:37:15):** Today we have before us a motion that seeks to deny the appalling high rate at which Aboriginal people are killed in custody. The mover of the motion claims facts are important, so let us note that Aboriginal people die in custody at well over four times the rate of non-Aboriginal people. The mover is seeking to tell us that that is okay. I will tell the House about what can be found in *The Guardian* "Deaths inside" project, which provides details of those who have died in custody since 2008. It shows a justice system that has a significant over-representation of Aboriginal people but does not take sufficient care to ensure that they are safe. Members may know many of the names on the list: Aunty Tanya Day, Miss Dhu, David Dungay and Tane Chatfield. These were cases in which medical care was not given, like when RB was in his cell and called for assistance on the cell alarm system. The system was not working, assistance was not provided and he died from heart failure.

In some instances it is the arrest itself that causes the harm. Cherdeena Wynne died in hospital five days after she became unresponsive following being handcuffed by police on a side street off the Albany Highway. Her family said she was arrested as a result of mistaken identity. In many cases it is the police chase that causes harm. It is clear that so many Aboriginal people are so scared of the police that they literally risk their lives to get away. This is intimately connected to the video we saw recently. The Commissioner of Police thinks that young people should be a little bit afraid of police. These young people are afraid of the police and for very good reason. When 16-year-old CD and his 17-year-old best friend TS were chased by the police, they ran into the Swan River in Perth where they both drowned. The police started the chase following reports of teenagers jumping fences. We know what happened to Thomas "TJ" Hickey. Thirty-one-year-old Patrick Fisher was so afraid of being bashed by the police that he fell from a thirteenth floor balcony in Waterloo.

Many of those who died were actually seeking help or had family who called the police because they were worried about them. LV went to a hospital seeking help and asking to be admitted because he was hearing voices. He was restrained by eight hospital staff and four police officers, injected with a sedative and then went into respiratory failure. Once in custody, prison and prison cells are still risky, with hanging points still not removed decades after the recommendations from the royal commission. Thirty-one-year-old VB hanged himself from a ceiling fan in a shared cell at Darwin Correctional Centre. It was the second suicide involving overhead ceiling fans at the same prison in just 12 months.

Rebecca Maher died in so-called protective custody after being left alone in her cell for more than four hours. The Coroner found that if an ambulance had been called her life would have been saved. Every single contact with the justice system is dangerous for Aboriginal people, and it is not an accident. Once is an accident; 430-odd is murder by the justice system, and the Royal Commission into Aboriginal Deaths in Custody found that the over-representation of Aboriginal people was systemic, and it has got worse since. The bottom line is that steps that make the justice system safer and fairer for First Nation people will make it safe for everyone. The member opposite only raises the concern about prisoners in custody when he wants to minimise the needs of First Nation people. [*Time expired.*]

**The Hon. MARK LATHAM (16:40:31):** Other speakers have outlined the tragedy of Indigenous disadvantage in Australia and I know that every member here would dedicate themselves to trying to overcome that, but we also need to understand the misrepresentation that is at play. The basic truth of the prison system in Australia is that poor people are massively over-represented. Poverty is the problem for people who get desperate, who think there is some easy, illegal way of getting out of their difficulties—financial, social or emotional—and poor people break the law in far greater proportion. I have always maintained that the answer to this problem is not identity politics—judging people by their race or their skin colour—but a true national effort to eradicate poverty, because the sorts of stories that we have heard from Mr David Shoebridge could be repeated for people of a different skin colour.

When you are poor and you are desperate and you break the law, I am sure that the police in this country do not discriminate on the basis of skin colour. What we have in this country is a massive problem of socio-economic disadvantage that needs to be solved. If we can lift up Indigenous and non-Indigenous poor people, what a magnificent service to our nation that would be. I have always thought that that is the true purpose of social justice. But, ultimately, the Shoebridge position is a slur on prison officers and police officers—very often people from working-class backgrounds who have signed up to the noble cause of protecting society and the vulnerable. If we look at arrests in the Indigenous community, very often it is to protect Indigenous people from harm; that is the sad story of the statistical data. This slur on prison officers and police officers, saying that they are murderers—completely unsupported by the findings of the Australian Institute of Criminology and completely unsupported by the findings of coronial reports around the country—is very unfair.

What we get from Mr Shoebridge is an intense, passionate dislike of authority. That can be a political view that some sustain, but Mr Shoebridge takes it a step further into a paranoid hatred of police and prison officers. To say these people are murderers, to fit them up and to put this slur about publicly, without evidence at all is grossly unfair and improper. I congratulate my colleague the Hon. Rod Roberts on bringing forward the data that is supported by the Institute of Criminology and by coronial finding after coronial finding. The pits of the Shoebridge approach is the misrepresentation of what happened to David Dungay. In her report Deputy State Coroner Lee finds that he died in the mental health wing of Long Bay Hospital from, essentially, heart failure. In her report the only adverse comment of those involved was made by the nurse, not by the prison officers. Let us attend to the facts and have a genuine outlet. Instead of hating the police, let us support the Indigenous.

**The Hon. CATHERINE CUSACK (16:43:32):** I thank the Hon. Rod Roberts for moving this motion. I note that the first sentence of the motion says "the truth matters". The Greens are going to vote against a motion that says that the truth matters. Quite frankly, that says it all about the way in which the issue is being exploited and politicised. I thank the honourable member for moving this motion, which simply asks us to consider these difficult, important and tragic issues in the context of the facts. We want to consider climate change, and I beg people to look at the science and consider the facts. As a Liberal, I take the same approach to this issue. That is all the member is asking for in this motion, not the politics and the hysteria. Let us be upset about the things we need to be upset about. Let us focus laser-like on this. This mess that is being perpetrated at the moment is unhelpful to Aboriginal people and to the people on the front line who are trying to save lives and improve the situation. It is a smear, as the mover of the motion has described, and I endorse that 100 per cent.

This has all been triggered, of course, by events in the United States of America. The footage of what happened to George Floyd is horrific. It is unthinkable that that could occur in Australia, and thank God we live in this country, but I point out that the same police force in Minneapolis also killed Justine Damond, a resident of the northern beaches of New South Wales. I just make the point that all lives matter in custody, all lives are important. For Aboriginal people in custody there are very special and specific issues that need to be addressed and I believe that governments of all persuasions have spent a lot of money, time and effort trying to address those issues. One thing that should have particular attention is why are there so many Aboriginal people in custody?

The Hon. Mark Latham has absolutely nailed it in his contribution: poor people and disadvantaged people are disproportionately represented. That is the social situation in this country. We need to lift people up and we need to pay attention to the fact that when you put an Aboriginal person in custody, there are extra special risks associated with their cultural issues which need to be respected and very carefully attended to. After the royal



commission it was the job of the Attorney General of New South Wales to annually report to this Parliament the response of all agencies—not just the justice agencies but also the social welfare agencies. Everyone had to report through the Attorney General. That was abruptly stopped. [*Time expired.*]

**Reverend the Hon. FRED NILE (16:46:45):** I support private members' business item No. 557 outside the order of precedence moved by the Hon. Rod Roberts. He has helped educate us with a number of facts in that motion. Paragraph (b) of it reads, "In New South Wales between 1995 and 2019 there were 923 deaths in custody." Those figures are often quoted but the member has shown that that includes 112 deaths of Aboriginal persons. The motion continues:

- (c) only 12 per cent of deaths in custody between 1995 and 2019 are attributed to Aboriginal persons;
- (d) death by natural causes contributed to approximately 50 to 60 per cent of all deaths in custody;
- (e) death at the hands of other inmates (homicide), suicides and drug overdoses are recorded as deaths in custody;

So the term "deaths in custody" leads to this exaggeration of figures. The motion concludes:

- (f) deaths as a result of police operations are classified also as deaths in custody, that is, offenders who crash a motor vehicle and die whilst trying to evade, or die as a result of a jump or fall whilst decamping from police; and
- (g) all deaths in custody are thoroughly investigated by the State Coroner.

I have raised before the need to have special farm prisons for Aboriginal inmates where they are in a farm environment rather than in the steel prisons we have, such as at Long Bay. I support the motion.

**The Hon. PENNY SHARPE (16:48:52):** I will make a short contribution to this motion and read from the *Uluru Statement from the Heart*. I will read only two paragraphs, but I believe that they are very important when we are having this discussion: Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness. When we are talking about the shame of over-incarceration of Aboriginal people we cannot take these things as just one aspect. This goes back to the beginning, this goes back to colonisation, this goes back to our failure to do truth telling about what happened to Aboriginal people, and this goes back to the ongoing and massive gaps in inequality that exist in health outcomes, in education outcomes, in out-of-home care and in incarceration.

The Hon. Rod Roberts has moved an important motion today that puts the facts on record, but it is also important to put the facts on record about what is actually happening to Aboriginal people in relation to incarceration, because we are failing and we have been failing, even after a royal commission, to really make a dent in it for decades. I am very pleased to support Labor's amendments, which notes that the number of Aboriginal and Torres Strait Islander women who have been incarcerated has increased 33 per cent between 23 March 2013 and June 2019. While 31 per cent of new prisoners are Aboriginal people, they make up only 3 per cent of the State's population.

The hurt, the anger and the impact of colonisation on Aboriginal people are all intertwined. The fact that 40 per cent of the kids in out-of-home care in this State are Aboriginal is a great shame and we are failing to address these issues. This motion is important because we have to talk about those things and we have to talk about what the real numbers are. I get tired when people on all sides of the debate spin the numbers to suit them. We have to be truthful, but we also have to understand that the issues particularly on Aboriginal incarceration are deeply felt by First Nation people. We need to listen to them and we need to address this, because we are failing. Aboriginal people are over-represented in deaths in custody because they are over-represented in our system and that needs to be addressed. I hope everyone will vote for our amendments, particularly on the royal commission into deaths in custody. [*Time expired.*]

**The Hon. ROD ROBERTS (16:52:08):** In reply: I thank the Hon. John Graham, the Hon. Natalie Ward, Mr David Shoebridge, my colleague the Hon. Mark Latham, the Hon. Catherine Cusack, Reverend the Hon. Fred Nile and the Hon. Penny Sharpe for their contributions to this debate this afternoon. I will close with a couple more statistics, which I think we all agree on and which cause us great concern. In 2019 there were 58 deaths in custody; seven of those deaths, or 12 per cent, were Aboriginal people. Some 35 of those deaths, or 65 per cent, were of natural causes. What is of great concern to us all, including myself and all of the members who have spoken today, is the over-representation of Aboriginal people in our prisons. According to the March 2020 Australian Bureau of Statistics data, there are approximately 13,991 prisoners in custody in New South Wales. Of those prisoners, 3,683 are Aboriginal. Those 3,683 people make up approximately 26 per cent of our prison population. This is of grave concern and that cannot be denied. This is something that we need to address.

The true question that comes from these statistics that really needs addressing is why Indigenous people are over-represented in the prison population. Is it because of unemployment, poverty, homelessness, lack of educational opportunities, alcohol and drug abuse, or a combination of all of these issues? If it is these social issues, that is what we as parliamentarians should be debating and working towards eliminating. In closing, my motion does not ask members to support the fine work of the men and women of the NSW Police Force and NSW Corrections. It does not ask members to recognise and support the outstanding work of senior magistrates that have been appointed as Coroners in this State. This motion simply calls for the recognition and acknowledgement of the truth as supported by facts and statistics. I commend the motion to the House.

**The DEPUTY PRESIDENT (The Hon. Courtney Houssos):** The Hon. Rod Roberts has moved a motion, to which the Hon. John Graham has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

### *Bills*

## **PERSONAL INJURY COMMISSION BILL 2020**

### **First Reading**

**Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Scott Farlow, on behalf of the Hon. Damien Tudehope.**

**The Hon. SCOTT FARLOW:** According to sessional order, I declare the bill to be an urgent bill.

**The DEPUTY PRESIDENT (The Hon. Courtney Houssos):** The question is that the bill be considered an urgent bill.

**Declaration of urgency agreed to.**

**The Hon. SCOTT FARLOW:** I move:

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

**Motion agreed to.**

## **LAW ENFORCEMENT CONDUCT COMMISSION AMENDMENT BILL 2020**

### **Returned**

**The DEPUTY PRESIDENT (The Hon. Courtney Houssos):** I report receipt of a message from the Legislative Assembly returning the bill without amendment.

### *Motions*

## **REGIONAL YOUTH TASKFORCE**

**The Hon. WES FANG:** I move:

That private members' business item No. 558 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. WES FANG (16:58:19):** I move:

- (1) That this House notes that:
  - (a) the second meeting of the Regional Youth Taskforce occurred on 5 April 2020;
  - (b) the meeting was held via videoconferencing due to COVID-19 restrictions;
  - (c) the meeting focused on both digital and physical connectivity, the third pillar of the NSW Regional Youth Framework; and
  - (d) taskforce members discussed the following issues:
    - (i) public transport in the regions;
    - (ii) getting a licence;
    - (iii) digital connectivity;

- (iv) connecting to government services and Service NSW; and
  - (v) the impact of COVID-19.
- (2) That this House affirms its continued support for the role of and contributions made by the Regional Youth Taskforce. This Government is focused on building a better regional New South Wales. Creating a regional youth Minister and a Regional Youth Taskforce were both key Government election commitments that have been met and that are already proving their worth. The task force is made up of 18 young people from right across New South Wales, with two from each of the nine districts. We have members from Coonamble, Moruya, Tamworth, Scone, the Central Coast, Port Macquarie, Coffs Harbour, Wagga Wagga and Balranald, just to name a few. They range from 13 years to 24 years old and represent the diversity of regional New South Wales with a broad range of life experiences, some identifying as disabled or having an Indigenous or refugee background.

Since its first meeting in October the task force has given us invaluable feedback. Members have been consulted on matters including what they believed to be priority action points from the UNICEF NSW Youth Drought Summit, the NSW Curriculum Review and how they would like to improve summer holidays in drought-affected regions. This consultation led to the overwhelming success of the Drought Break summer program. Thousands of young people from drought-affected New South Wales benefitted from this fantastic program, where young people could participate in free days at the pool, sport and recreation camps, Police Citizens Youth Club NSW [PCYC] disco nights or upskill themselves through any of the 80-plus short courses made available.

The second task force meeting was held via videoconferencing on 5 April and was well attended. The meeting focused on connectivity, the third pillar of the Regional Youth Framework, which addresses both physical and digital connectivity, and being able to easily access those services and opportunities. The task force members discussed their experience connecting to government services and provided insightful concepts with the Minister for Customer Service, the Hon. Victor Dominello, MP—and what a great Minister he is.

Other topics discussed included public transport in the regions and its accessibility, affordability and timeliness; the process of getting a licence, what part of the process is more difficult as a young person and whether there are potential solutions; digital connectivity and what a lack of internet access has affected and/or what opportunities and initiatives have worked well; hearing from and understanding what is working well for young people connecting to government services and how we could deliver better services for needs; and how COVID-19 has been affecting their wellbeing, livelihood, peers and community.

Task force members who are students were also asked for feedback on online learning. At the time of the meeting schools were online and students attending university had no face-to-face classes. All feedback was shared immediately with the education Minister, the Hon. Sarah Mitchell, MLC—another great Minister—and her department to inform their ongoing response to online learning. Having the task force as an established group that both the regional youth Minister—I tell you, there is another great Minister!—and this Government can go to for feedback and advice is priceless. Its role as a sounding board and a voice for its members' peers has already shown how important it is for us to listen to young people when developing policy decisions and actions that affect them.

The Government continues to support the role of and contributions made by the Regional Youth Taskforce. The Regional Youth portfolio aims to build a sustainable population of young people to stay, work and live in regional New South Wales by providing them with the support, opportunities and services that they need to thrive. The task force and the Regional Youth portfolio are great examples of how this Government is prioritising our State's country and coastal communities. I congratulate the regional youth Minister on what a fantastic program this is. I look forward to hearing all about the third meeting of the task force, which will focus on wellbeing.

**The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women)**  
**(17:03:30):** I thank the honourable member very much indeed for moving this motion and bringing the Regional Youth Taskforce to the attention of the House. As always, his general enthusiasm is infectious. As the regional youth Minister I strongly support this motion. We had a great recent meeting with the Regional Youth Taskforce. The task force was a new thing that we did and I am really proud of how it is working. We have done lots of looking at it. We have had lots of incredible feedback, actually. The most recent feedback was that all the task force members enjoyed it so much that they want to stay on! We have got to look at that into the future.

We have discussed lots of things, such as public transport in the regions—where are the gaps, what is working well for them and how we could make public transport better suited to them. Often we forget how easy it is for young people and students to get around the city of Sydney. That is not the case in the country. I am sure you would understand that, Madam Deputy President [the Hon. Courtney Houssos], having grown up in the country. We got feedback from those members of the task force who were getting a licence and the importance of having a licence in a regional community. We talked about learner driver mentoring schemes. We also talked

about digital connectivity—one of our pillar themes—and connecting to government services. As the Hon. Wes Fang mentioned, Minister Dominello really was a very big hit.

With so many of our task force members still at school we took the opportunity to check in and see how online learning was working. They flagged what issues were appearing and had advice on how the process could improve. As I said previously to the House, I gave Minister Mitchell a call and told her what the issues were. She took it straight up to her department and her secretary, and they were able to action some things. That is exactly how it should work. During the first meeting the members were also consulted on the Regional Youth Taskforce.

Since then we have had feedback from them on the UNICEF NSW Youth Drought Summit's action plans. They have also submitted feedback to the NSW Curriculum Review, which was a fantastic opportunity for them. They were consulted on the hugely successful Drought Break program, as mentioned by the Hon. Wes Fang, changing the summer for thousands of young people. For those members in the House who do not know, our task force's ideas resulted in the Office of Sport hosting free camps for 350 young people. Those camps are so popular that places filled up within hours of our launch and we had a very long waiting list. That was just terrific.

The Police Citizens Youth Club NSW toured western New South Wales, running its BBQ and Beats evenings. These were in Narrabri, Barraba, Gunnedah, Quirindi, Moree, Warralda, Inverell, Glen Innes, Tenterfield, Nyngan, Coonamble, Condobolin, Molong, Blayney, Brewarrina, Walgett, Gilgandra and Warren, with over 170 people turning up to the Narromine event. That is incredible in Narromine, really. We also had Skills NSW offer 80 free courses in 34 small towns. I quote some feedback we have received to give members some real understanding of what this meant to our drought-affected communities. It states:

It has been life-changing for many of the students and has also given these remote communities a boost. As Gary Broderick, Education Manager, stated on his return, the community came out in force to thank Robinson College—

[*Time expired.*]

**The Hon. SAM FARRAWAY (17:06:45):** I speak to this motion as someone who fully supports Minister Taylor's passion and belief in the important role New South Wales regional youth have to play in the decision-making process. Regional New South Wales and the key issues faced by its youth should be a matter of importance to those in this place because our regions play a significant role in our State's prosperity.

Community advocates are lifelong volunteers and are seen everywhere when you go across regional New South Wales, from Bourke to Cudal. There are always local heroes in every one of these regional towns. In fact, a lot of the leadership in our regional towns comes from the youth in these communities. We have seen this in places like Trundle and Warren, where the local youth have asked for skate parks, and recreation areas and centres. They have done the hard work, put forward their opinions to local leaders and have seen these projects funded by the New South Wales Government through the Stronger Country Communities Fund. This is why the creation of the Regional Youth Taskforce was one of the key election commitments of The Nationals. We understand what it is like growing up outside of Sydney and the suburbs. It is important that these young leaders have the same opportunities to speak with decision-makers and have their voices heard.

Regional youth face different issues to those in the big smoke. As highlighted by previous speakers in this debate, basic activities like getting your licence or connecting to the internet can be much harder in our regions, but they should not be. The task force is a diverse collection of young people who share this view. Its members include Ashish Thapa from Orange, Maddy Jerrett from Coonamble and Nyokia Townsend from Walgett. All up there are 18 young people from across regional New South Wales who have taken the role as advisors to the Minister on issues that affect young people living in regional New South Wales.

Along with Minister Taylor, I had the great pleasure of meeting with the task force last year. I can tell the House that the future of regional New South Wales is indeed in great hands. The amount of passion that these young people have for bettering the lives of others in the regions is apparent. As soon as they begin discussions the ability that they have to have frank conversations with the Minister is clear. It is such an amazing opportunity, a fact that is certainly not lost on them. Among the issues they highlighted were public transport and definitely digital connectivity, which the member who preceded me in this debate also highlighted. Those issues are not simple to fix but they are issues that the task force is passionate about and is working with the Minister, their peers and the community to resolve. That is why the task force is so important and why The Nationals took it to the last election as a key commitment. I look forward to meeting them all again and to discussing the future of the region, as well as the benefits of this fantastic program. [*Time expired.*]

**The Hon. DANIEL MOOKHEY (17:09:51):** I am loath to interrupt the mutual admiration society that has taken root on the other side of the House. I am pleased that the Legislative Council has provided a forum for the three National Party members to all agree with each other so enthusiastically. History will record their

contributions as fine ones. The Opposition has no objection to this motion. The Opposition is pleased that the Regional Youth Taskforce met for a second time on the internet. That is great. The Opposition would prefer if the Minister or the mover of the motion was in a position to report to the House what precisely the task force recommended, what was agreed and the time line for the matters to be progressed. That would be helpful, particularly because I foresee that we may well have a similar motion once the task force has its third meeting. When we commemorate its third meeting in the House it will be good to know precisely what the task force says it should do so that we can benchmark the progress because, of course, we all support a better future for all youth, including our regional youth.

Let us reflect for a while on some of the pressures that our regional youth are under right now after 10 years of conservative government in New South Wales. In January 2020 before the pandemic the regional youth unemployment rate was 11.1 per cent. One in every 10 people who are defined as being a youth in regional New South Wales is without a job. In the past 10 years in New South Wales the homelessness rate among young people aged 18 years to 24 years increased by 92 per cent. More than half of the young people under 24 years of age across the State, but especially in regional New South Wales, continue to experience housing stress. The suicide rate in regional New South Wales among our young people remains a critical issue. It is far more likely that a young person in regional New South Wales will commit suicide than a comparable young person in Sydney or in any other major city of the State. These are all very serious issues.

To the extent to which the Government wishes to commit to a framework such as the Regional Youth Framework, the Opposition would hope that those young people are able to provide leadership on those types of issues. The Opposition would like the task force to be devoted to the question of jobs for regional New South Wales, especially for the youth. The figures I have cited all relate to a period before the pandemic struck and before there was a record increase in unemployment. Right now the unemployment rate across New South Wales is extremely high. Tomorrow we will find out just how bad it is for young people. If this motion is anything other than lip-service, and if the task force is a body that is designed to seriously represent regional youth, when we commemorate the third meeting of the regional task force we expect to hear a lot about what it thinks this Government should be doing about unemployment in the regions.

**The Hon. BEN FRANKLIN (17:12:52):** It is not just about the number of meetings. It is about the fact that the Regional Youth Taskforce is the first ever of its kind in New South Wales. This is a wonderful initiative put forward by the NSW Nationals, my political party, to give young people a substantive voice on important issues. I am delighted to speak in support of the Hon. Wes Fang and his motion and I thank him for bringing recognition to this very fine idea. I have heard every member of this House talk about the importance of young people, their voice and their future. The Nationals is the party that is doing something about that. We are making sure that young people are not only are heard but also actively involved in shaping their own futures.

The Nationals took the Regional Youth Taskforce to the election and it is another promise that this Government has delivered on. At this point I acknowledge the work of the Minister for Mental Health, Regional Youth and Women, who is the first ever Minister for regional youth, the Hon. Bronnie Taylor. She has absolutely championed this role and has given young people a seat at the table at the highest level of government in New South Wales. In October 2019 the first meeting of the 18 members from across regional New South Wales was held. As we heard, on 5 April the task force met again. Meeting by videoconference because of COVID-19, which I do not think should be dissed, both digital and physical connectivity were discussed. That was incredibly timely in supporting young people in a dramatically changing world.

I know that for many people on the North Coast and across New South Wales the pandemic has been a challenging issue and that people have felt isolated and alone. With school, TAFE and university students learning online and many having lost their jobs, people have felt the absence of physical contact with their peers. I congratulate the task force on addressing connectivity for young people. Of course, there are many more issues affecting young people who live in regional New South Wales and it is wonderful to see those brought to the table as well. For example, access to public transport is a huge issue. In the city it is incredibly easy to jump on a bus, train, ferry and now light rail to get about. People can get to school, their studies and shops or visit friends with relative ease. But that is not a luxury that all people in regional areas have. It is often the case that the smaller the town, the fewer are the options available. If people live out of town, public transport does not exist. That can create incredible challenges for young people.

I acknowledge how well our regional youth take those challenges in their stride but it is wonderful to see the Regional Youth Taskforce talking about this, as well as the issues that naturally follow such as access to services and getting a driver's licence. The Government is listening. Just this morning Minister Paul Toole, Minister Andrew Constance and Minister Victor Dominello announced that drivers and riders who want to progress from P1 to P2 and on to an unrestricted licence can now do so online. That will make a huge difference to many young people in the bush for whom the nearest Service NSW centre may be hours away. I acknowledge

the work and commitment of this incredible group of young people because this is actually a big deal. The Regional Youth Taskforce gives young people a real seat at the government table. I am incredibly supportive of this initiative and proudly support the motion.

**Mr JUSTIN FIELD (17:16:02):** I appreciate the opportunity afforded by the motion moved by the Hon. Wes Fang to speak on this matter. It is important for young people to have a voice and feel like they have a say in their future. It is also really important that those who have the ability to influence policy outcomes and implement programs are listening to them and implementing programs that make a genuine and real difference in their lives. I hope that that is the intention of the Government. I wish to draw to the attention of the House the young people in the Shoalhaven where I live. It is good to see two members of the task force, Amanda Reid and Lachlan Page, represent the Illawarra and the Shoalhaven. But one of the biggest challenges for a long time on the South Coast has been and is the youth unemployment rate.

Since I became a member of this House the youth unemployment rate has been 22.8 per cent. I ask the Minister with responsibility for the Regional Youth portfolio why the Government's Smart, Skilled and Hired program, which is the Government's youth unemployment program, excludes the Shoalhaven. The program covers only western Sydney, the Central Coast, the Hunter and New England, the north-west and the North Coast. It does not cover one of the State's areas that has the highest level of youth unemployment. Since I became a member of this House I have been asking questions about that. I held a youth unemployment forum on the South Coast to learn firsthand about the main issues facing young people in getting access to employment opportunities. What clearly came out of that forum was that despite there being a lot of government programs and a lot of government money, there is no connectivity between the two. That links back to young people.

Thankfully, an employment coordinator has been put in place but the fundamental question of why the State Government's youth employment program does not reach an area with one of the State's highest levels of youth unemployment is not being addressed and that is just plainly wrong. I look forward to the opportunity to reach out to the Illawarra Shoalhaven representatives on the Regional Youth Taskforce and talk to them about some of the challenges I learned about from the South Coast forum and provide them with feedback. I hope that they will be able to take up that feedback through the task force and present some of the issues to the Minister. Some of the issues arising from the forum were recognised during the debate, especially access to public transport.

Public transport is a broader issue than just not having access. Ultimately access to public transport underpins opportunities to obtain education, training and development and the socio-economic status of a young person is a factor. If a young person comes from a one-car family and there is no public transport where they live, their ability to access opportunities is removed. We need complex and locally specific solutions for some regional communities where implementing public transport solutions is not as easy as it is in city areas. I congratulate the mover of the motion. I look forward to engaging productively with the task force in the interests of improvement for the South Coast.

**The Hon. WES FANG (17:19:20):** In reply: First, I thank all members who have made contributions to debate on this motion today. The hardworking and wonderful regional youth Minister, the Hon. Bronnie Taylor, outlined how she has taken a commitment from The Nationals at the 2019 election and delivered what is an outstanding program to have the voices of regional youth heard in Sydney. The Hon. Sam Faraway likewise made a fantastic contribution and spoke about how important it is that the regional youth of New South Wales have their voices heard not only in the city but also within halls of power such as this Parliament. I thank the Hon. Daniel Mookhey for his contribution. I appreciate the support of members on the opposite side of the House. When we speak about regional youth we must ensure that we take a bipartisan and non-political approach. The youth of regional New South Wales are going to be the next leaders of this country and members on all sides of Parliament must ensure that we do everything we can to have those youth given the support and the strength that they need.

My friend and colleague the Hon. Ben Franklin made a valuable contribution and spoke about the arrangements with the committee. I thank him very much for that contribution. I also thank Mr Justin Field for his contribution. I note his willingness to engage with the members of the committee in his area. I encourage all members across all political spectrums to engage in this process because the engagement of members of Parliament with our regional youth is very important not only for them but also for the members. It is important that we hear the voices of regional youth. I commend the motion and thank everybody for their valuable contributions.

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

**Motion agreed to.**

*Documents***GET WILD PTY LTD****Return to Order**

**The CLERK:** According to resolution of the House of 13 May 2020, I table documents relating to an order for papers regarding Get Wild Pty Ltd, received this day from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**STRONGER COUNTRY COMMUNITIES FUND****Return to Order**

**The CLERK:** According to resolution of the House of 3 June 2020, I table documents relating to an order for papers regarding the Stronger Country Communities Fund, received this day from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

*Motions***PUPPY FARMS**

**The Hon. EMMA HURST:** I move:

That private members' business item No. 533 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. EMMA HURST (17:23:44):** I move:

- (1) That this House notes that:
  - (a) the RSPCA has recognised that the cruel and exploitative treatment of dogs in large-scale commercial breeding operations, sometimes referred to as "puppy farms", is a major animal protection issue;
  - (b) while other States such as Victoria and Western Australia have introduced tough new laws to stop over-breeding and make puppy farming illegal, New South Wales has failed to take action; and
  - (c) there is a risk that puppy farmers from other States will move their operations over to New South Wales.
- (2) That this House acknowledges the need to address the problem of puppy farms in New South Wales.

Dogs are not just companions, they are members of the family. Yet hidden throughout New South Wales are puppy factories—intensive breeding facilities that breed puppies for profit. Exposés of puppy farms have shown female dogs living in squalid conditions. Mother dogs are forced to pump out litter after litter in small, barren pens until their bodies can no longer cope. Because of the lack of exercise and pressure on the body to produce repeat litters, many breeding dogs suffer painful health conditions such as eye infections, ear infections, mammary tumours, hip dysplasia and skin infections. Due to a lack of oversight and regulations, investigations have found that many of those health conditions are untreated. Puppies sold on to an unknowing public can suffer from a range of behavioural and medical issues caused by the unsanitary conditions, a lack of appropriate veterinary treatment, lack of socialisation, or as a result of the common practice of inbreeding.

Australians hate animal cruelty and would be horrified to know that their beloved companion could have come from one of these filthy places. Yet many dogs sold in pet stores and online have likely come from puppy farms. So how are puppy farms still able to exist in New South Wales in 2020? Put simply, it is because we do not have adequate regulations in this State to stop them. We have a code of practice for breeding cats and dogs, but that is not enforced and the industry is largely self-regulated. We also do not have a comprehensive breeder licensing scheme to enable the authorities to identify who is running puppy farms or where they are located. In fact, while the RSPCA recognises puppy farming as a major animal protection issue, it also reports that at present it does not know how many exist. Media reports have suggested that there may be upwards of 200 puppy farms across New South Wales.

As a private charity RSPCA NSW does not have sufficient resources to identify, routinely inspect and prosecute puppy farms. The RSPCA remains reliant on tip-offs and complaints from the public who have seen cruelty firsthand, which rarely occurs given those running puppy farms go out of their way to hide the deplorable conditions from the public. Further, the RSPCA can only remove dogs from a puppy farm and prosecute where there is a proven act of animal cruelty, which is difficult given there is a very high threshold. Running a puppy farm is not currently an offence in New South Wales. The good news is that elsewhere Victoria and Western Australia are moving to ban puppy farms by increasing their regulation on unscrupulous breeders and pet shops. The bad news is that puppy farmers in those States are already moving their businesses to New South Wales where our weak laws are known to fail to protect those animals.

I have heard horrible stories of puppy farmers setting up in caravans just over the New South Wales-Victorian border. We must act now. The people of New South Wales will never accept the industrialised factory farming of puppies, especially while thousands of healthy, loving dogs are being killed in pounds each year. That is why we are calling on the House to acknowledge the urgent need to address the issue of cruel puppy farming in New South Wales and to provide real protection laws for the many dogs who are family members and companions to the people of New South Wales.

**The Hon. BEN FRANKLIN (17:27:18):** The New South Wales Government opposes this motion because it is already committed to safeguarding animal welfare and promoting responsible pet ownership in this State. In New South Wales there are enforceable animal welfare codes of practice for dog and cat breeding and pet shops, which have been in place for a decade. In May 2015 this Government established a Joint Select Committee on Companion Animal Breeding Practices. We did that because we shared the community's outrage at some of the practices that were uncovered by our enforcement agencies at puppy factories in this State.

In 2016 the New South Wales Government released its response to the recommendations made by the inquiry. The response included the introduction of significant changes to companion animal breeding practices in this State. Most significantly, we made legislative changes to the Prevention of Cruelty to Animals Act 1979, introducing an obligation for people owning, breeding and selling cats and dogs to include an advertising identification number. These changes came into effect on 1 July last year. This strengthened obligations for people owning, breeding and selling cats and dogs and made it clear to any dodgy breeders that the mistreatment of cats and dogs will not be tolerated. This change was supported in late 2018 by the launch of the improved NSW Pet Registry. The registry has new functionality that allows enforcement agencies to trace registered puppies and kittens throughout their lifetime.

In 2018 the New South Wales Government provided about \$1 million to RSPCA NSW as part of a four-year agreement to carry out education and capital works and to also enforce the Prevention of Cruelty to Animals Act 1979. The Government also invested \$200,000 in a joint education campaign to raise awareness of the reality of puppy factories with a website, advertisements and a social media campaign. The Department of Primary Industries does not have any evidence to support the claim that puppy farmers from other States will move their operations into New South Wales. Both New South Wales and Victoria have similar policy positions on the regulation of dog and cat breeding and sales; however, the mechanisms to regulate the pet breeding and pet shop industries differ.

The New South Wales Government has also committed to modernise the policy and the legislative animal welfare framework in New South Wales. It has committed to deliver an animal welfare system that is focused on outcomes and that reflects evolving animal welfare science and community expectations. The Government has committed to consulting with the community throughout this reform process and recently released the *NSW Animal Welfare Reform - Issues Paper*. The issues paper is open for public submissions until 21 June 2020 and the New South Wales Government welcomes feedback from all members of the community. This is their opportunity to help set the direction for animal welfare policy reform in this State. We oppose the motion because of the work that we are already doing in this space. [*Time expired.*]

**The Hon. MICK VEITCH (17:30:25):** I lead for the Opposition on the motion before the House, moved by the Hon. Emma Hurst. Firstly, I am glad the Hon. Ben Franklin mentioned the joint select committee because I was the deputy chair of that committee and I spent time working with the now Minister. There were 34 recommendations from that inquiry. If ever there was someone who could actually look to implement them, it would be the current Minister, because he chaired that inquiry. I strongly recommend that the Minister dust off that particular inquiry report and look at it. He has the perfect opportunity to do something about it. Secondly, the honourable member spoke about the Prevention of Cruelty to Animals Act [POCTAA]. I have said on record many times that POCTAA is out of date. As a legislative arrangement in this State it no longer serves its purpose.

I know, through the most recent inquiry chaired by the Hon. Mark Pearson, that the department is conducting some work around the legislative arrangements for animal welfare in New South Wales and there is an internal departmental review around POCTAA. But I will say it again: That piece of legislation has served its



purpose but it is no longer fit for purpose in New South Wales. That was evident in the inquiry chaired by the Hon. Mark Pearson. It has been argued that there is no evidence of these industrial-scale puppy factories moving into New South Wales because other jurisdictions are toughening up the legislative arrangements in their own States. I do not think that is right. These facilities do still operate. If you look online on eBay and websites like that, there is a plethora of dogs for sale and they have to come from somewhere. There is a reason why they are being sold online.

This is one of the issues around puppy farming in Australia, not just in New South Wales; that is, all jurisdictions have to work together to combat the online market of puppy farms. You can buy a pup in Western Australia and have it flown to New South Wales, or the reverse. This is an area where we need national action, because it is a very cruel arrangement to ship pups so far not long after birth. It is just terrible. I suggest to the honourable member that we need to be careful, because there are a lot of dogs online and I suspect a lot of them are coming from New South Wales. Some may even come from the Northern Tablelands of New South Wales, which for some reason seems to be the geographical region of choice for these facilities. Labor will support the motion moved by the Hon. Emma Hurst.

**Ms ABIGAIL BOYD (17:33:31):** On behalf of The Greens I support this motion, which acknowledges the exploitation of dogs in the puppy farm industry. I thank the Hon. Emma Hurst for bringing this issue to the attention of the House. This is an industry that is rife with animal cruelty and case after case exposes these barbaric practices. This is yet another animal cruelty issue that the Government has been far too tardy in addressing. This is another area that, when found wanting, when Government members are told they are not doing enough, they beat their chests and tell us that they are already doing everything, they already have a fantastic track record and continue to do amazing things in this area, despite all of the evidence to the contrary. Government members have failed to do things in the time they have said they would, they have delivered things late and they have put off real change by telling us that they are consulting. Just shoosh now, they have it covered.

How about thanking the Hon. Emma Hurst and the animal activists who are bringing the true state of the puppy industry to our attention? We have seen tougher laws introduced in other States. It is time for us to catch up. There is significant community concern about how dogs are being treated and we need to elevate the regulation of animal welfare in this State to the level that is expected by the people of New South Wales. The Greens have long campaigned for the abolition of puppy farms, backyard breeding and other intensive companion animal breeding practices. We will continue to do so until we see an end to puppy farms.

**The Hon. WALT SECORD (17:35:18):** I will make a brief contribution in support of the motion from the Animal Justice Party MP the Hon. Emma Hurst and in support of my colleague the Hon. Mick Veitch and The Greens MP Ms Abigail Boyd. Yesterday I was honoured and privileged to attend the inaugural meeting of the Parliamentary Friends of Animals, where the Hon. Emma Hurst was elected chair and where the Hon. Natalie Ward was elected deputy co-chair with me. It is an honour and privilege to be involved in the organisation. Members will know that I have a long association with the Cat Protection Society of NSW and I am well known within the Labor Party circles as being a friend of animals.

**The Hon. Mick Veitch:** This is true.

**The Hon. WALT SECORD:** In fact I have locked horns with previous Primary Industries spokespersons on my own side. Many times when I have come down to the Chamber to speak on animal rights they would be a bit wary of what I was going to say. I have also spoken on record on chickens. I believe that we share this world with animals and we do not have dominion over them. I support the Hon. Emma Hurst's call for tougher laws involving puppy farms, and I believe we should follow Victoria and Western Australia by introducing these tougher laws. I think that there needs to be less exploitation of animals. Finally, I make the observation that during the COVID period many people adopted pets, particularly dogs, but adopting an animal is a lifelong obligation that should not be jumped into lightly. If you do purchase an animal, you have an obligation to ensure that they were not raised in a puppy farm and that the parents of those animals were treated with decency. I thank the House for its consideration.

**The Hon. MARK PEARSON (17:37:13):** I support this motion, which is extremely important. I was with the Hon. Mick Veitch when the Baird Government of the day appointed me to the select committee to look into breeding establishments for companion animals. Quite a few recommendations were made and a lot of them were ignored or watered down by the Government. The ultimate measure as to whether that inquiry actually bore fruit for these companion animals is how many of them in various shelters and pounds—totally healthy, happy animals who just want to live their life—are going to be killed this Friday because of this need for animals, which is fed by farms and factories that spit out puppies. The bitches are worked so hard that their bodies collapse. They are just treated as production animals.

A number of animals that are bred in these factory farms have very serious genetic problems, because they are breeding the animals for particular attractive cosmetic traits. With those traits often come very serious physiological and metabolic problems. The pug dogs can hardly breathe, they have serious respiratory problems and they die from respiratory distress at a very young age. The German shepherds have hip dysplasia and look completely abnormal when they walk along. Other dogs have spinal difficulties. There is also the question of the intelligence of animals that are bred together which would never otherwise have mated. So the measure of whether that inquiry was successful or not would be a reduction in the number of breeding bitches in puppy farms down to 10 in each puppy farm, that they are allowed to live their own life after giving birth to some pups and that we do not have cosmetic dogs with all of these abnormalities. But the greatest measure is that we do not kill completely healthy animals that want to live their lives. For that to continue is an indictment against any argument for factory farms for companion animals. I thoroughly support the motion.

**The Hon. EMMA HURST (17:40:09):** In reply: I thank the members who have contributed to debate on this motion: the Hon. Ben Franklin, the Hon. Mick Veitch, Ms Abigail Boyd, the Hon. Walt Secord and the Hon. Mark Pearson. The joint select committee that was referred to in debate falls well short of what is expected by the public. New South Wales has no legislative caps on the number of dogs in any one breeding facility or on how many times a female dog can be bred. She can be forced to breed for her entire life. These are some of the major changes that have happened in other States. The Government has highlighted that there is no evidence that Victorian farms are moving up into New South Wales. This week I have been alerted to three facilities moving across the border and I am happy to provide the Government with evidence of that. In fact, one of the farms that is moving up from Victoria to New South Wales is farming 400 dogs. That is 400 dogs in tight, small enclosures, repeatedly being impregnated. This is a big problem and it goes to show how that inquiry fell short of what is expected to protect companion animals.

It is also important to highlight that it is almost impossible for the authorities to regulate this area. Obviously we have spoken with the Animal Welfare League NSW and the RSPCA on this issue and they both say that they do not have the power to shut down puppy farms. It is hard enough for them to find out where the farms are in the first place, but even if they can find them they do not have the power to shut them down because the regulations and the laws are not strong enough for them to do so. It is for these reasons that I encourage every member in the House to support this motion.

**The DEPUTY PRESIDENT (The Hon. Shayne Mallard):** The question is that the motion be agreed to.

**The House divided.**

Ayes .....22  
Noes .....17  
Majority.....5

#### AYES

Boyd	Buttigieg (teller)	D'Adam (teller)
Donnelly	Faehrmann	Field
Graham	Houssos	Hurst
Jackson	Latham	Moriarty
Moselmane	Nile	Pearson
Primrose	Roberts	Searle
Secord	Sharpe	Shoebridge
Veitch		

#### NOES

Amato	Banasiak	Borsak
Cusack	Fang	Farlow
Faraway (teller)	Franklin	Khan
Maclaren-Jones (teller)	Mallard	Martin
Mason-Cox	Mitchell	Taylor
Tudehope	Ward	

#### PAIRS

Mookhey

Harwin

**Motion agreed to.**

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

**The Hon. NATASHA MACLAREN-JONES:** On behalf of Reverend the Hon. Fred Nile: I move:

That private member's business item No. 139 be postponed until the next sitting day when private members' business takes precedence.

**Motion agreed to.**

*Bills***WATER MANAGEMENT AMENDMENT (WATER ALLOCATIONS—DROUGHT INFORMATION)  
BILL 2020****Second Reading Debate**

**Debate resumed from 3 June 2020.**

**The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (17:55:50):** I speak in debate on the Water Management Amendment (Water Allocations—Drought Information) Bill 2020. The Government opposes the bill. The bill proposes to amend the Water Management Act 2000 to provide for the information that must be used in determining lowest inflows into water sources under certain water management plans. This amendment would result in the new "worst drought on record" being adopted into many water sharing plans. Such a change to the Act as proposed by the bill would have significant impacts on businesses, communities and the environment across the State. The impact of such a bill is a reduction on average of 5 per cent less water every single year. What is the purpose of such an attack on our mum-and-dad farmers, which involves a 0.2 per cent increase in water to high-security water users?

Since this bill was introduced, the Minister and her office have been contacted by a number of stakeholders including Murray Irrigation, Coleambally Irrigation and the Ricegrowers' Association of Australia, which are opposed to this proposed change. That is certainly the advice that has come to me. The current drought, the worst on record, is ongoing in many areas of the State. Detailed assessment of this drought and its implications for future water planning is currently taking place. Our Government is committed to best practice water management across New South Wales. This commitment to best practice drives us to follow informed, considered and consultative water management processes. That is why we cannot support the bill. The bill is neither informed nor considered and has not involved enough consultation with the affected communities.

I heard a great analogy the other day that making water policy in the middle of a drought is like making future transport policy during COVID-19. Should we remove every third seat on every bus in case we have another pandemic? No. In the same way we should not take 5 per cent of water off every farmer in case we have another drought. In statistics there are things called outliers. Outliers are disregarded and statistical averages are used. That is what the Government is doing because that is good practice. To outline the practice of allocations, water managers consider a number of factors when making decisions about how much water to allocate to different categories of licences in regulated rivers. When assessing the available water, an assumption is made about how much water will flow into the dam during a water year. A risk is taken at the beginning of the water year that these inflows will occur during the year to supply the allocations. The first regulated river water sharing plans directed water managers to assume that no more than the inflows experienced in the drought of record prior to the commencement of the plan be assumed for allocation purposes—that is, the worst drought previously experienced.

The bill is against the historic water position in New South Wales. New South Wales has traditionally adopted a more boom-and-bust approach to water policy. We get more in the good years and as a result less in the bad years. We accept this differentiated approach—rather than, say, Victoria's water policy—which allows for competitive advantages in our agricultural production. In 2014 the New South Wales Government decided against becoming more conservative and instead retained the existing pre-millennium worst drought as the appropriate balance between productive use of water and drought security. The Water Management Amendment Act 2014 No. 48 was passed to give effect to this policy change.

The bill before us seeks to overturn this decision without detailed assessment and without community consultation, despite the potential for significant social, environmental and economic impacts. My understanding, based on the advice that has come to me, is that the member for Murray has had to reverse her position on some of these issues. Members of the Shooters, Fishers and Farmers Party are conflicted: Do they protect the farmers in the Murray or do they protect their own with the money coming from high-security allocations?

**The DEPUTY PRESIDENT (The Hon. Shayne Mallard):** Order! I remind the Hon. Walt Secord that he is on two calls to order.

**The Hon. SARAH MITCHELL:** This bill could be viewed as a corporate tax cut, taking 5 per cent away from mum-and-dad farmers to ensure that the big guys get 0.2 per cent more. Stealing from the poor to give in subsidies to the rich—not on our watch. The Government will not allow best-practice water management in New South Wales to be placed at risk by this bill. That is why the Government will be opposing the bill.

**The Hon. MARK BANASIAK (18:00:52):** Water management is a complex issue. For that reason, at the conclusion of my contribution to the debate on the Water Management Amendment (Water Allocations—Drought Information) Bill 2020, I will move to refer the bill to Portfolio Committee No. 4 - Industry, to be reviewed in conjunction with the Shooters, Fishers and Farmers Party Water Management Amendment (Transparency of Water Rights) Bill 2020 and the Government's Constitution Amendment (Water Accountability and Transparency) Bill 2020, which was introduced in the other place yesterday. The Shooters, Fishers and Farmers Party supports the basic principle of this bill, which is that all available data should be used to inform policy.

The bill is well intentioned. The hiding and cherrypicking of data and information by The Nationals over the past nine years is a big reason why we are in the mess we are in today. However, water sharing plans are completely broken and this quick fix is not a fix at all. It is more smoke and mirrors that hides what is truly needed: real water infrastructure. The bill does not cover the many other ways in which data is hidden and not accounted for. The water sharing plans do not take into account the huge volumes of unregulated water take, nor do they take into account the dodgy science and mismanagement of South Australia's Lower Lakes. The Shooters, Fishers and Farmers Party has written to the water Minister and urged her to delay signing off on water sharing plans until there has been proper consultation with communities and until the results of current inquiries have been released. This includes the Australian Competition and Consumer Commission inquiry into water trading and the ICAC investigation into the NSW Nationals' water corruption.

We need to fix all the issues with water sharing plans, not just the drought of record issue in isolation. There should be no one-size-fits-all approach to water sharing plans. The regulated southern Basin system already provides for immense water storage for critical need for town drinking water. If we are to secure town water supply by the State we need more of the same. That is what we mean by real water infrastructure. As I said in my opening remarks, water management is a complex issue. Each region requires a different solution, which, unfortunately, this bill does not deliver. It is a blunt instrument as opposed to a Swiss Army knife. I move:

That the question be amended by omitting "be now read a second time" and inserting instead "be referred to Portfolio Committee No. 4 - Industry for inquiry and report; and that the committee report by Friday 31 July 2020."

**Mr JUSTIN FIELD (18:03:16):** I support the Water Management Amendment (Water Allocations—Drought Information) Bill 2020. I say from the outset that I will also support the amendment of the Hon. Mark Banasiak to refer the bill to an inquiry. I look forward to participating in that inquiry and some of the other water inquiries that will happen over the winter break. It is an important time to be looking at that because we need to go back to why we are talking about this issue, which is that right now the New South Wales Government is rewriting water sharing plans in New South Wales and those plans are feeding into the water resource plans that will be considered for accreditation by the Murray-Darling Basin Authority [MDBA]. One only needs to look at the half-yearly report of the MDBA this week to realise that it has some serious problems with the New South Wales contribution to the plan.

It does not say so quite as neatly as I think it should, given the evidence. Largely, though, it was a slap in the face to the New South Wales Government for its failure to meet its obligations to the country of delivering on its contribution to the Murray-Darling Basin Plan, delivering its water savings and ensuring that its water sharing plans can protect environmental assets and can guarantee that they are not extracting more than sustainable diversion limits. That is what this is ultimately about. Surely members can all agree that the New South Wales Government should base decisions about water allocations and management on the most up-to-date information. Surely we can all agree on that. Actually, we did agree on that. On 13 May this House passed a motion that, among a number of things, acknowledged:

- (g) ignoring the Millennium drought, the current drought and future droughts when making inflow assumptions and decisions around water allocations will only serve to jeopardise regional town water supplies and healthy rivers.

Members agreed on that. We also agreed:

- (4) That this House calls on the Minister Pavey to amend New South Wales regulated water sharing plans to include up to date drought information before submitting the State's water resource plans for accreditation to the Murray-Darling Basin Authority and the Federal Minister for Resources, Water and Northern Australia, the Hon. Keith Pitt, MP.

We did all of that. Of course, it makes sense to do so, because how can the Government design any sort of plan for the future without understanding where we are now? That motion and this bill are about agreeing on the starting point. I cannot accept the arguments that the Government put forward that if we change the drought of record, if

we artificially manipulate it, if we dodgy up the books, there are going to be losers in the system. That is not ultimately what happens. We make sure we have the right data coming in and the development of water sharing plans for each valley then gets adapted to meet the needs of the users in those valleys. What we have done is dodgy up the starting point and then we have had all these levers pulled by all the vested interests in each of the regions and the valleys. It is a dog's breakfast and no-one can make sense of it. We have no way of making sure we are meeting our obligations to other States and to the Murray-Darling Basin Plan.

No wonder the Darling River is disconnected from the Murray. No wonder we have got southern basin irrigators screaming and having to fight between the north and the south. It is because we are not inputting the data at the start of the process. I know the rice growers are not happy, but what they are seeing is if we just change that bit and do not fix the rest, we are going to be less worse off. Actually, we might be, but that would assume that nothing else changes after this.

If we put the right data in at the start, we can then have an intelligent conversation about how water sharing plans should be developed and reformed. We can submit those in a coherent way to the Murray-Darling Basin Authority and we might end up getting a water management system in New South Wales that everyone can trust, that delivers on the needs of farmers, communities, the river and each of the other States and that meets our commitment to the plan and makes sure we have access to the Federal money that ultimately this is all about. It is important to remember why this is an issue. In 2014 the then water Minister changed the rules to deliberately exclude—and he was crystal clear about why. He said:

When the millennium drought is taken into account ... implementing this current water sharing plan rule would result in significant quantities of water being taken out of production and held in reserve in case an equally severe drought occurs. Modelling indicates that the existing rule could reduce general security licence allocations by 8 per cent, on average, and up to 20 per cent in some years.

He was clear that it was about giving more water back to irrigators, assuming there would not be another drought—and there was another drought just around the corner. If we make that same mistake again and we have another drought, towns will be running out of water and ultimately farmers will see more years in which they get no allocation at all. It is backward thinking.

Let us get the right data in at the start, then develop water sharing plans that everyone can trust where there is transparency and honesty. I support the bill as it currently is. I look forward to the inquiry and learning more about this, and then coming back to this House, passing the legislation and putting pressure on The Nationals to recognise climate change is real and if we do not start taking it seriously, the entire Western Division of this State will be left high and dry forever.

**Ms CATE FAEHRMANN (18:09:06):** On behalf of The Greens I support the Water Management Amendment (Water Allocations—Drought Information) Bill 2020. It is a pity that we will not be able to pass the bill in this Chamber tonight. However, I support the bill being referred to Portfolio Committee No. 4 - Industry. It is going to committee, I understand, to be examined potentially with two other water bills—the one on water transparency and the other that was due to come to this place that the water Minister, Melinda Pavey, was attempting to introduce to change the Constitution in relation to members of Parliament declaring pecuniary interests. Those are quite separate issues. The fact that we want to have a water register for water access licences is a different issue to the fact that The Nationals in 2014 altered water sharing plans in New South Wales to not take into account the most recent drought statistics. We know that the result of that has been disastrous for New South Wales. It has been disastrous for our rivers and for our farmers.

It would have been good for us to have been able to debate that tonight and to have this bill sent back to the lower House to place pressure on The Nationals Minister at this point in time. However, it is going to a committee. I too look forward to hopefully being able to participate in that committee as a member. Hopefully it will be an extensive inquiry that looks at The Nationals' mismanagement of water in this State. Hopefully it will be able to look into The Nationals' relationships with big irrigators and the vested interests that have influenced—no, corrupted—water management in this State. That would be a good inquiry to have. I certainly hope that the chair of the inquiry, the Shooters, Fishers and Farmers Party's the Hon. Mark Banasiak, ensures that the inquiry looks into the reasons why water has been so mismanaged and the relationship between the big irrigators, particularly those up north, The Nationals and people who work within Nationals Ministers' offices. The Greens support this going to a committee.

**The Hon. MICK VEITCH (18:12:01):** In reply: I thank honourable members for their contributions to the debate. I thank Minister Mitchell for delivering a speech that we have all had to give at some stage, without any doubt, so no offence taken. I also thank the Hon. Mark Banasiak, Mr Justin Field and Ms Cate Faehrmann. I have been around here long enough to get a feel for the numbers and see where things are going to go, so the Opposition will be supporting this going to committee. I will leave it to the House.

**The PRESIDENT:** The question is that this bill be now read a second time, to which the Hon. Mark Banasiak has moved an amendment. The question is that the amendment of the Hon. Mark Banasiak be agreed to.

**The House divided.**

Ayes .....23  
 Noes .....16  
 Majority.....7

**AYES**

Banasiak  
 Buttigieg (teller)  
 Field  
 Hurst  
 Mookhey  
 Pearson  
 Searle  
 Shoebridge

Borsak  
 D'Adam (teller)  
 Graham  
 Jackson  
 Moriarty  
 Primrose  
 Secord  
 Veitch

Boyd  
 Faehrmann  
 Houssos  
 Latham  
 Moselmane  
 Roberts  
 Sharpe

**NOES**

Amato  
 Farlow  
 Khan  
 Martin  
 Nile  
 Ward

Cusack  
 Farraway (teller)  
 Maclaren-Jones (teller)  
 Mason-Cox  
 Taylor

Fang  
 Franklin  
 Mallard  
 Mitchell  
 Tudehope

**PAIRS**

Donnelly

Harwin

**Amendment agreed to.**

**The PRESIDENT:** The question is that the motion as amended be agreed to.

**Motion as amended agreed to.**

**The PRESIDENT:** I will now leave the chair. The House will resume at 8.00 p.m.

*Motions*

**SYDNEY NIGHT-TIME ECONOMY**

**The Hon. NATALIE WARD:** I move:

That private members' business item No. 555 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. NATALIE WARD (20:01:45):** I move:

- (1) That this House notes that:
  - (a) following the economic downturn caused by the COVID-19 pandemic, Sydney's night-time economy will be a critical component of the New South Wales recovery;
  - (b) the report of the Joint Select Committee on Sydney's Night Time Economy was tabled on 30 September 2019, and the Government response was tabled on 28 November 2019;
  - (c) on 14 January 2020 a number of recommendations to open Sydney's night-time economy were implemented, including:
    - (i) the 1.30 a.m. lockout for venues in Sydney CBD was removed;
    - (ii) restrictions on serving custom cocktails, shots and neat spirits after midnight in Sydney CBD venues were removed;
    - (iii) "Last Drinks" at venues in the Sydney CBD were extended to 3.30 a.m.;
    - (iv) opening hours for bottle shops across New South Wales were extended to midnight Monday to Saturday and 11.00 p.m. on Sunday; and

- (v) patron capacity for small bars was increased to 120 people.
- (d) in February 2020 the Government announced that the Hon. Stuart Ayres, MP, Minister for Jobs, Investment, Tourism and Western Sydney, would establish an Industry Advisory Group to develop a 24-hour Economy Strategy; and
- (e) the public, industry and stakeholders are encouraged to give feedback on a draft exposure bill, one step in revitalising this critical section of the New South Wales economy.
- (2) That this House commends all stakeholders, including the NSW Police Force, healthcare workers, musicians, venue owners, operators, councils, industry stakeholders and patrons who have made submissions and continue to contribute to finding appropriate and safe COVID-19 compliant ways to boost the array of offerings Sydney has in order to revitalise the night-time industries and create a genuine 24-hour economy in New South Wales.
- (3) That this House recognises the Great Southern Nights music event as one step the Government has taken to help boost the sector.

There is no doubt that the COVID-19 pandemic has had a dramatic effect on the hospitality, tourism and entertainment industries across Australia. I feel it is important to bring forward this motion to recognise these industries and this essential component of our night-time economy.

**The Hon. Walt Secord:** Well then, help them.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I remind the Hon. Walt Secord that he is on two calls to order.

**The Hon. Walt Secord:** It's going to be a late night, isn't it?

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Maybe not for you.

**The Hon. NATALIE WARD:** Mr Deputy President, I would love nothing more than a late night. I reflect on the things that we took for granted pre COVID-19. During the pandemic there were some interesting memes. I reflect upon one in particular. It was by a person I presumed to have been a bloke and it said, "I'd give anything right now to be queueing in a long queue at a music festival for a warm beer that is overpriced in a plastic cup." I kind of got what he meant—little did we know how good that was. I commend the motion before the House to honourable members. I was privileged to chair the joint select committee that looked into the night-time economy. We looked closely at these issues, not knowing what lay ahead. It behoves us now, at this critical time, to look at this vital industry and see what we can do for it.

The New South Wales Government is committed to this industry, now more than ever. We are working to reinvigorate the sector, to create jobs and to recognise and assist a vibrant, safe and diverse 24-hour economy. Sydneysiders deserve a 24-hour city. I will say this again—I got in trouble last time I said it, but I am happy to get in trouble again—Sydney is Australia's only truly global city; Melbourne does not have it. When this pandemic has passed, Sydney will once again be the only international gateway to Australia. It is home to our most famous landmarks. Melbourne does not have an opera house, it does not have a harbour bridge and it does not have the Blue Mountains. People come to Sydney to see those things.

We host high-profile global events. The New Year's Eve fireworks are among the first to be seen and people from all over the world tune in to see us celebrate. We also have the Mardi Gras. Sydney will host World Pride in 2023, the world's premier LGBTQI pride event. Just last week, the New South Wales Government announced the Great Southern Nights music event that will bring over 1,000 gigs to live music venues across the State, activating the night-time economy and giving the sector a much-needed boost.

We know that Sydneysiders are uniquely global in their connections and their outlook. We are the most multicultural city in Australia. We are connected to the global 24/7 economy. We are ranked as the fourth most competitive city in Asia for global talent and eleventh in the world. Sydneysiders want a city that provides us with amenity, entertainment and community whenever we need it, whatever time we want to enjoy it. We believe in enhancing choice, opportunity and livability for our growing population.

It was my absolute privilege to chair the committee on the night-time economy and work alongside my colleagues in this House and the other place to ensure that there is progress in building a 24-hour economy. At the outset it was a difficult task, but we managed to find our way through and we diligently did research in Kings Cross with the Hon. Mark Latham and the Hon. John Graham. We were committed to the task, as were Ms Cate Faehrmann, the Hon. Ben Franklin and our friends in the other place. We stepped up to the task and we ensured that we provided a thoroughly researched report.

**Ms Cate Faehrmann:** I did have to get into a taxi with Mark Latham though.

**The Hon. NATALIE WARD:** I do not want to know! I am pleased to say that the Government supported the key recommendations of the parliamentary inquiry and committed to taking concrete steps in response to our

inquiry's findings. These steps began on 14 January 2020, when the lockdown laws were repealed for the CBD and Oxford Street. It was an important first step on the road to a 24-hour city. We hope it sends a clear signal to the industry and to the community that we are here for them. The next step is the release of an exposure bill in which new measures will strike the right balance for the economy. I commend the motion to the House.

**The Hon. JOHN GRAHAM (20:06:55):** I represent the Opposition in debate on the motion before the House on the night-time economy. I welcome the fact that this motion has been moved and I thank the Hon. Natalie Ward for the role she played in chairing the committee. I agree with her assessment of the valuable work of the committee. We support this resolution but we also support bold action now to support our night-time economy. It is true that the lockdowns have been lifted across the Sydney CBD and that is very welcome. It was one of the issues I raised when I first spoke in this Chamber. The Government has been up-front about the damage that has been caused over the five years that it says the lockdowns were in place. That admission is welcome, although the Government should be up-front and say that the lockdowns were, in fact, in place for six years. Over those six years we lost hundreds of venues and we lost thousands of jobs.

The committee's report was clear about the economic cost to Sydney—\$16 billion a year was lost in the time it took us to get night-time policy right. That was the assessment of Deloitte Access Economics. That is one of the crucial reasons why we should pursue this agenda. I welcome the change in the Government's rhetoric, which was driven by this committee and by other key members of the Government who have supported this agenda. There are many things that we agree on. We do agree on the economic importance of this agenda. The night-time economy represents 17 per cent of the businesses in the economy. We do agree that we have to get fun back into Sydney. We have to recover from the fact that Sydney was recently ranked as forty-eighth out of 48 in a poll of cities ranked for their nightlife. We do agree that this agenda has to extend outside of the CBD of Sydney, across the rest of Sydney and the rest of New South Wales. We support the 1,000 gigs that have been announced by the Government.

We disagree on some things, though. We do not agree that this is just about tweaking the alcohol laws. We want to see an agenda that covers music, entertainment, tourism—all the things that make a city great. We want an optimistic agenda. We have heard the Government's discussion about a 24-hour economy. The trouble is the laws that it has proposed do not run a 24-hour economy; the laws are about an 18-hour economy and the Government should be honest about that. We would also like to see more funding for things like music because we are still outstripped by Victoria at \$5 million compared to \$35 million.

There is more to do. It is still illegal to hang a mirror ball in some venues in New South Wales. It is still illegal to take the stage and play music. There are still seven agencies regulating noise in the State of New South Wales. It still takes months, between the planning and liquor licensing processes, to open a venue. Despite the Treasurer's plea for European-style outdoor dining, nothing has changed. There are 1,000 gigs scheduled for this November in Sydney but Melbourne has nearly 1,000 gigs on an ordinary Saturday night. There is still more to do. We need to get up from the bottom of the table and get some momentum back in Sydney.

**The Hon. MARK LATHAM (20:10:11):** I can report to the House that I have come from across the road supporting the night-time economy to showing my commitment not just in practice but to the outstanding report of the committee chaired by the Hon. Natalie Ward. How prescient was it? Imagine if the Sydney economy was still locked down at night in an environment of deep recession and coronavirus. We would have been even more of an international laughing-stock in that case. The committee worked well. It was an outstanding committee and showed the value of a joint select committee of the Parliament. I am hoping that on an entirely different topic it might achieve a similar result in a different sphere of lawmaking in the near future. It showed the value of bringing expertise not only from both Chambers but also from across the political spectrum. Under the chair, the capacity of the committee to arrive at a consensus position was a great tribute to the Parliament. It gives business confidence that New South Wales is reopening. We want a vibrant night-time economy.

Whether Labor, The Greens, Liberal, One Nation or The Nationals, every member of the committee made an extremely valuable contribution. I should not leave out my old mate Alex Greenwich, the member for Sydney. It occurred in his electorate and he is the ultimate beneficiary in terms of looking after his constituents. It was vital work. I make a suggestion, in the context of this motion, to advance some of the work perhaps a bit faster than anticipated in the City of Newcastle, where the impact of the recession is severe. The issues around the future of mining are relevant.

We also have to look at the vast government infrastructure investment in Newcastle, such as the billions of dollars that went into Honeysuckle and the success of the light rail project. The Government got 50 per cent of its light rail projects right and Newcastle was the beneficiary of that. Newcastle is a beautiful city. When I visit I wonder why it has not realised its full potential as a vibrant, cosmopolitan location for tourism from all around the country as well as the international sphere and for bringing forward the night-time economy. I know that the



very good Minister Dominello is looking to see what potential exists. I hope that again we can get bipartisanship. I know it is Labor Party heartland but, realistically, for that region to have—

**Ms Cate Faehrmann:** The Greens.

**The Hon. MARK LATHAM:** I do not know if The Greens have ever held a seat in the Hunter Valley but I know they would be working hard at Cooks Hill and all those left-wing bastions. Good luck to them. But the main thing is to deliver an outcome for the people there. Jobs are critically important right through the Hunter Valley. If we do not take advantage of the vast public investment in Newcastle and maximise its employment potential after dark, then we are not doing justice to the people of that city. I congratulate the chair of the committee on bringing the motion and the committee on its outstanding work. I think we can take those lessons further afield in New South Wales, particularly at a time of rising unemployment.

**The Hon. SHAYNE MALLARD (20:13:32):** I support the important motion of the Hon. Natalie Ward relating to the night-time economy and I thank her for bringing it to the attention of the House. I associate myself with some of the comments made by the Hon. John Graham. It is important that every private member's day we have a motion on the night-time economy so that the Hon. John Graham can do his stump speech with his joke about the mirror balls. It seems to me that this must be the hundredth time we have heard it.

**The Hon. John Graham:** But it's still funny.

**The Hon. SHAYNE MALLARD:** It is still funny.

**The Hon. Mick Veitch:** Your kids would read it.

**The Hon. SHAYNE MALLARD:** They did point out he was boring. I congratulate the Hon. Natalie Ward on her chairing of the recent inquiry into the night-time economy, as the Hon. Mark Latham mentioned. I was not involved in that inquiry but I was a keen observer of it. I was involved with the inquiry into the music and arts economy in New South Wales—which I may speak about if I have time—along with the Hon. John Graham, the Hon. Penny Sharpe and others, which toured not just the State but also the nation. It was sort of a lead-up to the night-time economy inquiry.

I congratulate the Berejiklian Government on the implementation of a number of the inquiry's recommendations and on ensuring a much safer night-time economy. That is really important. A vibrant economy is a safer economy and that is what drove a lot of the difficult decisions that were made earlier by the O'Farrell Government. The Hon. Stuart Ayres, Minister for Jobs, Investment, Tourism and Western Sydney, is working tirelessly in this hopefully post-COVID—or towards the end of COVID—environment and has established an Industry Advisory Group to develop a 24-hour economy strategy, which I am sure we will all watch closely.

The night-time economy is having a particularly tough time at the moment, with all bars, live music venues, pubs and clubs having been forced to close their doors at the end of March and thousands in the industry losing their jobs overnight. COVID-19 has had a devastating impact on the night-time economy, with hospitality, small and medium enterprises, arts venues and artists and small bars and cafes suffering disproportionately. As I said in today's take-note debate, the flow-on impacts on hospitality workers, bar staff, kitchen staff, chefs, kitchen hands and waiters—not to forget the suppliers of those industries—have been pretty dramatic. A lot of those employees are casual and low paid and they are disproportionately women.

A 24-hour economy will create jobs, foster arts and culture and reinforce Sydney's status as Australia's only truly global city. I endorse that global status. It is estimated that up to \$16 billion in economic activity is yet to be activated in Sydney's night-time economy alone. How good would that be for the COVID response? I have a lot more to say but with only three minutes I commend the motion to the House. I am glad that we are focusing on the different sectors of the economy in terms of their recovery from COVID.

**The Hon. ROSE JACKSON (20:16:42):** I support the motion. As my colleague the Hon. John Graham said, Labor has been particularly interested in this issue. He and I have been particularly interested in it. I bring to the attention of the House two particular issues. Firstly, it is incredibly important that this is not just about alcohol. It is important that we have a deregulation agenda for removing the lockouts so that places can serve takeaway cocktails and people can drink alcohol on the footpath in a safe environment. But it is so much more than that. Members have already spoken about the other elements that make up the night-time economy, whether it is arts and entertainment, retail, accommodation or tourism. The other reason it is important that this issue is not just about alcohol is that alcohol is how we got into this problem in the first place.

Let us not lose sight of why we introduced the lockdown laws in the first place and how we got into this position where Sydney was slipping further and further down the global ranking. It was because as a society we still have, in part, a problematic relationship with alcohol. People are still going to get too drunk and behave like idiots. We all have a responsibility to show leadership on that. It is not a reason not to do this but it is a reason to

make sure we are considering the full suite of night-time activities and ways that people can engage with our great city and with each other that are not just about having a drink and getting drunk. That is a really important message. We do not want to go backwards. We do not want to do all this great work and implement the recommendations of this really positive committee, and then have people behave badly and incidents occurring and we are back to square one. We need to lead that conversation right from the beginning.

Secondly, it is important that we understand just how much our artists are hurting. Members might know that one of my good schoolfriends is the DJ KLP. She messaged me in March saying, "What is going on? All of my gigs for the rest of the year have been cancelled. I have had to stand down my manager and my producer"—all of those flow-on jobs we have talked about—"My only option is to access my super early. Heartbreak emoji". I hope Hansard will consider implementing the actual heartbreak emoji. Our artists and entertainers are genuinely hurting. They have had their livelihoods absolutely wiped out. It is not just about opening up the venues; it is also about a dedicated strategy to get artists and entertainers back on their feet because they have gone months without income. I hope that is something that the Government considers as part of its agenda as well.

**Reverend the Hon. FRED NILE (20:19:45):** I am pleased to support the motion moved by the Hon. Natalie Ward, especially paragraph (c), which states:

- (c) on 14 January 2020 a number of recommendations to open Sydney's night-time economy were implemented, including:
  - (i) the 1.30 a.m. lockout for venues in Sydney CBD was removed;
  - (ii) restrictions on serving custom cocktails, shots and neat spirits after midnight in Sydney CBD venues were removed;
  - (iii) "Last Drinks" at venues in the Sydney CBD were extended to 3.30 a.m.;
  - (iv) opening hours for bottle shops across New South Wales were extended to midnight Monday to Saturday and 11.00 p.m. on Sunday;
  - (v) patron capacity for small bars was increased to 120 people.

Some members might be surprised to know I have had a number of different lives or life experiences. One of those lives was running the entertainment program in the Wesley centre in the heart of Sydney, in Pitt Street. The Methodist Church built a new headquarters and allocated the first three floors to an outreach program. It needed someone to direct it and Reverend Alan Walker invited me to be the full-time director and run it. Knowing how the clubs work, I nicknamed it Club 2000. So it was not called the Methodist centre—for the young people, they were going to Club 2000. We had about 300 young people—they elected their own board and I was in the background. On Friday nights we would run things like hamburger bars, on Saturday nights we would have bands and dancing for 300 or 400 young people and on Sunday nights after church we had movies selected by the young people, which were mostly old-fashioned cartoons.

**Ms Cate Faehrmann:** Oh, sure!

**Reverend the Hon. FRED NILE:** They did select them. Young people love those comedies. I was very pleased to do that for a number of years in my other life, so I do know a bit about the night-life in Sydney. I commend the Government for these improvements.

**The Hon. CATHERINE CUSACK (20:22:56):** It is not often that I would say this, but I thought the contribution from the Hon. Rose Jackson was awesome and I agreed with it 100 per cent. I enjoyed the contribution of the Hon. John Graham. He is so hypnotised by Victoria that it worries me, because they are Victorians, but it is okay. I heartily endorse his concept of an optimistic agenda. I begin by acknowledging the Hon. Natalie Ward, because we hear nothing but good things about this report. It has been taken up by Government and it is translating into change that is benefiting those many businesses and employees whose futures are pinned to the concept of a night economy in Sydney. Honestly, that consensus is a great tribute to the Hon. Natalie Ward. It is of service to that industry but it is also of service to this House and our relevance that these changes are being taken forward and implemented by Government. I congratulate her on it.

The joint select committee delivered its report on the night-time economy on 30 November 2019. It is hard to believe that is barely nine months ago with all the changes. The Government has announced it will implement certain key recommendations such as a range of liquor law reforms, including the removal of general lockout restriction and blanket close midnight restrictions on certain drink types in the CBD entertainment precinct, the extension of general "last drinks" time from 3.00 a.m. to 3.30 a.m. in the CBD entertainment precinct—I am not sure if that affects Reverend the Hon. Fred Nile; it does not affect me, but I know that that is very good for others and our night economy—the extension of takeaway liquor trading hours for eligible licensed premises from 11.00 p.m. to midnight on Monday through to Saturday and from 10.00 p.m. to 11.00 p.m. on most Sundays, and the lifting of maximum patron capacity for small bars from 100 to 120.

Further reforms are being progressed and an exposure bill was released on 4 May 2020 for public consultation—all of us support that. Key proposed changes include implementing a single, integrated incentives and sanctions system to reward well-managed venues and sanction venues that breach liquor laws or have a poor safety record—it is so important that we do not take the same sledgehammer approach based on the dumbest operator—improving requirements to ensure responsible same-day delivery of alcohol; and better alignment of planning and liquor licensing requirements, for example, by reducing multiple sources for imposing noise conditions. Noise is such an issue for these venues. I again congratulate the Hon. Natalie Ward. I thank her and commend the motion to the House.

**Ms CATE FAEHRMANN (20:26:03):** I speak on behalf of The Greens in support of the motion before the House. I look forward to a more thorough debate on the report, with more time, of course. It is good to see that the Government has put out an exposure draft, hopefully dealing with some of the issues that were raised during that important inquiry. I look forward to being able to contribute to that. I note that in recent weeks the Hon. Victor Dominello has announced the removal of the liquor licence freeze for CBD and Kings Cross venues, which was one of the report's recommendations.

It is a very good thing that the Government is looking at doing that. However, I take this opportunity to note that the wait until 1 December 2020 is a long one. Given the impact on the hospitality industry and venues, the number of people out of work, the number of people who were working in restaurants and small bars who are now looking for employment and how much we have to reinvigorate Sydney's night-life, you would think the removal of that liquor licence freeze would be brought forward so that all the businesses that are now looking to start new ventures and looking at what the new post-COVID world looks like can do so in the new environment without the liquor licence freeze. That is one disappointment. By the time 1 December comes around we will hopefully have quite a strong summer season that is, fingers crossed, very busy. The Greens look forward to talking more about that, but hopefully that can be brought forward.

I heard some quite frightening stories from the Foundation for Alcohol Research and Education around young people under the age of 18 being able to access online orders without showing identification. I notice that as part of this draft exposure bill the tightening of laws around that will be considered as well. There was quite an increase in alcohol consumption during COVID—quite a few people drinking quite a few more glasses of wine each night. I am not going to say whether I was a part of that or not, but thank God it is being clamped down on, because we all need it.

**The Hon. BEN FRANKLIN (20:29:15):** I too was a member of the exalted committee into the night-time economy and I too acknowledge the leadership of the Hon. Natalie Ward. But with the greatest amount of respect for her extraordinary leadership, which was very good, the committee's report was genuinely a team effort. I think the chair would agree with that because the members of the committee, the Hon. John Graham, Ms Cate Faehrmann, the Hon. Mark Latham and many others, made the committee what it was. I want to talk briefly about the chronology of the process. The chronology is important to understand how the Government is responding to this issue. We do not need to go over why the lockdown laws were implemented in the first place. They were implemented for the real reason of trying to protect the safety of those attending these venues. But obviously there were impacts of the laws.

The joint select committee released its report in September last year. In November the Government announced that it would implement the key recommendations of the committee, including the removal of the lockdown laws, the extension of last drinks, the extension of takeaway liquor trading hours and lifting the maximum patron capacity of small bars from 100 to 120. I believe the committee recommended that should have been 130, but nonetheless we did not win every battle and 120 was a good win. Of course, more needed to be done, as the Hon. John Graham said.

That is why I am pleased the exposure bill was released in May this year. This bill looks at a number of other issues. It looks at integrated incentives and sanctions and the responsible same-day delivery of alcohol, as discussed by Ms Cate Faehrmann. It also looks at better aligning planning and licensing requirements. These are important initiatives and they are ones that I am proud of. When they are added to what the Government announced last Sunday in lifting the longstanding freeze on new liquor licensing and relaxing the restrictions on late trading, this shows a Government that is listening and a Government that understands that we have almost all-partisan consensus in this Chamber that more needs to be done. More is being done. In the words of a former leader of the Hon. John Graham's party, there is more to do but we are heading in the right direction.

**The Hon. NATALIE WARD (20:32:20):** In reply: I thank honourable members for their contributions to this discussion. It is stunning to see such agreement in this Chamber on a very difficult topic. I thank the Hon. John Graham for his input throughout the committee process. Tribes of as yet undiscovered Peruvian Indians knew that the Hon. John Graham was going to talk about mirror balls tonight. The Hon. Mark Latham highlighted the value of the joint select committee and the great work that can be done by the committee process. He expressed

his advocacy for Newcastle, which I appreciate. The Hon. Shayne Mallard has been a longstanding supporter of the industry. He highlighted the industry's employers and employees affected by the lockdown laws, which was extremely important.

The Hon. Rose Jackson made an excellent contribution. She is always passionate about matters and has a particular interest in the music industry. Reverend the Hon. Fred Nile was a trailblazer in this area—we are not the first members to talk about the night-time economy—and he gave the perspective of church groups. I appreciate his important support. The Hon. Catherine Cusack as always was spot on in her contribution. She identified that businesses and their employees depend on this industry. Ms Cate Faehrmann has been constructively critical of the exposure draft. The Hon. Ben Franklin recognised the team effort and expressed his passion for music and the arts. His enthusiasm is consistently unbridled and I loved that he recognised that the inquiry showed the best of what this Parliament can do.

I thank members for recognising that this is not just about alcohol. We need a 24-hour economy that caters for the needs and interests of greater Sydney's diverse population. One consequence of the lockout law debate is that it has shifted the conversation around the night-time economy to one focused around everything else as well as drinking. It is about enhancing arts and cultural opportunities. It is about enhancing food and retail opportunities. It is about making better services and amenities available and making better use of our public space. It has to be inclusive and it is about our primary duty to ensure the safety of our people who are out at night. That does not mean going back to the days that triggered the lockout laws.

The exposure bill is available for comment now. It will bring together the planning and liquor laws in a single process. It will introduce new incentives and sanctions. It will remove restrictions on live music in venues and a range of other things. I recognise the bravery of the Berejiklian leadership and of this Government in introducing and ensuring that this Parliament has a process where we can have an open discussion with all stakeholders. I thank Minister Ayres for his leadership on this exposure bill; he is leading the third phase of developing a 24-hour economy. I commend the bill to the House. I thank Minister Dominello for his contribution and Minister Harwin for his advocacy of the arts. I commend the motion to the House.

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

**Motion agreed to.**

#### SHENHUA COALMINE

**Ms CATE FAEHRMANN:** I move:

That private members' business item No. 570 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**Ms CATE FAEHRMANN (20:36:00):** I seek leave to amend private members' business item No. 570 outside the order of precedence for today of which I have given notice by omitting paragraph (2) and inserting instead new paragraphs (2) and (3).

**Leave granted.**

**Ms CATE FAEHRMANN:** Accordingly, I move:

- (1) That this House notes that:
  - (a) in January this year Shenhua Energy started exploratory drilling for its open-cut coalmine on the Liverpool Plains that will extract 10 million tonnes of coal a year for 30 years;
  - (b) the coalmine is expected to destroy roughly 4,000 hectares of fertile agricultural land including 800 hectares of endangered ecological communities including koala habitat and a peer reviewed study found that Shenhua overestimated the amount of groundwater in the impact zone by 100 to 1,000 times;
  - (c) an archaeological report commissioned by China Shenhua Energy has stated that roughly half of the 60 historically and culturally significant artefacts of the Gomeroi people present on the site will be destroyed by the mining project;
  - (d) these artefacts include grinding grooves showing markings of spears being sharpened for battle, burial sites and sacred trees;
  - (e) the mine is opposed by the Gomeroi people who have filed a submission in the Federal Court against Federal environment Minister Sussan Ley in an attempt to overturn the mine's 2015 approval; and
  - (f) when the Government renewed Shenhua's exploration licence in 2018, it included a cancellation clause that allows it to terminate the project if it had not reached production stage by applying for a mining licence within two years, which is 30 June 2020.
- (2) That this House notes the destruction of ancient Indigenous caves at Juukan Gorge in Western Australia.
- (3) That this House calls on the Government to ensure that a similar act will not occur at the proposed Shenhua mine.

Tonight we have a choice to show that Aboriginal people and their culture matter. When we have dug up, built over, bulldozed or blasted every last spiritual and sacred place, every last artefact, scar tree, every last bit of Aboriginal cultural heritage in New South Wales, will that be the time? Shenhua Energy has proposed to build an open-cut coalmine on the Liverpool Plains near Gunnedah, right in the middle of our State's food bowl. I know there has been much debate about the merits or otherwise of this project in this place and outside. Indeed, since the Labor Government first granted Shenhua Energy's exploration licence in 2008 this has been an incredibly controversial project, largely because of its impact on land, water and the climate. That has been a public debate.

The Shenhua coalmine will destroy historically and culturally significant artefacts and sacred sites of the Gomeroi people, half of the 60 identified by the company that are present on the site. This includes two rare grinding grooves, where it is believed warriors prepared for battle by sharpening their spears, as well as burial grounds and male ceremonial areas. Yet the mine has been given development consent by the New South Wales Government and conditional Federal Government approval. The Gomeroi people originally sought protection for the sacred sites in 2015 but were knocked back by both State and Federal governments under their so-called heritage protection laws.

In August last year Dolly Talbott, as a representative of the Gomeroi people, filed proceedings in the Federal Court against Federal environment Minister Sussan Ley after the heritage protection bid was rejected. The Minister made that decision despite acknowledging the "immeasurable" cultural value of the sacred places and objects under direct threat of destruction and desecration and that the project could cause "mental health impacts ... a sense of dislocation, displacement and dispossession" among Indigenous people. Despite all that, she concluded that the mine's potential economic and social benefits outweighed the site's heritage value. Dolly Talbott said at the time:

When we heard of the Minister's decision, there was a high level of confusion and disbelief. Does our culture, our spiritual and sacred places of Aboriginal heritage, mean nothing in this country? ... If this mega-mine proceeds, our interlinked sacred places will be completely destroyed and obliterated from the landscape. We will no longer be able to read our Country, share our sacred places with our children and grandchildren. Our ancestors' footprints, their legacy to us, will be lost – lost forever. ... Our heritage shouldn't be discounted for possible mining jobs in the future. We already have viable jobs in agriculture, and our heritage sites in this area have survived despite agriculture over many years. ... We have been trying to work within a system that is there to protect us and our cultural heritage. ... The process was difficult and took four long years to be assessed. ... We are the only ones who have no monetary interest in this. We just want to protect our heritage, our sacred places. As the oldest living culture on the planet, surely this should be of utmost importance to Australia?

That was Dolly last year. Rio Tinto recently destroyed Juukan Gorge, the site of 46,000-year-old rock shelters in Western Australia's Pilbara region, causing unimaginable distress to the Puutu Kunti Kurrama and Pinikura people—and that activity was 100 per cent legal. Clearly our laws to protect Aboriginal heritage are not good enough if this is happening. I note we will debate a motion on that matter in a few hours' time. Yesterday in this place the Leader of the Government, the Hon. Damien Tudehope, said:

Now is the time to stand up for what we all believe as Australians about the importance of our history—some of it is not so good, but those monuments stand as a representation of a time past when we should all acknowledge that things were done that were not so good.

We must show Dolly Talbott and the Gomeroi people that we have changed and that we will protect these sites, their monuments, so that in 20 or 50 years' time someone is not saying the same thing about Shenhua. When the Government renewed Shenhua's exploration licence in 2018 it included a cancellation clause that allows it to terminate the project. I urge members to support this motion calling on the Government to do just that.

**The Hon. ADAM SEARLE (20:43:14):** I lead for the Labor Opposition on this motion. I thank Ms Cate Faehrmann for amending her motion. This is a very important issue of preserving the culture of First Nations peoples, which is and should be for all of us a very serious matter. The issues raised in the motion are hugely important. It is important to note that the motion is not about the merits of the Shenhua mine—something that I have addressed in this Chamber over a number of years, in a very real sense, leaving aside the issue of heritage. That issue has bolted, from a State perspective. But the issue of whether First Nations peoples' culture is properly recognised and preserved is enormously important. Of course, the cautionary tale of what has happened in Western Australia—the terrible devastation and destruction of ancient signs of human habitation and culture going back, I think, 70,000 years to the ice age—is a terrible and tragic act of cultural vandalism, about which people should rightly be appalled, along with the apparent lack of regret by the company concerned.

At the site of the proposed Shenhua mine there are other signs of ancient human habitation that are put at risk. It is important for this House to adopt this motion, to recognise those sensitivities and concerns and to have them properly addressed. It is not seeking to re-litigate the issue of the mine and its merits or otherwise. That is why the Opposition is grateful that the mover has changed that aspect of the motion so that it can focus clearly and appropriately on the issues of First Nations peoples' cultures. It would be a sad day indeed for this House to not note the destruction of ancient Indigenous caves in Western Australia—a matter that we will discuss later. It is

important to send out a clarion call to the Government of the day, the Berejiklian Government, to take steps to make sure that what happened in Western Australia does not happen in New South Wales; otherwise that would send a terrible message to all First Nations peoples in this State, to the wider community and to all people who are rightly concerned with these matters. I earnestly hope that the members of this Chamber can come together on this issue.

**The Hon. TAYLOR MARTIN (20:46:33):** I note the call for this House to reject any application by the Shenhua Energy company for a mining lease—

**The Hon. Adam Searle:** It has changed. It doesn't do that.

**The Hon. TAYLOR MARTIN:** —which has received development consent under the State's comprehensive planning framework. For the benefit of members and those who are tuned in to the webcast at home, this project is expected to extract up to 10 million tonnes of raw coal per annum over 30 years. The project would employ around 600 people during construction and up to 600 people full time after production begins. Under the development consent for the project, Shenhua must prepare detailed management plans to address water, biodiversity and other cultural and environmental matters before commencing mining. In addition, the Commonwealth Minister for the Environment has given the project conditional approval under the Environment Protection and Biodiversity Conservation Act 1999. That approval requires, amongst other matters, the development of a water management plan, which must be approved by the Australian Government's Independent Expert Scientific Committee. I encourage members with any questions on that to contact the Department of Planning, Industry and Environment directly.

Shenhua must obtain a mining lease under the Mining Act 1992 before mining can commence. Both the 2017 deed of agreement between Shenhua and the New South Wales Government and Shenhua's exploration licence require a mining lease application for the project to be submitted by the end of this month. The New South Wales Government has thorough protections of declared Aboriginal Places under the National Parks and Wildlife Act. Aboriginal Place declarations help to recognise and safeguard our unique and diverse Aboriginal heritage places for future generations. Since this Government came to office in 2011 it has made 61 Aboriginal Place declarations.

The Government acknowledges that this motion has come about following events that have occurred in Western Australia. I acknowledge that many members here have spoken passionately on Indigenous and historical issues this week alone. As a Government, we are committed to protecting our history that has been declared under the State heritage protections. Those protections recognise the complete history of our country and celebrate the Aboriginal culture that has existed here for thousands of years prior to European contact. For the reasons I have outlined, the Government will not support The Greens' motion.

**Ms ABIGAIL BOYD (20:49:16):** I support the motion moved by Ms Cate Faehrmann. I understand it has been amended to get broader support, particularly from Labor. This mine in the Liverpool Plains is a short-sighted and economically foolish project. Over the last two days we have listened to hours of hand-wringing about the preservation of history in this place. Now we have the litmus test: Whose history do you care about protecting and under what circumstances? This mine will destroy the sacred sites of the Gomeroi people forever. Are you comfortable with that cultural erasure and why? Jobs, profit, votes—what is it that you use to justify that vandalism? "The sacred sites of our First Nations Peoples should be protected."

Those are not the words of The Greens, the Liverpool Plains community or the Gomeroi people, who have fought hard to prevent this devastating project. They are the words of Construction and Building Unions Superannuation [Cbus] head of responsible investment, Nicole Bradford. It seems Cbus holds around \$4.5 million worth of shares in the Shenhua Group through a passive index fund. Cbus is considering divesting. So too is investor BlackRock, which has pledged to reduce its thermal coal holdings and aims to lead socially responsible investing. This is what BlackRock's founder, Larry Fink, had to say about coalmining this year:

Thermal coal is significantly carbon intensive, becoming less and less economically viable, and highly exposed to regulation because of its environmental impacts. With the acceleration of the global energy transition, we do not believe that the long-term economic or investment rationale justifies continued investment in this sector.

He also said:

BlackRock concludes that this stranded asset risk is not yet priced into the market, so as a fiduciary, BlackRock really has no choice but to act.

Larry Fink is also a supporter of the Black Lives Matter movement. Maybe members would prefer the words of the Reserve Bank:

Beyond the next few years, the outlook for coal prices and demand is increasingly uncertain, particularly for thermal coal ... Many of Australia's key thermal coal export destinations, including China, Japan and South Korea, are transitioning away from coal-powered electricity generation. A continuation of this trend would be likely to weigh on coal export volumes and prices.

Shenhua, its investors—including unwitting superannuation account holders—and this Government are banking on 30 years of coal extraction in a global market that is increasingly rejecting fossil fuels due to climate change. To do it, they plan to destroy the sacred sites of the Gomeroi people. Are you comfortable with that? Are you using the very uncertain short-term private profits of a mining project as justification for sanctioning this particularly heinous example of cultural vandalism? The structural racism in our country has never been more clearly on display than it has been in the New South Wales Parliament this week.

**Mr JUSTIN FIELD (20:52:18):** Australians were shocked when they saw what happened at Juukun Gorge in the Pilbara. Rio Tinto's actions were shocking. I think the world was shocked. For about 4½ years I lived in the Pilbara. I spent some time in the Hamersley Gorge area and on the Burrup Peninsula. Anyone who has travelled to that area knows that the sacredness of that site is unmistakeable. It is clear even to those who have not been there. I was shocked by how much this issue captured the minds of not only Australians but also people further afield.

It is great that it has inspired us to look at how these sorts of issues might be happening closer to home. The focus of the media and a lot of others has been on how mining is impacting on Aboriginal cultural sites all around Australia now, which is appropriate. It is important that we understand it is not unique to the Pilbara. It is not unique to the Shenhua Watermark proposal on the Liverpool Plains. This is happening every single day in New South Wales right now. Aboriginal cultural heritage is protected in New South Wales under the National Parks and Wildlife Act 1974. One of the objects of the Act is the conservation of objects, places and features, including those of significance to Aboriginal people.

It is extraordinarily important to be aware that permits can simply be granted to destroy these places. An Aboriginal heritage impact permit basically grants permission to the holder to harm Aboriginal objects or declared Aboriginal places. It sets some conditions that a holder would have to comply with. But of course those protections, including the protections requiring a permit to be held, are overridden by the State's planning laws in New South Wales, especially for State significant development like mining. We have created a legislative framework that facilitates the destruction of Aboriginal heritage in New South Wales.

Since 2010 some 1,964 permits have been granted. Currently there are 302 in place. That is for the non-State significant development. Many, many more have been granted approval to be destroyed under the State's planning system, through the Environmental Planning and Assessment Act 1979. This is happening every single day. I acknowledge the motion and congratulate the member for moving it. It is very important that we debate this issue. I think it is important that this House support the motion and the cause to protect the sites of the Gomeroi people, who have fought so hard to protect those sites, but I would remind members to turn their attention more broadly to the way in which the law in New South Wales is failing Aboriginal people and the protection of Aboriginal cultural heritage in New South Wales.

**Mr DAVID SHOEBRIDGE (20:55:25):** I thank my colleague Ms Cate Faehrmann for moving this motion and for speaking up, as she has before, for the heritage of First Nations peoples in this State. I know she has accepted an amendment with the aim of getting broader support for the principles around protecting the Aboriginal heritage that will be damaged by this mine. The motion says that effectively the mine should only go ahead if we can ensure that the Aboriginal heritage is protected. But this Aboriginal heritage is all across the mine site. There are 60 different sites. To be quite clear, if we want to protect the Aboriginal heritage there is really only one way. This mine cannot go ahead because those extraordinarily important Aboriginal artefact sites that are a fair bit older than any statue in Sydney will be utterly destroyed.

Other members have spoken about the permit to destroy process. There is a system in place to allow for the systematic and routine destruction of Aboriginal heritage in New South Wales, approved by New South Wales bureaucrats, where if heritage is in the way of development someone puts in an application to destroy and they get a permit to destroy Aboriginal heritage—and the department has a 100 per cent approval rate; 100 per cent of applications are approved and the cultural heritage is destroyed. Imagine if that were applied to European or colonial heritage.

**The Hon. Don Harwin:** Are you saying 100 per cent should be rejected?

**Mr DAVID SHOEBRIDGE:** I am saying that non-Aboriginal bureaucrats should not be making decisions to destroy First Nations culture. What we have in place is a system of routine, systemic destruction and not protection of Aboriginal heritage. I would far rather see 100 per cent protected than 100 per cent destroyed—I can assure members of that. Worse still, because this is State significant development, all of the Aboriginal heritage protections are turned off. It is all just fair game. There is actually no legal protection for the Aboriginal heritage on the site because it is State significant. It can all be destroyed at the whim of a planning bureaucrat without even the consideration of going through the permit to destroy process. If you wonder why First Nations peoples look at us and say we collectively treat their culture effectively as just an impediment to our economic

extraction, it is because they look at us and they cannot believe the lack of respect we give to the 40,000 to 60,000 years of their heritage that we routinely destroy.

**The Hon. DON HARWIN (20:58:25):** I think I speak with an interesting perspective on these issues, having been the person who was involved as resources Minister in renewal of the licence and also as the Aboriginal affairs and heritage Minister who protected the Calga Aboriginal Cultural Landscape and put it on the State Heritage Register, and stopped the expansion of a sand mine on the Central Coast.

**Ms Abigail Boyd:** It was part of a preference deal.

**The Hon. DON HARWIN:** I acknowledge that interjection. That is the most outrageous slur, I think, that has ever been made against me in this Chamber. It is absolutely pathetic. Mr President, I ask that the member withdraw her comment.

**Ms Abigail Boyd:** I could explain it, if that's what you want.

**The Hon. DON HARWIN:** I will let the member explain it later, since she is not going to withdraw it. It has absolutely nothing to do with preferences and I reject that absolutely. The reason I made the decision was, having walked around that site with Darkinjung and Ku-ring-gai and Mingaletta women and being told, to the extent that I am able to be told, about the significance of that site to Aboriginal women, I was left in no doubt that it was the right thing to do. I did that. I interjected, which I should not have done, and I apologise to you, Mr Deputy President, and to Mr David Shoebridge, but he raised the issue of permit to destroy.

There has to be some permit system. We cannot just assume that everything can always be retained in terms of heritage, whether it is the built heritage of Europeans, Aboriginal cultural heritage or whatever it is. There has to be some system to ensure that there can be appropriate development. But obviously there must also be protection when there needs to be protection. I conclude by saying that on one thing I am in absolute agreement with Mr David Shoebridge—that is, that there are arrangements for Aboriginal cultural heritage in this State, in particular, bringing them to a position where they should be regularised. But I do not agree with Aboriginal heritage being dealt within an Act that deals with parks and wildlife, for heaven's sake. It is just offensive and disgusting.

I spent the better part of a year trying to deal with this issue, which is not easy to deal with. I inherited a model that, frankly, was just going to build an enormous bureaucracy, which I do not think gives Aboriginal people and Aboriginal communities sufficient control over and input into decisions that are absolutely crucial to them. I am sorry that I have not had a chance to take that further but I certainly will be following it very closely. I believe it is absolutely essential that in reforms of Aboriginal cultural heritage—as I said in a contribution earlier in the day—Aboriginal community-controlled organisations are at the centre of decisions on Aboriginal cultural heritage in the future.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I thank members for allowing the Hon. Don Harwin to speak for longer than his allotted time. I will invite the Hon. John Graham to speak and others who wish to speak, but we are short on time.

**The Hon. JOHN GRAHAM (21:02:50):** My contribution to this discussion will be brief, given that I have a later motion on the *Notice Paper*. I simply say that it is impossible to have this discussion today without thoughts about what has happened in Western Australia and on other mine sites. I found the destruction of the caves so sad. I welcome the comments of the former Minister and all the contributions to this debate. I support a safe and environmentally appropriate mining industry. I support the economic development of Indigenous communities and self-determination over these issues. There has to be a more equal discussion; that is what really underlies these issues. I will leave my contribution there in the interest of time.

**The Hon. PENNY SHARPE (21:04:00):** My contribution to this discussion will also be brief. We spend a lot of time talking about these issues, and later tonight we will have an opportunity to talk about the importance of Aboriginal cultural heritage and the way in which we protect it. I thank Ms Cate Faehrmann for being prepared to talk with Labor about how we make clear this House's view about the loss of cultural heritage, in particular around the Shenhua site. Many of us have been to the site, some of us several times, and we have met with traditional owners and others who are very concerned about the sacred sites there. I do not believe that anyone thought that what happened in Western Australia, the destruction of a 45,000-year-old cave, was reasonable. We are talking about cultural heritage of similar significance on the Shenhua site. I think that this motion is very important because it is about the protection of the site in the future.

**Ms Abigail Boyd:** I officially retract the statement I made and unreservedly apologise to the Hon. Don Harwin. I was thinking of a different transaction and my statement was unfair.



**Ms CATE FAEHRMANN (21:05:30):** In reply: I thank members for their very considered contributions to this discussion. I think we have come to a very good position that hopefully most of us in this Chamber can support. It was heartening for everybody to see just how much we want to talk about what happened in Western Australia. Hopefully the spirit of this motion is that this House wants at least to send a strong message that we will not allow the same thing to happen in New South Wales.

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

**Motion agreed to.**

*Bills*

**PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (RESTRICTIONS ON STOCK ANIMAL PROCEDURES) BILL 2019**

**The Hon. MARK PEARSON:** I move:

That private members' business item No. 567 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. MARK PEARSON (21:07:30):** I move:

That:

- (a) the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019 be restored to the business paper;
- (b) the second reading stand an order of the day for the next sitting day;
- (c) the provisions of the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019 be referred to Portfolio Committee No. 4 - Industry for inquiry and report by 31 July 2020; and
- (d) the second reading and subsequent stages not proceed until the report of the committee has been tabled.

This is an irregular motion because it is about restoring the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019 to the *Notice Paper*. I seek to return this bill to the *Notice Paper* because the woolgrowers need certainty. At the moment Victoria is taking one position on mulesing and analgesia. The world and retailers are looking at wool production in Australia, at the issue of mulesing and analgesia and at the fact that the agriculture Minister has not given any assurance to woolgrowers as to what the position will be in New South Wales, allowing the industry to sort it out for itself. This motion is about sending the bill, which relates to providing analgesia and an eventual banning of mulesing, to the relevant committee to look at all of the issues that are bearing down on the wool industry and especially the approximately six million lambs in New South Wales that are mulesed every year. Mulesing is a very invasive surgical procedure and most of them are mulesed without any analgesia.

There is a lot of research into analgesia for farm animals when they are being mutilated. There is a lot of interest and concern from retailers around the world about what the wool industry is going to do with this issue. I call upon the House to support this motion and I welcome the support of Reverend the Hon. Fred Nile. The question is not whether to pass the bill. The question is merely whether to send the bill to the relevant committee to analyse the very complex and controversial issues around this particular subject. I understand that the relevant committee will be drowning in three water bills over the next month. I ask that the inquiry and report be presented by 28 August this year, which can be amended to be later if required.

**The Hon. SAM FARRAWAY (21:10:02):** This House has already dealt with this exact matter. Last year it voted on the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019, although I was not here at that point so I will get to do so tonight. The Hon. Mark Pearson is yet again bringing it to the House. Nothing has changed with regard to the content of what the member is trying to do, nor in the steps that the New South Wales industry is taking with regard to this very matter. Industry is leading the charge and this industry-led position is supported by NSW Farmers. The Hon. Mark Pearson spoke about wool producers. Wool producers, who ultimately supported recent changes in Victoria after considerable negotiation with the Victorian Government—which initially had an incorrect definition of mulesing—came out at the same time and made the point that the bill presented by the Hon. Mark Pearson was not supported by the industry.

The bill bans entirely the practice of mulesing and mandates pain relief for routine animal management practices. It would actually have a perverse effect on stifling innovation and industry gains in this area. Mulesing has been, and continues to be, an essential management tool for the wool industry. It reduces the serious risk to the welfare of sheep resulting from flystrike. If left untreated flystrike can be fatal, resulting in lost production costs in excess of \$200 million per year for the Australian wool and sheep meat industries. The prevention of flystrike has been the source of much debate over the past few years. The traditional method of mulesing is in

need of improvement. Industry is already meeting this challenge head on by continuing to invest in research and development to improve management techniques and practices. Industry understands the need to transition away from mulesing and the need for pain relief when mulesing is necessary. The industry-led mandatory pain relief audit process achieves improvements in animal welfare without the need for additional government regulation. For those reasons, the Government opposes the motion.

**The Hon. MICK VEITCH (21:13:14):** I speak on the motion of the Hon. Mark Pearson regarding the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019. It is an unusual motion. I did not take points of order on the mover and the Hon. Sam Faraway to draw them to the focus of the motion, which is not the bill but the motion to restore the bill to the business paper. It is a finite, pointed motion. On that basis, my contribution will be relatively short. The Opposition will support the motion. I refer honourable members to my contribution to the previous debate on the bill.

**The Hon. EMMA HURST (21:14:07):** I speak on the motion regarding the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019. The comment that a general inquiry will actually take the industry backwards is quite bizarre. I cannot imagine that any inquiry in this place—putting the issues on the table for discussion—would be negative for an industry. It was also mentioned that an inquiry is not supported by industry. That is highly concerning if an industry does not want to talk about some of the issues that my colleague the Hon. Mark Pearson has highlighted, which are big issues in different States and obviously in the consumer market. I highly recommend that members support the motion, which is to refer the bill to an inquiry.

**The Hon. MARK PEARSON (21:15:10):** In reply: I thank all members who contributed to this debate. I hope that the numbers, when it comes to the vote, will not put the Deputy President in a difficult position.

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

**The House divided.**

Ayes .....21  
Noes .....20  
Majority.....1

#### AYES

Boyd	Buttigieg (teller)	D'Adam (teller)
Donnelly	Faehrmann	Field
Graham	Houssos	Hurst
Jackson	Mookhey	Moriarty
Moselmane	Nile	Pearson
Primrose	Searle	Secord
Sharpe	Shoebridge	Veitch

#### NOES

Amato	Banasiak	Borsak
Cusack	Fang	Farlow
Faraway (teller)	Franklin	Harwin
Khan	Latham	Maclaren-Jones (teller)
Mallard	Martin	Mason-Cox
Mitchell	Roberts	Taylor
Tudehope	Ward	

**Motion agreed to.**

#### *Documents*

### **BUSHFIRES AND FORESTRY INDUSTRY**

#### **Production of Documents: Order**

**Mr JUSTIN FIELD:** I move:

That private members' business item No. 573 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**Mr JUSTIN FIELD (21:27:38):** I seek leave to amend private members' business item No. 573 outside the order of precedence for today of which I have given notice as follows:

- (1) Omit in the opening paragraph "the Minister for Energy and Environment, or the Minister for Regional New South Wales, Industry and Trade" and insert instead "or Regional NSW".
- (2) Omit in paragraph (a) "concerning" and insert instead "relating to the development, drafting and issuing of".
- (3) Omit in paragraph (b) "between the NSW Environment Protection Authority and the Forestry Corporation of NSW" and insert instead "between the NSW Environment Protection Authority, the Forestry Corporation of NSW or Regional NSW".
- (4) Omit all words in paragraph (c) and insert instead "a copy of any environmental risk assessment of the site-specific operating conditions completed prior to, or after, the conditions were implemented".

**Leave granted.**

**Mr JUSTIN FIELD:** Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 1 December 2019 in the possession, custody or control of the NSW Environment Protection Authority, the Forestry Corporation of NSW and the Department of Planning, Industry and Environment (Environment, Energy and Science Division) or Regional NSW:

- (a) all documents relating to the development, drafting and issuing of site-specific operating conditions for bushfire-affected forests;
- (b) all correspondence between the NSW Environment Protection Authority, the Forestry Corporation of NSW or Regional NSW concerning post-fire logging of burnt and unburnt forests;
- (c) a copy of any environmental risk assessment of the site-specific operating conditions completed prior to, or after, the conditions were implemented; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House. I thank the House for its indulgence in accepting the lengthy amendments. I assure the House that they resulted from engagement with the Government. I am seeking to achieve the best outcome. Members will recall if they have been listening—and I note that some have not—that I have been asking questions about how the rules for logging in burnt forests were determined by agreement between the Environment Protection Authority [EPA] and Forestry Corporation of NSW. I have asked a number of questions in this House; I asked questions during budget estimates; I sought answers to these questions on notice and in the House, as mentioned; and I have had direct engagement with the environment Minister and the forestry Minister. At the end of the day, though, the specifics around the assessments and surveys that were conducted and that the advice that was relied on by the Environment Protection Authority in coming up with these rules has not been provided in any way to give assurances that the rules of the integrated forestry assessments were complied with.

I assure members of the House that I have gone to some lengths to try to get this information by other means. I do not want to belabour the point—I have asked those questions and members have heard me talk about this in the take-note debate, as well. I have concerns about how those rules were arrived at, but I am asking these questions because this will be an ongoing issue over the next two to three years as our forests recover. Forestry Corporation of NSW will seek more exemptions to the current rules and it is in the interest of the community and members of the House that we understand what those rules are. I ask members to support the motion.

**The Hon. ADAM SEARLE (21:31:19):** The Opposition will support this motion under Standing Order 52.

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (21:31:28):** The Government opposes the motion. There is no question that there is public interest in the development of site-specific operating conditions for bushfire-affected forests and ongoing sustainable timber supply following this season's bushfires. That is why numerous detailed documents relating to those conditions are already freely available to the public. In each and every location where site-specific operating conditions have been developed for selective timber harvesting of forests affected by fire, those conditions are published in full on the website of the Environment Protection Authority. The harvest plans published online by Forestry Corporation of NSW also detail exactly how the site-specific conditions will be implemented in each of the sites where they have been developed.

In addition, a full list of compartments that were included on Forestry Corporation's existing harvesting schedule and provided on an indicative basis to the Environment Protection Authority to inform discussions regarding post-fire harvesting has been tabled in response to questions in recent budget estimates hearings. This Government and its agencies have been nothing but transparent when it comes to the development of site-specific conditions for selective timber harvesting operations in fire-affected native forests. There is no additional public benefit in compelling organisations that have already published numerous detailed documents to spend further countless hours of time wading through and retrieving routine correspondence when the relevant information is already freely available in full for everyone to read. The scope of this motion is such that staff at the EPA and Forestry Corporation of NSW, who are responsible for ensuring that forestry operations happen

safely and within the rules, including site-specific rules, would need to spend a significant amount of time complying with this order.

There is already complete transparency and full disclosure relating to these contracts. It cannot be argued that there is any additional documentation that would add to the public understanding of the information that has already been disclosed. This call for papers is simply a distraction from the important work that both the Forestry Corporation of NSW and the Environment Protection Authority—which are working tirelessly to assess, monitor and mitigate short- and long-term impacts on forest and timber supply—do to keep our regional economies moving and supply the vital renewable products we need for rebuilding fire-affected communities' infrastructure. Forestry Corporation, like other managers of public land, is working together with industry and our environmental protection and nature conservation agencies to assess the impact of the fires and to put in place sound, science-based adaptive management plans to consider, assess and respond to the impact of the fires. The Government opposes the motion.

**Mr JUSTIN FIELD (21:34:38):** In reply: I indicated in my contribution that I did not want to go back over the history of this but, given that the Government has stood up and repeated the same nonsense about this issue, I remind members that when I asked questions about what surveys and assessments had been done, I received the answer, "These are the types of surveys and assessments that can be done." When I asked a supplementary question earlier this week I received an answer from the Government that repeated the exact same answer given in the House. When asked if it would make the assessments public, it provided bullet points stating, "We did on-ground assessments, we did fauna surveys." But the Minister acknowledged that it did not do fauna surveys in a lot of the assessments because the forests were still burning and it was not able to.

Forestry Corporation of NSW has provided a report that is the trigger for these site-specific conditions to be granted. For the interest of members, the reports—and I appreciate there is a lot of support for the forestry industry—that were provided to justify these conditions are "tick a box" forms. There are about 50 words on them, which state, "We need it for the timber." The rules are not being complied with. The Government has not provided the information. If that is the only work that has been done the Government should just say so, and then we will all know that it has not followed its own rules and has sold these communities down the river.

I have spoken to the timber industry and, for those interested, there are concerns amongst the small timber mills that the timber that is coming out of these forests is not being treated fairly and is being given under preferential conditions in the licences and contracts to the big timber mills with Boral. It is being given the preferential timbers and has as much interest in how these rules are being determined as anyone else. This is a straight up and down fair request for transparency in the process. I am not trying to have a go at the forestry industry or the timber mills. I want to understand how we are going to make decisions about the management of these forests for the next five years of recovery and I do not think that is an unreasonable ask. There are many people out there in the New South Wales community who also want that information.

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

**The House divided.**

Ayes .....20  
Noes .....21  
Majority.....1

#### AYES

Boyd  
Donnelly  
Graham  
Jackson  
Moselmane  
Searle  
Shoebridge

Buttigieg (teller)  
Faehrmann  
Houssos  
Mookhey  
Pearson  
Secord  
Veitch

D'Adam (teller)  
Field  
Hurst  
Moriarty  
Primrose  
Sharpe

#### NOES

Amato  
Cusack  
Faraway (teller)  
Khan  
Mallard

Banasiak  
Fang  
Franklin  
Latham  
Martin

Borsak  
Farlow  
Harwin  
Maclaren-Jones (teller)  
Mason-Cox

## NOES

Mitchell  
Taylor

Nile  
Tudehope

Roberts  
Ward

**Motion negatived.**

*Motions***TOMAGO ALUMINIUM SMELTER**

**The Hon. MARK LATHAM:** I move:

That private members' business item No. 548 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. MARK LATHAM (21:47:25):** I move:

- (1) That this House notes:
  - (a) that the Tomago Aluminium smelter employs 1,200 workers drawn from the electorates of Newcastle, Port Stephens, Maitland, Cessnock, Wallsend, Charlestown, Lake Macquarie and Swansea; and
  - (b) the worrying prediction of the Tomago CEO, Matt Howell, that the business cannot survive on an energy supply of renewables and battery storage alone.
- (2) That this House:
  - (a) urges the Government to develop an energy security and employment plan for Tomago involving, at a minimum, gas peaking plants, backed by a thriving New South Wales gas industry; and
  - (b) supports the position of the Australian Workers Union that the lack of energy security and certainty in New South Wales is already costing our economy jobs, as it drives away manufacturing investment and creates doubt over the future viability of enterprises such as Tomago.

We have heard a lot of noise in the past 48 hours from the Labor Party, saying it stands for "jobs, jobs, jobs"—

**The Hon. Walt Secord:** And more jobs.

**The Hon. MARK LATHAM:** And even more jobs. Of course in the recession of the early 1980s the great Neville Wran had the slogan of "Jobs, jobs, jobs". Just demonstrating what a genius he is in attracting media attention, the Hon. Walt Secord has added the words, "and even more jobs"—and he really means it. On that basis, of course, he will be supporting this motion, which is about jobs, jobs, jobs and even more jobs in the Hunter Valley.

**The Hon. Walt Secord:** I will be supporting it with bells on.

**The Hon. MARK LATHAM:** With bells on—there you go. The rhetoric grows more dynamic and appealing by the moment. The Hon. Walt Secord really is a genius at attracting media attention, using all the skills of a former press secretary. But the serious point here is that the first rule of economic policy in a deep recession is: Do no harm. Do not knock around the jobs and industries that we have in New South Wales at the moment, because there are so many problems in the economy. We do not want to lose existing jobs and industries, given all the problems in the hospitality, tourism and education sectors. For this reason, my motion notes:

... that the Tomago Aluminium smelter employs 1,200 workers drawn from the electorates of Newcastle, Port Stephens, Maitland, Cessnock, Wallsend, Charlestown, Lake Macquarie and Swansea ...

That is the heartland of the Hunter Valley, where they cannot afford to lose those jobs. It is a region that relies on a flourishing energy sector for manufacturing. What a tragedy it would be for New South Wales to be exporting aluminium smelting jobs in this recession—to lose Tomago and the severe impact that would have on each of those constituencies in the Hunter Valley. The warning bells are ringing. I was very alarmed during debate on Mr Justin Field's private member's bill, which was supported by Labor, that in that context the Tomago CEO, Matt Howell, said the business could not survive on an energy supply of renewables and battery storage alone. He needed more: He needed the dispatchable power that fills the gaps when the sun is not shining, the wind is not blowing and we have the problem of unproven battery storage technology on a mass scale.

I urge this House to impress upon the Government the need for an energy security and employment plan for Tomago. There are other mechanisms that could be deployed but, at a minimum, it should involve the gas peaking plants. They have the advantage of being able to be turned on quickly if there is a shortfall in renewable energy supply. The peaking plants have some potential to fill the gap, as pointed out by Matt Howell. And, of course, to have effective gas peaking in New South Wales we need an effective and thriving gas industry, and that is all about Santos. Let us not kid ourselves here: Santos is the big kahuna in this debate. It is the big one upon

which our hopes for energy and gas self-sufficiency in New South Wales rely. It is all about Santos. I am hoping that in light of the very fine decision of the New South Wales department of planning to tick off Santos the Labor Party, in particular, will reverse its opposition to coal seam gas and the Santos project. Here is an opportunity to back the rhetoric of jobs, jobs, jobs and even more jobs by backing in Tomago and the need for a reliable energy supply.

One of the reasons I am supporting the position of the Australian Workers' Union on these issues is that representatives of the union came with a very impressive submission to the Standing Committee on State Development inquiry on uranium mining and nuclear power. They made the point that New South Wales was already losing jobs and investment because of a lack of energy security. We all heard the distressing news last year from the Australian Energy Market Operator about the heightened risk of blackouts in New South Wales and also Victoria. When that news spreads around the international investment community it will drive down the prospect of business investment and jobs coming to New South Wales. We must continue to make things. We must continue to be a manufacturing State. New South Wales has a very fine tradition of being an industrial heartland on the east coast of Australia. We must continue that.

As I have pointed out previously in the Chamber, the options for a State competitive economic advantage are quite limited. We are not going to be outcompeting Asia by driving down wages—that is unthinkable. Of course, we need to do something on the skills front but that is a medium- to long-term project, such is the damage in our schools and post-secondary system. The immediate smart thing we could do now to build a competitive advantage is to have cheaper energy prices by having a flourishing gas industry, in particular. It would make sure that we have affordable electricity prices. It would help deal with the recession. I strongly urge this motion upon the Chamber. [*Time expired.*]

**The Hon. ADAM SEARLE (21:52:40):** On behalf of the Labor Opposition I wholeheartedly support this motion before the House. Labor is no stranger to Tomago and its contribution to the New South Wales economy. Of course, the local member, Kate Washington, in the other place knows Tomago well and I have met with Tomago and Mr Howell on more than one occasion. We value the facility and its contribution not just to the regional economy but also to the economy of New South Wales. We note that a mix of renewables and coal-fired power currently supplies the energy that Tomago depends on. We accept that, at the moment, industrial-scale battery storage does not exist and that it is something to be developed in the future. We also accept that there does need to be energy security to make sure that Tomago continues to have the 24/7 electricity it needs.

Tomago, in one sense, is a victim of its own success. Over the years it has invested heavily in its technology and has really ramped up and driven its energy efficiency to reduce its costs. The cost of doing that has made its operation more sensitive to power outages. Once upon a time it used to be able to have outages for hours or days; now, hours or even minutes can potentially cause irreparable harm. Tomago, because it consumes 10 per cent of the State's energy at any given moment, is always at risk of being curtailed. When the Hon. Don Harwin was Minister for Resources and Energy—in fact, I think only days into his tenure in that role—in February 2017 it was very hot and he faced the issue of whether Tomago would have its energy curtailed.

We do not oppose gas peaking plants, both because they underpin renewables and because they provide swift energy where it is needed, but one thing not expressly identified in this motion and one thing that the Government should think about is an energy security mechanism, perhaps in the form of an energy security payment to industries like Tomago. Matt Howell has addressed this point, because in a sense it can operate as the State's battery or fail-safe when the State's energy capacity is being stretched. If the energy to Tomago is interrupted or curtailed, that makes up to another 10 per cent of the State's energy.

**The Hon. Don Harwin:** They've got that via their contract with AGL.

**The Hon. ADAM SEARLE:** I acknowledge that interjection, but that contract is up for renewal, or at least it was recently. The point is that there are a number of different mechanisms that the State should creatively think about as a way of underpinning the State's energy supply and doing something creative in relation to Tomago, noting that its relationship with AGL is an important factor to consider in this mix. With those observations, we have no reservation at all in endorsing this motion in our pursuit of jobs, jobs and even more jobs for the people of New South Wales.

**The Hon. BEN FRANKLIN (21:55:40):** I start by saying that the Government shares the honourable member's commitment to making sure we keep strong and prosperous manufacturing industries and local employment here in New South Wales, particularly in the Hunter. This commitment is more important than ever with the economic impacts of COVID-19. I note the statement of the Treasurer yesterday recording an almost doubling of last year's unemployment rate to 7.75 per cent. These shocking figures are ones that this Government is committed to turning around through our primary goal—creating jobs to get New South Wales working again. This Government recognises the inextricable link between cheap electricity prices and the economic prosperity of

our local industries like Tomago Aluminium Smelter. That is why I am so proud that the Government has an electricity strategy and also a \$2 billion energy agreement with the Commonwealth.

Let me set out just some of the critical work that is already underway to put downward pressure on electricity prices and improve reliability. First, as part of the State's electricity strategy we have set one of the highest targets for electricity reliability in the western world, the Energy Security Target and Safeguard. This target is set at a level so the State can deal with peak one-in-10-year demand conditions that coincide with outages of the State's two largest generating units. The State has already made critical headway to meeting this target following the closure of the Liddell Power Station in 2023, including by underwriting the Queensland to New South Wales interconnector and delivering the \$75 million Emerging Energy Program—all designed to make sure we bring new generation online and improve access to existing generation for the closure of Liddell.

Second, as many in the House would be aware—and I particularly note former Minister Don Harwin, who was an important part of this—the Government reached a landmark \$2 billion energy agreement with the Commonwealth in January 2020. Under the agreement, the governments are working together to improve the State's access to gas supplies, deliver critical interconnector projects—like the HumeLink project to access new capacity from Snowy 2.0—and bring substantial new generation investments online. This work is designed to complement investment from the private sector to create jobs and bring new generation online, such as Energy Australia's \$80 million investment to increase the capacity of Mount Piper Power Station and AGL's \$70 million investment to upgrade Bayswater Power Station.

There is no simple solution to the challenges facing our electricity system, but I assure the House and the hardworking people employed in energy-intensive industries across the State that the Government has a clear and achievable strategy to lower energy prices and improve the reliability of our grid. We look forward to that strategy coming to fruition.

**The Hon. WALT SECORD (21:58:30):** As the shadow Treasurer I speak in debate on this motion concerning the Tomago Aluminium Smelter. It is a timely motion and it has our wholehearted support. Just before I entered the Chamber I spoke to our colleague the member for Port Stephens, Kate Washington, MP. She said that there are 1,100 workers, although the motion recognises 1,200 workers, but the bottom line is that we are speaking about workers.

**The Hon. Mark Latham:** We don't want zero.

**The Hon. WALT SECORD:** Absolutely, we do not want zero. For those 1,000 workers at Tomago during COVID it was full steam ahead. No viruses—they worked continuously. They were absolute champions and I express absolute solidarity with them. I note that 10 per cent of the electricity supply goes to Tomago. Members would be aware that economists and families on the front line will tell us that we are headed for hard economic times. We can speculate whether it will be a recession or a deep depression, but it is definitely more than a bit of trouble. It is also certain that the Berejiklian Government's mismanagement of the economy and almost \$14 billion in cost blowouts have hindered our ability to respond to COVID. We have slipped behind Victoria and Western Australia and our economy has contracted by 10 per cent. In these uncertain times I believe we need to have a sophisticated approach to the economy and I recommit to jobs, jobs, jobs—

**The Hon. Ben Franklin:** What else?

**The Hon. WALT SECORD:** —and even more jobs. I also believe we must have an energy and security employment plan for Tomago, which involves gas. We have to support manufacturing and take away any doubt about the future viability of enterprises such as Tomago in New South Wales. While it is right that we look forward to support renewable forms such as wind and solar, we also have to support a New South Wales gas industry. I point to Western Australia and the model used by Premier Mark McGowan as the way forward. It was the Swiss cheese approach, where he allowed exploration in certain areas and strictly prohibited it in other areas. It is no wonder he is the nation's most popular premier. I do not support a statewide ban on gas and unconventional gas exploration.

Those are my views and they have been on the record for several years. That would not surprise the member for Hunter, Joel Fitzgibbon, or Dan Walton of the Australian Workers' Union. It would not even surprise my colleagues. In fact, as recently as Monday night I had a Zoom call with Illawarra Young Labor, whose members are all concerned about the economy. The first thing they said to me was, "What about this, Walt?" I said, "I stand with you." I am reassured by the next generation. They want a stable approach on the economy and gas. I thank members for their consideration.

**The PRESIDENT:** It being 10.00 p.m., according to sessional orders, proceedings are interrupted to permit the Minister to move the adjournment motion if desired.

**The House continued to sit.**

**The Hon. DON HARWIN (22:01:56):** I am delighted to speak on this motion and I strongly support most of its sentiments. I have a slightly different approach to one or two things, but that does not stop me from supporting the motion. Tomago Aluminium smelter is a critical player right through the Hunter. The employment it provides—1,200 jobs—is fantastic. The Hon. Mark Latham talked about how much of our power it uses—10 per cent—and we had a brief exchange across the table about those issues. I note that the motion mentions Matt Howell talking about how battery storage alone will not meet his needs. I am reminded of a conversation I had with Paul Broad from Snowy Hydro one day, when he told me about Matt Howell's comment that the Hornsdale battery in South Australia would keep him going for seven minutes, whereas Snowy Hydro would keep him going for seven days. To the extent that Snowy Hydro is a very large battery, it is a great thing we are doing.

But I do not disagree with the view that a diverse range of energy sources supporting our energy security is important. Members who were here before the last election will recall that, as energy Minister, I often said that I was agnostic about the source of our power; it was just important that we have secure power. The second half of the motion talks about gas peaking plants and also the position of the Australian Workers' Union [AWU]. I cannot say that I agree with all that view. I am unconvinced that we need a gas preservation plan, which the AWU is out there saying. But I will say this: Unfortunately, we are heading down that road. One of the things that I think has been very regrettable in the past two years is we are moving away from markets and we are necessarily, therefore, having to intervene as governments in this issue.

I am firmly of the view that if we had had the National Energy Guarantee [NEG], which I campaigned for vigorously throughout my time as energy Minister, we would now have a gas peaking plant being built at Newcastle near the Tomago Aluminium plant. It is not being built, but not because AGL does not want to build it; AGL does want to build it. But the lack of certainty and the investment climate that has followed the failure to introduce the NEG has been a problem. Fortunately, our electricity strategy is addressing that now as a State. *[Time expired.]*

**The Hon. DANIEL MOOKHEY (22:05:05):** I concur with the comments made by the Leader of the Opposition. I concur strongly with the comments made by the shadow Treasurer and with his insistence on jobs, jobs and even more jobs. But I offer this as a gentle reproach to the mover of the motion: I think the motion should have gone further. If we are talking about how to secure the future of the Tomago Aluminium smelter, then we should be talking about a "made in New South Wales" policy along with it. It is all well and good that the input costs are as low as can be provided, but if we were serious about securing those jobs then we would be having a "made in New South Wales" style policy that picks up the aluminium that is smelted in Tomago and uses it to build trains. We put the trains in South Korea. We sent trains elsewhere to Indonesia. The irony, of course, is that the Tomago smelter has to smelt the aluminium here, send it over there to be used in building those trains and then bring it back again—all because we have no local content policy to accompany an insistence on cheap power prices.

If we are serious about securing the future of the smelting industry here, two things need to happen: We need to keep the power on and power prices cheap, but we also need to make sure that we are buying the output of those 1,100 or 1,200 workers. That is the first thing we should be doing if we are serious about securing—beyond just energy prices—the future of the Tomago smelter: a proper "made in New South Wales" policy. The second dimension is this: If we are serious about talking about what is wrong with the aluminium market worldwide we cannot avoid the issue of dumping. We just cannot avoid it. We have massive smelters in other countries and there is much suspicion about whether goods are being dumped in Australian markets and elsewhere.

The Australian Workers' Union [AWU] has done the most in this country to bring this to public light, which is acknowledged in this motion. If members want to acknowledge the full advocacy of the Australian Workers' Union, then we should also be talking about its leading campaign for the national Government to take proper action against dumping, because it is threatening workforces just as much as power prices. A serious effort to establish global trade rules that are open, fair, accessible and, most importantly, enforceable is in the interests of the Tomago smelter as much as cheap power prices.

It is fine for us to acknowledge the need to ensure that the Tomago smelter has dispatchable base load power capable of keeping the smelter alive, because it is very hard to shut down an aluminium smelter. Once smelters are shut down, they are not restarted. That is the issue. But if we are serious about keeping them long term, we can have as much gas as we want in the New South Wales market. If we are serious about protecting those jobs, we need a "made in New South Wales" policy. We need the New South Wales Government to use its seat in the National Cabinet to say "yes" to Mr Morrison, to fight hard for proper anti-dumping laws in the world. I thank the AWU for raising the issue as well.



**The Hon. TAYLOR MARTIN (22:08:07):** I speak in debate on this motion because I am also quite concerned about the future of the Tomago Aluminium smelter. On several occasions in recent years New South Wales has been at risk of involuntary load shedding—known to most as blackouts. We have been warned by the Australian Energy Market Operator that in 2023, when Liddell Power Station is slated to be switched off, 770,000 households will be at risk of a blackout during an extreme heat event. We risk those blackouts becoming more and more common as coal-fired power stations reach the end of their lives, our population grows and we have a greater reliance on electricity. On those occasions when the power supply is at risk, we are asked to turn off our air conditioning and reduce our power use. Tomago Aluminium smelter—the State's largest electricity consumer and home to over 1,000 direct and indirect jobs in the Hunter region—is also required to reduce its electricity consumption. The Tomago smelter is obliged to do so when instructed.

Each time they reduce power usage, they risk a catastrophic potline freeze that would takes years and millions of dollars to repair. It is not simply restarted. The more likely scenario is that they would simply close and lose over 1,000 direct and indirect jobs. This would be devastating to the Hunter region and New South Wales more widely. The company contributes \$1.5 billion annually to the Australian economy of which \$800 million is spent locally. The smelter produces 580,000 tonnes of aluminium every year, which is 25 per cent of Australia's aluminium supply. Some 90 per cent of the product made at Tomago is exported to the Asia-Pacific region.

Tomago is just one example. We know that governments overseas are using the state of energy and policy uncertainty to lure away companies from New South Wales. During the recent Standing Committee on State Development inquiry the Minerals Council of Australia told us that the State of Pennsylvania had a trade mission to New South Wales in 2017 targeting local manufacturing firms to move their operations due to our energy costs and reliability. This was backed up by the Australian Workers' Union submission, which stated:

Rising power prices and unreliability of supply is on the verge of collapsing Australia's manufacturing base.

We must not accept, as some in this place are willing to, that the closure of successful businesses like Tomago Aluminium is an acceptable by-product in the pursuit of green ideology. In these times we must do everything to ensure a diversified economy to keep as many jobs local as possible. I am glad to support this motion. I am very glad that there are many members in the Chamber to talk about Hunter jobs.

**Mr JUSTIN FIELD (22:11:00):** I am pleased to be able to speak about the environment when we are talking about energy policy in New South Wales, because it is a critical part of the conversation. I will pick up on the points made by the Hon. Taylor Martin in his speech. One of the reasons there have been risks of brownouts and blackouts in recent years is not because of the number of problems with renewable energy, as we often hear from the member who moved this motion; it is actually that our old coal-fired power stations are breaking down. It has been a failure of this State and country to prepare for the transition. This debate is just another in a long line of debates that have not necessarily helped us to move forward.

I hope that through the support of this motion and ongoing engagement in this House we can start to move forward. If there is an economic challenge in the Hunter Valley it is not because of an energy problem: We have never been mining more coal in the Hunter. We have never had bigger industrial activity in the Hunter Valley. If the problem is coalmining, we are looking in the wrong place. There has been a failure of industry policy in Australia. We are the largest exporters of coal from that port in Newcastle. We are the largest exporters of gas. If we have a problem with energy prices it is a failure of energy and industry policy in Australia, not a failure of building new coal-fired power stations.

All the reports from all government agencies will tell you that if you want to build a new power station in Australia at the cheapest rate possible you are not going build a new coal-fired power station. There might be a rationale for building a peaking gas plant—and we can have a conversation about that—but how much do you want to spend to manage the very small window of time between Liddell going down and having enough renewables in the system to manage the needs of Tomago? That is a really legitimate question to ask. We have had this debate about gold plating our energy networks in the State. Billions and billions of dollars were probably wasted because we failed to look at the demand-side solutions of energy efficiency that might have helped us get through this transition. Diabolically, partisan energy policy has led to energy and industry failure in this country. I hope this place can be part of some of the solutions to get past that.

Elements of this motion are totally understandable. I do not agree necessarily that we are going to need peaking gas to get past this. I suspect that by the time the transition to Liddell happens we will need some solutions, and those offered by the Leader of the Opposition are very smart ones. I come from Gladstone; I come from aluminium country. My father and my brother work at the bauxite refinery up there at Queensland Alumina Limited. It is about five kilometres from the house and we get the caustic ash falling onto dad's car on a regular basis—I know what it is like. Rio Tinto has been reconsidering the future of all of its assets in Australia. It is not just energy policy that is driving that. We have to be honest about where this debate is really coming from.

**The Hon. MARK LATHAM (22:14:14):** In reply: I thank the honourable members who have contributed to the debate: the Hon. Adam Searle, the Hon. Walt Secord, the Hon. Don Harwin, the Hon. Taylor Martin, the Hon. Ben Franklin, the Hon. Daniel Mookhey and Mr Justin Field. I celebrate the moment that we have major party bipartisanship in supporting a thriving gas industry in New South Wales. This is a big step forward in terms of economic policy, energy security, lower electricity prices and giving hope to people who want to continue to be involved in manufacturing in New South Wales.

I have some concerns about the Leader of the Opposition's comments about turning Tomago into the State's battery. The rhetoric sounds good but, in reality, it means turning off their electricity supply from time to time at peak demand. I do not think it would attract a lot of investment, particularly from overseas, to say to one of your major manufacturers that you are turning off their electricity supply in the name of being a State battery. Everything is a battery now. Hydro is built and that is really just a new form of power—it is a battery. An aluminium smelter is a battery. Mention was made of the big battery in South Australia as well.

We need to be realistic about this: The thing that keeps powering up the New South Wales economy is dispatchable power, particularly the base load power that comes from coal that can come from the gas peaking plants and that can come from nuclear. I welcome the comments of the Hon. Don Harwin about the need for a technology-neutral energy policy. We should not be ruling anything out. We should be positive about all of the suppliers of energy. I reject Mr Justin Field's assertion that it is a failure of industry policy. His industry policy is to keep it in the ground—keep the gas in the ground, keep the coal in the ground, keep the uranium in the ground—and say it is industry development. No, it is not. It is stifling jobs and industry development in New South Wales.

The right approach is thankfully the one we have heard from the Hon. Walt Secord. He does not support a moratorium or ban on statewide gas development in New South Wales—hallelujah! Hallelujah that Labor's economic dream team of Secord and Mookhey have drawn their party to economic sense in support of the Dan Walton faction: to put jobs first, to put investment first and to put manufacturing first. I would like to adapt the Hon. Walt Secord's slogan somewhat—I know he is a genius on these rhetorical flourishes and I can learn much from him. His slogan is: Jobs, jobs, jobs and even more jobs. My slogan will be: Energy, energy, energy and even more energy for New South Wales. I want to join the dream team of economic development and sensible economic policy. I congratulate the Labor Party on arriving at a point of sanity. It is a great moment for the State to have bipartisanship with the Government.

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

**Motion agreed to.**

### COVID-19 AND STATE ECONOMY

**The Hon. WALT SECORD:** I move:

That private members' business item No. 550 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. WALT SECORD (22:18:12):** I move:

That this House:

- (a) acknowledges that it was the Australian people, social distancing and the State's workers who were responsible for reducing the spread of COVID-19 in the community;
- (b) further acknowledges that on 27 April 2020, the Treasurer, the Hon. Dominic Perrottet, MP, praised NSW Labor's bipartisan support during the recent COVID-19 crisis on economic matters;
- (c) notes that the Minister for Finance and Small Business, the Hon. Damien Tudehope, MLC, conceded three times in the Legislative Council on 4 June 2020 in a supplementary question from the Leader of the Opposition that the NSW economy was in "trouble";
- (d) further notes that as of 1 June 2020, only \$400 million of the \$750 million Small Business Grant scheme had been given to help struggling small businesses in New South Wales; and
- (e) recognises that New South Wales is experiencing record unemployment, particularly amongst women, and there is the need for further government support.

As the shadow Treasurer, I lead for Labor on private members' business item No. 550 outside the order of precedence on COVID-19 and the State economy. The Berejiklian Government has failed to respond properly and promptly to the current economic situation arising out of the COVID crisis. This was highlighted this week in repeated question after question during question time and in the take-note debate. Question after question revealed that the Berejiklian Government has failed families and businesses in New South Wales. It provides programs that are so prescriptive that few people are even eligible to apply or qualify for them. In fact, many of those programs

are cruel hoaxes on the community, as we saw on many occasions. Some programs had \$440 million promised and less than \$700,000 provided to the community.

We have a Treasurer who is unable to cope with the demands of a crisis. We have a man with a tin ear, a person who does not hear the pain of families in western Sydney and rural and regional New South Wales—families that are struggling to keep food on the table and a roof over their head. We have a person who is out of touch with the problems and challenges facing the State, a person who has no sensitivity. If he was ever to lead the Liberal Party and achieve his dream of replacing the Premier, I fear for the cruel and unkind New South Wales that Dominic Perrottet would unleash on the community.

If circumstances were different tonight we would be raking over the remains of the Coalition's tenth budget. Instead, we are surveying the economic wreckage due to the Berejiklian Government's failure to respond. Unemployment is surging to 8 per cent. Tomorrow when the Australian Bureau of Statistics data comes out we will find out what the unemployment rate was for the last month. We know that 275,000 jobs are going to be lost at least. The New South Wales Treasury says there will be \$20.3 billion in lost revenue. What is the response from this Government? To slash the pay of 400,000 workers. What is the next step? Privatisations. Then we hear from the Minister for Finance and Small Business, floating a 15 per cent GST.

**The Hon. Damien Tudehope:** That's a lie.

**The Hon. WALT SECORD:** Those are your words.

**The Hon. Damien Tudehope:** That is a lie.

**The Hon. WALT SECORD:** *Hansard* will show it. In fact, I will allow you time to scurry away and find it.

**The Hon. Damien Tudehope:** I've got it.

**The Hon. WALT SECORD:** It will show a hike of 15 per cent and you citing Singapore. You caused your leader such embarrassment with that 15 per cent hike. We have a Treasurer who is unable to cope with the demands of the office, who has a complete tin ear, who tells the same stories over again—the one single story of visiting a food bank—and who is unable to comprehend the suffering of families in this crisis.

**The Hon. Damien Tudehope:** That is misleading and you know it.

**The Hon. WALT SECORD:** We will return to this, Mr 15 Per Cent. Secondly, I wish to dispel a myth that the Berejiklian Government is trying to perpetuate. It is the Australian community and New South Wales residents that socially distanced and saved lives. It was not the policies of the Government. Putting aside the bungling of the *Ruby Princess* and the Newmarch House nursing home fiasco, we would have had one of the lowest rates in the world. But there was the Government just waving them off the ship.

**The Hon. Natasha Maclaren-Jones:** He spent all day rehearsing.

**The Hon. WALT SECORD:** No, this is ad-libbing. This is off the cuff. Members opposite should stop practising in front of the mirror. If their Government had acted appropriately and saved lives—

**The Hon. Ben Franklin:** You say it's off the cuff and then you just read it.

**The Hon. WALT SECORD:** It's called supporting notes, Ben. Instead, the Treasurer has presided over the worst economic crisis facing Australia since the Great Depression. Instead, he wants to make the situation worse. He wants to take money out of the economy. Economists will tell you the first stage is to get money circulating and flowing through the economy, not cut the wages of 400,000 workers. On top of this we see that the economy is going to contract by 10 per cent. Families are worried about whether it is going to be U-, V- or W-shaped. I predict that under this Government we are looking towards an L-shaped recovery. This Government and this Treasurer said that by the end of the year we were going to be experiencing a boom like the Roaring Twenties. [*Time expired.*]

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (22:23:26):** Well, we have heard it all, haven't we? That contribution came from a person who wants the job as the shadow Treasurer.

**The Hon. Walt Secord:** I am the shadow Treasurer.

**The Hon. DAMIEN TUDEHOPE:** And always will be.

**The PRESIDENT:** Order! The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** Fundamental to the responsibilities of a member in this place is to tell the truth. Never in this House did I advocate for a 15 per cent GST—never in this place. Let us read what I said onto the record.

**The Hon. Walt Secord:** I will follow closely. I have the same *Hansard*, my friend.

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the second time. That is his last warning. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** I said:

I wonder if the Leader of the Opposition is in fact aware that there is a substantial Federal Financial Relations Review being conducted, which started in August 2019. I invited the shadow Treasurer at the time to make a submission; I do not think he did.

Then, of course, there was an interjection and I said:

That interjection is a reflection on my character ...

Quite frankly, it was. I continued:

One of a suite of recommendations in relation to the manner in which the tax system ought to be looked at for the purpose of making it more efficient was an analysis of whether we have got the GST right. There are other jurisdictions which have GST at 15 per cent. If you go to Singapore, I think the GST rate is 15 per cent.

Where is there a suggestion that I recommend for New South Wales or Australia a GST rate of 15 per cent? Where?

**The PRESIDENT:** The Minister will direct his comments through the Chair.

**The Hon. DAMIEN TUDEHOPE:** That is called an elliptical regard for the truth and it is unbecoming of a person who seeks high office in this State. In fact, it also demonstrates that he has not one iota of knowledge about how the GST works in this State or this country. For him to come into the Chamber and suggest that we in this State would, without going to the Federal Government and having consultation with the people of New South Wales and the people of Australia, recommend a change to the GST is unbecoming of the person who is the shadow Treasurer. Not one thing that he said in his speech indicated that he had any regard for the way in which this Government set itself up to be in a position to best respond to the crisis we have had that came on top of drought, bushfire and a pandemic. We have been able to respond accordingly, as the Treasurer has outlined. [*Time expired.*]

**The Hon. Walt Secord:** Under Standing Order 89 I have been misrepresented and I seek permission to speak a second time in the debate.

**The PRESIDENT:** The Hon. Walt Secord has the right to speak in reply because this is his motion. He can respond to what the Minister has raised then. I can assure him that I will not allow anyone to interject during his reply like he has been interjecting when other members speak.

**The Hon. DANIEL MOOKHEY (22:27:01):** I speak in favour of the motion. I take the opportunity to acknowledge and thank the Treasurer for the praise he extended to me personally and the shadow Treasurer on 27 April for the bipartisan support that the Labor Party lent to the Government when it initiated the first and second round of emergency measures. The Treasurer actually mentioned me by name when offering that praise and so I put my appreciation on record. In the same spirit of bipartisanship, I now present some ideas that the Treasurer should take up if he is serious about jobs, jobs and even more jobs.

Throughout the pandemic, when it comes to matters of economics we have seen that where the shadow Treasurer leads, inevitably the Government follows. That has been the pattern to date. We were the first to say that there needs to be \$10,000 grants. Three weeks after we called for it, the Government implemented it. Granted, it took the eligibility criteria and made them far too tight, which is the reason why it cannot get the money to small businesses. That is the reason why the money is in the Government's bank account and not in the bank accounts of the small businesses who need it. Nevertheless, we want to continue in the same spirit of bipartisanship and give some ideas as to what else this State needs.

The State needs this Government to use its seat in the National Cabinet to advocate for the retention of the JobKeeper scheme after it is fixed to expire. The JobKeeper scheme is what is protecting jobs in New South Wales right now. It is what is protecting businesses and employees. It is not perfect by any means; it needs to be fixed. It needs to include casuals and university staff. It needs to be tailored and targeted by industry and we need a clear road map to taper it off, but it needs to continue. The closure of JobKeeper come September will be bad for Australia but much worse for New South Wales. We need the same for the Federal childcare subsidies. We have learnt throughout this crisis that the downturn has hit women harder. More importantly, if the Federal childcare subsidies disappear, women are not going to be in a position to participate.

We know this: One of the best economic growth strategies is to increase female participation in the workforce. When women work economies grow. That is why it is essential for that to continue. The third, is the "made in New South Wales" style policy. Every single dollar that we are spending should be going towards maximising jobs in this State. We just had a debate about trains and the aluminium smelter. There is no reason why the new intercity fleet needed to be built offshore. If we are going to be fast-tracking those style of projects under the existing policy settings we will be creating jobs in South Korea, we will not be creating jobs in New South Wales. There are three practical ideas that should be at the core of this strategy. The Treasurer has acknowledged us for our bipartisan support. We have more ideas. The Treasurer should implement them. That is how we bring jobs, jobs, and even more jobs.

**The Hon. MARK LATHAM (22:30:09):** I move:

That the motion be amended by inserting after paragraph (e):

- (f) congratulates the Australian Labor Party for abandoning its policy of a statewide ban on the gas industry.
- (g) declares its opposition to any proposal for increasing the rate of GST.

We had good news from the Labor Party earlier tonight: It is not supporting the statewide ban. In fact it never had that policy. But, a couple of weeks ago it voted for the moratorium bill, which is the equivalent of a statewide ban to knock over Santos. You cannot have it both ways. I think it is great that the shadow Treasurer has prevailed with economic common sense and has dragged Labor back to the centre of the economic strategy for New South Wales. I think that is a good thing. Labor should be congratulated on that. It was just a fortnight of insanity that has now been corrected. The House should acknowledge that. I do not believe any member should support an increase in the GST. As I have said previously, it is a dry gully. It is not a productive strategy for a State Government to pursue. The Commonwealth has ruled it out. You cannot compensate welfare recipients and low income earners: You would be reducing their spending power in a recession and that is foolhardy. Mention was made of the GST. The motion itself is five fairly random items stating economic policy. We can add (f) and (g) to strengthen this motion substantially. I recommend the amendment to the House.

**The Hon. SAM FARRAWAY (22:31:57):** As this debate shows, we live in challenging times. Yesterday the Treasurer detailed his economic and fiscal update to the House. We face challenges to the State's economy from drought, fire, flood and now COVID-19 that have all impacted on the New South Wales budget. Higher unemployment, and lower production and consumption will hit payroll tax, GST, land tax and transfer duty. Those opposite have spent the week talking down the Government's good initiatives while I will spend time placing on the record the deliverables and targeted initiatives launched by the Government, which has responded with more than \$13.6 billion, which is the largest State response in the country by far.

It includes more than \$4.5 billion in payroll tax relief for businesses, both big and small; a 25 per cent reduction in the payroll tax bill for small- and medium-sized enterprises [SMEs], and bringing forward tax cuts by a year; \$10,000 support grants for businesses below the tax threshold; \$420 million in workers compensation premium reductions; a \$1 billion Working for NSW Fund, which has protected jobs and created more, funding thousands of cleaners to keep public services safe, and 1,000 more Service NSW staff to provide frontline support; half a billion dollars in shovel-ready projects brought forward; loan guarantees on offer to the university sector; support for councils to keep workers on; direct assistance to the arts, international students and transport sectors; more than \$100 million in additional funding to prevent and alleviate homelessness; and, energy bill relief, domestic violence support, funding to assist temporary visa holders and refugees, plus a dedicated fund for charities such as Foodbank.

However, as we continue to reopen the State we are now moving from a response to a recovery phase. We also have a five-point recovery plan that focuses on deregulation, productivity, tax reform, trade and investment. But at the centre of our economic plan is one goal and that is creating jobs to get New South Wales working again. We will achieve this through a more than \$100 billion infrastructure program, and investing in targeted and temporary stimulus measures where required. We will target key sectors such as construction, skilling and training to prepare workers for the future, and helping tourism, retail and accommodation get back on their feet. These are testing times for our State, but as we have done in the past I am confident the people of New South Wales will pull together and we will come out the other side.

**The Hon. ADAM SEARLE (22:34:57):** I will address the amendment moved by the Hon. Mark Latham. I indicate that the Opposition will not support the amendment. In relation to its critique of the Opposition's position on another matter: First, it is reflecting on a vote of this House; secondly, it proceeds on a false premise. The Labor Party in New South Wales has never supported a gas ban. We have always been pro conventional gas. We had a gas moratorium. That issue has been dealt with. It is done. It is in the hands of the independent planning commission and we do not seek to re-litigate the past, unlike the Hon. Mark Latham. It is important to place that on the record.

**The Hon. SCOTT FARLOW (22:37:04):** The word "unprecedented" has been used a lot lately and for good reason. The past 12 months have been some of the worst we have experienced in history. We have gone from historic drought to the worst bushfires in our history to a global pandemic. As Treasurer Dominic Perrottet said yesterday in the other place, "We have been able to respond decisively to all of those challenges because we have come from a position of budget strength." The Government has acted strongly to respond to these unprecedented times. Keep in mind what we have been through in the past 12 months: the historic drought, for which we have deployed over \$2 billion in relief and assistance; the historic bushfires, for which we have deployed over \$2.4 billion of relief and assistance; and then we have come into COVID-19, an unprecedented pandemic.

We have watched and matched this unprecedented pandemic with an unprecedented response of over \$13.6 billion, including a \$1 billion Working for NSW Fund, which is the largest recovery package of any State. We are continuing to build on that response through this recovery phase. It is clear that we are entering a national recession. We are not immune to the economic crisis that is affecting every nation around the world. Yesterday the Treasurer informed the other place that our economy is expected to contract by around 10 per cent in the second half of the 2020 fiscal year. We are expecting to find that around 275,000 people have lost their jobs in the June quarter. That is lifting our unemployment rate to around 7.75 per cent, nearly double last year's figure. That is not counting the people working far reduced hours.

The Australian Bureau of Statistics reports that total wages have reduced 8.4 per cent from 14 March to 30 May. These are staggering figures, figures we have not seen since the dark days of the Iemma Government. This is one of the reasons it is so important for us to look at a wage freeze for public sector workers. We need to get people back to work. We need to create new jobs. Queensland Premier Annastacia Palaszczuk gets it. She said yesterday, "Part of our priority [for the government] is to ensure that there is job security. In a lot of industries people have lost their jobs. What my Government is doing is committing to job security whilst recognising that a freeze is needed". If only those opposite would take her lead.

If those opposite truly cared about wanting to build jobs in New South Wales to recover our economy and help the people of New South Wales through COVID-19, rather than just scoring cheap political points, as this motion aims to do, they would do as their northern counterparts have done and get behind a wage freeze for the public sector. As we have seen with those opposite, when it comes to the coronavirus response they are on the sidelines. They wanted to lock us down even further. At the time the Leader of the Opposition said she wanted a full lockdown within 48 hours. She would have done as New Zealand did and closed Bunnings and cafes and made sure that all businesses in New South Wales went to the wall. This State would be in a far greater recession if those opposite were in power, because that is what they were begging for from the sidelines each and every day. I thank God that this side of the House has been in power and that Dominic Perrottet has been able to steer us through this recession.

**The Hon. COURTNEY HOUSSOS (22:39:02):** I support the excellent motion that has been proposed by the shadow Treasurer, my friend the Hon. Walt Secord. I also acknowledge he has been working closely with our shadow finance spokesperson, the Hon. Daniel Mookhey. Through this global pandemic they have made a number of constructive suggestions for an economic response. It is clear that we will be confronting this issue for some period going forward. There will be a need for bipartisanship and it is important that this House places on record that the Treasurer acknowledges the work of our shadow Ministers. In normal circumstances we would be in budget week but we find ourselves in far from normal circumstances. It is a shame that at 10.40 p.m. we are debating the biggest issue that is facing our State: the fact that we are in the first recession for 29 years. This should be the sole focus of members, as representatives of the public, and our Parliament. We know the effects a recession will have on the working people across this State. We must ensure that our efforts and focus remains on the New South Wales economy.

Yesterday the Treasurer outlined in his economic update that the unemployment rate is expected to double to almost 7.75 per cent. It is important that we note that this is having a disproportionate impact on women, as the motion states. George Megalogenis talks in his book, *The Longest Decade*, about how in previous recessions—particularly the 1982-83 and 1991 recessions—women gained ground. But in the COVID-19 recession we have already seen 125,000 women lose their jobs, compared to 97,000 men; some 104,000 women have exited the labour force, compared to 81,000 men. We have seen a reduction in the female participation rate and we have seen women lose more hours of work per month on average compared to men. We must have a response that ensures women can stay in the workforce. That response must focus on the area of child care. It is an incredibly complex area that covers both State and Federal responsibilities. We must come up with a more comprehensive approach. It will impact women in particular but it will impact all working families. It is incredibly important that we find a better and fairer way of funding early childhood education in this country. We must do better. [*Time expired.*]

**The Hon. BEN FRANKLIN (22:42:06):** New South Wales has the largest economy of any State in Australia. The strength and diversified nature of our economy has put us in a much better position than our counterparts to plot a path through the current challenging economic environment. Whether this is by providing more than \$2 billion in drought assistance and relief—far overshadowing many of our interstate colleagues—or providing around \$2.4 billion in bushfire relief and recovery in partnership with the Commonwealth, meaning those who had already suffered so much did not have to suffer any further, or the more than \$13.6 billion in addressing the challenges of COVID-19, which is the largest self-funded response of any State. We have faced enormous challenges this year and we have stared them down.

Many people in New South Wales started the year in shock at our unprecedented bushfires. So many thought this was the worst thing our State would face for years, potentially generations. The new challenge was yet to reach our shores. Within weeks of the virus arriving in New South Wales our State was in lockdown—businesses had closed and jobs had been lost. The Leader of the Opposition wanted to close our borders and make things even worse economically. As a result of the pandemic we expect to see unemployment reach 7.75 per cent in the 2020 June quarter, almost double our record low from last year. But the New South Wales Government knows that the best way we can support our economy and create jobs is to get New South Wales working again. That is why we have a five-point recovery plan focused on deregulation, productivity, tax reform, digitisation and trade and investment.

Based on advice from the State's Chief Economist, we will target support in construction; skilling and training workers; and supporting tourism, retail and accommodation. The Government recently announced a \$3 billion stimulus package to kickstart projects at schools, hospitals and roads across the State. From Lightning Ridge to Leichhardt, we will create jobs. We have boosted our massive infrastructure build to more than \$100 billion at a time when other States are winding back. We will make sure every dollar counts. The projects we invest in must be centred on job creation. We will invest in making it easier, not harder, to get back to work through grants and tax deferrals for businesses. We will make sure we support our businesses to open their doors, stay in business and keep people in jobs, because we are in this together and we are working to keep New South Wales working.

**The Hon. PENNY SHARPE (22:44:46):** We are all in furious agreement on the need for our economy to be fixed but there has been a massive, gaping hole in the Government's response when it comes to women and getting women back to work. My colleague the Hon. Daniel Mookhey mentioned in his contribution the plethora of studies that show that to grow the economy the best thing to do is increase women's participation in the workforce. We do not hear enough from the other side of the House on that matter. We have just heard about the five-point plan that the Hon. Ben Franklin put forward, but nowhere does it recognise the impact that COVID-19 has had on women in the workforce. I will put some statistics on record: 125,000 women lost their jobs compared to 90,000 men; 104,000 women exited the labour force altogether compared to 81,000 men; the female participation rate has dropped 3.1 per cent compared to 2.5 per cent for men; and the female participation rate is now 57.4 per cent compared to 68 per cent for men. All of this masks the true unemployment rate, which is now higher for women.

Women have lost more hours of work—for those lucky enough to have kept their jobs—and the underemployment rate for women is also larger. We are looking at a position that essentially says that 50 per cent of women in New South Wales who want to work, who are able to work and who want more hours in the work that they need cannot work because they have either been sacked, have left the workforce or do not have access to childcare or it is too expensive. Government members can talk about all the infrastructure jobs they like, and we support those jobs—there will be no argument from this side of the House. But where is the plan to get women back to work? Where is the valuing of women's work? Let us not forget that during this pandemic women have had to pick up other things. They have been picking up the load, looking after elderly parents and those who have been isolated who have not had home care and they have been doing the vast bulk of homeschooling kids.

Women have been forced to leave their jobs because generally they are in part-time work that is lower paid. If we are absolutely serious about getting this economy working, we have to start talking explicitly about women. We have to start talking explicitly about valuing the work they do and finding pathways into that. My colleague the Hon. Courtney Houssos talked about child care—that is a no-brainer. This Government should be beating on the door of the Federal Government to demand, on top of JobKeeper, restructuring and finally fixing our childcare system, which has been a mess for decades. We have some of the most expensive child care in the world. We could turn it around and grow our economy at the same time. It just requires attention and commitment, which, sadly, is currently lacking.

**The Hon. MATTHEW MASON-COX (22:47:48):** I will be brief. This motion was supposedly about jobs, jobs and more jobs. The reality is that it is about spin, spin and more spin from the master of spin over there, the matador himself. We saw him dancing with his cape—the castanets and fingers were going and the hyperbole

was flowing forth. The reality is, this is rubbish. This is a shadow Treasurer pretending he has economic credibility. It is a joke. It is spin— [*Time expired.*]

**The Hon. WALT SECORD (22:48:28):** In reply: I thank the Hon. Daniel Mookhey; the finance Minister, the Hon. Damien Tudehope; the Hon. Mark Latham; the Hon. Scott Farlow; the Hon. Sam Faraway; the Hon. Courtney Houssos; the Hon. Ben Franklin; the Hon. Penny Sharpe; and the Hon. Matthew Mason-Cox. I point out that we would like the Hon. Mark Latham's amendments to be voted on separately, if possible. The first amendment is incorrect; we are not proposing a statewide ban. And the second amendment, yes, they do propose an increase in the GST so we would like them to be voted on separately.

I also draw attention to the observation of the Hon. Daniel Mookhey that we used to be the engine room of the Australian economy. We are now behind Victoria and Western Australia. I also point out and draw attention to the observations of the Hon. Courtney Houssos and the Hon. Penny Sharpe about how the COVID crisis has disproportionately impacted on women, particularly women aged 15 to 29—their recorded unemployment rate is 20.2 per cent. That includes people who work one hour a week. I think it is much higher than that and in some parts of the State it is probably up to 50 per cent in that cohort.

I also draw attention to the Hon. Daniel Mookhey's observations about JobKeeper and JobSeeker. He is absolutely right: It needs to be fixed and it needs to be reformed. But what will happen when it is removed in September? It will be devastating. I thank members for their observations. I also draw attention to the selective quoting by the finance Minister. He jumped over the interjection where I said, "You'd better check. Come on, Joe Biden, check." That is an ambiguous interjection and I am sorry that he was offended by that. On his denying that he advocated the GST, he said:

There are other jurisdictions which have GST at 15 per cent. If you go to Singapore, I think the GST rate is 15 per cent.

He went on. If he is embarrassed now by his comments in the Chamber, I understand that. I thank the House for its consideration.

**The PRESIDENT:** The Hon. Walt Secord has moved a motion, to which the Hon. Mark Latham has moved two amendments, firstly, by inserting new subparagraph "(f) congratulates the Australian Labor Party for abandoning its policy of a statewide ban on the gas industry" and, secondly, by inserting a new subclause "(g) declares its opposition to any proposal for increasing the rate of GST".

**The Hon. Mark Latham:** Point of order: Respectfully, Mr President, I have not moved two amendments. I moved one. Those two items stand together as a single amendment as I moved them before the House. It is my amendment and I do not want it to be split.

**The Hon. Walt Secord:** Mr President, I will seek an amendment to split the amendments.

**The PRESIDENT:** It is too late. The Hon. Walt Secord will resume his seat. As I indicated, the Hon. Mark Latham moved one amendment, but that amendment has two subparagraphs: a new subparagraph (f) and a new subclause (g). I propose to put the amendment as one vote but I make it very clear that the Hon. Mark Latham moved that two new subparagraphs be inserted "after paragraph (e)". The question is that the amendment be agreed to.

**Amendment negatived.**

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

**Motion agreed to.**

#### *Documents*

### **ENVIRONMENTAL WATER**

#### **Production of Documents: Order**

**The Hon. MARK BANASIAK:** I move:

That private members' business item No. 504 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. MARK BANASIAK (22:54:33):** I seek leave to amend private members' business item No. 504 outside the order of precedence for today of which I have given notice as follows:

- (1) In the opening paragraph omit "28 days" and insert instead "42 days".
- (2) In paragraph (a) omit "from 1 January 2008 and 31 December 2012" and insert instead "between 1 January 1998 and 31 December 2006".



- (3) In paragraph (b) omit "since 1 July 2008" and insert instead "between 1 January 1998 and 31 December 2006".
- (4) In paragraph (c) omit "since 1 January 2002" and insert instead "between 1 January 1998 and 31 December 2006".
- (5) In paragraph (d) omit "since 1 January 2002" and insert instead "between 1 January 1998 and 31 December 2006".

**Leave granted.**

**The Hon. MARK BANASIAK:** Accordingly, I move:

That, under Standing Order 52, there be laid upon table of the House within 42 days of the date of the passing of this resolution the following documents in the possession, custody or control of the Minister for Water, Property and Housing, the Department of Planning, Industry and Environment, NSW Environment, Energy and Science, Water NSW and the Department of Premier and Cabinet:

- (a) all documents created between 1 January 1998 and 31 December 2006 included in the baseline modelling of the Murray-Darling Basin Plan that relate to the 2002 voluntary contributions by water licence holders, known as rules-based environmental water;
- (b) all documents created between 1 January 1998 and 31 December 2006 relating to the implementation of the NSW Irrigated Farm Modernisation Project;
- (c) all correspondence to and from non-government stakeholders created between 1 January 1998 and 31 December 2006 in relation to voluntary contributions, known as rules-based environmental water, by water licence holders in the Murray and Murrumbidgee Valleys;
- (d) all documents created between 1 January 1998 and 31 December 2006 relating to annual achieved and measured environmental outcomes based on the water sourced from voluntary contributions, known as rules-based environmental water; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This order for the production of documents under Standing Order 52 seeks documents related to rules-based environmental water, commonly known as voluntary contributions, for Murray Valley and Murrumbidgee Valley water holders. Back in 2002 irrigators agreed to give the Government a proportion of their water on the proviso this water would be used for environmental purposes on a temporary basis. The Government promised farmers these contributions would be reviewed after 12 months and further reviewed after five years. The Government has failed to conduct any of these reviews. The government body responsible for managing these voluntary contributions has not provided any transparency at all in regards to this water. The Government has no mechanisms or policies in place to measure the environmental outcomes from these contributions or if it does it has kept them secret.

The Government has not published any social, economic or environmental studies that quantify the continued impact of taking these contributions from irrigation communities each year. The government body in charge of making rules around environmental water is the same body that secretly buys and trades this water. This is a conflict of interest and leads to poor governance. The fox is in charge of the henhouse. The public has a right to know why the Government has not conducted its promised reviews on this water and not reported on any of the supposed environmental benefits. Struggling farmers are paying the Government fixed fees and charges for these entitlements. These farmers at least deserve to know how their water is being used. Given the significant public debate around water mismanagement and transparency of the New South Wales Government, the call for papers is reasonable. I commend the motion to the House.

**The Hon. ADAM SEARLE (22:56:46):** I indicate that the Labor Opposition will be supporting this call for papers.

**The Hon. NATASHA MACLAREN-JONES (22:56:53):** The Government thanks the member for amending the motion and will be supporting the motion.

**Mr DAVID SHOEBRIDGE (22:57:05):** The Greens support the motion although we would rather it had not been amended.

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

**Motion agreed to.**

*Business of the House*

**POSTPONEMENT OF BUSINESS**

**The Hon. NATASHA MACLAREN-JONES:** On behalf of Ms Abigail Boyd: I move:

That private members' business item No. 564 be postponed until the next sitting day.

**Motion agreed to.**

**The Hon. NATASHA MACLAREN-JONES:** On behalf of the Hon. Courtney Houssos: I move:

That private members' business item No. 556 be postponed until the next sitting day.

**Motion agreed to.**

**The Hon. NATASHA MACLAREN-JONES:** I move:

That private members' business item No. 488 be postponed until the next sitting day.

**Motion agreed to.**

**The Hon. NATASHA MACLAREN-JONES:** On behalf of Ms Cate Faehrmann: I move:

That private members' business item No. 526 be postponed until the next sitting day.

**Motion agreed to.**

**The Hon. NATASHA MACLAREN-JONES:** On behalf of the Hon. John Graham: I move:

That private members' business item No. 565 be postponed until a later hour of the sitting.

**Motion agreed to.**

### *Personal Explanation*

### **STATE ECONOMY**

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (22:59:55):** By leave: In a submission to this House by way of motion this evening, the shadow Treasurer made an assertion, which has been followed up with a media release, to the effect that a day after the Minister for Finance and Small Business, Damien Tudehope, advocated for a GST of 15 per cent in the New South Wales Legislative Council—that is in the context of—

**Leave withdrawn.**

### *Committees*

### **SELECT COMMITTEE ON THE OVERSIGHT ROLE PERFORMED BY THE LAW ENFORCEMENT CONDUCT COMMISSION**

### **Establishment**

**Mr DAVID SHOEBRIDGE:** I move:

That private members' business item No. 560 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**Mr DAVID SHOEBRIDGE (23:01:15):** I move:

- (1) That a select committee be established to inquire into and report on the oversight role performed by the Law Enforcement Conduct Commission [LECC], and in particular:
  - (a) the benefits and impacts of expanding the LECC to undertake independent reviews of all deaths in custody;
  - (b) the benefits of including a statutory commissioner who is First Nations;
  - (c) ensuring the policies and processes of the LECC are culturally appropriate and inclusive of First Nations people; and
  - (d) any other related matter.
- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of six members comprising:
  - (a) two Government members;
  - (b) two Opposition members; and
  - (c) two crossbench members, one each from The Greens and the Shooters, Fishers and Farmers Party.
- (3) That the Chair of the committee be an Opposition member and the Deputy Chair be a crossbench member.
- (4) That, unless the committee decides otherwise:
  - (a) submissions to inquiries are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration;
  - (b) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the chair to convene a meeting to resolve any disagreement;

- (c) the sequence of questions to be asked at hearings is to alternate between Government, Opposition and crossbench members, in order determined by the committee, with equal time allocated to each;
  - (d) transcripts of evidence taken at public hearings are to be published;
  - (e) supplementary questions are to be lodged with the committee clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness; and
  - (f) answers to questions on notice and supplementary questions are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration.
- (5) That the committee report by 15 September 2020.

We have had some fractious debates this week in relation to issues of Aboriginal justice. We have also had fractious public debates in relation to issues of Aboriginal justice. But one of the issues that First Nations communities across this country have asked Parliaments to review and to reform has been the investigation of deaths in custody. This motion seeks to have this Parliament do that critical work and look at the way in which deaths in custody are reviewed in New South Wales. Presently, deaths in custody are primarily investigated by prison authorities, with some co-investigation by members of the New South Wales police. But, in truth, the oversight of prisons in New South Wales on serious violence or deaths is highly fractured. Indeed, the number of agencies overseeing prisons in New South Wales and the overall ineffectiveness of them is a matter of genuine concern I would hope across the political divide.

In New South Wales prisons we have the Ombudsman doing the ineffectual and partial work of oversight. It is largely paper driven and I cannot name a single significant achievement that the Ombudsman's oversight has obtained on a sector-wide basis in the 10 years that I have been observing that work. We have the Inspector of Custodial Services, which delivered one tepid report some 18 months ago, but has been largely ineffectual in the oversight role of New South Wales prisons. It has effectively conceded that it has inadequate resources and cannot do the job—even the marginal statutory job that has been attached to it. We have the internal Corrective Services reviews, which being internal are highly conflicted and I do not think anyone would think they are independent. We have the role of police, which is very limited. Then we have the Coroners Court as well.

**The Hon. Rod Roberts:** What about the ICAC?

**Mr DAVID SHOEBRIDGE:** I will get to that. Of course, the Coroners Court does not have any independent investigative powers in terms of sending people in to investigate matters. The Coroners Court is entirely dependent upon the briefs that are provided, largely as a result of the internal Corrections investigations and sometimes police oversight investigations. There is a small role for ICAC, but mainly in the issue of corruption. I assume no-one would contend that ICAC has any kind of effective role in relation to deaths in custody. It has a marginal role in relation to corruption in New South Wales prisons. What we see is an incredibly fractured, incredibly expensive and woefully ineffectual oversight of prisons in New South Wales.

The obvious vehicle, The Greens would suggest, to do independent investigations of deaths in custody is the Law Enforcement Conduct Commission, which already has experience in the area of dealing with police matters and the justice system, has existing infrastructure and would then provide a coherent overarching investigation role of both policing and Corrective Services. What this inquiry was seeking to do in the original drafting was to look at the benefits expressly of extending the Law Enforcement Conduct Commission to have that role. I will be quite clear about this: The Greens believe, especially when it comes to the deaths of First Nations people in New South Wales—and New South Wales is not alone in this; I do not pretend we are a rogue jurisdiction, it is a national problem—that we need far greater independence for the community, and especially for First Nations communities, to have faith in the investigations of community members in jail.

We bring this motion forward with the intent of trying to work across the Parliament to see whether we can get a solution. Surely that is our obligation and our job. It is not intended to be an inquiry that is stacked with Greens members or otherwise. It has representation from across the Parliament and we bring it forward because we have an obligation to do this work.

**The Hon. ADAM SEARLE (23:06:30):** I move:

That the motion be amended as follows:

- (1) Omit paragraph (1) and insert instead:

- (1) That a select committee be established to inquire into and report on First Nations people in custody in New South Wales, and in particular:
  - (a) the unacceptably high level of First Nations people in custody in New South Wales;

- (b) the suitability of the oversight bodies tasked with inquiries into deaths in custody in New South Wales, with reference to the Inspector of Custodial Services, the NSW Ombudsman, the Independent Commission Against Corruption, Corrective Services professional standards, the NSW Coroner and any other oversight body that could undertake such oversight;
  - (c) the oversight functions performed by various State bodies in relation to reviewing all deaths in custody, any overlaps in the functions and the funding of those bodies;
  - (d) how those functions should be undertaken and what structures are appropriate; and
  - (e) any other related matter.
- (2) In paragraph (2) (c) omit "one each from The Greens and the Shooters, Fishers and Farmers Party" and insert instead "one from The Greens and one from another crossbench party".
- (3) In paragraph (5) omit "15 September 2020" and insert instead "by the final working day in March 2021".

I thank Mr David Shoebridge for bringing this important issue to the floor because, whatever our political complexion, I think we can agree that the tragedy for First Nations people not just in New South Wales but in Australia is their over-representation in the criminal justice system, in the custodial system and in terms of disadvantage as evidenced in the very many gaps that remain to be closed in educational attainment, health, longevity, employment—you name it; there is a problem. I also agree that a number of oversight bodies have a role. If we are going to try to lift the game, it is timely that we look at what those bodies do, how they are structured and whether there could or should be a consolidation into a single body. I note that in his contribution Mr David Shoebridge expressed his view that the single body could be the Law Enforcement Conduct Commission [LECC]. I am a big supporter of the LECC and I have an open mind on these matters, but let us have an inquiry and see whether that is the appropriate body or there is a more appropriate body where these functions could be consolidated.

I note that this issue is not without controversy. Obviously, in the course of today I have had a number of discussions with various parties in this Chamber and in the other place along with discussions with outside stakeholders who are impacted, such as the Public Service Association, which represents people working in this field. I acknowledge all their concerns and interests, but I think this is a sensible balance where we can have a look at the issue and we can look at the different bodies that have a role, whether they should be consolidated and in what way. I have a proposal about how the committee could be structured. If it is of any interest to members here, I indicate that I would be one of the two Opposition members and I would be the chair of the committee should the amendment and the motion be agreed to. It is important that we grapple with this issue and that we do so in a structured, systemic and hopefully multi-partisan way with open minds. I urge honourable members to join with us in this. This is not perfection; it is a compromise and hopefully one that will build bridges, not just in this Chamber but also in our society.

**The Hon. MARK LATHAM (23:10:19):** One Nation opposes the motion because we see it as part of an ongoing pattern of slurring people beyond the evidence. There has been a slur against the police, a slur against prison officers and now a slur against the Coroners Court. The truth is Australia has one of the best independent coronial systems in the world. This motion talks about the benefits and impacts of expanding the Law Enforcement Conduct Commission [LECC] to undertake independent reviews of all deaths in custody, but we do that now through the Coroners Court. Why duplicate it, particularly when the Coroner can attend the scene of these incidents shortly after they occur? What we have had, effectively, out of something that has happened tragically in the United States is an attempt to transplant that data and those problems to our country, where the evidence shows that no such problem of that magnitude exists.

The honourable member who has moved this motion has been putting out fake news propaganda, in this House and outside, which is very common on his side of politics. The slur has been, essentially, that 432 Indigenous people have been murdered by police or prison officers in Australia since the time of the royal commission. The true number is zero, as reported by the Australian Institute of Criminology. The honourable member has gone further to take the specific case of David Dungay and misrepresent the very clear findings in Deputy State Coroner Lee's report of November last year that do not reflect a murder. They do not reflect a killing that requires charges or prosecution. I think it is shameful of the honourable member, who seeks to politicise and make these political points and slurs over the bodies of dead people—dead people who he otherwise purports to care about. I think this is low-grade politics, matched up with the vandalism of public property. Somehow we are supposed to believe it is justified to vandalise a statue in Hyde Park because of these problems he points to. But in the evidence, the problems just do not exist.

Why take the time and effort of this House to establish a committee to look at the role of the LECC to undertake independent reviews of all deaths in custody when we have that system already and it does not point to a problem on the scale of the United States or even a scale that is at all significant for this country? It is a terrible for the family when anyone passes away, but I do not think it helps that family to misrepresent the facts. I do not

think it helps anyone in this country to engage in a massive exercise of fake news propaganda. The truth was put forward earlier today in the motion of the Hon. Rod Roberts. The Greens were not here voting against that. The Greens were not here condemning that motion. This is just The Greens normal propaganda, which is about political pointscoring and slurring good people. It should be rejected outright by this Chamber.

**The Hon. ROD ROBERTS (23:13:29):** I make a very short contribution to debate on this motion. It is typical of The Greens to distort and twist things to suit their agenda. From Mr David Shoebridge tonight, we can draw the analogy that he clearly does not trust the coronial system to investigate deaths. But not more than six or seven weeks ago we heard Mr David Shoebridge say that we should all hail the Coroner because a coroner says that sniffer dogs should not be at music festivals, nor should there be stripsearching. So the Coroner is right in that regard. Now, all of a sudden, the coroners are not to be trusted in this matter. It is typical of The Greens propaganda.

**Mr David Shoebridge:** Point of order: The member is deliberately misrepresenting the comments I made earlier. I said that the Coroners Court does not undertake the investigations with its own officers. It is dependent upon the material provided by the police investigation. I have never made the propositions put by the member.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** That is a debating point. The Hon. Rod Roberts has finished his remarks.

**Mr David Shoebridge:** Point of order: The member is suggesting that I have breached the standing orders by bringing the Coroners Court into disrepute. I did not do so and it is offensive for him to suggest that I did.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** There is no point of order.

**The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (23:15:13):** The Government will support the motion with the amendment moved by the Hon. Adam Searle.

**Mr DAVID SHOEBRIDGE (23:15:27):** In reply: I thank all members for their contributions—not all of which I agreed with, but the purpose of this House is to have a debate. I do not resile from debate and I do not resile from responding to opinions that are put forward. I will say on record that it has been a fractious week, but it is good to see genuine engagement from the Opposition to come up with terms of reference that the majority of us in the House can agree are worthy to investigate in relation to deaths in custody, and also to have worked with outside stakeholders—which I know was not easy—to achieve a set of words that I think external stakeholders can engage with to make this a meaningful and directed review.

I know it has not been an easy journey for the Government to come through on this. It is not an easy week to support the amended motion. Maybe we can salvage, out of what has otherwise been a deeply fractious week, a genuine cross-party investigation into how we review deaths in custody and do our work collaboratively as legislators to see if we can deliver meaningful, effective, comprehensive reforms that people in the community have been asking us for. I appreciate it is late and I appreciate where we have got to.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** Mr David Shoebridge has moved a motion, to which the Hon. Adam Searle has moved an amendment. The question is that the amendment of the Hon. Adam Searle be agreed to.

**Amendment agreed to.**

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** The question is that the motion as amended be agreed to.

**Motion as amended agreed to.**

#### *Documents*

### **TAFE NSW HAMILTON CAMPUS**

#### **Production of Documents: Order**

**The Hon. ADAM SEARLE:** I move:

That private members' business item No. 478 outside the order of precedence be considered in a short form format.

**Motion agreed to.**

**The Hon. ADAM SEARLE (23:18:37):** I move:

- (1) That, under Standing Order 52 there be laid upon the table of the House within seven days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Skills and Tertiary Education, the Department of Education and TAFE NSW:

- (a) the final report of Workdynamic regarding the investigation of allegations of wage theft and fraud at the TAFE NSW Hamilton campus; and
  - (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
- (2) That, under Standing Order 52 there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Skills and Tertiary Education, the Department of Education and TAFE NSW:
- (a) any drafts of the Workdynamic investigation report into allegations of wage theft and fraud at the TAFE NSW Hamilton campus;
  - (b) any and all correspondence regarding the Workdynamic investigation and the issues it covered and identified; and
  - (c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House. I will not delay the House unduly in relation to this matter. Wage theft and allegations of fraud at this TAFE campus are matters of public importance, and have been the subject of some speculation in TAFE circles and in the Newcastle area. It is important that these matters be brought into the light. I thank the Government for its very useful interaction with me and I extend that thanks to the Minister for Skills and Tertiary Education, Geoff Lee. The interactions I have had with him and his office have been very useful. Nevertheless, it is important for these documents to be brought into the light to show that there was a proper investigation of the allegations that were made. Without these documents being known it is not quite clear what investigations or how allegations were dealt with.

If some of them were upheld, it is important for the community and those who were directly involved to know how seriously those complaints were taken, to what extent and for what reason. If allegations made against people were not upheld, it is important that that exoneration be also placed in the light of day so that there is no mystery about what happened. At the moment I have an incomplete understanding of what has happened. We can all agree that these are important matters. It is important to know what did or did not happen. It is important to establish what the relevant authorities did with those allegations. If they were upheld, to what extent? And, if not, why? We need to know whether any further matters need inquiry. I cannot take the matter any further because I do not know more, but it is important that we call for these papers. The Government has various responses available to it through the Standing Order 52 process. I thank the Government for its consideration and urge members to support the call for papers.

**The Hon. SCOTT FARLOW (23:21:26):** The Government does not oppose this call for papers under Standing Order 52. However, I will put the views of the Minister on the record. The Minister disagrees with the tactics taken by those opposite. The Minister assures me that we attempted to work with those opposite on this matter and did so in the interest of protecting the personal details of the innocent parties named in the report. We did this in the interest of avoiding the need to engage the time of this place and the resources of the public sector in complying with a Standing Order 52 that could have been avoided with a bit more goodwill from the Opposition.

We do not oppose this Standing Order 52 because we believe that the matter has been thoroughly investigated and the report does not support the allegations referred to in this Standing Order 52. I am advised that it is wrong to describe the matter as wage theft as the issue primarily relates to accurate record keeping rather than to pay. I am further advised that the independent report clearly states that there is no evidence that any of the staff members in question performed work for which they were not being paid. As with any public interest disclosures or any allegations of misconduct made by employees, they are taken seriously and investigated thoroughly and independently.

The allegations were about one teaching section in one campus. I can assure the House under advisement that the appropriate action has been taken on the matter in accordance with TAFE NSW policy. I am sure that TAFE NSW is committed to promoting a culture of transparency and accountability where staff are comfortable and confident about reporting any known or suspected concerns. The Government welcomes anybody, including employees of TAFE NSW or the unions, to come forward if they believe there is wage theft or misconduct occurring. I assure the House that any matters that come to the attention of TAFE NSW or the Government will be properly investigated, just as this matter has already been properly investigated. With that said, the Government does not oppose the Standing Order 52.

**Mr DAVID SHOEBRIDGE (23:23:18):** The Greens support this motion. Like the Opposition, we have been wanting to see this report published in the public domain for months. The statements from the Parliamentary Secretary are to the effect that the Government supports openness with TAFE NSW and encourages anybody to come forward—what a transparent mob they are. Why then does it take a Standing Order 52 request to force the production of a key report about allegations of wage theft and fraud? The Government has made complaints about the number of Standing Order 52 applications but this is a critical report, which has been the subject of an enormous degree of speculation in TAFE. There is a wide concern about wage theft being undertaken in TAFE NSW.

There is concern as to whether the final investigation actually grappled with the full scope of problems in TAFE NSW. For the Government's benefit, the easiest way to avoid Standing Order 52 applications is when it has documents like this that members have been demanding for months should be made public, it should publish those documents. The Government should publish the documents with an explanation about how it disagrees with elements of them, but it should publish the documents proactively rather than be forced to produce a critical document through the Standing Order 52 process. If the Government does not like the expense and delay of the Standing Order 52 process, there is a simple solution: proactively produce the documents that the community has a right to see. It is paid for by taxpayers and is about the potential fraud of taxpayer money and underpayments at TAFE and the Government will not even produce the document. Of course, we support this Standing Order 52 call for papers.

**The Hon. JOHN GRAHAM (23:25:13):** I speak briefly to add my support for this motion. I was encouraged by the view that the Parliamentary Secretary put to the Chamber. While it does not accord with some of my observations during the questioning of previous TAFE administrations, I hope that this is a new leaf that TAFE NSW has turned over. I strongly support these documents being produced.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** The question is that the motion be agreed to.

**Motion agreed to.**

*Adjournment Debate*

### ADJOURNMENT

**The Hon. DAMIEN TUDEHOPE:** I move:

That this House do now adjourn.

### REGIONAL NEW SOUTH WALES

**The Hon. SAM FARRAWAY (23:26:16):** Some members of this place and the other place will have you believe that the New South Wales Government is doing absolutely nothing for regional New South Wales. I am here to correct that. I am not standing to start an argument or engage in pointless political games. I am here to inform the House about what is being done for regional New South Wales. I am not going to stand here and say that there is nothing more that can be done for our regions—that simply is not true; there is always more that can be done, no matter the issue.

Even from the Legislative Council Chamber, regionally based MPs can play a crucial role in advocating for local projects and my Nationals colleagues and I take this role seriously. We are always focused on the needs and the future opportunities of New South Wales regional communities. Every day we spend in Government is a day we are working to achieve a better deal for people living, working and raising families in regional New South Wales. Our record in regional New South Wales speaks for itself. As a Government we have made a real difference to the lives of the 40,000 people who live in our regional communities. This advocacy and hard work will never stop.

The \$1.7 billion Regional Growth Fund is the cornerstone of our investment in regional New South Wales communities. The electorate of Barwon—an electorate we held for a long time but is now not represented by a Government member—has received more than \$98 million in funding for over 200 projects. The electorate of Orange—an electorate also represented by a crossbencher, not a Government member—has had \$53 million made available for over 70 projects, including critical developments such as the Orange Health and Innovation Precinct, which received \$950,000 under the Drought Stimulus Package. The Government is fulfilling its promise to fund the \$25 million Orange Sports hub. This election commitment made to the people of Orange is one of the many commitments we are delivering on throughout our regions.

These amounts are not the only funding going into these electorates and other regional electorates across the State. Yes, the Stronger Country Communities Fund does play an important role in the funding of infrastructure across our regions, as it should. If it was not for this dedicated funding model the already competitive process would be made even harder, with regional projects put up against metropolitan projects. Two weeks ago I announced over \$200,000 in funding for applicants to the Languages Community Investments Program and over \$120,000 across these two electorates from the Create NSW Fund for some very impressive projects that showcase how diverse regional New South Wales and western New South Wales, in particular, really is. New South Wales first Special Activation Precinct is now a step closer with the delivery of the Parkes final master plan, as well as a new planning framework that will slash red and green tape so that major employers can start doing business faster, transforming a regional town into a regional city.

Regional showgrounds have received millions of dollars in funding from Crown land in New South Wales for vital upgrades to infrastructure so that when our country shows continue, the pavilions, rodeo arenas and

stables will be ready to use and, more importantly, safe. Regional courthouses, including the historical Narrabri and Broken Hill courthouses, have received funding to also improve their safety, taking a great cost burden away from our local councils. Fixing Country Roads is a \$543 million New South Wales Government program providing targeted infrastructure funding from Restart NSW for regional freight projects. This Government has provided \$4 billion towards drought initiatives and is continuing to provide assistance through the Drought Transport Subsidy, the waiving of Local Land Services rates, bee site permits and Western lands lease rents, just to name a few.

We are raising the Wyangala Dam and building the Dungowan and Mole River dams to increase our State's water security and storage, creating hundreds of regional jobs and setting up regional New South Wales for long-term prosperity. Members of this place need only to talk to those sitting in the other place to learn about the Community Building Partnership fund which is allocated to all members to distribute over \$300,000 to local community groups at their own discretion. The Local Sport Grant Program allocates \$85,000 to each regional and drought-affected electorate, no matter which party holds it. I could go on, but I am out of time.

### LAND CLEARING

**Mr JUSTIN FIELD (23:31:23):** Since 2016 approvals to clear native vegetation on private land in New South Wales have increased by 1,300 per cent. In the last financial year the area of land cleared of native vegetation was over 100 times the size of the Sydney CBD. An analysis of land clearing that occurred between August 2017 and January 2018 found that as much as 60 per cent of clearing was unexplained. We know this because the independent statutory adviser to the New South Wales Government on natural resource management—the Natural Resources Commission [NRC]—conducted a review of the 2016 land management and biodiversity conservation reform, wrote a report and submitted it to the Government in July last year. The public became aware of the contents of the report only in March this year. The commissioning of the review and the existence of the report was considered Cabinet-in-confidence by the Government. The fact that it even existed came to light only by chance through questions in budget estimates in September last year, many Standing Order 52 motions, and ultimately the threat of censuring the Leader of the Government in the House.

Subsequently we found out that the review was triggered by a spike in land clearing identified in late 2018 but was not commissioned until just prior to the March 2019 election. The devastating consequences of the Coalition Government's native vegetation and land management policies would no doubt have been of significant interest to the voting public in the electorates held by the environment and planning Ministers and I am sure it would have been of great interest to the voting public in The Nationals coastal electorates of Coffs Harbour and Oxley. One wonders if the report would have seen the light of day if it was not for the honest testimony of the Natural Resources Commission representatives at budget estimates. It would have taken another six months or more before the report and the Government's response would have been seen by the public. During this time the Minister for Energy and Environment, who was under pressure from shock jocks and a campaign by the Hon. Mark Latham, was negotiating an amnesty for farmers who had broken the law under the Native Vegetation Act. Minister Kean said at the time:

The announcement is about delivering fairness for farmers—ensuring those who undertook activities that would now be legal under our new framework aren't punished under historic laws.

At the time *The Sydney Morning Herald* noted that the decision contradicted statements made by the former environment Minister just after the legislation was passed. The Minister at the time, the Hon. Gabrielle Upton, said:

There will not be an amnesty for potentially unlawful clearing that has taken place before the start date of the new laws.

No doubt it would have been very hard to publicly justify this amnesty decision had the public known the agriculture and environment Ministers were sitting on a report that showed 60 per cent of clearing under their new rules were unexplained. We have heard nothing of investigations and prosecutions under the new rules. The NRC report also found that nine of 11 regions in New South Wales are considered to be a "high biodiversity risk" with high rates of clearing being undertaken under provisions in their codes to allow for "thinning for pasture expansion". It identified that nine of 11 regions in New South Wales are setting aside significantly less than the area approved for clearing under the law. At the time the reforms were introduced, then Minister the Hon. Niall Blair said in his second reading speech that it was intended that two to four times the area approved for clearing would be set aside. That is 200 per cent to 400 per cent.

However, we now know that some areas in the north-west of the State have set aside only 6 per cent. The best in the State is 69 per cent, which is far short of what was promised. The Natural Resources Commission made nine excellent recommendations to improve the integrity of the system, to get to the bottom of identified issues and to better report on and trigger responses to unintended and damaging consequences of the reforms. The Government's response, nine months after it received the report basically was, "Thanks. We'll note it. We'll think



about it in a statutory review in a couple of years." We know right now that the National Party is working on a new North West code. Seemingly unhappy with the new rules that have allowed record land clearing, it wants to make it easier for certain interests in the north-west of the State. That will happen before the statutory review that it is hanging its hat on and despite the NRC report highlighting the region is a high biodiversity risk, which is the result of the clearing policies it introduced.

The land management and biodiversity conservation reforms have been a disaster. I and many others warned that they would be. The independent statutory natural resource adviser to the Government has spelt out just how bad the outcomes are. The public is right to be concerned about this Government's efforts to keep the Natural Resources Commission's work a secret for as long as it did and this Government's failure to meaningfully respond to its recommendations.

### FOSTER CARE

**The Hon. PENNY SHARPE (23:36:25):** Our child protection system is one of the most important roles that State governments are responsible for. Every child in New South Wales is entitled to grow and flourish in their families and communities. They have the right to live free from violence, abuse and neglect. Unfortunately, for too many children and young people this is not their reality. Too many children and young people are subject to abuse, violence and neglect across our State—in every corner, in every suburb. We rely on the child protection system to keep kids safe. This means making difficult decisions about removing children and young people from their families. When the State decides to do this it is making a solemn promise to the children and young people that are taken from their families that the State will support them to be safe and to live lives in which they can grow and flourish.

Foster care is the backbone of that solemn promise that we make to children and young people. To be a carer or guardian of a vulnerable child is one of the most important contributions someone can make not only to the life of a child but also to the whole community. The unfortunate reality in New South Wales is that we do not have enough carers. What is more concerning is that we are losing carers and failing to recruit people to take on this role in the future. New South Wales has about 17,000 kids in out-of-home care. While the Minister likes to crow that the numbers of children in care declined last year, what he does not say is that the number of kids in out-of-home care has continued to grow since 2015. That number has especially grown for Aboriginal kids, who now make up 40 per cent of kids in out-of-home care.

While the number of kids in care increases, the number of carers is shrinking. New South Wales has had a dramatic decrease in the number of authorised carers last year, losing over 1,200 in 12 months. One major reason for this is that carers are unhappy, and although dedicated they feel unsupported. In the My Forever Family's carer survey, carers said that they are not supported enough in their role. They are exhausted from fighting the department to access medical or educational support for the kids in their care. They have had enough of unsuccessfully trying to get respite, or they have seen a revolving door of caseworkers with no continuity of support. Foster carers in New South Wales are so exhausted that they are now actively discouraging others from becoming carers. Only one-quarter of them would recommend it to somebody else. This is an urgent emerging crisis for vulnerable kids in New South Wales and those who care for them.

Recently I put a number of questions on notice to the Minister regarding foster and kinship care recruitment. The lack of detail in the Minister's answers is very telling. Despite knowing that over half of this State's carers are kinship carers and that many of those are grandparents, often on pensions and with very specific support needs, the Minister does not know exactly how many are grandparent carers. The Minister also admitted that no-one even asks why carers decide to stop their caring role. We have lost 1,200 carers in the past 12 months from the out-of-home care system and no-one in the Government thought to ask them why they left and are no longer taking kids on.

In Victoria they are doing a lot better. In 2016 the Labor Government sat down with all 26 foster care agencies to come up with a common strategy for foster carer recruitment. It committed \$1.6 million to a dedicated campaign to attract more carers. In the months after launching, it tripled the number of people expressing interest in caring. This is in addition to \$31 million to boost carer payments and \$19 million for better training, assistance and support for carers. Earlier today I informed the House that not one kid in out-of-home care had support with digital at-home learning, including the foster carers, while in Victoria they gave direct payments to carers to support them and help keep the kids at home during the shutdown period. That did not happen in New South Wales.

Rather than sitting down with stakeholders to work out how best to recruit and support carers, New South Wales is, in effect, warehousing many vulnerable kids in motels for months at a time, which is costing \$68 million each year. If Victoria's experience is anything to go by, dedicating a fraction of that money to a collaborative and well-designed carer recruitment campaign would have had those kids safe at home instead of in a motel.

New South Wales has to address the lack of support for foster carers and the number of carers ceasing to do this important work. New South Wales has to invest more money and focus on ongoing recruitment, training and support for foster carers. New South Wales has to work more closely with kinship carers. Too often we put kids into their families and just walk away leaving them very vulnerable in very difficult situations with very little support. The children we remove from their families deserve the same care and attention as every other child in New South Wales. As I stand here tonight I know we are failing to keep the promises we made to vulnerable children, and that has to change.

### LIVE ANIMAL EXPORTS

**The Hon. EMMA HURST (23:41:04):** This past Sunday was Ban Live Exports International Awareness Day. Despite COVID-19 restrictions, thousands of people banded together online to voice their opposition to this cruel industry, which tortures and kills millions of animals every year. Australia's continued involvement in the live export industry is a national and international embarrassment. The views of the community are clear: 75 per cent of Australians want to stop the live animal export trade because they have seen exposé after exposé, showing the shocking conditions in which sheep and cattle are kept on these ships. They have seen how animals are packed so tightly they cannot lie down and rest, or access food and water.

They have seen animals suffering from extreme heat, exhaustion, rough seas, poor ventilation, and surrounded by millions of litres of untreated waste. They know that many of these animals will die along the way from heat stress, broken bones, dehydration and other illnesses while the lucky survivors are painfully slaughtered when they arrive at their destination. For just a moment, put yourself in the position of one of these animals. Imagine it was you on one of those ships on your way to die. It is terrifying on a scale that is hard to comprehend. And yet, in Australia, it is entirely legal to do this to sentient animals that feel pain and suffering in the same way we do.

A few weeks ago, six crew members on a live export ship in Fremantle tested positive for coronavirus. This meant a planned shipment of 50,000 sheep to Kuwait was delayed. In response, the exporter, who already has a notorious record on animal welfare, submitted an application to the Government to export the sheep on a delayed timeframe, departing after 1 June. Just 2½ months ago, the Government introduced regulations banning live export ships from travelling to the Middle East after 1 June, recognising that Northern Hemisphere summer is the hottest and most dangerous time for animals to travel. After initially rejecting the application for an exemption, the Government backflipped 10 days later, happy to break its own rules and risk many of these 50,000 sheep being boiled alive in the blistering heat.

A last minute injunction sought by Animals Australia was sadly unsuccessful. This is truly disgusting conduct from the Federal Government that has shown time and time again that it will always put profit above the suffering of a living being. But the people of Australia will not stop fighting for these animals. The Animal Justice Party will not stop fighting for these animals. To every single animal forced into the brutal live export trade: I see you, I hear you, and I will continue to fight for you. Live animal export will end. Our fight is to make that sooner rather than later.

### BALLINA ADVOCATE

**The Hon. CATHERINE CUSACK (23:44:13):** Throughout the COVID-19 crisis we have had to focus first on the health challenge to address the economic challenge. The fallout for jobs and business has been really challenging, but there is no doubt we are in the least worst case scenario. With so many employees working from home during the lockdown and businesses having to change their operations, the pandemic has accelerated inevitable change and so Australia coming out of the pandemic lockdown is permanently changed. Our local media has been profoundly impacted by the loss of advertising. On 28 May News Corporation announced major changes to its regional newspapers. It has been hard news to hear for many communities, including for publications on the New South Wales North Coast, where some mastheads have even closed.

In that context the *Ballina Advocate*, a much-loved publication of record, is relatively fortunate in that it simply has been forced to cease print editions and go fully online. The Advocate and its distribution to every home in the shire has been a good friend to many and is, in effect, the historical record of Ballina Shire. The Advocate is 100 per cent for Ballina, but does not take ideological positions and, in my experience, facts are diligently checked and corroboration sought for every story. It is one of the fairest and informative publications. I really value that and firmly believe its credibility and the extra mile its staff goes have been integral to sustaining our flourishing community.

I was recently invited by the Advocate to share my memories of the print edition and without hesitation I nominated its outstanding and balanced coverage of the spike in shark attacks, which was a very emotional period that challenged and divided our community. So many community groups rely on the Advocate publishing

stories of their efforts and how interested locals can get involved. The Advocate puts faces and personalities to stories and events, ranging from rehabilitating local bush to Anzac Day ceremonies. I am so proud of my local community and so much of my knowledge, driving that affection, is derived from the *Ballina Advocate*. I have lived in the shire for the better part of two decades, over the years so friends and members of my family have featured in the *Ballina Advocate* stories.

I still have clippings of the story of my youngest son, in primary school at the time, defeating a blindfolded Russian chess champion, who was simultaneously playing about a dozen games of chess. I raided the newsagent and local coffee shops to get extra copies of that edition. The Advocate supports all our schools, our clubs our charitable organisations, our police and our hospital. It informs us on all aspects of our community: We are so much better and stronger for it. It is the first resource we turn to to find local suppliers and tradies. Our lives are so much easier because of this service. The Advocate has always been delivered free of charge to every home.

When our family moved into rental premises at Lennox Head—an unusual home, I think a converted church hall—we were greeted by the familiar *Ballina Advocate* on the driveway. And next door was the church on a block of land we had just bought from the Anglicans with plans to build our own home. Our landlord was there to meet us. I picked up the keys to the house and the Advocate in our driveway. I pointed at the copy of the Advocate in the church driveway and asked Chris, my landlord, "Who is that for?" He just shrugged and said the Church building was empty. I joked, "Even baby Jesus is reading the *Ballina Advocate*."

Moving the Advocate online is a move I support to make the publication sustainable. My concern is for locals who are not IT savvy and may not have the same access they have enjoyed for decades. The pandemic has accelerated this move, and many other services online. The issue I raise tonight is the need for older citizens left behind because they are not internet savvy. I believe this is a major issue for telecommunications policy and a worthy problem to be solved. My local newspaper is indeed a true *Ballina Advocate*. I know so many will miss their treasured print versions.

I am also glad that the tradition we love and rely on will continue, at least online. As a member of the Government, I hope we can work with industry and training organisations to assist members of our community who for whatever reason are struggling to access online services. This will not only mitigate the loss of their hard copy of the Advocate, but also it is really essential that everyone can get online to access services in the post-COVID economy. I thank and wish the Advocate every success in its new incarnation. May you live forever.

#### THE HILLS SHIRE COUNCIL

**The Hon. PETER PRIMROSE (23:49:18):** In recent years on no fewer than seven occasions Labor councillors Tony Hay and Ryan Tracey have moved unsuccessfully that The Hills Shire Council acknowledge the Darug people, the traditional custodians of the land on which they meet, and pay their respects to Elders past, present and emerging. On one occasion they sought a plebiscite of the local community to determine their views, but this too was voted down by the Liberal majority on the council. Such an acknowledgment is taken for granted in parliaments and local councils throughout Australia, including this House, where the President reads out the acknowledgement at the commencement of each sitting week. In 2020 it is a very widely accepted practice by people from a diverse range of political persuasions, not only in political settings but also at community meetings, sporting events and religious ceremonies of all faiths. It is even acknowledged by every major supermarket.

Indeed, section 2 of the New South Wales Constitution Act incorporates the recognition of Aboriginal people as the traditional owners and occupants of the land by Parliament on behalf of the people of New South Wales. Many community members, including representatives of the Darug people, have supported the campaign in The Hills Shire, including Aunty Edna Watson, Uncle Alan, Uncle Wes Marne, Uncle Greg Simms, Uncle Gordon Workman, Leanne Watson, Mikaela Gallaway, Samantha Wylie and their extended families, other local residents such as Ros Fogg, Cheryl Goh, Denise Grace Hofman, Lyn Leerson, Barbara Somerville and local community leaders such as Dr Annemarie Christie. A local newspaper poll had 25,000 responses supporting the acknowledgment of country by The Hills Shire Council. But the response from this Liberal-dominated council continues to be negative. More recently, however, it has taken an even more arcane and troubling turn. To quote directly from a media report:

A local councillor from the Hills Shire district in Sydney is under fire over emails he sent to a local resident about holding a short Acknowledgement of Country ceremony before meetings, saying instead Australia should just "move on". Cllr Brooke Collins, who is a member of the Liberal Party, refused calls to hold the ceremony ...

In a further email on 3 June Liberal Councillor Collins claimed inter alia that Indigenous people had just "turned up on our shores unannounced", and then asked, "How do you know they didn't wipe out another race when they arrived here 70,000 years ago?" The local community was, frankly, shocked. Coming as it did on the final day of National Reconciliation Week 2020, the story appeared in the media not only in Australia but also throughout the world. Little Athletics NSW, where Councillor Collins had recently been appointed director, issued a statement

strongly condemning his comments and instigated urgent disciplinary action. Councillor Collins subsequently resigned.

On 8 June on behalf of the local community, including representatives of the Darug people, Labor councillors Tony Hay and Ryan Tracey wrote to Liberal Mayor Michelle Byrne, requesting inter alia that she publicly disavow the contents of Councillor Collins' email, introduce the acknowledgement of country, and collaborate with local elders to develop council events as part of NAIDOC week and National Reconciliation Week. But unlike other community organisations, Liberal Mayor Michelle Byrne has refused to comment or take action over the outrageous comments by her fellow Liberal councillor. One would have expected more from someone who is on the Liberal Party's State Executive, and who hopes to be preselected for a safe seat at the next election. Or perhaps that is precisely the reason for Mayor Byrnes' ongoing acquiescent silence.

If the mayor will not act, the local community is calling on the New South Wales Minister responsible for Aboriginal affairs to uphold the New South Wales Constitution Act and condemn these outrageous comments by her Liberal colleague. As a local resident, I join with them, calling on that Minister and Premier Berejiklian to not stay silent, to not walk past these insults to the traditional custodians, but to acknowledge them and publicly repudiate Councillor Collins' reprehensible assertions.

#### **ALCOHOL ABUSE**

**The Hon. MARK BUTTIGIEG (23:54:15):** Earlier this evening I wanted to participate in one of the committee debates regarding the night-time economy. I reiterate what my colleague the Hon. Rose Jackson touched on, because we do not often enough concentrate on the sources of the problem. The general tenor of the report was that we should open up the night-time economy again and increase hours so that people can enjoy themselves again and stimulate the economy. That is all well and good and I agree, but we need to address the source of the problem—alcohol abuse and the systemic alcohol abuse that occurs in this country. It starts at quite a young age—and I am probably as guilty as anyone in this Chamber for having that type of experience in my youth. Not enough investment and time goes into educating young people about the responsible use of alcohol and to not abuse alcohol.

We must try to solve these problems at their source by putting in long-term investment, which can sometimes take a generation to effect cultural change. Just like we did with the stop smoking and quit smoking campaign and the effect that has had on our health because people no longer see smoking as a good thing to do, we should put the same time and effort into educating people, especially young people, about the responsible use of alcohol and drinking in moderation. Other countries, particularly in Europe, do not have the same sorts of problems that we have. We may not have had the issues that caused the lockdowns had we put the time and resources in 20 or 30 years ago.

**The DEPUTY PRESIDENT (The Hon. Taylor Martin):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 23:56 until Thursday 18 June 2020 at 10:00.**