



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Wednesday, 20 October 2021

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Wednesday, 20 October 2021

The PRESIDENT (The Hon. Matthew Ryan Mason Cox) took the chair at 10:00.

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

Bills

ENERGY LEGISLATION AMENDMENT BILL 2021

First Reading

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

The Hon. DAMIEN TUDEHOPE: I move:

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

Motion agreed to.

The Hon. DAMIEN TUDEHOPE: I move:

That the second reading of the bill stand as an order of the day for the next sitting day.

Motion agreed to.

Announcements

LEGISLATIVE COUNCIL CHAMBER FRONT DOOR

The PRESIDENT: I announce to members that the Legislative Council front door will be open from 3.00 p.m. this afternoon and 3.00 p.m. tomorrow afternoon to allow members to take some fresh air on the balcony, if needed. Members might like to avail themselves of that. If they do, I ask that members close the door on their way through so that it appears from the outside that it is closed. I thought that would give members a chance to walk amongst the fresh air for a moment of time during debate when they need to, perhaps even to have a break from whatever is going on.

Motions

LAKE MAC BUSINESS EXCELLENCE AWARDS

The Hon. TAYLOR MARTIN (10:03): I move:

(1) That this House notes that:

- (a) on Friday 30 July 2021 the winners of the 2021 Lake Mac Business Excellence Awards were announced; and
- (b) winners of awards included:
 - (i) Outstanding Young Employee: Emma McDonald, Operations Manager - Matt Hall Racing;
 - (ii) Outstanding Young Business Leader: Jonathon Power, Managing Director - Empowered Community Services;
 - (iii) Outstanding Business Leader: Leah Gabolinsky, Chief Transformation Officer, Ramsay Health Care;
 - (iv) Outstanding Employer of Choice: The Rainbow Clinic;
 - (v) Start Up Superstar: Compeat Nutrition;
 - (vi) Excellence in Business: ATUNE Health Centres;
 - (vii) Excellence in Small Business: Fire Response;
 - (viii) Excellence in Micro Business: Psyborg;
 - (ix) Excellence in Sustainability: Imaginelle;
 - (x) Excellence in Retail, Hospitality and Tourism: Lake Macquarie Cruises;
 - (xi) Excellence in Innovation and Adaptability: Design Anthology;

- (xii) Contribution to the City: Spotlight Group; and
 - (xiii) Outstanding Community Organisation: Charlestown Youth and Community Centre (The Place).
- (2) That this House congratulates all winners of the 2021 Lake Mac Business Excellence Awards.

Motion agreed to.

AUSSIE BACKYARD BIRD COUNT

The Hon. PENNY SHARPE (10:04): I seek leave to amend private members' business item No. 1378 outside the order of precedence by omitting in paragraph 2 (b) all words after "further risk" and inserting instead "of loss of habitat; and".

Leave granted.

The Hon. PENNY SHARPE: Accordingly, I move:

- (1) That this House notes that:
 - (a) BirdLife Australia is the nation's largest bird conservation organisation, with the core purpose of stopping the extinction of Australia's birds;
 - (b) BirdLife Australia is running the Aussie Backyard Bird Count from Monday 18 to Sunday 24 October 2021;
 - (c) the Aussie Backyard Bird Count asks citizens of all ages to spend 20 minutes outside their home, anywhere in their community, to record the birds they see during that period; and
 - (d) citizen bird counts provide a snapshot of bird communities at the same time every year to help us understand the health of the environment and bird populations.
- (2) That this House further notes that:
 - (a) 57 bird species in New South Wales are currently listed as vulnerable, endangered, critically endangered, or extinct by the NSW Threatened Species Scientific Committee;
 - (b) New South Wales's most endangered bird, the Regent Honeyeater, is at further risk of loss of habitat; and
 - (c) the endangered Swift Parrot relies on eucalypt nectar to survive in native forest habitat that has been drastically reduced.
- (3) That this House encourages the people of New South Wales to participate in the Aussie Backyard Bird Count from Monday 18 to Sunday 24 October 2021.
- (4) That this House calls on the Government to protect the habitat of the native birds that call New South Wales home, particularly that of threatened native bird populations.

Motion agreed to.

DOLPHIN MARINE CONSERVATION PARK

The Hon. EMMA HURST (10:05): I move:

- (1) That this House notes that:
 - (a) today, Action for Dolphins is delivering a petition with over 24,000 signatures is to the Minister for Environment, the Hon. Matt Kean, MP;
 - (b) the petition calls for the Minister to support the completion of a feasibility study into relocating the dolphins from Dolphin Marine Conservation Park to a sea sanctuary, as recommended by the New South Wales upper House inquiry into "The use of exotic animals in circuses and exhibition of cetaceans in New South Wales"; and
 - (c) the sea sanctuary would be a retirement home for dolphins Zippy, Bella, and Jet, who have lived their entire lives in captivity, and could also help rescue and rehabilitate stranded cetaceans on the east coast of Australia.
- (2) That this House calls on the Minister for Environment to support the completion of a feasibility study into relocating the dolphins from Dolphin Marine Conservation Park.

Motion agreed to.

DR STEPHEN GOODWIN

Ms ABIGAIL BOYD (10:05): I move:

- (1) That this House notes with sadness the death of former Mangrove Mountain resident and dedicated community campaigner Dr Stephen Goodwin.
- (2) That this House notes Dr Goodwin's significant contributions to the Central Coast community and environment, including his advocacy and leadership in relation to contamination and other ongoing issues relating to the Mangrove Mountain Landfill.
- (3) That this House passes on its deepest condolences to Dr Goodwin's family and the many community members who campaigned alongside him.

Motion agreed to.**PINK HIGH-VIS RECOVERY CAMPAIGN****Ms ABIGAIL BOYD (10:06):** I move:

- (1) That this House notes that:
 - (a) 17 to 23 October 2021 is National Anti-Poverty Week, a week that focuses on the need for governments to end poverty in Australia;
 - (b) in 2021, the NSW Council of Social Service [NCOSS] initiated the Pink Hi-Vis Recovery campaign;
 - (c) according to the NCOSS's report, published in October 2021, entitled *Rebuilding for Women's Economic Security—Investing in Social Housing in NSW*:
 - (i) women were experiencing greater housing insecurity than men prior to the COVID-19 pandemic, and women's housing insecurity has worsened since the onset of the pandemic;
 - (ii) 61 per cent of job losses since May 2021 have been female jobs;
 - (iii) in New South Wales, women currently earn, on average, 14.5 per cent less than men, a gap that has remained largely unchanged over the last decade;
 - (iv) women head 63.5 per cent of single-adult households, but represent just 42.8 per cent of sole property owners;
 - (v) domestic and family violence is a key contributor to women's poverty experience, and women experiencing domestic and family violence typically experience financial stress, disability, unemployment, poor (physical and mental) health and insecure housing;
 - (vi) compared to 2014 levels, New South Wales has experienced a decline of 8,897 social housing units across the State;
 - (vii) there are currently up to 4,812 women across New South Wales either living with a violent partner or experiencing homelessness because of inadequate levels of social housing; and
 - (viii) to address the endemic shortage in social housing, 5,000 new social housing units need to be built now, which would deliver \$4.5 billion in economic output and almost 14,000 jobs.
- (2) That this House commends the Pink Hi-Vis Recovery campaign initiated by NCOSS, and calls on the Government to commit to sustainable and long-term funding for social housing construction, affordable housing, specialist domestic and family violence services and specialist homelessness services.

Motion agreed to.**EQUAL PAY FOR EQUAL PLAY**

Ms ABIGAIL BOYD (10:06): I seek leave to amend private member's business item No. 1397 outside the order of precedence by omitting in paragraph (3), "That this House calls on the Minister for Sport to support the Equal Pay for Equal Play NSW campaign by mandating" and inserting, "That this House supports the Equal Pay for Equal Play NSW campaign which seeks to mandate".

Leave granted.**Ms ABIGAIL BOYD:** Accordingly, I move:

- (1) That this House commends the Equal Pay for Equal Play NSW campaign led by professional athlete Lucy Small, which:
 - (a) highlights the inequitable conditions, opportunities, access, and supports that exist for women in sport, including the lack of any requirement for organisations to offer equal prize money for competitions; and
 - (b) calls on the New South Wales Government to take direct action to break down barriers to inclusion and participation faced by women and girls in sport.
- (2) That this House notes:
 - (a) the immense role and contribution of women in the sporting industry; and
 - (b) the disproportionate underrepresentation, underpayment and inadequate support of women in the sporting industry, which discourages inclusion and participation.
- (3) That this House supports the Equal Pay for Equal Play NSW campaign which seeks to mandate equal prize money for all people in sporting events in New South Wales, and enforcing gender equitable requirements for all State sporting grants, funding, and tenders.

Motion agreed to.**PREMIER'S MULTICULTURAL COMMUNICATION AWARDS****The Hon. SHAOQUETT MOSELMANE (10:08):** I move:

- (1) That this House acknowledges that at the Premier's 2021 Multicultural Communication Awards [PMCA], Mr Zia Ahmad, Editor-in-Chief of AMUST conferred the Life Time Achievement Award in recognition of his nearly 50 years dedication to social cohesion, understanding and harmony in New South Wales.
- (2) That this House notes that:
 - (a) under Mr Ahmad's leadership, AMUST has been recognised four times at the PMCA 2021;
 - (b) over the past five decades, Mr Ahmad has established multiple community organisations and initiatives that have served the multicultural and interfaith community; and
 - (c) Mr Ahmad has previously won a number of awards, including the Premier's Multicultural Communications Award 2019 in the category of Best Print Report of the year, Interfaith Dialogue Award 2018, Excellence Award 2018, Multicultural Communities Council of NSW, Premier's Multicultural Media Awards 2016, in the category of Best Editorial/Commentary of the Year, AMU Alumni of Australia Award 2016 and University of Sydney LS Medal in 1998.
- (3) That this House acknowledges and commends Mr Ahmad for his extraordinary contribution to social cohesion, understanding and harmony in New South Wales over the last five decades.

Motion agreed to.

BIRTH OF PROPHET MOHAMED PBUH

The Hon. SHAOQUETT MOSELMANE (10:08): I move:

That this House notes that:

- (a) 20 October 2021 is the Birth of Prophet Mohamed PBUH, a most auspicious occasion;
- (b) Prophet Mohamed is an icon of Islamic faith, the messenger of God, a messenger of peace and mercy;
- (c) the Prophet's birth marks the most significant event in the Islamic calendar for 1.8 billion people around the world with 1.1 billion in the Asia region;
- (d) 2019 marked the first ever celebration of the birth of the Prophet in the New South Wales Parliament, a historic moment for all especially Rahma Association; and
- (e) the birth of Prophet Mohamed PBUH and wishes all people of the Islamic faith a happy celebration on this, Islam's most auspicious occasion.

Motion agreed to.

Documents

TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES

Dispute of Claim of Privilege

The PRESIDENT: I inform the House that on 19 October 2021 the Clerk received from the Hon. Daniel Mookhey written correspondence disputing the validity of a claim of privilege on documents lodged with the Clerk on 28 July 2021 relating to a further order for papers regarding the Transport Asset Holding Entity of New South Wales. According to standing order, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbitrator to evaluate and report as to the validity of the claim of privilege. The Clerk released the disputed documents to the Hon. Keith Mason for evaluation and report.

[During the giving of notices of motions]

Notices

PRESENTATION

The PRESIDENT: Order! The members to my left will come to order. The Parliamentary Secretary will not respond to interjections. The Parliamentary Secretary has the call.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. SHAYNE MALLARD: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the order of private members' business this day.

Motion agreed to.

ORDER OF BUSINESS

The Hon. SHAYNE MALLARD (10:17): I move:

(1) That the order of private members' business for today be as follows:

- (1) Private members' business item No. 1310 outside the order of precedence standing in the name of the Hon. John Graham relating to an order for papers regarding changes to the Government's mobile speed camera program;
- (2) Private members' business item No. 1388 outside the order of precedence standing in the name of the Hon. Daniel Mookhey relating to a further order for papers regarding the administration of Insurance and Care NSW (icare);
- (3) Private members' business item No. 1341 outside the order of precedence standing in the name of Mr David Shoebridge relating to the Constitution Amendment (Virtual Attendance) Bill 2021;
- (4) Private members' business item No. 1347 outside the order of precedence standing in the name of the Hon. Mark Buttigieg relating to an order for papers regarding the South East Bus Changes community feedback survey;
- (5) Private members' business item No. 1355 outside the order of precedence standing in the name of the Hon. Scott Farlow relating to Mental Health Month 2021;
- (6) Private members' business item No. 1393 outside the order of precedence standing in the name of the Hon. Courtney Houssos relating to an order for papers regarding requests by the NSW Building Commissioner;
- (7) Private members' business item No. 1 outside the order of precedence standing in the name of the Hon. Mark Latham relating to the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019;
- (8) Private members' business item No. 1338 outside the order of precedence standing in the name of the Hon. Daniel Mookhey relating to an order for papers regarding an audit of Uber;
- (9) Private members' business item No. 1316 outside the order of precedence standing in the name of the Hon. Abigail Boyd relating to the International Day of Sign Languages 2021;
- (10) Private members' business item No. 1383 outside the order of precedence standing in the name of the Hon. Mick Veitch relating to the censure of the Minister for Agriculture and Western New South Wales;
- (11) Private members' business item No. 1315 outside the order of precedence standing in the name of the Hon. Adam Searle relating to an order for papers regarding the Great Western Highway Upgrade between Katoomba and Lithgow;
- (12) Private members' business item No. 1302 outside the order of precedence standing in the name of the Hon. Mark Pearson relating to dingo control;
- (13) Private members' business item No. 1354 outside the order of precedence standing in the name of Mr Justin Field relating to the failure of The Star casino's anti-money-laundering controls;
- (14) Private members' business item No. 1329 outside the order of precedence standing in the name of the Hon. Robert Borsak relating to the ICAC and Other Independent Commissions Legislation Amendment (Independent Funding) Bill 2021;
- (15) Private members' business item No. 1321 outside the order of precedence standing in the name of the Hon. Ben Franklin relating to Legacy Week 2021;
- (16) Private members' business item No. 1308 outside the order of precedence standing in the name of the Hon. Penny Sharpe relating to an order for papers regarding the Resilient Valley, Resilient Communities: Hawkesbury-Nepean Valley Flood Risk Management Strategy;
- (17) Private members' business item No. 1380 outside the order of precedence standing in the name of the Hon. John Graham relating to an order for papers regarding the proposed Western Sydney Airport Metro;
- (18) Private members' business item No. 1402 outside the order of precedence standing in the name of Ms Cate Faehrmann relating to an order for papers regarding bushfire and evacuation plans for the Greater Macarthur Growth Area;
- (19) Private members' business item No. 1387 outside the order of precedence standing in the name of the Hon. Daniel Mookhey relating to an order for papers regarding Revenue NSW investigations into gig economy companies;
- (20) Private members' business item No. 1303 outside the order of precedence standing in the name of Mr David Shoebridge relating to an order for papers regarding proposed changes to infrastructure contributions;
- (21) Private members' business item No. 1363 outside the order of precedence standing in the name of the Hon. Taylor Martin relating to the 2020 Olympic Games;
- (22) Private members' business item No. 1343 outside the order of precedence standing in the name of the Hon. Courtney Houssos relating to an order for papers regarding school infrastructure projects and land disposals;
- (23) Private members' business item No. 1325 outside the order of precedence standing in the name of the Hon. Mark Banasiak relating to an order for papers regarding the 2019 Gospers Mountain fire and bushfire hazard reduction;
- (24) Private members' business item No. 1335 outside the order of precedence standing in the name of the Hon. Daniel Mookhey relating to an order for papers regarding Investment NSW;

- (25) Private members' business item No. 1304 outside the order of precedence standing in the name of the Hon. Catherine Cusack relating to 100 years of women's football in Australia;
 - (26) Private members' business item No. 1389 outside the order of precedence standing in the name of the Hon. Rod Roberts relating to NSW Deputy Police Commissioner Mal Lanyon;
 - (27) Private members' business item No. 1394 outside the order of precedence standing in the name of the Hon. Courtney Houssos relating to an order for papers regarding student enrolments;
 - (28) Private members' business item No. 1318 outside the order of precedence standing in the name of Ms Abigail Boyd relating to the Building Better Homes Campaign;
 - (29) Private members' business item No. 971 outside the order of precedence standing in the name of the Hon. Adam Searle relating to the Work Health and Safety Amendment (Industrial Manslaughter) Bill 2021; and
 - (30) Private members' business item No. 1374 outside the order of precedence standing in the name of the Hon. Mark Banasiak relating to a further order for papers regarding Monaro Farming Systems.
- (2) That, notwithstanding anything to the contrary in the standing orders, on the resumption of the second reading debate for the Constitution Amendment (Virtual Attendance) Bill 2021, Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019, or ICAC and Other Independent Commissions Legislation Amendment (Independent Funding) Bill 2021 this day, the time for the second reading debate be as follows:
- (a) each speaker may speak for not more than 10 minutes; and
 - (b) debate be interrupted after 50 minutes to allow the mover to speak in reply for not more than 10 minutes.

I indicate to the House that, with respect to private members' business items listed at paragraph Nos (1), (2), (4), (5), (6), (8), (9), (11), (12), (13), (15) to (28), and (30) in the motion, the members with carriage of those motions have each given an undertaking to move them in the short form format.

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

Motion agreed to.

Documents

MOBILE SPEED CAMERAS

Production of Documents: Order

The Hon. JOHN GRAHAM: I move:

That private members' business item No. 1310 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. JOHN GRAHAM (10:24): I move:

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 1 March 2020 in the possession, custody or control of Transport for NSW, the Minister for Transport and Roads, or the Minister for Regional Transport and Roads relating to changes to the Government's mobile speed camera program from 1 January 2020:

- (a) all documents, including correspondence and briefings, on the outcomes or failings of the mobile speed camera program;
- (b) all documents, including correspondence and briefings, on negotiations with Acusensus regarding:
 - (i) the delivery of their contract for the mobile speed camera program; and
 - (ii) all amendments to the terms of their contract.
- (c) all documents regarding interactions between the Hon. Troy Grant and Transport agencies or the Minister for Transport and Roads or the Minister for Regional Transport and Roads or their offices; 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.

This is a story about a massive administrative failure in the State's mobile speed camera program. It is the story of the awarding of a contract to a company that had few cars and few cameras, which was required to demonstrate before it got the contract that it could do the job. Few cars and few cameras, but they had hired former Deputy Premier Troy Grant. So far, in delivering on that contract, they have failed. The private contractor, Acusensus, hired former Deputy Premier Troy Grant, with Grant's role being reported as including the "facilitation of relationships and client introductions, particularly in relation to road safety and policing agencies".

When the Government awarded this contract, it decided to split the State in two for the purpose of mobile speed camera services from 1 July this year. One of the reasons the Government used to justify a two-vendor program is that it "contributes to the mitigation of the delivery risks associated with a single vendor model for mobile speed camera enforcement services". One provider, Acusensus, covers the south of Sydney and southern

New South Wales generally as defined by the following three regions: Sydney south, southern and south-west. The rest of the State—the north of Sydney and the north of the State—is contracted to Redflex Traffic Systems Pty Ltd. This is big public money going to private firms to fine speeding drivers in New South Wales. The public often does not realise that those services are performed not by New South Wales police but by private companies. To give you an idea of the size of the contracts—

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I make the observation to the Hon. John Graham and to other members who will move motions under Standing Order 52 that the issue is why they need a Standing Order 52 motion. It appropriately needs some introductory remarks, but it is not an opportunity to give a speech on the issue in general. The member should explain why he needs the order for papers under Standing Order 52. I say nothing more.

The Hon. JOHN GRAHAM: Thank you for that guidance, Mr Deputy President. We are calling for the papers because there is a scandalously large amount of public money in those contracts: \$77 million to Acusensus and \$91 million to Redflex to perform the job the public expects them to do. One of those, the company employing former Deputy Premier Troy Grant, is being paid a higher rate per hour to perform those services. The reason we want the documents is that so far that has been a total failure. New government data shows that, despite being contracted to perform 8,300 hours of mobile speed camera enforcement per month, Acusensus performed only 320 hours in July.

The Hon. Damien Tudehope: Point of order: I was wondering when a Presiding Officer would make the observation that you have made today, Mr Deputy President. It is fantastic to give a speech in relation to the issue, but the Hon. John Graham has made the point about why he says it is necessary. The material that he is now articulating is just furthering a position because he wants to make a speech about the issue. It does not go to the substance of the motion as to why an order for papers under Standing Order 52 is necessary.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I am very much alive to the fact that there are 57 seconds left, so I will not deal with the matter anymore now. I do not dismiss it, but I do not want to cut the speaking time of the Hon. John Graham.

The Hon. JOHN GRAHAM: We want the papers produced because the total failure of this program is a scandal. Fines have collapsed in the south of the State from significant numbers down to zero in Wagga Wagga, zero in Queanbeyan and zero in the Bega electorate. The Government talks about road safety, but its road safety program has collapsed and we want to know why. We want to know what is going on. That is why we want those papers, and that is why we are moving the motion today. We know that fines are up across the State, but those who live in the north of the State are getting fined at record levels. For those who live in the south of the State, July was a free-for-all. The Government's road safety program collapsed. We want to understand what is going on; that is why we are supporting the call for papers.

The Hon. TAYLOR MARTIN (10:29): The Government opposes the motion. When it comes to mobile speed cameras, the message is quite clear: Speed cameras have been proven to save lives. Speed camera enforcement is one of the most effective, evidence-based and low-cost measures to reduce speeding, save lives and prevent injuries. Research has consistently shown that best practice mobile speed camera programs can deliver consistent reductions in casualty crashes. Mobile speed cameras maximise deterrence of speeding behaviour across the road network and not just at camera locations. There has been too much focus on how many people were being fined, where they were when they were fined and now which company detected their speeding. The real issue here is how many people are driving above the speed limit and putting their own lives, the lives of their passengers and the lives of others at risk. Mobile speed cameras are about changing driver behaviour and in turn saving lives on our roads—nothing else. The mobile speed camera contracts are split geographically across the State between two providers, Redflex and Acusensus.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I make the same observation now to the Parliamentary Secretary that I made to the Hon. John Graham, but in reverse. That is: His job is to demonstrate why there should not be an order for papers under Standing Order 52. What is good for the goose is also good for the gander.

The Hon. TAYLOR MARTIN: Sure thing, Mr Deputy President. Evidence was provided via the budget estimates process only weeks ago that the contracts were awarded through a thorough process. Evidence was provided that no departmental official had any meetings with the former member for Dubbo and former Minister for Police and Minister for Emergency Services, the Hon. Troy Grant. Evidence was provided that the ministerial diary disclosures are publicly available and published quarterly on the Department of Premier and Cabinet website. Those opposite have already wasted over 280 hours of government time by chasing documents from Transport for NSW under a previous call for papers under Standing Order 52 about mobile speed cameras. As I said earlier, the Government opposes the motion.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): One of the best speeches that used to be given as to why orders for papers under Standing Order 52 should not be provided was by the Hon. Penny Sharpe when she was a Parliamentary Secretary. She used to give a cracker of a speech.

The Hon. JOHN GRAHAM (10:32): In reply: I thank the Parliamentary Secretary for that information, which is consistent with the argument the Government made when the issues were first raised. They said that three things were going on. They said that in fact there was no problem with the program and that it was a random allocation of mobile speed cameras. They said it was anywhere, anytime enforcement, which was the Government's defence. They said it was rotating enforcement. None of those things were true, and that is why we are pursuing this motion. The defence the Government gave when the issue was first raised was totally wrong. It did not explain why Queanbeyan had gone from 290 fines a month to zero, why Wagga Wagga had gone from 500 fines a month to zero, why the same thing had happened in the Bega electorate, why Riverwood in the south of Sydney and Norwest were down to zero or why fines on the Princes Highway had collapsed from 1,452 to zero.

This enforcement is not random; it is not anywhere, anytime. The program was a total administrative failure, and we want to know why. That is why we are asking for documents. Nothing that the Parliamentary Secretary has said today has given us any assurance that the Government takes this motion seriously. There is a major problem with the Government's key road safety program. Everything the Parliamentary Secretary has said about how important it is to slow people down on the roads and why they should not be speeding is undermined by the Government's total failure to administer this program properly. The fact that the firm at the centre of it, who were supposed to be able to do the job when they signed up and were given this contract, had few cars and few cameras but had employed Troy Grant is of real concern to the Opposition. That is why we are seeking further information from the Government. Nothing the Parliamentary Secretary has said today has assuaged our concerns.

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

Motion agreed to.

INSURANCE AND CARE NSW

Production of Documents: Further Order

The Hon. DANIEL MOOKHEY: I move:

That private members' business item No. 1388 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. DANIEL MOOKHEY (10:35): I move:

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, excluding any documents previously returned under an order of the House, in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Treasurer, Treasury, the Minister for Customer Service, the Department of Customer Service, Insurance and Care NSW [icare] or the State Insurance Regulatory Authority [SIRA] relating to the administration of Insurance and Care NSW [icare]:

- (a) all documents, created since 1 June 2021, in the possession, custody or control of icare, regarding incorrect pre-injury average weekly earnings [PIAWE] calculations;
- (b) all documents, created since 1 January 2021, in the possession, custody or control of the SIRA, regarding incorrect PIAWE calculations;
- (c) all documents, created since 1 January 2021, including correspondence, reports, briefs, research, modelling and all other material, between SIRA and Treasury regarding icare's performance as manager of the Nominal Insurer;
- (d) all documents, created since 1 January 2021, including correspondence, reports, briefs, research, modelling and all other material, produced for or by SIRA regarding legislative or regulatory noncompliance by icare in respect to Nominal Insurer activities;
- (e) all correspondence, created since 1 July 2020, sent between the Treasurer, the Treasury Secretary, any Treasury Deputy Secretary, the Chair of icare, the CEO of icare, the Chair of SIRA, or the CEO of SIRA;
- (f) the current risk registers for all icare business units;
- (g) the current icare gift register;
- (h) all registers which record:
 - (i) sponsored travel undertaken by icare employees or contractors, including details of the sponsor; and
 - (ii) any other benefit received by any icare employee or contractor;
- (i) any document which discloses the job title of icare employees who are currently entitled to receive a bonus or performance based payment in addition to their salary, redacting employee names, but identifying the value of the bonus or performance based payment and the date they entered into their contract of employment with icare;

- (j) all documents regarding the resignation and replacement of any icare board director;
- (k) all briefs, created since 1 January 2021, including attachments, sent to, signed by, drafted by, received by or approved by, the Premier, the Department of Premier and Cabinet, the Treasurer, the Minister for Customer Service, the Treasury Secretary, the CEO of SIRA, the Secretary of the Department of Customer Service or any Deputy Secretary of the Treasury or any Deputy Secretary of the Department of Customer Service, regarding any matter related to:
 - (i) icare, or the nominal insurer;
 - (ii) SIRA;
 - (iii) the Treasury Managed Fund;
 - (iv) any other fund managed by icare; and
 - (v) the NSW workers compensation scheme;
- (l) the following documents, created since 1 June 2021, in the possession, custody or control of icare:
 - (i) all documents prepared for all icare board meetings;
 - (ii) all documents which record decisions made by the icare board;
 - (iii) all documents prepared for icare's Investment and Asset Committee, People and Remuneration Committee, Customer, Innovation and Technology Committee, Governance Committee, Audit and Risk Committee and Foundation Committee; and
 - (iv) all documents which record decisions made by the icare Board's Investment and Asset Committee, People and Remuneration Committee, Customer, Innovation and Technology Committee, Governance Committee, Audit and Risk Committee and Foundation Committee;
- (m) the 30 June 2021 actuarial report for the Treasury Managed Fund and Nominal Insurer produced by Finity Consulting;
- (n) the 31 December 2020 actuarial report for the Treasury Managed Fund and Nominal Insurer produced by Finity Consulting;
- (o) all reports produced by KPMG, PwC, Ernst Young or Deloitte for icare or SIRA;
- (p) all agendas, minutes or meeting notes from all meetings between icare and SIRA;
- (q) all monthly financial accounts for the Treasury Managed Fund or Nominal Insurer for January 2020 to date;
- (r) all capital management frameworks for the Treasury Managed Fund or Nominal Insurer for January 2020 to date; and
- (s) 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.

It is time for this House to resume its scrutiny of Insurance and Care NSW [icare]. One of the many reasons is the breaking news that has emerged this morning—which is of real alarm, certainly to members of this House—of the accidental publication by the State Insurance Regulatory Agency [SIRA] of a report that says that injured workers are at high risk of harm as a result of icare's deteriorating return-to-work rates and its failure to act. That action has created a red alert warning, calling into question the financial viability of the State's entire workers compensation scheme. What is worse is that this report appeared on SIRA's website last week but was deleted after media inquiries were made about it.

I understand why there might be some sensitivity within the Government—not the regulator—around this, because we were told that icare was fixed or in the process of being fixed. We were told that more than a year ago, when the myriad of issues that have inflicted icare came to light as a result of this House's scrutiny. We were told that a Supreme Court judge would look into it, make recommendations and there would be action as a result. It has been more than a year and we have had no such action from the Government. During the year since icare's issues came to light, then Treasurer Perrottet said icare would experience an organisational overhaul—a new management team, a new culture—and that it would be a system that employers and injured workers could trust again.

We were told that the Government would be prompt and speedy in its action. Yet if we compare the Government's record of action against its rhetoric, they do not align. The McDougall review was handed down in May 2021. There is still absolutely no sign of any legislation coming from the Government. We were expecting the Government to introduce something in the past fortnight. In the absence of any action by the Government, this House has no choice but to resume our scrutiny because there is no guarantee that anything is materially changing at icare. What is equally as worrying is that return-to-work rates in icare's key schemes are worse than last year—

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The member is starting to move away from the motion.

The Hon. DANIEL MOOKHEY: Part of this Standing Order 52 motion seeks information about what exactly the regulator is doing about this deteriorating return-to-work performance. We were told that there would be new board directors and, to be fair, there are. But we really want to understand how those directors were chosen,

and that is what this Standing Order 52 motion also gets to. We are interested in seeing what selection procedures were utilised to ascertain why those people were chosen.

The Hon. Shayne Mallard: Budget estimates.

The Hon. DANIEL MOOKHEY: I accept the interjection of the finance Minister, whose support I am enthusiastically anticipating—

The Hon. Damien Tudehope: I did not make an interjection.

The Hon. DANIEL MOOKHEY: —who says that is the purpose of estimates. Which brings me to the other reason why the House should engage its powers here. The other aspect of why this is relevant, especially now, is because of the excellent work of the Law and Justice Committee under the leadership of the Hon. Wes Fang. He chaired a very difficult hearing and produced a very good report, but he made it clear that the Law and Justice Committee would have to turn its attention to those matters again, which we are about to. That committee should be equipped with as many documents that are required to hold this Government to account.

If the former Treasurer and now Premier has kept his word to fix icare then there is no reason for the Government to object to this motion. It is not like the documents will reveal any further scandals because we are told no more are taking place. Members on both sides of this House accept that as a result of the systemic mismanagement of that scheme by icare's former leadership—as chosen by the then Treasurer—that it will be a long road to recovery. But this scheme applies to 326,000 businesses in New South Wales. It insures millions and millions of injured workers. Right now it is the scheme that is on the frontline of our COVID response, and it is expecting skyrocketing COVID transmissions to hit it with a further \$687 million in costs. It is right that this House engages its power to scrutinise whether or not icare is up to that task and its many other tasks, especially when it has such a record of failure. I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (10:40): I move:

That the question be amended as follows:

- (1) Omit "21 days" and insert instead "35 days".
- (2) Insert after paragraph (s) the following new paragraph:
 - (t) the total number of staff, the total number of staff hours and the total costs associated with responding to this order of the House.

I have been long and loud about the use of Standing Order 52 motions and the manner in which they used in this place—the impact on staff, the number of staff hours and the cost of allocating staff to comply with the orders of this House, while all the time acknowledging the entitlement of this House to seek those papers. But the manner in which this motion is drafted defies belief. Some of the things that the Opposition seeks in relation to this order are "the current risk registers for all icare business units", "the current icare gift register". There are no time limits on any of this. More importantly, the Opposition wants "all reports produced" by a variety of accountants for icare or SIRA. And then this: "all agendas, minutes, meeting notes from all meetings between icare and SIRA".

The Hon. Daniel Mookhey made a significant play on return-to-work rates. If this motion was directed specifically to that issue, then the Government would be capable of complying with it. It would be a focused order for the production of documents, with a forensic purpose which can be identified and reams and boxes of documents would not be required to be produced. The terms of this particular motion and the scope of the documents which are to be produced are just part of the outlandish behaviour of those opposite in terms of, "Well, let's ask for everything. We might find a document somewhere which we can use." It is part of that fishing expedition that the Hon. Daniel Mookhey spends his life gleefully being engaged in.

I seek a two-minute extension of time.

Leave granted.

The Hon. DAMIEN TUDEHOPE: A total of 50 Standing Order 52 motions have been directed to Treasury during 2020-21. Fourteen of those orders required external e-discovery services at a cost of \$258,000. A total of 712 full-time employment hours were expended across the 50 standing orders. Those people would normally be doing other work for the citizens of this State, but instead they are doing work for members opposite, to produce documents of often little utility, so that the Opposition can hopefully trawl through the documents on a fishing expedition. This process is completely out of control in the hands of the Opposition. It is irresponsible of the Opposition to engage in the process in the way it does.

The Hon. Adam Searle: Alright, I will speak.

The Hon. DAMIEN TUDEHOPE: I am happy for you to speak. I point out that while we have no problem with complying with orders, it has to be against a scope—

The Hon. Daniel Mookhey: You clearly do.

The Hon. DAMIEN TUDEHOPE: No, I do not, but I ask the Hon. Daniel Mookhey to focus on the documents that are forensically necessary and which he spoke about. If the documents sought were in respect of the issue that the member spoke about, then we could identify the purpose for which they were required. If this order for papers was a subpoena in court it would be thrown out as being vexatious. The Hon. Adam Searle knows that, but he has temerity to defend it. Any reasonable government would oppose the motion and I urge every member to oppose it and adopt a proper purpose in respect of Standing Order 52.

Mr DAVID SHOEBRIDGE (10:45): I indicate that The Greens support the Standing Order 52 motion. Icare, including its management of the Nominal Insurer, had a \$3 billion negative turnaround under the watch of the current Premier. Assuming that each one of the 50-odd Standing Order 52 motions that this House directed to the Treasurer's office were directed to icare, that is one Standing Order 52 motion for every \$57 million lost by this Government through its mismanagement of icare, particularly the return to work numbers. It is even more troubling that the small amount of transparency that icare did have was reversed in the last few days because it published a report indicating a high risk to the scheme as a result of the deteriorating return-to-work rates. The State Insurance Regulatory Authority [SIRA] published that report on its dashboard in the last few days, which indicates a high risk to the scheme because return-to-work rates are deteriorating. That is how the former Treasurer lost \$3 billion in icare. The report was published only a fortnight ago but then removed, allegedly because it failed to address internal standards before it published the report.

If bad news about the scheme is pulled down because it is embarrassing, then of course we need to undertake a rigorous review. Each of the elements in the motion have been covered in detail in the report delivered by the Law and Justice Committee, none of which were closed off and all of which had ongoing risks, including the failure to get pre-injury average weekly earnings [PIAWE] right. Some 90 per cent of reviewed claims in the Treasury Managed Fund were wrong in PIAWE. We have not had an update about that; we do not know where it is. When that scheme is getting 90 per cent wrong, we have an obligation to look at it. The Greens would have been happy to liaise with the Government and the Hon. Daniel Mookhey to make reasonable amendments, but the amendment put forward by the Government is a joke. We are willing to help.

I propose to move an amendment to the Government's amendment, and I seek a short extension of time to do that.

Leave granted.

Mr DAVID SHOEBRIDGE: I move:

That the Hon Damien Tudehope's amendment be amended as follows:

- (1) Omit "35 days" and insert instead "28 days".
- (2) Omit paragraph (2).

The choice is the Minister's. If he wants an extra seven days and 28 days in total to get the return, The Greens are happy to work with him, but we are not happy to engage in the stunt that is paragraph 2. We move the amendment to give the additional time, even though the Government has not tried to engage with us. It is a good faith negotiation. We would have been willing to talk with the Government about putting a date limitation on subparagraphs (o) and (p). But instead of addressing the substance of the motion, we get this stunt. That is what it is. If we are going to have stunts— [*Time expired.*]

The Hon. MARK LATHAM (10:50): One Nation has previously opposed Standing Order 52 motions relating to icare, but we will support this one, indicating our conversion to the process, although we still have set criteria. The main one is that as long as it is not a fishing trip and it is a proven matter of public concern and even scandal, we will support a further return of papers to get to the bottom of what has happened. It has become clear in this term of Parliament that this Chamber is the great ray of sunshine, putting light on the workings of the New South Wales Government. The role this Chamber has played in the current ICAC hearings is a great tribute to the review and transparency processes of the Legislative Council. Indeed, it is one of the finer moments in the long history of this Chamber. On icare, it is a matter of burning public concern. How did this institution melt down? How is it that it now provides a shoddy, virtually ineffective and non-existent service for workers compensation in New South Wales? What is being done to repair it? I know Standing Order 52 motions are an inconvenience to the Government and I have spoken to senior people who have itemised the use of Treasury and other resources to collect the papers.

But in terms of good government, it is better that public servants are doing that than sorting grants; it is better that public servants are doing that than stuffing up institutions like icare; it is better that public servants are doing that than all the woke harmony council reconciliation rainbow flag-worshipping Jim Betts legacy programs, which are a complete and utter waste of their time. While the Government says that public servants are distracted from their real jobs, the truth is that their real jobs are not being performed with the diligence and dedication that should be taking place in a public service solely dedicated to cost efficiency and customer service. It is all relative and there is no doubt that, yes, it is an inconvenience to the Government and, yes, it fills the "Daniel Mookhey have a looky library", which is overflowing. We are lucky to have such good staff who seem to have encyclopedic recall of where boxes are located.

The library is full, but the other thing that is full is the proper process of this House shining a light on bad processes inside the Government. Icare is a big problem and the Government should accept the reality that the best way of avoiding Standing Order 52 motions is better government. Do not sort grants, do not mess up institutions, do not try to hide the facts, answer questions on notice and answer other requests for information and we would not have so many Standing Order 52 motions because they are always the last resort.

Mr David Shoebridge: And do not abuse Government Information (Public Access) Act [GIPAA] requests.

The Hon. MARK LATHAM: Well GIPAA has become a complete and utter joke. The Government can do many things to solve its own problems instead of putting the blame on crossbench and Opposition members in this Chamber.

The Hon. ADAM SEARLE (10:53): I move an amendment to paragraphs (o) and (p) of the motion moved by my colleague the Hon. Daniel Mookhey. I move:

That the question be amended by inserting at the end of paragraphs (o) and (p) "created since 1 January 2021".

In speaking to the amendment and the motion, I take issue with a couple of things. First, legitimate forensic purpose is not a requirement of Standing Order 52 motions. Even if it were, those matters are clearly grave matters of public concern, even scandal. If this Government properly adhered to the GIPAA legislation and answered questions properly in question time or on notice, or even if it allowed its senior public servants and Ministers to give clear and direct answers through the budget estimates process, these motions would not be necessary and forthcoming.

The regime of calls for papers under Standing Order 52 that has been in place in this Parliament is a direct and continuing legacy of this Government's addiction to secrecy, its evasion of public scrutiny, its bastardisation of the Government Information (Public Access) Act and of the processes of the Parliament. If it wanted to alleviate the time and expense, it would produce the documents electronically on a thumb drive. It would not spend the money on producing physical copies the way it does, and it would not spend time on these outrageous and spurious privilege claims. I urge members to read the reports of the Independent Legal Arbiter the Hon. Keith Mason, AC, QC. They should read some of the correspondence from the Hon. Keith Mason about the Government's failure to take even the arbitral process seriously, making blanket privilege claims but not identifying which documents fall under which claim.

The Hon. Damien Tudehope: Give us more time.

The Hon. ADAM SEARLE: You don't ask for more time. This Government's approach to the way in which it claims privilege is to say, "Oh, we didn't have time to redact people's names so we are just going to claim privilege over these boxes and boxes of documents." Of course, nine times out of 10 there is no legitimate privilege claim. This Government has abused the processes of this House, of the Parliament and of its own legislation. It is all on its own head because the Government does not treat accountability mechanisms with the seriousness they deserve. If Government members were simply to answer the questions honestly and openly, orders for papers would not be necessary. To impugn the motives of my colleague and of members on this side of the House does the Leader of the House no credit whatsoever.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Subject to what the Hon. Daniel Mookhey says, I suggest that the amendment proposed by the Hon. Adam Searle to subparagraphs (o) and (p) of the motion could be made by leave rather than the question having to be put because I do not think it will cause great issue. I will put the question on the amendment to subparagraphs (o) and (p) separately to the other amendment.

The Hon. DANIEL MOOKHEY (10:57): In reply: I thank the Minister for Finance and Small Business, Mr David Shoebridge, the Hon. Mark Latham and the indomitable the Hon. Adam Searle for their contributions. With respect to the substance of the arguments raised by the Minister, firstly, I appreciate him acknowledging my diligence in reading documents. I assure the House that all members who initiate calls for papers do read the documents produced and do take that seriously, because the power of inspection is serious. When it comes to

something as scandalous as icare, I can provide the Minister with the assurance he seems to seek, which is that the documents will be read and that the efforts made by the Treasury officials in complying with the orders will be acknowledged.

Secondly, I reject the Minister's suggestion that a public servant complying with an order of the House is not assisting the people of New South Wales. They are. That has been manifestly clear in relation to all prior calls for papers concerning icare made under Standing Order 52 [SO 52], but equally, as the Hon. Mark Latham said, in relation to papers produced under many other SO 52 orders. In my experience, the public servants, including the Treasury officials, who comply with those orders always do so in a spirit of honesty. I acknowledge that, and I want to put that on the record. They are serving the State by assisting the House with accountability, which is incredibly important in a democracy, of course.

The third aspect of the Minister's argument, which is that the order sought is onerous and not at all clear, is not true. Every one of the items listed in the motion relates to a matter that the Standing Committee on Law and Justice either investigated or made a finding about. Equally, Mr McDougall in his review did so too. Each of them is almost identical to the language adopted in previous orders under SO 52 on this matter. Therefore, the responding agencies have that as a reference point if, for whatever reason, they have doubt or need to interpret what precisely the House is seeking.

In fact, all those agencies have familiarity with the matters that are being raised, so I reject the suggestion that the order sought is particularly onerous. With respect to the specific amendments that have been moved, of course I have no objection to the amendment proposed by the Hon. Adam Searle. It is a sensible amendment, which probably I should have thought of myself. With respect to the amendment moved by the Minister, had the Minister or anyone from the Government approached us seeking additional time, we would have negotiated in good faith with them, but they never did.

I seek 30 additional seconds to complete my reply.

Leave granted.

The Hon. DANIEL MOOKHEY: We would have negotiated happily with the Government if it had sought to extend the time frame. However, it made no such attempt. I must say it does not normally make those attempts. Therefore, the Opposition will not support the Government's amendment in its current form. Should Mr David Shoebridge's proposed amendment to the Government's amendment succeed, the Opposition will support that as a gesture of good faith to the Government, which has not sought to negotiate with us. If an additional seven days will assist compliance with the order, that is reasonable and we will support it.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I will put questions on the amendments out of order because I am not sure where this is going to go. I will deal with the Hon. Adam Searle's amendment first because I think it is uncontroversial. The Hon. Daniel Mookhey 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 of the Hon. Adam Searle agreed to.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The Hon. Daniel Mookhey has moved a motion, to which the Hon. Damien Tudehope moved an amendment, to which Mr David Shoebridge has moved a further amendment. The question is that the amendment of Mr David Shoebridge to the amendment of the Hon. Damien Tudehope be agreed to.

Amendment of Mr David Shoebridge to the amendment of the Hon. Damien Tudehope negatived.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The question now is that the amendment of the Hon. Damien Tudehope be agreed to.

The House divided.

Ayes16
Noes23
Majority.....7

AYES

Amato
Cusack
Fang
Farlow
Farraway (teller)

Harwin
Khan
Maclaren-Jones
Mallard (teller)
Martin

Mitchell
Nile
Poulos
Taylor
Tudehope

AYES

Franklin

NOES

Banasiak
Borsak
Boyd
Buttigieg (teller)
D'Adam (teller)
Donnelly
Faehrmann
Field

Graham
Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty
Moselmane

Pearson
Primrose
Roberts
Searle
Secord
Sharpe
Shoebridge

PAIRS

Ward

Veitch

Amendment of the Hon. Damien Tudehope negatived.

The PRESIDENT: The question is that the motion as amended be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.**The House divided.**

Ayes23
Noes16
Majority.....7

AYES

Banasiak
Borsak
Boyd
Buttigieg (teller)
D'Adam (teller)
Donnelly
Faehrmann
Field

Graham
Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty
Moselmane

Pearson
Primrose
Roberts
Searle
Secord
Sharpe
Shoebridge

NOES

Amato
Cusack
Fang
Farlow
Faraway (teller)
Franklin

Harwin
Khan
Maclaren-Jones
Mallard (teller)
Martin

Mitchell
Nile
Poulos
Taylor
Tudehope

PAIRS

Veitch

Ward

Motion as amended agreed to.

*Bills***ELECTRIC VEHICLES (REVENUE ARRANGEMENTS) BILL 2021****Messages**

The PRESIDENT: I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendments to the bill.

CONSTITUTION AMENDMENT (VIRTUAL ATTENDANCE) BILL 2021**Second Reading Debate****Debate resumed from 13 October 2021.**

The Hon. PENNY SHARPE (11:20): The Opposition supports the Constitution Amendment (Virtual Attendance) Bill 2021. Many will reflect on the crazy and challenging times that COVID has brought us. This is a very important bill. In some ways it has been brought on in extraordinary circumstances that none of us could have predicted coming out of the bushfires in 2019 and 2020. The issue is: How do we keep democracy going when we are in a serious crisis situation, whether it is a pandemic or a range of other things? And we have had to drag the Government kicking and screaming into a situation to actually keep Parliament going.

All of us and this House in particular were extremely frustrated by the actions of the Government in relation to how COVID was managed and our ability to do our jobs, not only because of who we are as individuals but also because of who we are as elected representatives. The need for democracy as an essential service, even when it annoys the government of the day, is why we are here. This is a very modest amendment bill that will facilitate the ability of Parliament to sit and all members to equally participate. I take this opportunity to particularly put on record the Opposition's thanks to the staff of the Parliament and the Clerks for the work that they did to get this Chamber up and running remotely. It is extremely important and fast-forwarded our technology by decades—these things can change fairly glacially—under very difficult circumstances.

The bill is obviously the next and important step. Members should be able to fulfil their role as elected representatives under dire circumstances. That obviously means being able to vote on behalf of the people that they represent and that elected them. Mr David Shoebridge's solution is quite elegant. It provides good protections against the government of the day being able to run off and just decide how it is going to run Parliament. Nobody wants that. It basically provides an ability for each House to set its rules around this. It provides triggers and importantly it provides protections for members to be able to sit in the Parliament and fully participate. It provides protections for the people of New South Wales to know that the Parliament is operational, that decisions can be made and that we can continue our work.

That is my short contribution. Labor will move an amendment during debate but the Hon. Adam Searle will be dealing with that on behalf of the Opposition. I thank him for that. Labor supports the bill. We believe that it is proportional and important. We believe it is fundamental to keeping democracy functioning. We have just seen a real life example in the last 18 months of how hard that can be and we have learned a lot of lessons. I think the bill goes some way to making sure that those lessons are learned but importantly that we are not starting from scratch if this happens again. We are ready to go and we can continue to do our work on behalf of the people of New South Wales.

The Hon. ROD ROBERTS (11:24): On behalf of One Nation, I say that we too will support the Constitution Amendment (Virtual Attendance) Bill 2021 as put forward by Mr David Shoebridge. I do not want to go over ground covered by the Leader of the Opposition. I think she put it quite eloquently. No-one ever imagined us being in the position that we have found ourselves in. No-one can predict what the future will bring. Hopefully, it does not bring other events like this pandemic, but who is to know. Not only do we have the pandemic but we have the opportunity—and I touch wood it never happens—of terrorism attacks, natural disasters and all sorts of things that can befall us and prevent this Parliament from sitting and doing its duty. We have an opportunity to act in advance. Prevention is always better than cure. We have the opportunity to do it now and I think that is in all of our interests. I also have an amendment that I will move at the in-Committee stage.

The Hon. ADAM SEARLE (11:25): I make a short contribution on the Constitution Amendment (Virtual Attendance) Bill 2021. As set out by the Leader of the Opposition, the Labor Opposition supports the bill and we thank Mr David Shoebridge for taking on board the need to confine the operation of virtual parliamentary mechanisms to circumstances of crisis, if I can use that colloquial term. When the pandemic hit New South Wales last year, it obviously disrupted the work of this Parliament. The work of the Parliament through its committees had long had a virtual component and that became the regular default setting, but there was no such component for the House. The House did make some adaptations, establishing the COVID oversight committee similar to what had happened in Scotland and New Zealand, but unlike other parliaments we were prevented by the terms

of the Constitution Act 1902 and, in particular, the accepted meaning of the words "presence" and "present" in being able to make necessary adaptations to the way we work.

The mother of parliaments, the Parliament of Westminster, very quickly moved to a hybrid model of some members in the Chamber and most beaming in, as it were, through large screens. The devolved Scottish Parliament, again not having the constitutional impediment, very quickly moved online and then back to a hybrid model. The devolved Welsh Parliament and the Senate were able to do the same thing because they did not have the constitutional impediments that we do. This was known and discussed by the members of the COVID oversight committee, and Mr David Shoebridge, the Deputy President and I did ruminate on the need for legislation of this kind. But when New South Wales emerged from the lockdown last year—and I am not critical of this because I think we were all hopeful that we had seen the last of this—the perceived need by the major parties at least waned pretty quickly.

What happened this year is a wake-up call. Emergency measures of their very nature will be needed in circumstances for which we are not prepared. It is timely and useful that we debate this measure, but it is also important that we properly confine it. We do not want a situation where, as a matter of convenience, Parliament moves online. I am a big believer in members being present face to face. I think that gives you better interaction, better debate and better results. I would even be opposed to members sitting in their rooms in the building, voting by remote control. I think members must be seen to be accountable for their decisions and actions. That is very much the default setting. But if the option is between no Parliament and a modified Parliament, then the necessity of oversighting the actions of the Executive Government requires us to adapt. I thank Mr David Shoebridge for confining the operation of this to a crisis.

I have a couple of amendments. One really amplifies the approach taken in the bill to require the President to make a declaration that it would be impracticable for the House to meet because of one of these crises but, secondly, it requires a majority of members of the relevant House to agree to meet virtually. What I have in mind is the recall mechanism by which the House may recall itself where members, either individually or through a party leader or designated member, can indicate concurrence on behalf of a number of members. While those details would be spelt out in the standing orders of each House, we would not want a situation where it is the decision of the Presiding Officer alone. That is no reflection on you, Mr President, or indeed on any Presiding Officer. The House must be the master of its own destiny, whatever House that is.

The other amendment is the sunset clause, which would have made sense if there were no restrictions on how this would work and we were really only doing it for a period of a pandemic. Again, a crisis measure will come when it is not expected. The danger with the sunset clause is that it may not be used. The years may roll past, memories may dim and members may allow those measures to lapse. Then if there is a need at a future point we simply will not have the mechanism available to us and we may not be able to assemble to put such a measure in place. Let's prepare for the worst but hope for the best, and put in place some sensible, balanced measures that we all recognise are necessary and useful and would be sparingly used, if at all. Hopefully they will never be needed. Let's get this done while we may. With those short comments, I look forward to the in-Committee stage.

The Hon. EMMA HURST (11:31): On behalf of the Animal Justice Party, I indicate our support for the Constitution Amendment (Virtual Attendance) Bill 2021. Like other members, I was deeply concerned about the inability of this House to sit during the recent COVID-19 lockdown. While other essential workers got on with their jobs, and industries adapted and continued to work effectively from home, democracy and the work of this Parliament was put on hold. It is 2021 and there is ample technology available to facilitate members participating in a virtual sitting of the House. Most of us use online platforms every day, and we have seen how successful the committee staff have been in facilitating inquiries and budget estimates hearings remotely. I thank them for paving the way and showing how it can be done. We need to ensure that Parliament is set up to do the same and this amendment will facilitate that.

I note that the virtual sitting provisions in the bill will only be enlivened when there is a public emergency and I recognise that there will be a few amendments that will help clarify how those provisions will be enlivened, which will also have the support of the Animal Justice Party. I agree with the Hon. Adam Searle that it is important that we have those appropriate limitations. We do not want virtual sittings to become the norm—there is real value in members meeting face to face to debate important issues—but they are an important tool in times when Parliament cannot safely meet. Sadly, there are likely to be more crises and public emergencies in the Parliament's future. Unfortunately, we need to have those measures in place. We need to be prepared so that the important work of this Parliament, and the work of this House in overseeing and holding the Government to account, is able to continue. I commend Mr David Shoebridge for introducing the bill and I urge everyone to support it.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (11:33): I do not think there is much doubt that this matter needs to be addressed. Those matters should be sorted out so that we are able to have clarity about how the

House is able to continue its work during a public emergency. It is also understandable that members of the House, after the events of this pandemic, wish to have it addressed as a matter of urgency. Over many years now it has been usual in the House that when a political party, particularly the Government or the Opposition, have not had time to consider the matter through their normal party processes—through their front bench, caucus or party room—that a courtesy is paid to another party and an adjournment is allowed.

I advise the House that while this matter was dealt with in the House by way of a second reading speech from Mr David Shoebridge last Wednesday, there has not been time for the Government to reach a conclusion on this. It would be our preference if debate at this point was adjourned and that it was continued in November. If that is not the House's wish, then I will make a few remarks.

I move:

That this debate be now adjourned until Wednesday 10 November 2021.

Question put.

The House divided.

Ayes17
Noes24
Majority.....7

AYES

Amato	Harwin	Nile
Cusack	Khan	Poulos
Fang	Maclaren-Jones	Taylor
Farlow	Mallard (teller)	Tudehope
Farraway (teller)	Martin	Ward
Franklin	Mitchell	

NOES

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

Motion for adjournment of debate negatived.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (11:44): I will continue my remarks given that that procedural motion was defeated. The House is the master and always will be the master of its own destiny. As pointed to in some of the remarks of honourable members previously in this debate and the member when he moved the bill, there is somewhat of a trust deficit on this issue as a result of recent events. I understand why people want to move quickly, but nevertheless, we are talking about the Constitution Act of New South Wales. When moving to change the Constitution Act, it should never be a matter dealt with in haste, whatever the circumstances. There needs to be thorough consideration of all of the implications of what we are doing.

I also make the point that we are looking at a change to the Constitution Act, which will change the way that this House can sit. That change will take place without a single discussion being held by members of the Procedure Committee or by members of this House as to what the changes to the standing orders should be. A large number of matters have still not been sorted out. Last week when the House sat we had virtual audiovisual sittings, which I believe are referred to as hybrid sittings, but issues have arisen out of those sittings. I would have thought that before Parliament took this step there would be a Procedure Committee inquiry into last week's sittings to investigate what came out of those and whether we were happy with all aspects of them.

The biggest feature of hybrid sittings was that members who were joining by audiovisual means could not vote. This bill asks us to change the Constitution Act even though we do not know what system of voting we will have at this point in time. Before the Government resolves its position I want it to have detailed legal advice on

the amendments. I do not know how much legal advice the Mr David Shoebridge received before he finalised the bill and introduced it in this place. We know that he is a counsel of Her Majesty, learned in the law, if not senior, and still has his practising certificate. We also heard from the Hon. Adam Searle and we know he still has his practising certificate. I think I saw a suggestion that he was hoping to become one of Her Majesty's Senior Counsel, learned in the law. We wish him well in that endeavour.

So we have heard lawyers speak in the debate, but in my capacity as Vice-President of the Executive Council, and Special Minister of State, and representing the Premier in this House, I do not want to sign off to a change to the Constitution Act unless I have a very detailed legal examination of all the issues involved. The bill has potential implementation challenges. One of those, which is not entirely clear and is proposed to be amended, is the basis upon which the Presiding Officer will determine to declare that a public emergency exists.

The Hon. Penny Sharpe: Here's a big speech for someone who wasn't prepared.

The Hon. DON HARWIN: I do not think we have heard nearly enough information about that. That is something that must be considered as well. The honourable member interjects, but the fact is not enough information has been provided before—

The Hon. Penny Sharpe: You have known about this for two months. Come on! Even with a straight face for you, Don, this is silly.

The PRESIDENT: Order!

The Hon. DON HARWIN: We saw the provisions of the bill six days ago. You might be happy to sign off on a Constitution Act change with six days' notice but I am not and nor is the Government.

The PRESIDENT: Order! The Minister will direct his comments through the Chair.

The Hon. DON HARWIN: In addition to that, we now have no fewer than three proposed amendments to the bill already. The fact is that not even the Opposition and One Nation were happy with the first draft. One Nation's amendment is fairly straightforward. The Opposition's amendment is not. That indicates the peril of proceeding with an important change to the Constitution Act without giving everyone the opportunity to discuss the matter and decide what the provisions should be. I believe that the bill would benefit from an examination by the Procedure Committee in light of the matters I have raised. In particular, we must make absolutely sure of the standing orders that will apply if the bill passes.

The PRESIDENT: Is the Minister about to move the amendment?

The Hon. DON HARWIN: I am. I move:

That the question be amended by omitting "be now read a second time" and inserting instead "be referred to the Procedure Committee for inquiry and report."

The Hon. MARK BUTTIGIEG (11:52): I heard what the honourable member said about not having enough time to consider the bill. In practical terms, we are simply manifesting what we have experienced over the past couple of months. We have had two extended lockdowns. The public were looking at us askance when parliaments in other jurisdictions were meeting remotely and were able to facilitate a democratic process. We came up with a thorough, acceptable way of meeting.

The Hon. Don Harwin: No, we didn't. People couldn't vote.

The Hon. MARK BUTTIGIEG: Members of this Chamber experienced the functionality and the workings of it. To the interjection, the suggestion that a person cannot make the leap of faith that someone appearing on the screen could be attending and voting is just beyond belief. I think the Government has had more than enough time to consider the bill. It is a practical innovation. All we are doing is simply altering the Constitution Act 1902 to facilitate both Houses coming up with an acceptable system, which we all know has been developed already. This debate is ridiculous. The bill should proceed. If there were to be another outbreak and another lockdown, we could very well be in the position again where members are denied the opportunity to participate and represent the people who elect them to this place. The House should proceed to consider the bill forthwith. This debate is ridiculous and inane.

Ms ABIGAIL BOYD (11:53): I contribute to debate on the proposed amendment. The Government, itself, should have brought this bill to the House many years ago. It is not novel. It has been instituted in other jurisdictions in Australia and other parts of the world. If this Government had any degree of respect for democracy, it would have ensured that we could have worked throughout the pandemic in this way. The bill is simply setting up those options for the future so that in a crisis, when democracy is required more than at any other time, we are able to continue to hold the Government to account and keep the integrity of our democracy intact.

Mr DAVID SHOEBRIDGE (11:54): In reply: I thank all members who have contributed to debate. The Hon. Penny Sharpe indicated that the amendments proposed by the bill are modest and put sufficient protections in place to ensure the Labor Opposition's support. In particular, I like her description of it as an "elegant solution".

The Hon. Penny Sharpe: Too kind.

Mr DAVID SHOEBRIDGE: I note the interjection. The Hon. Rod Roberts indicated that the bill was about future-proofing the Parliament. He said, in words that I adopt, "prevention is better than cure" and we are best to "act in advance" before our next crisis. The Hon. Adam Searle indicated that the preference, which I think all members have, is for Parliament to meet face to face if we possibly can, but if the option is between no Parliament and an online Parliament, the member indicated a strong preference for an online Parliament. Again, on behalf of The Greens, they are words I endorse. On behalf of the Animal Justice Party, the Hon. Emma Hurst indicated again that her party does not want—I think no member wants—virtual sittings to become the norm, but that it is important that we put measures in place to allow the important work of Parliament to continue in a crisis. Indeed, that is the purpose of the bill. The Hon. Mark Buttigieg indicated that online committees and members' experience of the online work done in those committees have shown that they can be effective and are practical, achievable and doable. Ms Abigail Boyd quite rightly said that in a crisis democracy is even more essential.

I turn to the contributions of the Government. It is true that the Government has only had the bill in its current form since last week. However, this reform has been spoken of for months. It is now 634 days since Australia experienced its first COVID case—634 days to think about how we can deal with a crisis and keep democracy running. The Government says that seven days is insufficient time to come to terms with a bill that is only three sections long. I find that a rather difficult proposition to put, given all the resources of government but also given the fact that last year the Government required all members of this House, none of whom have anything like the resources of the Government, to come to terms with thousands of pages of emergency COVID legislation in three to four days. We had to do that because of the danger that this Parliament would shut down due to the pandemic. With far fewer resources, the other members of the House managed to deal with thousands of pages of legislation in a matter of three or four days. We had to do that because we did not have in place the provisions proposed by this bill. It is ridiculous to suggest that with the resources available to it, the Government could not be in a position to address the bill.

The Greens do not believe that referring the bill to the Procedure Committee is attractive when we have a fundamentally workable proposal before the House. The matter is urgent. I accept that even the Government stated that all members want to address this "as a matter of urgency", to quote the Hon. Don Harwin. Sending the bill off to the Procedure Committee is the exact opposite of dealing with it as a matter of urgency. With that summary, I genuinely thank all members for their contributions. If the bill passes through the House today, the Government will have the opportunity between now and when the lower House sits in three weeks' time to obtain legal advice and to do any due diligence. This is a matter of urgency. The people of New South Wales expect us to rush into the twenty-first century and to not be caught in 1824. That is what the bill will do and I commend it to the House.

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

Questions Without Notice

SCHOOL INFRASTRUCTURE

The Hon. PENNY SHARPE (11:59): My question without notice is directed to the Deputy Leader of the Government, the Minister for Education and Early Childhood Learning. Given the Government has re-announced 30 school projects in this year's budget but none have commenced construction, what is her response to parental concerns that the business cases have not been approved by Treasury?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (11:59): I thank the honourable member for her question in relation to our school building programs. Today we made some announcements around 50 tenders that have gone out—

The Hon. Penny Sharpe: Yes, we saw.

The Hon. SARAH MITCHELL: I am glad you saw. Tenders for 44 new and upgraded school projects as part of this year's budget announcements. It is a great opportunity for businesses across New South Wales to benefit from our investment. We believe about 16,000 jobs will be created all over New South Wales. We have schools in Sydney, south-west Sydney, the North Coast, Wee Waa—just looking over there at the Hon. Sam Faraway—and Yanco. We are really seeing investment in our school communities across New South Wales. These projects, which are estimated to inject \$3.3 billion into our economy over the next six years, are part of our \$7.9 billion investment in schools going forward and will build on the \$7 billion we have already invested. It is a \$15 billion infrastructure pipeline. That is more than any other government has delivered. We are proud of our

record of delivery in school infrastructure. It is a scale of investment in public education, the likes of which have not been seen anywhere in New South Wales.

The member asked about my response to parental concerns. All I hear from parents is the sound of happiness. They are excited about the new school projects that are being built across New South Wales.

The Hon. Walt Secord: Maybe you should leave the office. Maybe you should go to schools once in a while.

The Hon. SARAH MITCHELL: I visit schools all the time, as those opposite know. We are building and upgrading schools at a rate never before seen in this State. We are proud of our record of delivery. We are a government that delivers and I think parents and communities see that.

The Hon. PENNY SHARPE (12:01): I ask a supplementary question. I thank the Minister for that non-answer. Will the Minister elucidate that part of her answer where she talked about school infrastructure projects and provide a list of the school infrastructure project business cases that are currently awaiting approval from Treasury?

The Hon. Wes Fang: Point of order: The question contained argument. I ask that the question be ruled out of order.

The Hon. Don Harwin: To the point of order: In support of the Hon. Wes Fang, the question amounted to virtually a new question given the breadth of the extra material that was brought into it.

The Hon. Penny Sharpe: To the point of order: If there is any argument in the first part of my supplementary question then I am happy to withdraw it, but the second part of the question is definitely in order. The Minister talked about projects that are in train and vaguely eluded to where they are up to. My supplementary question is clearly based on the answer that was given. It seeks an elucidation and some specificity around how many school infrastructure project business cases are currently awaiting approval from Treasury. I believe it is completely in order.

The PRESIDENT: There is always a danger when a member editorialises before putting a supplementary question. The Minister should ignore it; it was of a very minor nature. I encourage members to go directly to the supplementary question. The question clearly arises from the Minister's answer. The question is in order.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:03): As I have said many times in this House in relation to school upgrades, obviously we update communities as projects are approved for progression. Business case approvals are a part of that process.

The Hon. COURTNEY HOUSSOS (12:03): I ask a second supplementary question. Will the Minister elucidate her answer and outline when any of the 30 projects that were announced will begin construction?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:04): As I have said many times in this House, there is a process that we go through when we build and upgrade schools. As I said today, tenders have gone out for those 44 new and upgraded school projects. They are all different. Some of them are upgrades to existing infrastructure and some are brand new schools on greenfield sites. It depends on the nature and the timing of the projects. We update our school communities regularly about the delivery of our school projects. As I said, our record of delivery speaks for itself. The number of schools that we have delivered since we have been in government shows very clearly to local communities that when we make commitments, we honour them. We build and upgrade the schools as part of our election commitments. Today's announcement is fantastic for local businesses to take part in those tender opportunities. Those opposite can carry on like pork chops and chatter about glossy brochures, but the reality is we deliver schools. We build and upgrade schools. We see billions and billions of dollars invested in communities right across the State. Our record speaks for itself. We are proud of it and communities can see that investment.

THEATRE AND FILM INDUSTRY

The Hon. TREVOR KHAN (12:05): My question is addressed to the arts Minister. Will the Minister update the House on how the New South Wales Government plans to support jobs in the theatre and film industry?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:06): In *Hamilton*, the King George III character sings, "You'll be back" and here we are: Sydney is humming once again. Last night *Hamilton* reopened at the Sydney Lyric Theatre and tonight *Come From Away* returns to the Capitol Theatre. We are just weeks away from the opening of *Jagged Little Pill* at the soon to be unveiled refurbished Theatre Royal, thanks to the State Government. We all know that these major theatrical productions stimulate economic activity across the CBD and

support jobs across the Arts, accommodation, retail and hospitality industries. Importantly, they bring communities together in a COVID-safe way to enjoy the best live performances that Sydney has to offer.

Our film industry also is the envy of Australia, with New South Wales capitalising on the global screen production boom, with over \$500 million invested in the industry in 2021 alone. Eighty productions were filmed during lockdown in New South Wales, generating 10,000 jobs.

The Hon. Walt Secord: Cooking shows.

The Hon. DON HARWIN: You do not care about the jobs, clearly.

The Hon. Walt Secord: Point of order—

The PRESIDENT: There is no point of order. The member will resume his seat.

The Hon. DON HARWIN: There is no doubt that Sydney currently lags behind other States and international benchmarks in the number of film studio facilities, particularly sound stages, and the number of theatres for commercial theatre. There is clear market failure despite the tremendous potential for Sydney. Last Sunday I announced \$86 million in funding to kickstart arts, screen and culture in New South Wales. Part of that announcement included \$5 million for the development of a theatre and film strategy. The strategy will aim to position Sydney as a world-class theatre precinct to underpin significant tourism, employment and economic growth. It will also seek to enhance New South Wales as the premier screen production destination in Australia and the preferred location for the Asia-Pacific headquarters of multinational screen production companies.

The strategy will identify potential sites, will undertake market soundings and will aim to create a sustainable model for the supply of lyric theatres and film studios for commercial production. Investment in these commercial creative businesses will drive economic activity for the benefit of New South Wales over the long term, increase skills development in the creative industries and create thousands of job opportunities for creative and technical roles in New South Wales. We have done it before with the Theatre Royal, we can do it again. I look forward to updating the House on the progress of the strategy.

COOLER CLASSROOMS PROGRAM

The Hon. JOHN GRAHAM (12:09): My question without notice is directed to the Minister for Education and Early Childhood Learning. Given the Minister's pre-election promise to deliver cooler classrooms to 900 New South Wales public schools, why are students at Cobargo Public School still waiting for their air conditioning?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:09): I thank the honourable member for his question about our Cooler Classrooms Program rollout, another investment in school infrastructure by our Government and one that we are incredibly proud to roll out in our school communities. Obviously, as we said when we announced the program, it is a five-year rollout.

The Hon. Walt Secord: Oh, five years.

The Hon. SARAH MITCHELL: It always was a five-year program, despite what those opposite try to say. We have seen delivery of this program in many schools; work is underway in others. It goes through a process. As I have said in the House before—and I think I said this yesterday—it is not like going to Bunnings and getting something and sticking it up on the wall. It is quite a detailed process to put heating, cooling and ventilation systems in. It is very thorough. It depends on the work that needs to be done in individual school communities. The member asked specifically about Cobargo. Several hundred schools are benefiting from this program, and I do not have the specifics with me of where the project in Cobargo is up to. I will see if I can get an answer for the member by the end of question time. As I said, the rollout of that program is on track. Many schools are benefiting from it, and more will benefit when we complete the program in the time frame.

The Hon. JOHN GRAHAM (12:10): I ask a supplementary question. Will the Minister elucidate that part of her answer about the process in relation to Cobargo? Given this was originally announced on 27 November 2018, when will the students in Cobargo actually have that process finished?

The Hon. Damien Tudehope: Point of order: That is a repeat of the initial question.

The Hon. Penny Sharpe: To the point of order: It is not a restatement; it is seeking an elucidation. The original question talked about why Cobargo Public School was still waiting. The supplementary question seeks some detail, based on the answer given by the Minister, of when it will occur.

The PRESIDENT: It is not a restatement of the question; it is building on the answer the Minister gave. The Minister has the call.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:11): In my original answer, I made it clear to the member that I did not have the specific details of where the project was up to in Cobargo and that I would take that on notice and endeavour to come back by the end of today if I could, but if not then as soon as possible, to let the member know the time frame and where it is up to at that specific school. That is what I said I would do in my initial answer, and I repeat that in my supplementary answer.

The Hon. COURTNEY HOUSSOS (12:12): I ask a second supplementary question. Will the Minister elucidate that part of her answer where she spoke about the Cooler Classrooms Program and provide an update on when round two applicants will be advised if they are successful?

The Hon. Sarah Mitchell: Point of order: That is a new question asking me about a further round of the program. I did not mention that at all in my answer. I was asked about Cobargo, which is what I spoke about, and I think that is a new question.

The Hon. Courtney Houssos: To the point of order: The Minister clearly outlined the broad scope of the program and explained how it would be rolled out over five years. She did not have the specifics with her but spoke more generally about the program. This is a specific question relating to the broader program. One round has been announced; the second round is yet to be announced. The supplementary question is seeking an elucidation of the Minister's answer to provide the House with more information that is directly related to the original question that was asked.

The PRESIDENT: As I have mentioned on a number of occasions, the legalistic interpretation of the matter of supplementary questions by some members is troublesome for a Chair. It is fraught with difficulty. I have said on a number of occasions that where the subject matter of the original question and answer clearly deals with the issue that is raised in the supplementary questions, albeit in general terms, I will allow supplementary questions in the interest of allowing debate. It is relevant to the subject matter of the original question, and the answer given by the Minister gives rise to the second supplementary question. I am sorry for the tortured explanation, but there is no easy way to explain this except to go into detail. In those circumstances, the Minister has the call.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:14): I am very happy to advise the member that round two schools that have been approved for delivery have been advised.

LAND TAX

The Hon. ROBERT BORSAK (12:15): My question without notice is directed to the Leader of the Government, representing the Treasurer. Is the Minister aware that stamp duty tax for intergenerational farm transfers has not applied to primary production land since 1999 but that, under a new reform proposal, a 0.3 per cent annual property tax will be applied to family farms and to all primary production land? Why is the Government imposing another financial impost on farmers already struggling after years of drought, floods, bushfires, mouse plagues, intrusive government regulation on private farmland, and now uncertain local and overseas markets?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:15): I will take that question on notice and forward it to the Treasurer for an answer in due course. I am sure he will be able to fill the honourable member in.

RETURN TO SCHOOL ROAD MAP

The Hon. WES FANG (12:16): My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on how the New South Wales Government is helping students get back on track after this lockdown period?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:16): I thank the honourable member for his question and his enthusiasm, which is shared by so many, with our students getting back to school and back into the classroom this week. Almost 150,000 kindy, year 1 and year 12 students returned to school this week to huge excitement, fanfare and balloons. I think we did a roaring trade in balloon archways, supporting more local businesses around the Greater Sydney region. There are only a few days to go until the remainder of students are also back on site. As we wrap up this learning-from-home period, it is very important that we say a very big thankyou to all of our teachers, principals and school administrative and support staff, who have worked tirelessly to adapt to remote and often online learning, rearranging and reimagining entire programs of work in order to continue delivering high-quality teaching and learning. They have really gone above and beyond to support students.

I also give a shout-out to all of the mums, dads, family members, friends, carers—everyone who has juggled working and learning from home. I know that quite a few members in this Chamber have had that experience. Like me, I am sure they all have great stories to tell about how school staff, parents and carers have engaged and collaborated throughout the pandemic. They have made our school communities stronger than ever, despite the difficulties that we have faced, being apart. We know that this year some of our students have been out of the classroom for a significant period of time. The challenges of the pandemic have followed bushfires, droughts and floods. It has been a very challenging period for many.

That is why it was great to be with the Premier and the Treasurer at Randwick Public School on Monday to announce the extension of our successful COVID Intensive Learning Support Program for 2022, thanks to a \$383 million investment. It is great news for all of our students across the State and also a big win for our schools and staff. I have been meeting very regularly with principals and teachers all around the State during the learning-from-home period, and almost all of them indicated that this program is really helping kids and that they want to see it continue. I gave them my very best endeavours that I would see what we could do to make that happen, and it was very exciting to be able to say it would continue next year. The program has already seen more than 7,500 educators employed in government schools alone. As well as the additional staff, it also supports our expanded range of check-in assessments and professional learning for staff on how to best utilise the program to lift results.

We know that COVID has impacted students differently across local government areas and across the State. We also know that the learning of many students has been impacted by the disruptions. As with the program this year, every single public school will be eligible for this funding—as will non-government schools with the highest levels of disadvantage—in order to ensure that it reaches the students who need it most. I look forward to seeing the program continue in schools both this year and into next year. Evidence shows that small group tuition makes a big difference in helping students catch up, and that is exactly what this money will be spent on.

SOCIAL AND ECONOMIC INEQUALITY

Ms ABIGAIL BOYD (12:19): My question is directed to the Leader of the Government, representing the Premier. Former Liberal Minister Pru Goward has written an extraordinary article in today's *Australian Financial Review* lamenting the increasing number of so-called proles, demeaning poorer people, calling them self-interested and comparing them to stoats and weasels. Is that the ideological underpinning of this Liberal-Nationals Government's policies, which have left over one in eight people in New South Wales in poverty despite apparently recording economic growth for years?

The Hon. Catherine Cusack: Point of order: The question contains commentary and irony and should therefore be ruled out of order.

The Hon. Penny Sharpe: To the point of order: Questions cannot contain argument but irony and commentary are not part of the standing orders that relate to asking questions.

The Hon. Catherine Cusack: Further to the point of order: I amend my point of order to say that the question contains argument and irony.

Ms Abigail Boyd: To the point of order—

The PRESIDENT: Standing Order 65 rules out ironical expressions, which is at the crux of the question. It is not an issue at the fringe of the question; it underpins the question. In that regard, I rule the question out of order.

The Hon. Mark Latham: Point of order—

The PRESIDENT: I have ruled on the point of order.

The Hon. Mark Latham: I know, but I take a new point of order asking you to reconsider on the basis that if there was irony—

The PRESIDENT: I have ruled on the point of order. The member will resume his seat.

GREGORY HILLS SCHOOLS PROJECT

The Hon. MARK BUTTIGIEG (12:22): My question is directed to the Deputy Leader of the Government, and Minister for Education and Early Childhood Learning. Given the Minister re-announced a primary school in Gregory Hills in June, which the Government previously promised in 2018, when will planning documents be submitted and construction commence?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:22): I thank the honourable member for his question about the primary school at Gregory Hills, which was a

commitment from our Government to build a new school in an area where it is needed. Once again, it is part of our infrastructure pipeline going forward, which is seeing record investment in schools across New South Wales. Another Opposition member asked me about it at the time, and the member would be well aware that I visited the site of the new primary school in Gregory Hills in June this year with the former Premier to announce funding for construction.

The site was secured earlier this year, planning is well underway and we are working to deliver that program as expeditiously as we can because members on this side of the House understand the need for new schools in south-west Sydney. In fact, we have already delivered new primary schools at Barramurra, Denham Court, Gledswood Hills and a new high school at Oran Park, as well as other major upgrades. As I said, this Government delivers. We understand the importance of building schools in south-west Sydney and Gregory Hills is one of them.

The Hon. MARK BUTTIGIEG (12:23): I ask a supplementary question. I thank the Minister for her answer and ask if she could elucidate on the part of her answer where she said that "planning is well underway". Given that planning is well underway and presumes a certain maturity in the planning process, could the Minister elaborate on the time line when construction might actually commence?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:24): I will repeat what I have said in the past and today in relation to our school infrastructure projects. I am pleased that in his original question the member referenced that this was a commitment in 2018 because members opposite have previously tried to claim it was a 2012 commitment, so I am pleased that they agree with the 2018 date.

The Hon. Penny Sharpe: You should have done it in 2012.

The Hon. SARAH MITCHELL: Well you probably should have done it before then, if you want to get into that. My point is that after 10 years—

The PRESIDENT: Order! Interjections are disorderly at all times. I do not want to call members to order, but I will if they do not cease interjecting. The Minister has the call.

The Hon. SARAH MITCHELL: As I said, we update school communities and local communities regularly as we progress through phases for our new and upgraded school builds. We will do that with the community in Gregory Hills, like we have done for all the projects we have delivered in that part of south-west Sydney.

The Hon. MARK LATHAM (12:25): I ask a second supplementary question. In her initial answer the Minister read out promotional material about how she is servicing the educational needs of communities in south-west Sydney, and gave a list of all the schools she has promised and is building. Will the Minister elaborate on that and explain to the House why 2½ years after promising south-west Sydney a selective high school, nothing has been done, dashing the hopes and aspirations of families who desperately need that school and feel totally betrayed by this Government?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:25): I thank the honourable member for his question about the new selective school in south-west Sydney. As he said, it is a commitment the Government made that we will deliver. I am pleased to tell the honourable member that it is one of the schools that is out for tender today in those documents that I spoke about. The 44 new and upgraded schools include the new selective high school in south-west Sydney.

MENTAL HEALTH SERVICES

The Hon. CATHERINE CUSACK (12:26): My question is addressed to the Minister for Mental Health, Regional Youth and Women. As the State opens up, will the Minister update the House on how the New South Wales Government is continuing to support people's mental health and wellbeing?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:26): I thank the honourable member for her question. Coming out of lockdown brings us new hope and opportunities, but we know that the impact on the mental health and wellbeing of many has been affected, especially our most vulnerable. Many have experienced anxiety and depression as a result of isolation and, in many cases, an increased burden of responsibility for the care of others, without any of the usual supports. Those mental health issues will have lasting impacts and we expect to see continuing levels of distress over the coming months.

On Sunday I had the pleasure of joining the Premier to announce our \$130 million Mental Health Recovery Package. Mental health is a top priority for this Government and that is the biggest funding we have injected into COVID-related mental health support since the pandemic began. Funding will focus on three key areas: supporting our young people and their families; building system capacity to ensure that we can meet increased demand; and

supporting communities to lead the recovery because we know that when programs are driven by the community we get the best outcomes. We have allocated \$35 million to boost surge capacity of the mental health clinical workforce so New South Wales residents can access privately practising psychologists, psychiatrists and other mental health professionals. That initiative came from the sector working with us to design the policy.

Some \$20 million will provide up to 55,000 additional services to young people through their local headspace centre for 18 months. That funding will enable masters and doctorate psychology, social work and occupational therapy students to undertake placements at centres and boost GP and clinical psychiatrist appointments. I am looking forward to that innovative model, which I think will be a great success. Some \$14 million will go towards training 275,000 people across New South Wales in suicide prevention. It is the largest training program of its kind ever undertaken in Australia. The training will be offered to high school teachers, support staff, parents, youth influencers, sports coaches, club managers and community groups. In addition, \$21 million will employ Aboriginal care navigators and peer workers. Those roles will link Aboriginal Australians to a range of culturally appropriate mental health and suicide prevention services.

Some \$16.5 million will go towards boosting our frontline workforce and funding admissions to the Butterfly Foundation's national eating disorders centre to address the increase in eating disorder presentations. We also have \$6 million to build the capacity of caseworkers and casework managers; \$5 million for local community wellbeing event grants; \$3 million for sporting bodies to deliver mental health and wellbeing initiatives; \$3 million to provide access to private beds for people experiencing complex trauma and eating disorders; \$2.6 million to expand the Gidget Foundation's services and to increase access to its online support to reduce its waiting list; and, finally, \$3.2 million to establish a transcultural mental health line, which is a first for New South Wales. I am proud to be part of a government that puts mental health first.

MENTAL HEALTH SERVICES

Ms CATE FAEHRMANN (12:29): My question without notice is directed to the Minister for Mental Health, Regional Youth and Women. A number of mental health wards were closed across New South Wales to make way for temporary COVID wards during the recent Delta outbreak, meaning mental health patients were discharged ahead of schedule and sent home or to shelters and other forms of support accommodation. Did the Minister sign off on mental health wards closing and, if so, which ones?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:30): I thank the honourable member for her question. I know that she asked about mental health wards yesterday. As I said yesterday, some mental health units have made temporary changes to safely support COVID-19 positive patients and maintain infection control safeguards. None of these changes have been permanent. This has been a rapidly changing situation and the health system has been required to take a flexible approach in the response. As part of the need to maintain the integrity of acute care services during an emergency such as this, there would certainly be consideration of discharge planning for non-acute patients where suitable follow-up arrangements could be safely provided. Patients are only discharged as part of a treatment plan and when clinically indicated with appropriate follow up. We cannot comment on particular cases. I know that the member did not ask me about a particular case today but any concern about a particular case can be investigated through the normal processes.

I will add that every local health district governs itself for its community. That was a distinctive policy of the Government when it was found that, if local health districts were governed by local boards and local services, they could meet the needs of their community. It was a significant change of policy during this Government. The reason is because they make decisions that are best suited to their community. That is why New South Wales has had such a successful response to COVID as opposed to what happened initially in Victoria: Because we have localised health districts that are locally focused and delivering local services that suit their community. There is not one overall operational issue. These are localised issues. Every patient needs an individual response.

The issue is that things had to be done and decisions had to be made in the best interests of people during the pandemic. But every single person who was on the front line and every single local health district—I am sure everybody would agree—made every decision based on keeping everybody safe. But their patients' welfare to have the best outcomes possible would have been considered in every single case. Did models of care have to change sometimes? I presume they did. I was not on the front line in the wards. I was on the front line vaccinating. You do what you can at the time to make it safe and to make sure patients get the right outcomes. Some mental health units did make those temporary changes to safely support COVID-19 patients. That is exactly what they did and I commend them for that.

Ms CATE FAEHRMANN (12:33): I ask a supplementary question. When the Minister was on the front line supporting the vaccination efforts, did she also have a say on whether mental health wards across the State closed as the mental health Minister?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:33):

I thank the honourable member for her supplementary question. When I was vaccinating on the front line, I absolutely was available as the mental health Minister to respond to any issue that I needed to. But I also felt, as a healthcare professional and clinician, that one of the positive things I could do was increase vaccination rates in my community. I did that. The member has asked me if I signed off on decisions. As I said in my previous answer, the New South Wales health system consists of local health districts. Each local health district has the responsibility to meet its community's needs according to that. That was a conscious decision. Those operational decisions made by those local health districts and the facilities that come under them were made in the best interests of the patients and the community to respond to a once-in-a-generation—hopefully—pandemic.

Those situations were undertaken. They are operational issues but I am completely supportive of the local health districts and the decisions that they felt they had to make at the right time to make sure that their patients and communities were kept safe, that health care was allocated to them, and that they were ready for what they were facing. Because that was the unknown. Local health districts and our health services were seeing things happen overseas. They were seeing all of those terrible scenes in intensive care departments and hospitals. Take Italy, for example. They absolutely prepared for it. They had to prepare in the best possible way and make the best clinical decisions. Exactly the same thing happened when the bushfires were ravaging certain communities. The local health district goes into play and it makes sure that that availability is there so that it can meet the need. That is exactly what the local health districts did.

The Hon. WALT SECORD (12:35): I ask a second supplementary question. Will the Minister elucidate the material that she incorporated into her answer involving being on the front line vaccinating? I acknowledge her contribution as a frontline vaccinator. But what is she doing to counter the irresponsible anti-vaxxers in her Government, namely, the member for Mulgoa?

The PRESIDENT: The question is out of order.

The Hon. Don Harwin: Point of order: The honourable member's question contained an imputation about an honourable member that was disorderly. The whole question should be thrown out.

The Hon. Walt Secord: May I respond to the point of order?

The PRESIDENT: No. I have already ruled that the question is out of order.

SOCIAL AND ECONOMIC INEQUALITY

The Hon. PENNY SHARPE (12:36): My question without notice is directed to the Leader of the Government, representing the Premier. This week is Anti-Poverty Week. I refer the Minister to the article today from former Minister Pru Goward in the *Australian Financial Review* that said:

Since the 1950s there has been a remarkable growth in the number of proles ... Government agencies view them with alarm as huge cost centres; they are over-represented in their use of government crisis services ...

She further stated:

Despite the billions of dollars governments invest in changing the lives of proles, their number increases. Their birth rates far outstrip those of professional couples and they are now a significant potential contributor to our workforce.

Does this represent the Government's position in relation to some of the most vulnerable people in our communities?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:37): It does not represent my views and I am sure I speak for the Premier in saying that it does not represent the Government's views either.

STATE ECONOMY AND SPORT

The Hon. LOU AMATO (12:37): My question is addressed to the Minister for Sport, Multiculturalism, Seniors and Veterans. Will the Minister please advise the House on how the New South Wales Government is getting the economy up and running again through sport?

The Hon. NATALIE WARD (Minister for Sport, Multiculturalism, Seniors and Veterans) (12:38): I thank the honourable member for his interest in this important area. As many in the Chamber would appreciate, I am an avid lover of sport. I have been desperate to get back on the sidelines, whether it is at a community or professional level.

The Hon. Walt Secord: Point of order: I cite the oft-repeated objection presented by the former Whip, the Hon. Dr Peter Phelps, about wearing badges, scarves and emblems in this Chamber. There are strict rules about this. I draw to the attention of the House that the Minister is wearing a sports-themed scarf.

The Hon. Don Harwin: To the point of order: While it is true there were rules about badges, I am not aware of there ever being any restrictions on scarfs. Therefore I suggest that there is probably no substance to the point of order.

The Hon. Walt Secord: Further to the point of order: The Hon. Dr Peter Phelps often referred to that rule.

The PRESIDENT: This has been a point of contention for some time in this House. The Hon. Walt Secord refers to the issue of badges, which the former member the Hon. Dr Peter Phelps was always quick to his feet to mention—the sizes of badges and the like. There is a discretion to allow it. Given the nature of the scarf and the nature of the point of order, I will allow the member to continue to wear the scarf. In future, we need to minimise the opportunities where members wear apparel of that nature. I give a general warning in that regard. This is a very serious House of debate and whilst these matters are dealt with in a much more flippant way in the other place, I think decorum and the way members conduct themselves in this place needs to always be foremost in people's minds. On this occasion, I will allow the Minister to continue. The Minister has the call.

The Hon. NATALIE WARD: I thank the honourable member for his support for the Matildas and women's sport. No-one takes the obligations in this Chamber more seriously than I, Mr President. Thank you for your ruling. I thank the House for its support of women in sport, because it is important that I do my job and that I promote what is a magnificent announcement today.

Sport is what binds communities together. We are desperate to get back on the sidelines. Whether it is at a community level or a professional level, sport is such an important part of our community. It is the volunteers behind our sporting clubs. It is the parents getting their kids out to the grounds. It is us all getting out there on a Saturday morning to compete. It is a group of strangers coming together to cheer on their side and to support their kids, sporting heroes, friends or idols. That is why I was so glad to see the return of community sport at 80 per cent double vaccination.

Late yesterday afternoon the health Minister amended the public health order to allow up to 1,000 people to participate in community sport. This means that even more people can get back on the field, on the court, on the pitch. It means that parents can attend their child's sport and cheer on the next Sam Kerr, Ellyse Perry or Steve Smith. All across New South Wales, communities have done the hard yards in getting double vaccinated, in observing the health orders and helping to bring forward the time lines to reopen New South Wales. Under the Coalition Government, New South Wales is leading the nation in reopening the economy and getting life back to normal. This includes returning major sporting events to New South Wales.

Sydney has been desperate for the return of international sport and I can think of no better way to kick it off than these games between the Matildas and Brazil. Women's international sport is back. The roar of a live crowd in a stadium is like nothing else. You should come out of the theatre and get to a game near you sometime. Capacity limits for these games at CommBank Stadium have been increased to 75 per cent, which will mean 22,500 people will be there to watch those boots on the grass and hear the sound of the live crowd roaring. It is wonderful that 600 healthcare workers will join the crowd over the two games and be part of the magic, because while our Matildas were doing us proud at the Tokyo Olympics our health workers were working really hard to support us, keep our communities safe and get us back to doing what we love. To thank them, the Government will be giving 600 healthcare workers tickets to see the Matildas live to give them some time to put their feet up and relax. New South Wales is back open for sport and I am very proud to be a part of it.

POKER MACHINES AND MONEY LAUNDERING

Mr JUSTIN FIELD (12:43): My question without notice is directed to the Hon. Damien Tudehope, representing the Minister for Customer Service. Earlier this week, in response to my questions about money laundering through New South Wales poker machines, the Hon. Damien Tudehope stated:

... there is increasing evidence to suggest that money laundering is occurring through gaming machines in hotels and clubs.

In response to my supplementary question for written answer, the Hon. Damien Tudehope indicated that Liquor & Gaming NSW had abandoned the design of a specific algorithm to identify potential money laundering offences through the CMS system, instead opting for analysis of behavioural indicators. What is this increasing evidence of money laundering through poker machines in New South Wales pubs and clubs, and how many instances of potential money laundering offences have been identified by Liquor & Gaming NSW since 1 January 2020?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:44): I thank the member for his question. I am advised Liquor & Gaming NSW has gleaned evidence via analysis of data sets that a number of identified persons are conducting suspicious transactions associated with electronic gaming machines in New South Wales. CCTV footage viewed and seized by Liquor & Gaming NSW has corroborated this suspicious activity. Since the start of 2020, Liquor & Gaming NSW has enhanced its analytical methodology associated with the identification of suspicious transactions in electronic gaming machines. In addition to this and

complemented with covert surveillance, the regulator has identified behavioural indicators that identify persons engaged in money laundering activity. Due to ongoing investigative work and liaison with New South Wales police and the Australian Transaction Reports and Analysis Centre [AUSTRAC], that information cannot be divulged in the public domain.

RYDALMERE EDUCATION CAMPUS

The Hon. ANTHONY D'ADAM (12:45): My question without notice is directed to the Deputy Leader of the Government and the Minister for Education and Early Childhood Learning. Given that before the last election the Minister promised a K-12 education campus in Rydalmere, why does the School Infrastructure NSW website show that there have been no steps taken to progress this project and when will this school be built?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:46): I thank the honourable member for his question in relation to Rydalmere and the education campus. It is probably worthwhile for me to talk a little bit about the history of Rydalmere and the work that had been done there. On 23 August 2007 the then Minister for Education, the Hon. John Della Bosca, announced, "As a result of dropping enrolments, Macquarie Boys Technology High School will close in 2009", and in the same announcement committed to converting the site to a specialist centre for the teaching of maths and science.

On 14 June 2008 the acting Minister for Education, the Hon. John Hatzistergos, issued a notice of school closure, confirming that Macquarie Boys Technology High School would officially cease operations at the end of the 2009 school year. For more than 10 years this site sat closed and in a state of repair, thanks to the former Labor Government. It closed a high school in a growing part of western Sydney and nothing ever came of that specialist centre that was committed to. However, our Coalition Government has announced that it will rebuild the high school in Rydalmere. Not only that, we have taken it a step further. We will deliver a K-12 education campus in Rydalmere for the community of western Sydney. I must acknowledge my good friend and fellow member of the education cluster, the Hon. Dr Geoff Lee, who is very passionate about his community in Parramatta and has championed this project. This Government will deliver it after the former Labor Government closed it.

The Hon. ANTHONY D'ADAM (12:48): I ask a supplementary question. I listened very carefully to the Minister's answer. I did not hear any specifics about the date that this promise will actually be implemented. Will the Minister advise the House what advice has been received from School Infrastructure NSW about when that school is likely to be opened?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:48): It will not surprise the member to know that I speak very regularly with School Infrastructure NSW about all of the different school projects that we have underway. They are quite lengthy conversations and numerous, given that there are so many schools that this Government has delivered and that it is building going forward. As I have said in my earlier answers to the range of questions from the Opposition today in relation to our school infrastructure projects, we update the community when we reach different milestones within our project delivery schedule and we will continue to do that. We will do that for the community around Rydalmere as well. Like I said—

The Hon. Anthony D'Adam: Point of order: My point of order is about relevance. The supplementary question dealt with the question of the advice provided by School Infrastructure NSW to the Minister, not the advice given to the community. I ask that the Minister be drawn back to the leave of the question.

The PRESIDENT: The Minister was making some general introductory comments and was about to directly answer that part of the supplementary question.

The Hon. SARAH MITCHELL: As members would anticipate, I speak regularly to School Infrastructure about all of our projects. The member would or should be aware that the project at Rydalmere is part of the delivery strategy that was announced today.

STATE ECONOMY AND BUSINESS RECOVERY

The Hon. PETER POULOS (12:50): My question is addressed to the Minister for Finance and Small Business. How is the New South Wales Government assisting businesses to participate fully in our economic recovery?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:50): I thank the honourable member for his question. What a great day it was today! Just think about what happened today: People will get an extra \$50 for a staycation to take their friends to a really nice location anywhere in New South Wales. Then they look in their electronic wallet and guess what? They have another \$50 to spend on going out to dinner. It is all good news, isn't it? The Government has created economic certainty and the bounce-back in the recovery of this State through the use of Dine & Discover and now the new staycation vouchers.

The Hon. John Graham: Where can you stay for \$50?

The Hon. DAMIEN TUDEHOPE: You can use \$100, mate, if you take a friend. I love these guys! "What can you get for \$50?" I hope you do not get a lot because it means you spend a whole lot more. That is what we are about. We are about making sure that people get out there, spend their \$50 and hopefully spend another \$50, because on this side of the House we know that every dollar spent goes around about eight times. The nature of the economic stimulus created by the programs that this Government introduces is profound. Members opposite ought to be saying thank you. Have any of them used them? I bet they have and they never say thank you. Some other pretty good figures show we are going ahead, which I noticed that the Hon. John Graham is really interested in. The Commonwealth Bank has said that remedial massage is up 735 per cent. That is pretty good. Hairdressers and barbers are up 694 per cent. Where is the Hon. Daniel Mookhey?

The Hon. Bronnie Taylor: Maybe he is at the barber.

The Hon. DAMIEN TUDEHOPE: He might be at the barber. Health and beauty spas are up 676 per cent and clothing stores are up 332 per cent. There is a significant uplift in the economy and we are intent on driving it forward.

The PRESIDENT: The Minister has obviously been shopping too because his tie and sock combination is magnificent.

ANIMAL FRIENDLY DOMESTIC AND FAMILY VIOLENCE REFUGES

The Hon. EMMA HURST (12:53): My question is directed to the Leader of the Government, representing the Premier. This week the Government announced it is investing over \$400 million to build new refuges and community housing to assist women and children escaping violence. There is a strong link between animal abuse and domestic violence, as has been recognised by this Government in recent amendments to the Crimes (Domestic and Personal Violence) Act 2007. This year at a roundtable organised by the Animal Justice Party, stakeholders expressed strong support for all new accommodation for victim-survivors to be animal friendly to ensure families with animals can leave violent situations safely without delay. With that in mind, can the Minister confirm that all housing built as part of the new project will be animal friendly?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:54): I thank the Hon. Emma Hurst for her question. I am pleased to say that the Government has committed \$484.3 million over four years for housing and supports for women and children experiencing domestic and family violence. I note that yesterday my colleague the Hon. Bronnie Taylor talked about that at some length, but I am happy to remind the House that that funding represents the largest single capital investment in domestic and family violence in New South Wales' history. It will provide long-term infrastructure to support women and children escaping domestic and family violence for years to come. The money will fund 75 new core and cluster refuges for women and children escaping family violence.

Research has demonstrated that there are clear links between animal abuse and domestic and family violence. Animal abuse and threats of animal abuse are used to intimidate, retaliate against and manipulate family members during the relationship and after separation as punishment for leaving. Studies have shown that animal abuse is particularly prevalent in domestic and family violence contexts where the person or people experiencing that violence have a strong attachment to their animal. The New South Wales Government is taking steps to address that issue and increase protections for animals at risk in domestic and family violence situations.

In May 2020 the New South Wales and Commonwealth governments provided \$21 million to boost frontline services and other supports to help combat domestic and family violence. That sum included \$500,000 to support women's refuges, crisis accommodation providers and animal shelters to enhance and increase their capability and capacity to cater for the companion animals of domestic and family violence victim-survivors. That funding has been delivered as a one-off grants program—

The Hon. Emma Hurst: Point of order: The question was about funding that was announced this week and whether the new accommodation would be animal friendly. I understand that the Minister is providing context, but there are only 35 seconds left and the question has not been answered.

The PRESIDENT: The Minister has the call.

The Hon. DON HARWIN: I will continue providing some information, but I will undertake to get the Hon. Emma Hurst details on any other matters I do not cover in the limited time that is left. The Domestic and Family Violence Pets and Animals Welfare Support program has provided grants of between \$6,000 and \$40,000 to eligible organisations via two streams. The first stream supports women's refuges and other crisis

accommodation; the second stream supports animal welfare organisations to develop new or enhance existing animal sheltering services. I will take the question on notice for the benefit of the honourable member.

SCHOOL VENTILATION

The Hon. WALT SECORD (12:58): My question without notice is directed to the Deputy Leader of the Government and Minister for Education and Early Childhood Learning. Given the department's advice that "fresh air" from open windows is a key part of the department's strategy to ventilate classrooms, what is the Minister's response to parental concerns that 80,000 windows across New South Wales public schools are in need of repair, cannot be used or cannot be opened?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:58): I thank the honourable member for his question. We are back on ventilation again—I thought we would get through the day without it. But no—that is fine. I do not accept the premise of the member's question when he talked about the number of windows that need to be fixed. The reality is—

The Hon. Walt Secord: Point of order: The Minister is debating the question. In fact, the material is from the NSW Teachers Federation. It is on the public record.

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

The Hon. SARAH MITCHELL: As I have said in this House a few times, we have done an audit of all classroom spaces across New South Wales to make sure that we are fixing the windows that need to be fixed so they can be left open. This work is underway by our assets management team. Significant amounts of work have already happened over the past few weeks to prepare for our students to return to school. The point of the audit was to check all the windows to see if any needed fixing. Some might have been painted shut that needed to be reopened. I give a shout-out, as I have done a few times already this week, to our assets management teams. These are the guys who come out when we have bushfires and floods. They ensure that the work is done and procure whatever we need to make our schools operational.

At the moment part of that work is natural ventilation, which on Health's evidence and advice is the best thing we can do in managing our COVID-safe return to school. In that audit process any windows that needed to be fixed were discovered, and much of that work has now been completed. Again, this was something that I spoke to School Infrastructure about just this morning to prepare for our kids to return to school. We know natural ventilation is the best way to have our safe classrooms. That is why we have done that work and we will continue to do so.

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

COOLER CLASSROOMS PROGRAM

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (13:00): Earlier in question time the Deputy Leader of the Opposition asked me a question about the rollout of the Cooler Classrooms Program at Cobargo Public School. I endeavoured to get an answer by the end of question time. I am happy to inform the member and the House that work in the delivery of the Cooler Classrooms Program at Cobargo Public School is currently underway and it is anticipated that it will be completed by the end of the year.

Supplementary Questions for Written Answers

GREGORY HILLS SCHOOLS PROJECT

The Hon. MARK LATHAM (13:01): My supplementary question for written answer is directed to the Minister for Education and Early Childhood Learning. Given there is no detail on the Department of Education's website about the construction of the new selective high school in south-west Sydney, will the Minister please provide detail to the House about the actual location of the school and the schedule for building and opening this new school in south-west Sydney?

COOLER CLASSROOMS PROGRAM

The Hon. COURTNEY HOUSSOS (13:01): My supplementary question for written answer is directed to the Minister for Education and Early Childhood Learning. Will the Minister provide a list of the successful schools that have been granted funding under round two of the Cooler Classrooms Program?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. ROSE JACKSON: I move:

That the House take note of answers to questions.

SOCIAL AND ECONOMIC INEQUALITY

The Hon. ROSE JACKSON (13:02): I take note of the answer given by the Leader of the Government in response to a question asked by the Leader of the Opposition about comments in today's *The Australian Financial Review* by Pru Goward. Let us remind ourselves, in case people do not recall, who Pru Goward is. Pru Goward was the Liberal member for Goulburn for over 10 years. She was a Minister from 2011 to 2019, including as Minister for Women, Minister for Family and Community Services, Minister for Mental Health, and Minister for Social Housing. Recently she was hand-picked by the former Premier, Gladys Berejiklian, to conduct an internal review into standards of behaviour, bullying and harassment amongst ministerial staff. That is her record. Let us remind ourselves why the question was asked by the Leader of the Opposition today. It was because Pru Goward has written an article, the headline of which is "Why you shouldn't underestimate the underclass". It states:

They are damaged, lacking in trust and discipline, and highly self-interested.

No, she was not referring to politicians or members in this Chamber; she was referring to "the poor" who are still a force that needs to be properly harnessed. They are not livestock. These are our fellow citizens, some of the most vulnerable people in this State. The Leader of the Opposition asked Minister Harwin if it represented his view about what people living in poverty are like, the contribution they make to this State and how they should be treated. He said it did not and he did not think it represented the views of the Premier. That is a good start, but it is not really enough considering the stature that someone like Pru Goward has, her close connection to many members of the Government and the things that she has said today.

I have no problem with *The Australian Financial Review* publishing this offensive article. Offensive as it is, I would prefer that people like Pru Goward say the quiet bit out loud, put it out there and tell us what they really think. It is useful to know that this is the attitude that permeates senior members of this Government. She repeatedly uses terms like "the proles" and "the underclass". She said that people have to take responsibility for their own lives. I agree with that; people do have to take responsibility. They also have to take responsibility to pay their taxes. There is a massive group in our increasingly unequal society who get money and do no work. It is the obscenely rich who are benefitting from intergenerational wealth transfer. This Government needs to be a lot harder in cracking down on this kind of disgusting and unhelpful attitude.

SOCIAL AND ECONOMIC INEQUALITY

The Hon. MARK LATHAM (13:05): I take note of the same answer referred to by the Hon. Rose Jackson and reflect on the part of the article that deals with education. I note that Pru Goward, not only an immediate past Minister and member of this Parliament, is now a professor for social policy at the Western Sydney University. One would think she would have a responsibility in advocating for positive ideas using the education system to lift up the disadvantaged. That was the whole purpose of having a western Sydney university—to research and advocate for improvements in disadvantaged schooling in places like Claymore, Minto, Macquarie Fields and Airds. Pru Goward writes today as a professor of that university speaking of disadvantaged families that:

.... their children languish in the growing number of behavioural support classes in general high schools where they learn little and teachers itch to send them to the local TAFE to do some form of home-schooling and get them off their books.

It is an amazing admission of defeat and a slurring of all the children from those families that basically their prospects are not great. She goes on to write that the discipline of work also has little appeal. So she is writing them all off, instead of looking at inspirational places like Minto, where the former Labor Government did a whole renewal of the public housing estate at one time known as "The Bronx". If you change the mix and move from 100 per cent welfare housing to a mix of public rental and private ownership the whole suburb changes. Most rewardingly, the local school changes.

It is a great tribute to that former Labor Government and former member Craig Knowles that the Minto project has showed the way forward. It was one of the best moments in my time in public life. I went to Minto Public School, which I represented in the Federal Parliament, and I collaborated with Craig Knowles. In 2019 I learnt that because of the renewal of the public housing estate and the uplifting of the school that Minto Public School—which parents had avoided—now had out-of-area enrolments. Parents wanted to get their children into this very good school. It had year 6 students going on to some of the best selective high schools in the State—Sydney Boys High School, Sydney Girls High School and Hurlstone Agricultural High School at Glenfield. Those inspirational achievements show that the ethos of despair and defeatism from Pru Goward should be dismissed. We should be focused on solutions. There are areas which have proven that you can get out of the worst of poverty, the worst of disadvantage and despair and move people into a better life through the power of school education.

It is disgraceful that Pru Goward would write this generalisation, writing off a whole generation and, most of all, seemingly not knowing of these success stories. She is so out of touch, so arrogant, so condescending, so elitist not to know of the Minto success story and to write it up as the way forward. She has written an article that is sort of out of *Pride and Prejudice*, sitting there like someone in a Victorian-era parlour room sneering at the poor. She should not be at that university. She should be removed from that position and someone who wants to promote Minto and other success stories be put in.

STATE ECONOMY AND SPORT

The Hon. LOU AMATO (13:08): I take note of answers to a question by the Hon. Natalie Ward. Sport is what binds communities together. It is the volunteers, the parents, the friends and of course, like our Premier, the parent coaches. Sport brings communities all together. All members of this House are so glad to see the return of community sport. As the Minister outlined in her response during question time late yesterday afternoon, the health Minister amended the public health order to allow up to 1,000 people to participate in community sport. That means even more people can get back on the field, on the court and on the pitch. It means parents can attend and cheer on the next Sam Kerr, Ellyse Perry and Steve Smith. All across New South Wales, communities have done the hard yards in getting double vaccinated and bringing forward the time lines to reopen New South Wales. Under the Liberal-Nationals Government, we are leading the nation in reopening the economy and getting life back to normal. That includes returning major sporting events to New South Wales.

Sydney has been desperate for the return of international sport, and what better way to kick it off than the upcoming games between the Matildas and Brazil? Capacity limits for the games at CommBank Stadium in Parramatta—which Labor opposed building—have been increased to 75 per cent or 22,500 people. Over 600 healthcare workers will join the crowd over the two games and be part of the magic. This is such an exciting week for the people of New South Wales, who have been starved of live sport over the past few months. While our Matildas were doing us proud on the field at the Tokyo Olympics, our health workers have been kicking goals of their own by keeping our communities safe and helping us get back to doing what we love. Our health workers continue to show the fighting spirit we see on the sports field. Hosting the matches in Sydney will not only help reinvigorate our economy as restrictions ease but will also help inspire girls and boys throughout New South Wales to get back into football following the lockdown. This is a tremendous week for sport in New South Wales.

SOCIAL AND ECONOMIC INEQUALITY

Ms ABIGAIL BOYD (13:11): I take note of the answer that was given to the Hon. Penny Sharpe's question. My very similar question was unfortunately not answered, so I am very grateful that it was asked by the Opposition. I am sure I am not alone in reading the article from Pru Goward and feeling like I had been punched in the guts. It is such a disgusting article that I was almost speechless—but not quite. She writes:

Despite the billions of dollars governments invest in changing the lives of proles, their number increases. Their birth rates far outstrip those of professional couples and they are now a significant potential contributor to our workforce.

That is just blatant eugenics, and it matters. It really matters that people like Pru Goward were elevated to the position of Minister and are still being appointed by the Government to positions of influence when those are her views about the most vulnerable people in our society. If that type of ideology is treated as run of the mill for the Government, it is no wonder that we still have one in eight people living in poverty. The Government is there to serve for everybody. It is not a case of appeasing or harnessing the poorer and more vulnerable people in our society. The persistent, destructive and, frankly, self-serving narrative that if someone somehow falls on hard times then it is their own fault blames poor and vulnerable people for being poor and vulnerable. It is incredibly convenient for those who do not want to lift other people out of poverty, who do not want to accept that their current good fortune is a product of their own privilege.

Perhaps those opposite could take a look at themselves, recognise that privilege and seek to help other people who have not been so lucky in their lives. It is time to give back. If this is the type of person that we have within the Liberal-Nationals Government, I really despair. Pru Goward is still appointed to positions by this Government. When she was Minister for Family and Community Services and Minister for Social Housing, 75,000 cases of reported abuse were never assessed face to face by a caseworker. This is the kind of thing that makes me question that sort of performance.

GREGORY HILLS SCHOOLS PROJECT

The Hon. MARK BUTTIGIEG (13:14): I take note of the answer, of sorts, that was given to my question regarding the delivery of Gregory Hills primary school. Members who have been listening will know that we have been campaigning for the delivery of this school for quite some time. The official promise was made in 2018, but residents moved out there 10 years ago on a promise from the developer and the Government that the school would be delivered. A whole generation of kids has missed out on a local, accessible public school. After all this

time and attention, the Minister cannot even give us a construction date. The media release on the website, which is there for all to see if members want to click on it, speaks volumes about the ambiguity over when we will actually see the project delivered. It begins with a flourish about what a great job they are doing:

The NSW Government is increasing its investment in public education infrastructure with funding for 44 new and upgraded school projects ...

We heard the Minister repeat this today. The second paragraph then goes on to say, "Early planning for the new project is underway." I tried to tease this out in a supplementary question but to no avail. It continues:

Early planning considers a number of factors including demographic trends, educational requirements, the condition of existing school buildings, catchment boundaries, site sizes, transport links and partnership opportunities.

Members of the public who are waiting for that school—Hannah Braga has been leading that campaign—would read that paragraph and think, "Hang on a minute. They have put it in the budget, but I read that and it looks like it is still ambiguous about whether or not it will actually go ahead because it depends on a number of factors—demographic trends, educational requirements." When I ask a question in this House and the Minister cannot give me a straight answer about when construction will even start, despite advising us that planning is well underway, what do members opposite expect people to think about the Government? I know what they think after all they have been through: They do not trust them to deliver on that school. It is absolutely unbelievable, after all this time and all the lobbying and all the campaigning, that the Government cannot even tell us when a school that has been needed for 10 years will begin construction. It is absolutely unacceptable, but we will not stop until we see it materialise.

RETURN TO SCHOOL ROAD MAP

The Hon. WES FANG (13:17): We have had a tale of two question times today, and I take note of the answer from the education Minister. On this side of the House we have been talking about the positives. One of the positives that we spoke about was the Tutoring 2.0 program for COVID-19, which the Minister has spoken about. It is a great program that we have been running this year, and we have now invested \$383 million to extend it into next year. It offers targeted, small tuition groups—which teachers absolutely love—to help get kids back on track after COVID. The program has employed 7,500 educators and is supported unanimously by the teachers and principals who have been running it.

I contrast that response from an excellent education Minister with the negativity that we see from those opposite. Yet again we have seen negativity around the ventilation systems for schools, when we know that the education Minister has elucidated time and again that the best thing to do is open the windows and doors and let some fresh air in. It is like letting the sun in, which the Labor Party should be doing themselves. I can see the hackles rising on those opposite, because they know that I am about to tell them the truth. I am the truth-bringer in this House. I will tell you all the truth!

The PRESIDENT: Order! The member is getting a little carried away. The member's exuberance is self-explanatory, but he will direct his comments through the Chair. The Hon. Wes Fang has the call.

The Hon. WES FANG: It is a shame we only get three minutes for the take-note debate because I could spend half an hour telling those opposite the truth. Those opposite come in here commenting about a former Minister of the Government. Let's have a look at some of their former Ministers, shall we? Who have we got? I have only got 36 seconds left so I am not going to do that. But we know the breeding of those opposite—those that they have sent to this House and the other place from their party. They should not talk about former members from here. They are just a hypocritical political party. On this side of the House, we will talk about the positives. To quote the arts Minister, who brought on *Hamilton*, "You will never be satisfied."

RYDALMERE EDUCATION CAMPUS

The Hon. ANTHONY D'ADAM (13:20): I take note of the answer from the education Minister to my question about school infrastructure. This Government makes hollow promises. It has announced a whole list of promises made prior to the last election but this is just a bait and switch. They announce, but there is no date and no money. They trickle out a little bit of planning money but then there is no substantive money for elements of the projects—the land acquisition or the construction. That money just is not there. It is just a con. If you make a promise to a community that you cannot deliver within the forward estimates—within the period between elections—then you should not be making that promise to that community.

The other thing that really goes to this Government's credibility is the fact that this Minister is asked time and again for an answer about construction dates, build dates, opening and when it is going to happen. My colleague said that she cannot give us a straight answer. Well, she can give us a straight answer. We know that she has the advice about when these schools are proposed to be built. The fact of the matter is that the Government

does not want to fess up to it because those opposite know they cannot deliver those schools in the time that they have promised. This Government really needs to get its act together on school infrastructure.

PRINCES HIGHWAY UPGRADE

Mr JUSTIN FIELD (13:22): I take note of answers that I received from the Minister for Regional Transport and Roads, now the Deputy Premier, to questions on notice. They related to the Princes Highway upgrade between Jervis Bay Road and Sussex Inlet Road on the South Coast, a patch of road that I drive really regularly. The community is glad to see that there is going to be an upgrade there and I acknowledge that there have been substantial road improvements along the Princes Highway on the South Coast. But we need to make sure we get those road upgrades done right. I have real questions about the plans that are in place from this Government and I put some of those on the record today.

I should say I take note of non-answers because that is, in effect, what I got. I put in a detailed series of questions about how the preferred corridor was chosen, how the workshop between Transport for NSW and various stakeholders was conducted, how the criteria were identified and what sort of information was used by the participants in the study to assess the various aspects of the criteria to come up with the preferred option. Because what we have got in the preferred option paper that has been provided by the Government is the most environmentally damaging and clearly the most expensive option. People down around Wandandian, Basin View and Saint Georges Basin are asking real questions because what the Government seems to want to do is put a multi-hundred-metre bridge over one of the most sensitive areas of coastal wetland in that part of the world—along Wandandian Creek that runs into Saint Georges Basin and comes out at Sussex Inlet—when there are clearly other options. But the answer that I got back to a series of really detailed questions was simply this:

Transport for NSW undertook a rigorous strategic options development and assessment process to identify the preferred option. The methodology is contained within the publicly available Princes Highway Upgrade—Jervis Bay Road to Sussex Inlet Road—Strategic Corridor Option Report.

No, it's not. It's not in there at all. I read the whole thing. That is why I put the questions in the first place. I know we are going to have a debate this afternoon about some other failures from National Party Ministers to answer questions that have been put on the record by members of this place. I have seen this problem time and again from certain Ministers only. I acknowledge that I have engaged with the Minister's office on this and it has undertaken to provide additional information. That was before the leadership change. I have not seen it yet. I have gone back to the office again. But that is not really what the process is for. Ministers are supposed to answer the questions that get put. They were put in a legitimate way, with a fair degree of effort, understanding and engagement with the community, and I expect an answer. The community expects an answer. If we are going to spend billions of dollars on upgrading road infrastructure, let's get it right. Let's do it in the interests of the community. That is not the case here.

THEATRE AND FILM INDUSTRY

The Hon. BEN FRANKLIN (13:25): I take note of the answer given by the Hon. Don Harwin about the \$5 million Theatre and Film Strategy. I start this contribution by saying how delighted I am to be able to reminisce about the time that my friend the Hon. John Graham and I spent on the Joint Select Committee on Sydney's Night Time Economy. One of the key recommendations out of that was that there should be more performance spaces in this city. That is exactly what this strategy is doing. It is looking at what needs to happen to provide venues and important locations for the creative arts in this city and it is providing them. The strategy will look into the development of theatre infrastructure and also a film studio plan that will help to secure international productions and potentially turn Sydney into the Broadway of the Southern Hemisphere. We talked about Alanis Morissette's *Jagged Little Pill* being on at the Theatre Royal—it will be excellent. I am looking forward to attending *Come From Away* next week and to it being back in the theatre once again.

But, of course, if we want to keep our title as Hollywood on the Harbour then we will need to invest in more film studio spaces as well. This strategy will identify potential sites, undertake market sounding and aim to create a sustainable model for the supply of both lyric theatres and film studios for commercial production. We know that this is good not just for cultural output but also for the increase in economic activity, job creation and skill development that will subsequently flow from it. Because this strategy is all about jobs—from the actors to the filmmakers to the restaurants and bars, who will benefit from the theatres, to the studios. We want Sydney to be not just Australia's cultural capital but the cultural capital of the Asia-Pacific.

We know that New South Wales is the Premier State. We want it to be the Premier State for film and theatre as well but this is part of a broad plan. It is not just the \$5 million Theatre and Film Strategy that we announced last weekend. We announced \$50 million for the Performing Arts Relaunch package, we announced \$25 million to support festivals, we announced \$5 billion for Culture Up Late and another million dollars for film festivals. This is on top of the extra 20 per cent a year in funding that we have given to every single regional arts

development organisation in the State next year. This is a Government that is utterly committed to supporting arts and culture in New South Wales. We on this side are committed to supporting the arts in this State. We want to ensure that we come out of this pandemic stronger than ever and we are passionate about making this State the creative leader not just in the nation but, of course, in the Asia-Pacific and across the world. In the immortal words of Alexander Hamilton, "We are not throwing away our shot."

DERADICALISATION PROGRAMS

The Hon. WALT SECORD (13:28): As the shadow Minister responsible for police and counterterrorism, I take note of the answer by the multiculturalism Minister to question No. 7456 which involves deradicalisation programs for extremists. We are all aware that there has been a rise internationally and nationally in religious and neo-Nazi extremism. New South Wales police gave evidence at parliamentary budget estimates hearings that 80 per cent of counterterrorism efforts in New South Wales relate to targeting radical religious extremist threats. The remainder is far right extremism. About 1,000 people in New South Wales are being monitored over four tiers of threat. The answer to question No. 7456 is deeply disappointing. In the answer the multiculturalism Minister Natalie Ward stated:

Multicultural NSW administers the Community Partnership Action (COMPACT) Program which takes a "whole of society" approach to Countering Violent Extremism.

COMPACT is firmly aligned to the core objectives of Multicultural NSW in promoting social cohesion—

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

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SCOTT FARLOW (13:29): I will follow my good and learned friend the Hon. Wes Fang in saying that it was a tale of two question times today. We have a tale from the Opposition, which seems to be obsessed with former Ministers of the Government—people who are not relevant to this Government—and their comments in op-eds. Then we have a tale from the Government, which is focused on the people of New South Wales. This Government is focused on our economic recovery. We heard that from all of our Ministers today. Minister Harwin talked about our film and theatre package making New South Wales a beacon of hope in the Asia-Pacific region, winning back all of those wonderful performances and theatre productions. Whether it be *Hamilton*—we have the Schuyler sisters in the Chamber sans Peggy today—whether it be *Come From Away*, which I am excited to see on Saturday night, or whether it be *Jagged Little Pill*, the Alanis Morissette musical starting in December, New South Wales is ready to reopen with an action-packed program. That is backed up by investment in Screen NSW attracting those big productions. I had a meeting with screen producers recently and they mentioned a stream of Netflix and Stan programming into the future.

Then we heard from the Hon. Sarah Mitchell, who talked about the tutoring program, which made such a difference when kids were learning from home. It will continue to make a difference. I know that the many parents in the Chamber, me included, know that our kids really need it. The best place for children to learn is in schools so we need to make sure that they can catch up on their education. The Hon. Bronnie Taylor talked about mental health. We know it is the shadow pandemic, particularly as people have been isolated. We will talk more about that in the Chamber today and the role we play in investing in people's mental health and helping them get through to the next stage.

The Hon. Natalie Ward talked about securing major events for New South Wales and seeing them reopen. The Minister for Finance and Small Business, the Hon. Damien Tudehope, outlined some of the recovery programs that we have, whether it be the \$50 Dine & Discover vouchers or the \$50 Stay & Rediscover vouchers to be used throughout New South Wales. He spoke eloquently about the multiplier effect it will have on businesses throughout New South Wales, which is what they are waiting for. I was speaking to businesses earlier today and they were talking about that multiplier effect and getting people back out in the economy. We have seen those figures the Minister was talking about: the massages and the haircuts that thankfully we have all been able to get.

The Hon. Bronnie Taylor: Remedial massages. Let us just clarify.

The Hon. SCOTT FARLOW: Yes, remedial massages. The economy is booming and it is members on this side of the House that are focused on getting people back into work and getting New South Wales back open.

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

Motion agreed to.

*Personal Explanation***THE HON. NATALIE WARD COMMENTS**

The Hon. WALT SECORD (13:33): By leave: I wish to make a brief personal explanation. I am mindful of your learned ruling last week, Mr President. I was misrepresented during question time by the multiculturalism Minister, the Hon. Natalie Ward. During question time she said that I did not like sport. That is absolutely untrue. I love sport and I have particular respect for the Matildas as they hold a place of high esteem, but I also like the arts.

Leave withdrawn.

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

*Bills***ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021****Assent**

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

*Documents***TABLING OF PAPERS**

The Hon. BRONNIE TAYLOR: I table the following report:

- (1) Inspector of Custodial Services Act 2012—*Report of the Statutory Review of the Inspector of Custodial Services Act 2012*, dated May 2021.

I move:

That the report be printed.

Motion agreed to.

*Private Members' Statements***COVID-19 AND CONSUMER PROTECTION**

The Hon. COURTNEY HOUSSOS (15:01): When the pandemic hit in March last year, literally millions of holiday plans were cancelled. Some travellers received a credit, some a refund and some lost everything. Many people spent months fighting to get their hard-earned money returned. Unfortunately, we Australian travellers do not have the same consumer protections as elsewhere in the world. In the United States of America if your flight is more than 90 minutes late you are immediately refunded the cost of your ticket. There are similar protections in the European Union. Sandra and Helen both booked a European tour. Helen, who lives in the United Kingdom, received a full refund, while Sandra, who lives in Australia, lost thousands of dollars after their trips were cancelled because of COVID restrictions.

When New South Wales went into its second lockdown in July 2021, travel plans were again thrown into disarray. I spoke to Sebastian, who had paid for his annual family holiday to the snow. It was due to start the day after the initial lockdown, so they planned to get up early and drive down. When the lockdown was extended, they lost their holiday and their money because they had to give 60 days' notice of cancellation to get a full refund or 30 days' notice to get a 50 per cent refund—after that, there was no refund. They lost everything. Sebastian tried to take out travel insurance when he booked, but he was not able to get any. In New South Wales it is left up to individual travellers to negotiate with their providers, like Sebastian and his family had to do. This can take months and there is no guarantee of a refund or a credit. Even with a credit, there are no restrictions on imposing unfair time frames on when it has to be used. People have more legal protections with a gift certificate.

Despite the huge spike in complaints to NSW Fair Trading over the past year, the Australian Competition and Consumer Commission [ACCC] and Fair Trading are simply encouraging providers to act fairly. I also spoke to Brooke, who spent \$3,000 on Gold Coast holiday accommodation. After the lockdown was announced, she asked to reschedule. She was offered 50 per cent of the cost as a credit, but only if the accommodation provider managed to re-let the room. The owner said they had "taken advice from the ACCC". Some providers do now offer refunds if a holiday is forced to be cancelled because of COVID, but these are not widespread or mandated. Anecdotally, I have been told by travellers who were forced to cancel their plans that small businesses are often the first to offer a full refund; it is the larger providers who can simply say, "Take it or leave it."

In July 2021 CHOICE released its report on a survey of over 4,400 Australians who had travel plans disrupted by the pandemic. It made a number of sensible recommendations that I call on the Government to adopt. I must mention the tireless consumer advocate Adam Glezer, who has been advocating for and assisting travellers since the start of the pandemic. Our tourism providers need support. But that should be given to them by the Government, which made the decision to go into lockdown, and not by hardworking families and travellers forfeiting their money.

POVERTY IN CAPITALISM

Ms ABIGAIL BOYD (15:04): Poverty is a symptom of our economic system—a system which is working exactly as intended. Capitalism is built on extraction of value for profit and it rewards exploitation with more profit. The more corners you can cut, the more natural resources you can extract from the earth, the more you can get away with underpaying your workers and the more money you have in your pocket at the end of the day. It is a system that pits everyone against one another in a fight to the top that needs someone on the bottom to function. So is it any surprise that when the Government looks at people in poverty, it sees its bottom line rather than a person struggling to have their basic needs met? The Government asks "What do we get out of helping?" rather than "What can we do to lend a hand?" Not everything should be a market. We should not have to make the case to the Government that it costs more in the long run to leave people languishing in poverty. The Government should see widespread suffering as undesirable simply because no-one should suffer.

Our lives should not be dictated by the market. Being less marketable should not sentence someone to a life without a home, without food, without everyday essentials like electricity, internet, medicine and water. People are not commodities whose only value derives from what capitalists can extract from them. Every one of us has inherent value, whether we can sell that value on the market or not. We all contribute to and participate in our society in different ways, but the market only assigns value to a fraction of those contributions. Whether you are a carer, an artist, a student, a parent or an entrepreneur, you should be able to get on with what you need to do without the market-assigned value of your contributions dictating whether you are supported or not.

If we as a society choose to operate under this particular economic system—because that is a choice, not an inevitability—we must also recognise that market ideology can only go so far. Capitalism is not compatible with compassion, with quality of life or with community. We can and we must constrain the market obsession to the markets and acknowledge the inherent value of people, not just their market value. Then we can, and must, act to lift every single person out of poverty. As a society we are so wealthy, but, thanks to capitalism and its influence on our governments, one in eight individuals still lives in poverty while the richest 10 per cent hold almost half of our collective wealth—money that is currently benefiting no-one as it accumulates dust in the bank vaults of billionaires.

If we redistribute even a fraction of this hoarded wealth and share it amongst us all, we can end the extraordinary inequality and needless suffering of millions of people. Just imagine for a moment if everyone had what they needed to live a good life. Imagine if, instead of one in eight of us rationing every dollar and dealing with the constant stress that comes with it, it was a given that if you are a participant in our society you will have access to what you need—not just to barely survive, but to thrive. Everyone has the right to share in the wellbeing of our country, so let us choose to structure our economy for the benefit of all of us. Let us share the wellbeing around.

BUSHFIRE SERVICES

The Hon. LOU AMATO (15:07): I can remember back in December 2019 when we were informed that two massive fire fronts were converging on my home town. We had no idea when the fires would reach us or the precise location of the fronts. The bravery and commitment of the NSW Rural Fire Service saved many lives; however, receiving and disseminating information made the task of advising residents extremely difficult. Nonetheless, the NSW Rural Fire Service saved countless lives. The fires of 2019-2020 were the worst in living memory and helped us to identify many areas where we could provide vital intelligence and information to assist our NSW Rural Fire Service. To this end, the New South Wales Government has not been idle. I commend the Minister for Police and Emergency Services, the Hon. David Elliott, for taking the lead on the deployment of groundbreaking technology to equip our fire services with superior communication services and intel. We hope that we never again face the tragedy of the 2019-2020 bushfires.

The new technology, known as the connected firefighter package, has been provided at a cost of \$57.4 million. The investment in state-of-the-art technology is part of the New South Wales Government's overall \$480 million response to the independent bushfire inquiry following the fires of 2019-2020. The connected firefighter package will include: remotely piloted aircraft systems, providing images and data from incidents in real time to assist firefighters with incident planning, and these drones can now also assist HAZMAT crews with chemical and gas detection; Cell On Wheels mobile modules equipped with communications technology,

providing extended power for use in remote parts of the State without coverage; upgrades to NSW Rural Fire Service mobile command centres, ensuring communications between incident management teams and firefighters; and vehicles as a node that are equipped with built-in wi-fi hubs to provide the 4G mobile network in remote locations where satellite connection is limited.

The connected firefighter package will ensure our first responders' increased safety. Coordinating a response to unpredictable wildfires requires real-time data collection, transmission and dissemination. The connected firefighter package will provide the much-needed intel to protect our first responders as they engage with unpredictable wildfires and protect their communities. I commend the New South Wales Government and the Minister for Police and Emergency Services, David Elliott, for providing state-of-the-art technology to keep our communities safe. When the fires approached my home town, our firefighters on the ground were faced with an inferno that changed direction numerous times. I watched as they struggled with the time lag of information, which required the continued formulation of new strategies to protect our community. Sadly, the fires moved with a speed faster than our ability to provide updated information on the ground. Thankfully, we now have possibly the best firefighting communications systems in the world.

RAIL AND TRANSPORT WORKERS

The Hon. MARK BUTTIGIEG (15:10): I stand in support of the Australian Rail Tram and Bus Industry Union and our rail workers, who are taking industrial action today and will be continuing to take action due to the Government's mismanagement of our transport services. The Government's refusal to rule out selling off our public transport services is appalling. Those workers should be commended for taking action to protect the safety of our residents because, disgracefully, the Government is refusing to commit to a continued high standard of cleaning on our trains during a global pandemic. They are also trying to protect the public's safety by not staffing the Government's dangerous South Korean trains. The New Intercity Fleet places all commuters at risk, especially those with disabilities.

I call on Minister Stokes to do the right thing by our rail workers. Offering workers a measly 0.3 per cent pay increase for the first year of their agreement and 2.5 per cent thereafter is unacceptable. Appallingly, the Government is paying the new CEO of the Transport Asset Holding Entity, TAHE, a staggering \$575,000 a year whilst refusing to pay a fair wage to our vital rail workers. When Liberal and Nationals politicians refused to turn up to work in Parliament during the pandemic, those rail workers were working to ensure our communities' needs were met. They should be paid a fair wage. I thank our rail workers for all their work. I will continue to call on the Government to do the right thing.

I stand with the Transport Workers' Union and our transport workers at StarTrack who are taking industrial action. The Australian Government-owned StarTrack and Minister Fletcher should not be allowed to mistreat those workers. The delay and intimidation tactics are unacceptable, as is StarTrack's refusal to provide job security and fair pay. I also stand with our FedEx workers who are attempting to reach an agreement with that company. Workers at FedEx and StarTrack deserve fair pay and super to be reflected in their agreements. Those companies should not be engaging in labour hire that undercuts the pay and conditions of the existing workforce. I am calling on FedEx and StarTrack, who have made record profits, to be reasonable and provide job security. Toll, Global Express, Linfox, BevChain, ACFS Port Logistics and CEVA Logistics have all done the right thing by their workers. FedEx and StarTrack should too. I thank our transport workers, who have kept our communities running during a global pandemic. Their hard work over the past 18 months should be recognised by FedEx and StarTrack.

KOALA POPULATIONS AND HABITAT

Ms CATE FAEHRMANN (15:13): The Black Summer fires resulted in a 70 per cent decline in koala populations across six locations in northern New South Wales and may have killed more than one-third of koalas in New South Wales. The inquiry of Portfolio Committee No. 7 - Planning and Environment into koala populations and their habitat found that koalas will be extinct before 2050 if their habitat is not protected. In response, the environment Minister set a goal to double koala numbers in New South Wales by 2050. How he hopes to achieve that is still unclear, with no updated koala strategy to be seen and koala habitat still being bulldozed at alarming rates across the State. Like so much other koala habitat in New South Wales, Pine Creek State Forest near Coffs Harbour is under imminent threat from logging. It is still standing only due to the passionate work of locals to protect it.

Luckily for the Minister, who wants to double koala numbers, the Friends of Pine Creek have developed a forest bridge conservation proposal that offers both significant habitat and a koala corridor from the sea to the mountains. Even more luckily for Minister Kean and for koalas, the Minister finds himself in the position of being the environment Minister and the Treasurer at the same time. If he was genuine when he made his commitment, he now has the extraordinary opportunity to put his money where his mouth is. The forest bridge proposal would see 2,500 hectares of land added to Bongil Bongil National Park from parts of Tuckers Nob and Pine Creek State

forests. The land sits between Bongil Bongil and Bindarri national parks, both of which have been listed recently as assets of intergenerational significance because they provide such important habitat to koalas and threatened species after the fires.

Bongil Bongil National Park is home to between 400 and 500 koalas. It and the surrounding area is one of the few coastal koala habitats that suffered no impact from the fires. The forest bridge proposal would ensure that vital population can safely move westward to the New England National Park and the Great Dividing Range west of Port Macquarie. Since the late nineties Pine Creek has been recognised as being incredibly significant to koalas. An extensive survey in the nineties showed it had the highest density of known koala records in the Coffs Harbour region. The Friends of Pine Creek have put a lot of work into their fantastic forest bridge proposal. With the looming climate crisis taking a massive toll on our wildlife, koalas need wildlife corridors more than ever before. I urge Minister Kean to seize this opportunity, open the purse strings and protect this land to prove that his Government was genuine when it said it will take action to save New South Wales koalas from extinction.

PORT MACQUARIE KOALA HABITAT

The Hon. CATHERINE CUSACK (15:16): I refer to representations made to me by Port Macquarie resident Bronwen Hughes in relation to the sale of 200 hectares of land in the Lake Cathie vicinity at 147 The Ruins Way, Port Macquarie, which is critical koala habitat. That block of land has multiple zonings on at least one-third of it. Since days long gone it has been zoned as rural land. Therefore, it does not have any of the protections that I believe the Government anticipated it would have when the Government brought forward its koala management plan and legislation last year.

As many members of this House have mentioned already, earlier this year in March the so-called koala wars were announced as having ended, and new State environmental planning policies [SEPPs] were meant to be introduced to protect urban land from development. My understanding was that genuine farming land would have less red tape in relation to management of its landscape. However, it was always intended that urban land slated for development would have the new protections. Unfortunately, that is not the case in Port Macquarie because the new SEPP and the refinements to its operation have still not been implemented by the Government. It is extremely urgent that that piece of work be finalised and put in place.

The koala habitat at The Ruins Way forms a fundamental link between Lake Innes Nature Reserve and the Port Macquarie Airport koala population, which was decimated during the fires. That area is one of the last unburnt corridors. According to Sue Ashton, the president of Koala Conservation Australia and Port Macquarie Koala Hospital, if this land is lost to development Port Macquarie will lose its urban wild koala population, the largest on the east coast of Australia.

This land is on the market for housing development and I assume that the owner is trying to get this property through while there is this great, glaring gap in our laws for protecting koala habitat. The council previously has had an option to declare it environmental land but, unfortunately, the Government has removed the power to do that from our councils. The only option that appears to remain is the one being advocated by the local member, Leslie Williams, who is very passionate about this, which is for the Government to urgently purchase this 200 hectare parcel of very strategic land and save Port Macquarie's koala population. The ideal solution is to resolve this legislative impasse and, in the interim, purchase the land. [*Time expired.*]

PRIVATISATION

The Hon. SHAOQUETT MOSELMANE (15:20): What is it with the Liberals and privatisation? Mr Chris Minns noted on his Facebook page yesterday that Premier Perrottet would not rule out further privatisation during question time. The new Premier confirmed the public's worst fears by refusing to do so. It appears that the Coalition is addicted to privatisation. It cannot seem to get out of it. It even has a privatisation target on government departments and agencies, including those delivering frontline services. The departments are being forced to come up with a staggering \$3 billion of land and property sales that is potentially selling off New South Wales' schools, TAFEs, hospitals and vital social housing.

The Government needs to come clean about its privatisation agenda and be frank with the people of New South Wales. They deserve to know what other public assets the Liberals will flog off to their preferred bidders. After a decade of privatisation, the New South Wales Government has managed to sell \$82 billion worth of assets that used to belong to the people of New South Wales. This includes handing over a staggering 12 per cent of the State's land and building assets to the private sector. It is privatising our buses, our electricity network, toll roads and anything it can put its hands on.

The entire WestConnex is now flogged off to Transurban to make a killing. The Government has sold the Sydney desalination plant, Port Botany, Port Kembla, Newcastle, Eraring Energy, Mt Piper and Wallerawang power station, Green State Power, Bayswater and Liddell power stations—previously known collectively as

Macquarie Generation. It has sold Hunter Water Corporation's engineering subsidiary, as well as Colongra Power Station, M7 rental payments, Vales Point Power Station, Transgrid, Kooragang Island advanced water treatment plant, Brown Mountain Hydro Power Station and Cochrane Dam.

It has also sold Ausgrid, Pillar Administration, Home Care Service of NSW, Darling Quarter ground lease rental income, Land and Property Information titling and registry services, Endeavour Energy, Sydney Motorway Corporation, Property Exchange Australia Limited, plus \$23.6 billion in land sales since 2011. As the Australian Competition and Consumer Commission Chair Rod Sims stated:

Privatisation risks creating private monopolies leading to higher prices, reduced efficiency, and economic harm.

Enough harm, enough privatisation.

ABORIGINAL CULTURAL HERITAGE

Mr JUSTIN FIELD (15:23): I bring to the attention of the House a real challenge to heritage laws in New South Wales and their ability to protect significant Aboriginal cultural heritage in this State. I have raised in the House before the issue of a residential property development. It is not an unfamiliar story. On the South Coast on the shores of Lake Wollumboola at Culburra there was a development that was knocked back by council. About a decade ago that was overturned by the Land and Environment Court. During the first few months of this year the developer, Sealark Pty Ltd, finally undertook some initial test pitting on the approved site as part of the requirements of the Aboriginal Heritage Impact Permit and provided an interim report. I asked the Minister questions about this report, because it showed up some pretty extraordinary findings at the time. The Minister, the Hon. Don Harwin, noted that the report:

... indicates that the area may be more significant than originally believed so I am taking very seriously the LALC's concerns about the high number of stone artefacts and potential earth features that have been identified.

I note the Minister's office has been very open to me and the Jerrinja community and he made himself, his staff and also Heritage NSW staff available to keep us up to date with what is going on there. The developer did halt the development while further work could be done. COVID has had an impact on that. That work, I believe, is close to being finalised. Then there will be time for the Jerrinja community to respond to the additional studies that have been done.

I make clear that, in light of the March findings, the Jerrinja Local Aboriginal Land Council requested that the heritage impact permit be revoked before the developer voluntarily paused it. It had made that request of the Government. I will be interested in its response but I have been told, and it has been expressed to me, that this is a very regionally significant find for the community of Culburra. I would be shocked if what has come back in this report is going to change its view that the impact permit should be revoked. The land council is essentially asking for this development not to proceed. This is a real challenge. How do our heritage laws work in New South Wales? Can they protect significant Aboriginal cultural heritage or do we just document the destruction? This has been a debate that has been building in the community, not just in New South Wales but Australia-wide. I will be watching this very closely. I acknowledge the engagement by the Minister, the Government and Heritage NSW. I hope they can support the Jerrinja community to understand, review this document and then listen to its response.

MONARO ELECTORATE BY-ELECTION

The Hon. WES FANG (15:26): Over the weekend grassroots members of the NSW Nationals preselected Nichole Overall to be their candidate for the upcoming Monaro by-election following John Barilaro's imminent retirement from politics. Nichole is a well-known local advocate and has a history of fighting for and delivering for her community. From her work with the Meals on Wheels Queanbeyan Branch, headspace Queanbeyan and the Red Cross, Nichole has an unwavering passion for helping people. She has always been the first person to put her hand up to assist those in need and to stand up for her community. The people of the Monaro expect their representative to take up the fight for the region to ensure they get their fair share. John Barilaro has always been a fierce force for his electorate and there is no doubt Nichole is from the same mould. Having served as patron of a local support service, that for 40 years has provided vital assistance to those dealing with domestic violence and abuse and/or experiencing homelessness, Nichole will be a strong advocate for protecting and advocating for her community.

In addition to being an award-winning author and communications professional, Nichole is also a local historian. Through her work, she ensured that many of the Monaro's previously untold stories received the attention they deserved. For her efforts, Nichole went on to be named Monaro Woman of the Year in 2020. Nichole is also a keen sportswoman and has been heavily involved in the women's program at the Monaro Panthers Football Club to promote, support and help develop women's football in the Queanbeyan region. Nichole has already made history as the first female chair of St Edmunds College in Canberra and it is our hope that she will again do so by becoming the first woman member in the electorate of Monaro's 165-year history. The NSW

Nationals have a strong track record in the Monaro. With Nichole as its champion, I know she will continue the hard work of our party and be a strong voice for her people.

COVID-19 AND HEALTHCARE WORKERS

The Hon. DANIEL MOOKHEY (15:28): Often doctors and nurses have been the face of our pandemic response, but there are so many more healthcare workers behind the scenes that have rolled up their sleeves, often putting themselves and their loved ones in harm's way to protect the community. I am talking about hospital cleaners, lab technicians, security guards, hospital chefs and cooks, paramedics, patient transport staff, maintenance staff, laundry staff, pharmacists and so many more. It is no small feat to keep a hospital running, nor is it easy to keep an aged-care facility, a disability care facility or a First Nations' community health clinic operational. I pay tribute to all those workers, especially during the pandemic.

If the pandemic has shown us anything, it is that we judge healthcare workers as essential, but deem none essential enough to reward them with higher pay or better working conditions. I say to all healthcare workers who have risked their lives to protect the community's health that they deserve better pay and better working conditions. We owe them a large debt of gratitude for the sacrifices they have made and the dedication they have shown to communities across our State. That dedication is also exemplified in their rates of vaccination. They have led the community in getting vaccinated. In these uncertain times, one thing is certain: COVID vaccines enormously reduce the risk of transmission and hospitalisation. In the community it is our main line of defence, but in our hospitals and other care facilities it is the difference between a worker returning home safely or not.

We already know that the majority of workers have made the decision to get vaccinated, but I especially pay tribute to the work of the Health Services Union [HSU]. It is currently running its program "50,000 Reasons to Vaccinate for Victory". The HSU is offering \$50,000 worth of prizes to members in New South Wales, Queensland and the Australian Capital Territory who have been vaccinated. In the mess that has been the vaccine rollout, it has sadly fallen to unions and employers alike to encourage workers to get the jab. I acknowledge and congratulate the Health Services Union for its initiative that has incentivised vaccination take-up. It will give many low-paid healthcare workers the confidence to get vaccinated and it will go a long way in keeping our community safe so all of us can get back to some normality.

Bills

CONSTITUTION AMENDMENT (VIRTUAL ATTENDANCE) BILL 2021

Second Reading Debate

Debate resumed from an earlier hour.

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

The House divided.

Ayes17
Noes24
Majority.....7

AYES

Amato
Cusack
Fang
Farlow
Farraway (teller)
Franklin

Harwin
Khan
Maclaren-Jones
Mallard (teller)
Martin
Mitchell

Nile
Poulos
Taylor
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buttigieg (teller)
D'Adam (teller)
Donnelly
Faehrmann

Graham
Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty

Pearson
Primrose
Roberts
Searle
Secord
Sharpe
Shoebridge

	NOES	
Field	Moselmane	Veitch

Amendment negatived.

The PRESIDENT: The question is that this bill be now read a second time. Is leave granted to ring the bells for one minute?

Leave granted.

The House divided.

Ayes	24
Noes	17
Majority.....	7

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

NOES		
Amato	Harwin	Nile
Cusack	Khan	Poulos
Fang	Maclaren-Jones	Taylor
Farlow	Mallard (teller)	Tudehope
Farraway (teller)	Martin	Ward
Franklin	Mitchell	

Motion agreed to.

In Committee

The CHAIR (The Hon. Trevor Khan): There being no objection, the Committee will deal with the bill as a whole.

The Hon. ROD ROBERTS (15:50): I move One Nation amendment No. 1 on sheet c2021-107B:

No. 1 **Only audio visual links permitted**

Page 2, clause 3(2), proposed section 3(2), lines 14 and 15. Omit "an audio or audio visual link, or another method of communication,". Insert instead "an audio visual link".

The amendment is a simple one but one that we believe is crucial to ensure the integrity of any proposed virtual hearing should the bill proceed. At present the bill calls for the use of an audio or audiovisual link or other method of communication in virtual hearings. That is one area of the bill that causes us some concern. As distinct from the arrangements we have experienced in the recently used hybrid model, the bill, should it pass through Parliament, will allow for those participating remotely to be counted to make a quorum and to have their vote counted on any divisions. That is another area that causes us some concern. The recent hybrid model was audiovisual link only and that is the only model that we will support for the simple reason that we as a Parliament and as a Chamber must be able to verify the identity of those who participate. Without the assistance of a visual link, we would not be in a position to positively identify any participants.

Currently the bill calls for the use of an audio link. Not for one moment am I suggesting that any member of this Parliament would behave without complete integrity, but the use of audio only could allow a member of this Parliament to be substituted by any other person. For the sake of this example, I will use myself as a model. Let us say I was in the last period of my term, with no intention of standing for real re-election; I am not really engaged anymore and in the waiting room waiting to check out. If the trigger was in place for the operation of a virtual Parliament by virtue of one of the mechanisms and by agreement of the majority of the House, I could

choose not to attend virtually and substitute another person—for example, one of my staff members. I could say, "Listen, I am off to the pub"—I am off to the races, I am off to the beach; I really do not care—"you fill in for me. No-one will know because no-one can see you."

That is certainly not a path we want to go down because it impinges on the integrity of the parliamentary process. It is clearly not appropriate and speaks for itself. An audiovisual link would eliminate the possibility of that happening and would ensure the integrity of the process. As I said, no member of this Chamber would take advantage of that situation but, as I mentioned in my contribution to the second reading debate, the bill is planning for the future and we cannot control who will be elected to this place in the future. The second reason we move the amendment relates to the division process. As we know, the bill proposes to allow divisions in the virtual world. Again, that part of the bill raises my antenna because of the logistical and procedural integrity of the voting process. Imagine virtual participation by audio only. If a motion is moved and voices are called for, how do we know who said what? How do we identify those voices?

A division is called and the President or yourself, Mr Chair, appoints tellers and the vote is undertaken. The vote is taken verbally only, with no mechanism in place to verify the true identity of the voices. That could leave the process open to manipulation. "No, I didn't vote that way. That was someone else saying they were me. It wasn't my vote." Can members imagine the dog's breakfast of a situation we would be in then? We have just seen the conundrum caused by the recent change of walking out either side of the Chamber, let alone something as serious as this bill.

Using an audiovisual method of communication would allow all participants—including the party Whips, but more importantly the President, the Chair and the Clerk—to record the vote accurately. There is a physical eyeballing of those who vote and the way in which they vote. I assume the video would be recorded for posterity and would be able to be viewed if there was any dispute about a division, the identity of those voting or which way they voted. That would be able to be confirmed, thereby eliminating any degree of uncertainty. I could go on forever, but I think I have made my point. It is a fairly simple amendment that is crucial to support the integrity of the bill. We believe the integrity of the parliamentary process should be paramount in all that we do, and the amendment will go a long way to ensuring and protecting that.

The Hon. ADAM SEARLE (15:55): I indicate that the Labor Opposition will support the One Nation amendment for the reasons that I outlined in my contribution to the second reading debate. We believe the integrity of the process requires that how members are voting and who is voting in which way be clearly identified. We may get to the stage where voice recognition can verify members' identities to such a degree that all members may have comfort. I do not think it is unreasonable—given the hybrid model that we have seen both here and in other jurisdictions—that the model be audiovisual, so that we can not only hear what people have to say but also see that it is them saying it and casting their vote. I thank the Hon. Rod Roberts for moving the amendment, and we will support it for those reasons.

Mr DAVID SHOEBRIDGE (15:56): The Greens will support the amendment. Given that the amending bill is all about voting and quorum, about members being effectively present and indicating their votes, the case is well made to have it be audiovisual rather than just audio. It is a useful integrity measure. We agree with those arguments, and they are well made. In terms of deleting "or another method of communication", I always thought we would have a moon base and holograms by now. If technological innovations offer potentially superior ways of engaging other than audiovisual, we can address that in due course. The way we do the audiovisual link may well change with technology over time, and we have the flexibility to do that. But we think that the argument for ensuring that engagement in the House is by way of audiovisual rather than just audio link is well made, and we support the amendment.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (15:57): The fact that the mood is flipping on the provisions of the bill so quickly just underlines the Government's concerns about the whole process and the haste in which it has been undertaken. Nevertheless, the Hon. Rod Roberts has done us a favour and picked up on a weakness in the bill. The Government has no objection to his amendment.

Reverend the Hon. FRED NILE (15:58): I put on record my support for the amendment and thank the Hon. Rod Roberts for taking the time to move it.

The CHAIR (The Hon. Trevor Khan): The Hon. Rod Roberts has moved One Nation amendment No. 1 appearing on sheet c2021-107B. The question is that the amendment be agreed to.

Amendment agreed to.

The Hon. ADAM SEARLE (15:59): By leave: I move Opposition amendments No. 1 on sheet c2021-095C and No. 1 on sheet c2021-112 in globo:

c2021-095C

No. 1 Remote attendance only permitted in emergencies

Page 2, clause 3 (2), proposed section 3 (3), lines 18–22. Omit all words on those lines. Insert instead—

- (3) Subsection (2) has effect for a House of Parliament only if the Presiding Officer of the House has declared that—
 - (a) it will be impracticable for Members of the House to meet in person during a specified period due to a public emergency, including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism; and
 - (b) a majority of the Members of the House have requested remote attendance of the House be permitted under this section during the specified period.
- (3A) A Member is taken to have made a request under subsection (3) (b) if the following person has made the request on the Member's behalf—
 - (a) if the Member belongs to a party—the Member's party leader,
 - (b) a Member of Parliament nominated by the Member to the Presiding Officer.

c2021-112

No. 1 Sunset provision

Page 2, clause 3(2), proposed section 3(4), lines 23–25. Omit all words on those lines.

As I outlined in my contribution to the second reading debate, the first amendment takes what is in the bill and sharpens it a little. It requires the Presiding Officer of the relevant House to make a declaration that it would be impracticable for members of the House to meet by reason of a public emergency—including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism—and that a majority of members have signified their concurrence with that course of action. It is a heavy step to move from actual to virtual Parliament. Notwithstanding the trigger, it is better for reasons of democratic governance and it should be with the concurrence of a majority of members because this House and all Houses must be the masters of their own destiny. In proposed clause 3A it is foreshadowed that that concurrence can be given in a number of ways, including through a representative, a party leader or a nominated person. That is the first amendment.

The second amendment deals with the other matter I addressed in my contribution to the second reading debate, which is the sunset clause. It was originally proposed that there be a five-year automatic repeal. That would make sense if there was no constraint on the operation. We would obviously hope that in five years COVID would be a thing of the past. But, given that we are proposing to tighten up the conditions within which a virtual Parliament can meet, it would be not only counterintuitive but also contrary to the public interest to get rid of those provisions by way of a sunset clause. Emergency provisions by their very nature are hopefully needed only rarely and in an emergency, when one does not expect it. The way of things would be that the provisions may never be used or needed, and then they would automatically lapse because members would not see the need for them. That is when the emergency could strike.

We propose removing the sunset clause, but members can have confidence that this is not some kind of blank cheque or open door. The usage will be sparing, if at all, and only in those very constrained circumstances. When members look at the conditions within which a Presiding Officer and then the House might move to a virtual hearing, absent the Spanish Flu outbreak or COVID, there are not many other examples in our history where such a provision could have been invoked if it existed. The whole enterprise is for more abundant caution, but the provisions provide for that caution and we do not need the protection of a sunset clause. I will leave my comments there and listen to what other members have to say.

The Hon. ROD ROBERTS (16:03): One Nation supports the amendments. I will deal with the sunset clause provision first, because it is the simplest to deal with. I liken it to an insurance policy—you do not need it until you need it. I understand the motivation of Mr David Shoebridge for putting the sunset clause in.

Mr David Shoebridge: There are now enough checks and balances.

The Hon. ROD ROBERTS: Yes, there are now enough checks and balances being inserted into the bill. When you sit back in reflection, you realise that we do not know when an emergency is going to happen. As the Hon. Adam Searle said, by its nature, we cannot predict an emergency; we do not know when it is going to happen. I guarantee Murphy's Law will mean that something is going to happen within six months of the moment when the sunset clause comes into play. As I say, this is like an insurance policy: You hope that you never need to draw on it, but it gives you safety and security in knowing that it is there. So we are fully behind the amendment. We are also behind the amendment on sheet c2021-095C about the majority of members of the House. We always

spoke about a majority of members of the House. It is the will of the House. I think this goes to confirm that further. Therefore, we as well will be supporting these amendments.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (16:05): This is a troubling amendment for the Government. Apart from our general concern about proceeding with haste and not getting agreement on our reasonable request for a delay of one sitting week, in my earlier remarks I also made clear that we feared that the bill was not clear enough regarding the basis upon which the Presiding Officer may determine to declare that a public emergency exists. Because the word "including" is part of the subsection, it is not an exclusive list. I think we have moved to a little bit more clarity, but I am not sure whether we have entirely met the bar yet. The clause provides:

... if the Presiding Officer of the House has declared that a public emergency exists, including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism ...

The clause still does not say on what basis the Presiding Officer must make that decision. I understand that it leaves it open for a Presiding Officer to make a commonsense decision. I note what the Hon. Rod Roberts said, which is that generally you can rely on the common sense and good faith of our members, but I note he also said that we cannot always be sure about what that might be in the future. We are a bit cautious on this issue. I suppose, therefore, we probably would prefer the bill to stay as it is, with a sunset clause, rather than make it open ended. But it is a fine judgement, either way. This serves to reinforce why we do not believe this bill should be going through at this time.

Mr DAVID SHOEBRIDGE (16:07): The Greens will be supporting the two Opposition amendments. The insertion of the sunset clause was part of a broader negotiation in the drafting of the bill. I say again that the shape of this bill has been the subject of a fairly open negotiation over the past few months, which the Government for its own purposes has chosen not to be a part of. That is okay. But this has been discussed fairly openly amongst members for months now. There have been repeated discussions about checks and balances and what kinds of them should be in the bill. One of the original thoughts was to put in a sunset clause as a check and balance. I said in my contribution to the second reading debate that I have never yet seen a sunset clause set in any piece of legislation in New South Wales, mainly because they deal with additional police powers. But it was there as a check and balance in case it was abused in some way. I think that we have moved on from that now.

All members who are contributing to the debate are effectively recognising that we now have the necessary check of the clause not being able to be used in the ordinary course of Parliament, with the form of words that are now found about the Presiding Officer declaring that it is impractical for members to meet by reason of public emergency, including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism. These are things that none of us want to see happen. But, as the Hon. Rod Roberts said, we do this as an act of insurance to ensure that Parliament can continue if any of these terrible events end up meaning that we cannot meet again. We hope that they do not.

We have that check and balance, and now we have the additional check and balance of the President having to make the declaration. I believe that the President's declaration would be made in good faith. I do not have any reason to think that we would have presidents who would abuse the process. But, if for some reason they did, we have the second check and balance now, which is that a majority of members also have to agree to it being used—the ultimate check. For me, the ultimate check for procedural matters is what a majority of members in a democratically elected Chamber determine. That is pretty much the ultimate insurance policy. We will now have that embedded in legislation in the way in which it is effectively already operating when the President is consulting with members about the recall of Parliament. This is how it works in practice already: The President consults across the Parliament to work out whether a majority of members want a recall, which is effectively the way that is found in the proposed section (3) (b). For those reasons, we think this package taken together is eminently supportable and indeed an improvement.

The Hon. ADAM SEARLE (16:11): I thank honourable members and the Leader of the Government for their contributions. The notion of impracticability also includes issues of safety. A Presiding Officer would have to take into account a range of considerations before making the relevant declaration.

Mr David Shoebridge: If it is unsafe, it is impractical.

The Hon. ADAM SEARLE: I certainly acknowledge that interjection. But the ultimate safeguard is the requirement of a majority of members to join with the view formed by a Presiding Officer. The safeguards are there. I say again that I hope that these provisions will never need to be invoked. Nevertheless, they should be there should they be needed. I understand the position of Government members. They do not feel that they have had sufficient time to consider not just the policy but also maybe the details. That is one of the wonders of a bicameral system. Should the bill pass this House, it will go to the other place, where the Government has

a majority. Government members can consider their position and send amendments back should they wish. I would urge them to act expeditiously on this matter, lest things become even more complicated.

The Hon. Don Harwin: It goes in the queue, behind voluntary assisted dying.

The Hon. ADAM SEARLE: If that is really what the Government wants to do—

The Hon. Don Harwin: That is the way the Legislative Assembly works.

The Hon. ADAM SEARLE: Yes. In any case, I think we have canvassed all the arguments here. Let us have a vote.

The CHAIR (The Hon. Trevor Khan): The Hon. Adam Searle has moved Opposition amendment No.1 on sheet c2021-095C and Opposition amendment No. 1 on sheet c2021-112. The question is that the amendments be agreed to.

The Committee divided.

Ayes22
Noes16
Majority.....6

AYES

Banasiak
Borsak
Boyd
Buttigieg (teller)
D'Adam (teller)
Donnelly
Faehrmann
Graham

Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty
Moselmane

Pearson
Primrose
Roberts
Searle
Secord
Shoebridge
Veitch

NOES

Amato
Cusack
Fang
Farlow
Farraway (teller)
Franklin

Harwin
Maclaren-Jones
Mallard (teller)
Martin
Mason-Cox

Mitchell
Nile
Poulos
Taylor
Tudehope

PAIRS

Sharpe

Ward

Amendments agreed to.

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

Motion agreed to.

Mr DAVID SHOEBRIDGE: I move:

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

Motion agreed to.

Adoption of Report

Mr DAVID SHOEBRIDGE: I move:

That the report be adopted.

Motion agreed to.

Third Reading

Mr DAVID SHOEBRIDGE: I move:

That this bill be now read a third time.

Motion agreed to.*Documents***SOUTH EAST BUS CHANGES SURVEY****Production of Documents: Order**

The Hon. MARK BUTTIGIEG: I move:

That private members' business item No. 1347 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MARK BUTTIGIEG (16:29): I seek leave to amend private members' business item No. 1347 outside the order of precedence standing in my name on the *Notice Paper* for today as follows:

Insert after paragraph (f):

- (g) documents returned to this order be redacted to remove any identifying personal details of private individuals who responded to the survey, including their name, address, email and phone number for general publication but that unredacted documents be provided to the House.

Leave granted.

The Hon. MARK BUTTIGIEG: Accordingly, I move:

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 electronic format if possible, in the possession, custody or control of the Minister for Transport and Roads, State Transit or Transport for NSW relating to the south-east bus changes community feedback survey:

- (a) all documents, including all feedback and results, relating to community consultation from the south-east bus changes survey referenced in Legislative Council *Questions and Answers* No. 7206 to the Minister for Transport and Roads entitled South East Sydney Bus Changes;
- (b) all documents, including all results, relating to the consideration of community feedback from the south-east bus changes survey about the 373 bus;
- (c) all documents, including all results, relating to the consideration of community feedback from the south-east bus changes survey about the lack of routes through Taylor Square;
- (d) all documents, including all results, relating to the consideration of community feedback from the south-east bus changes survey about the 400 bus;
- (e) all documents, including all results, relating to the consideration of community feedback from the south-east bus changes survey about the lack of routes from Bondi Junction to the airport;
- (f) all documents, including all results, relating to the consideration of community feedback from the south-east bus changes survey about the light rail;
- (g) documents returned to this order be redacted to remove any identifying personal details of private individuals who responded to the survey, including their name, address, email and phone number for general publication but that unredacted documents be provided to the House; and
- (h) 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 people of our south-eastern suburbs have been betrayed by the Government when it comes to their essential transport services. It is crucial that the Government provides as much information as possible regarding how its slashing of bus services and removal of bus stops will impact members of the community. I am requesting papers relating to the feedback from a public survey regarding changes to bus services. These documents should be made available to our residents and the Government should take no issue with supplying them. If the Government objects to providing these papers, it will be demonstrating that it has something to hide when it comes to cutting people's essential transport services.

It is important to note that, prior to the motion, I tried two other methods to obtain this important information. On 19 August 2021 I asked questions on notice to the Minister. The information that was requested was not provided. The information was additionally requested in the budget estimates supplementary questions on 9 September. The Minister yet again failed to provide the information. The Liberal-Nationals Government has announced it will cut 25 bus services. Forty-one bus stops will also be removed. That is a loss of more than 1,600 bus services every day and more than 10,000 services each week. That is after six bus services were already cut without any consultation. We all know that much of this is an effort by the Government to force commuters onto the notoriously bungled light rail.

The Liberal-Nationals Government has been completely out of touch with how this impacts everyday people. The member for Coogee, Marjorie O'Neill, and the member for Maroubra, Michael Daley, have been

continually meeting people in their communities and witnessing how upset they are over losing services. They have a comprehensive understanding of how people use transport services because they listen to their communities. Vulnerable people, including the elderly and the disabled, are now left unable to access essential services with the cutting of crucial buses and so many bus stops that they regularly access. Els is a Coogee resident who cannot drive. She is visually impaired and has significant health issues that prevent her from walking long distances. The loss of these bus services will drastically impact Els's way of life and her ability to be independent.

The Hon. Shayne Mallard: Point of order: I note rulings made earlier today by the Deputy President. The member has already said that he tried to get these records through other channels and that is why he is moving this motion for an order for papers under Standing Order 52. But now we are hearing wonderful stories about individual commuters in the eastern suburbs. As per the earlier guidance from the Deputy President, I think he is straying away from the need for the order for papers.

The Hon. MARK BUTTIGIEG: To the point of order: These stories are essential because I am talking about obtaining surveys from people who are allegedly asking questions about whether or not the services are needed and essential. They go to the reason why we need the papers. We need to hear those responses. I think it is directly relevant.

The DEPUTY PRESIDENT (Ms Abigail Boyd): Yes. The member will continue.

The Hon. MARK BUTTIGIEG: It also impacts many eastern suburbs residents like Jenny. Jenny, who is in her eighties, cannot walk long distances due to her osteoarthritis and needs to visit the Sydney Eye Hospital for her glaucoma regularly. The Government bus cuts mean she would need to take both the bus and the light rail and have to walk up a massive hill through many more streets. It essentially cuts Jenny's lifeline to independence. For thousands of people like nurses Chad and Michael, accessing St Vincent's Hospital with the Government cuts will be incredibly difficult. The Government is adding extra time and making it harder for them to commute after working gruelling night shifts.

The Hon. Shayne Mallard: Point of order: I restate my previous argument. This is almost like a second reading speech. It is not about an order for papers; the member is meandering along bus routes. The member made his point about why he needs the documents. He should allow other members to make their points and not engage in such a broad discussion.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The member is being relevant to the motion. It is important to hear the reasons for it given that we have heard how much of an imposition calls for papers under Standing Order 52 can be for the Government. Unfortunately, the member's time has expired. He may seek leave for an extension of time.

The Hon. MARK BUTTIGIEG: I seek an extension of time, and I will get straight to the point.

Leave granted.

The Hon. MARK BUTTIGIEG: I thank the House for its indulgence. The point is that those bus services are being cut, but there seems to be a mismatch between what residents have told us about their requirements and how essential those services are. The survey should reveal exactly what residents told the Government. Then we can determine whether cutting those services was justified, particularly given all the controversy in the media around what seems to be a premeditated attempt to push people onto the light rail service against their will so those bus services could be cut. It is essential that we get the surveys so we can see the feedback the Government received and whether its decision to cut bus services in areas where they are needed is justified.

The Hon. TAYLOR MARTIN (16:37): It will surprise no-one to learn that the Government opposes the motion. This Government is delivering \$72 billion worth of transport projects for the people of New South Wales. The delivery of transport infrastructure projects at that scale requires contemporary operating models with clear objectives and mandates, which the Government has excelled at time and again. That includes ensuring that customers and communities remain the focus of our strategies, plans and service delivery. To provide context for those in this place who may not be familiar with the proposed south-east bus changes, the average number of weekly bus trips across the south-east grew by 130,000 between March 2016 and March 2019. That significant growth requires the Government to plan ahead for future customers and growing communities, and it has done exactly that. An integrated network plan for Sydney's south-east has been developed to provide much-needed capacity and frequency improvements for customers, while also better supporting existing and emerging travel patterns. The L2 and L3 lines have changed the way customers travel to and from the CBD by providing frequent turn-up-and-go services. In turn Transport for NSW needs to update its bus schedules accordingly.

Transport for NSW invited community and other stakeholders to provide feedback across an eight-week consultation period. Those people must be thanked for their interest in helping shape the final plan and for taking

the time to provide that feedback to the Government. Consultation is an integral part of the planning process. Transport for NSW received 8,800 pieces of feedback during the extended consultation period for the proposed south-east bus changes. That consultation was carried out diligently, with Transport for NSW engaging extensively with local stakeholders, including councils and community groups, through a series of briefings to explain the proposed network changes in detail and to hear their feedback. The community feedback on the proposed integrated network plan will inform the development of final timetables for the bus services. The Government has already stated publicly and clearly that the final network plan and a summary of the community feedback received during the eight-week consultation period will be released in late 2021.

The Hon. WES FANG (16:39): We debate the big issues in this House. Of all the debates we could have about calls for papers under Standing Order 52, the Hon. Mark Buttigieg brings to us the biggest issue of all—a bus survey. We are going to use the powers of the House under Standing Order 52 to return a bus survey. Often in this House we debate the importance of what we do and the powers of the House. Often we have debate about the abuse of those powers. It is this sort of motion that gives rise to those debates because this motion is an abuse of the House. The Hon. Mark Buttigieg is using the powers of this House under Standing Order 52 to get access to a bus survey, which is giving the Government the ammunition to say that the Opposition is abusing the powers of the House.

Frankly, I do not think it passes the pub test. We should ask the people what they think about the Hon. Mark Buttigieg using the powers of this House under Standing Order 52 so that he can give his mates a copy of a bus survey. Let that sink in for a minute. When those opposite talk about public transport, they should think about people in rural and regional New South Wales who have none. Members opposite should stop their whingeing and own what they are doing with the powers of this House. They want a bus survey? Whatever, but they should not use the powers of the House to get it.

The Hon. MARK BUTTIGIEG (16:41): In reply: I respond to the interesting contribution from the Hon. Wes Fang, which says a lot about the Government. A member of the Government who had the temerity earlier today to criticise the Opposition for being out of touch does not want us to see a simple survey that his Government solicited to justify cutting bus services. You do not want us to get access to it to call you out.

The DEPUTY PRESIDENT (Ms Abigail Boyd): Order!

The Hon. MARK BUTTIGIEG: Through you, Madam Chair, I ask the honourable member to contemplate this: In May this year *The Daily Telegraph* reported that the principal of St Clare's College Waverley, Kerrie McDiarmid, said that at least 40 per cent of her students use popular bus routes such as the 400 and the 314, both of which are set to be axed, to get to school from suburbs including Botany, Mascot and La Perouse. The principal said:

These are services that are needed and cancelling them is going to have an impact. The light rail doesn't go anywhere near us, so that's not even an option ...

I have some of the survey questions in front of me. Question one is: I use the bus most days, once a week, once a month, never. Tick one only. Question two is: Which is the main bus route you currently use or are interested in providing feedback on? Question three is: Where approximately do you usually start your journey? It goes on. They are all relevant questions, but the point is we do not trust this Government. It has form on this stuff. It guaranteed that it would reinstate the 378 service. It did not. It built a dodgy, expensive, overblown light rail and then tried to force people onto it by cutting bus services.

If the Government believed in what it did, it would give us access to the survey documents because presumably those documents would state, "Yes, this is great. We want the light rail. We don't want our bus services. We think you're doing a good job of allocating the money," which the honourable member was waxing lyrical about, "officially for public use." The Government must have to something to hide if it does not want this survey made public. It is unbelievable. This is a surgical, targeted Standing Order 52 motion, which will allow us to align what the public thinks with what the Government is doing. I commend the motion to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): Before I put the question, I indicate that members will be called to order if they do not cease talking when I call the House to order. The question is that the motion be agreed to.

Motion agreed to.

Motions

MENTAL HEALTH MONTH

The Hon. SCOTT FARLOW: I move:

That private members' business item No. 1355 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. SCOTT FARLOW (16:45): I move:

- (1) That this House notes that:
 - (a) October is Mental Health Month, a time to raise awareness of mental health and wellbeing with ourselves and among others;
 - (b) "Tune In" is the theme for 2021 Mental Health Month, the theme aims to encourage individuals to tune into the things they can do for their own and other's mental health; and
 - (c) Mental Health Month centres around World Mental Health Day on Sunday 10 October 2021.
- (2) That this House notes that:
 - (a) the New South Wales Government is committed to improving people's mental health by delivering better care in our hospitals, making support available in community and empowering people to improve their wellbeing;
 - (b) the New South Wales Government is investing \$2.6 billion in mental health services in 2021-2022; and
 - (c) in response to the COVID-19 pandemic, the New South Wales Government has made significant investments to strengthen mental health support across the State.
- (3) That this House affirms its continued support for Mental Health Week and encourages all citizens to "Tune In" to their mental health and wellbeing and seek support when needed.

Mental Health Month is an important time for us to reflect on our mental health and wellbeing and that of those around us. One in five Australians will experience some form of mental illness each year and nearly half of us will experience a mental illness in our lifetime. The extraordinary events of the past two years, from droughts to floods, bushfires and the ongoing COVID-19 pandemic, serve to remind us of just how important mental health is to overall wellbeing. Mental Health Month offers us a chance to promote activities and ideas that have a positive impact on our daily lives and the lives of people around us. This year's theme, "Tune In", is about being present. Being aware of what is happening within us and in the world around us helps us all to make more effective choices, build more positive connections and reduce the impact of worrying. Mental Health Month is a fitting reminder about the ability we all have to tune in to things we can do to support our own mental health and that of the people around us.

The New South Wales Government is committed to supporting the community through these challenging times. At the beginning of the most recent lockdown a \$17.3 million joint COVID-19 support package from the Commonwealth and New South Wales governments was announced, which addressed the immediate mental health needs of the community and strengthened mental health services. In addition, Lifeline received an extra \$12 million from 2019 to 2022 to support its telephone crisis support centres to meet unprecedented demand due to COVID-19. That is important because we know that since March 2020 up to 48 per cent of all callers to Lifeline mentioned the COVID-19 pandemic. More recently, an additional \$130 million in ongoing mental health support was announced as part of the New South Wales Government's recovery road map last Sunday, which includes boosting surge capacity, clearing waitlists, training over 275,000 individuals in suicide prevention and establishing grassroots wellbeing initiatives, all of which are on top of the Minister's \$80 million 2020 COVID investment.

Significant work is occurring across New South Wales to support mental health and wellbeing in our communities and to prevent suicide. Suicide is a complex issue with no single cause or simple solution. Many of us have been personally affected by the tragedy of suicide or know somebody who has. Suicide prevention is everyone's business. Prior to COVID-19 the Government was already committed to reducing the rate of suicide. In June 2019 Towards Zero Suicides was announced as a priority, and an \$87 million investment for new and innovative suicide prevention initiatives has been rolling out since then. That investment is delivering a comprehensive statewide suicide prevention service system. The Government is proudly leading the way in that crucial work.

Throughout this period, people's mental health in all communities has been severely impacted, whether in the areas of concern where people were under the harshest conditions across New South Wales, in regional areas where people were divided from their families and other communities across the State—and that is of course ongoing until 1 November—or in Sydney where people were separated from their families based on their local government area or five kilometre radius. That affected people in varying ways throughout the community. As well as the isolation from friends and family, the economic impacts of COVID-19 and the changes to people's routine have had a severe impact on people's mental health and wellness. Mental health has been referred to as the shadow pandemic across our community.

I think that all members in this House are fortunate in what they have been through throughout the past few months. Even though there have been changes to our lives, it is nothing compared to what many in our

community face. We should all be mindful of that because it is ongoing. Mental health organisations have stepped up to the plate to deliver new resources to communities and deliver their services in different ways. In discussing this motion last year, I talked about the online delivery methods that have been innovated in this period, whether online consultations or the use of apps and other online delivery mechanisms to reach out and provide support, which I know many mental health organisations have done during this period. I commend all of those organisations and all of those with lived experience of mental health as well as those who have been working with communities across New South Wales to support mental health throughout this period. I also commend the mental health Minister for her initiatives at this time.

The Hon. TARA MORIARTY (16:52): On behalf of the Opposition, I indicate our strong support for the motion. October is Mental Health Month, a time to raise mental health awareness within ourselves and amongst others. Mental Health Month centres around World Mental Health Day on Sunday 10 October 2021. As we have heard, the theme for this year is "Tune In". The aim behind that theme is to encourage individuals to tune in to the things they can do for their own and others' mental health. The desperate need for more support has been growing for some time and that has been the case since well before the pandemic, let alone in its aftermath. I was always concerned as the shadow Minister for Mental Health and I continue to be concerned that there are not enough support services for people suffering who desperately need support.

Direct funding through community services, more beds in hospitals, more psychological support, more counsellors, more regional GPs and the growing need for mental health support in schools are all things that have not been delivered with enough pace and scale. That was before the pandemic. Over the past 18 months as we lived through this difficult time we have seen record numbers of calls to mental health support lines with people really struggling. In addition to the need for services directly targeting mental health support, we also need the Government to step up and support people with many more services to meet their basic needs, especially now as we come out of the pandemic. Housing and income support are essential for people to live their lives in the best way they can and to get back on their feet or stay on their feet during difficult times.

When I was the shadow Minister for Mental Health the lack of affordable housing or available social housing for people was one of the most common issues raised with me to enable people to manage their illnesses in this space. We need to see much more investment in the things that are fundamental to a mentally healthy life. I acknowledge that the motion notes that funding that has been provided recently, including some additional funding that was announced over the weekend. It is always welcome. Additional money is great, but the structural issues that still allow far too many people to slip through the cracks need to be dealt with, especially now.

I thank the Hon. Scott Farlow for bringing this motion to the House. I know he cares very deeply about this issue, as demonstrated by his work as Chair of the NSW Parliamentary Friends of Mental Health. I acknowledge that work here today. The money and services that have been provided recently, and these mental health awareness months, are no substitute for actual support services but they are still important. It is important that we properly acknowledge the services that are available and encourage people to reach out for help if they need it. Help is available.

Ms CATE FAEHRMANN (16:55): As The Greens mental health spokesperson, I support the motion in support of Mental Health Month. Over the past 18 months, we have seen a rise in symptoms of anxiety, depression and sadness, particularly among young people. The headspace 2020 National Youth Mental Health Survey found that one in two people between the ages of 12 and 25 was unable to carry out their daily activities due to a decline in wellbeing. That is up from two in five in 2018, just two years earlier. The Mission Australia and Black Dog Institute 2020 Youth Report tells us that one in four young people reported experiencing psychological distress in 2020. That number is higher among young women and non-binary people, people with a disability, and Aboriginal and Torres Strait Islander people. Data released in September 2021 from the Australian National University found that teenagers 15 to 18 years old were suffering the worst mental health impacts of anyone during the pandemic.

Lifeline has reported an average of 3,400 calls a day, compared with 2,400 per day two years ago, since the stay-at-home orders began to be enforced in June this year. Beyond Blue has experienced a 29 per cent increase in demand for its services, while higher numbers of people have presented to emergency departments for suicide distress. Every single life lost to suicide is a tragedy. While the rate of people dying by suicide was still alarmingly high at 876 people in New South Wales in 2020, it was the lowest number of suicides in a year since 2016. Mental health support workers report that, for many people who are reaching out, COVID-19 and lockdowns have been the final straw or the catalyst. They have been discussing their relationship or work issues that have been causing them grief, and COVID has pushed them to finally reach out. That is good news and shows how important the mental health response as part of the COVID support measures has been.

The Government announcement is welcomed, but we need to do more. Every single person in New South Wales should have access to counselling and therapy services, free of charge. With more than 75 per cent of mental health issues developing in a person before the age of 25, these should include access to

clinical psychologists in every school, well-funded suicide hotlines, call-back services, text lines and online services so that young people can access help in the way that feels most comfortable for them. We also need to fund alcohol and other drug rehabilitation services—especially in regional, rural and remote areas—and have dedicated, long-term funding for services run for and by First Nations, LGBTQIA+, migrant and other high-risk communities. We also need to recognise the link between a healthy diet and access to green spaces for people's mental health and wellbeing. The Government should be doing more to encourage children and young people in particular to spend more time in nature, with a growing body of research showing that it has significant mental health benefits. The Greens welcome the Government beginning to recognise mental health as an urgent issue, but there is more to do.

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (16:58):

I speak in support of this fantastic motion put forward by the Hon. Scott Farlow. I am very grateful for it in Mental Health Month. I acknowledge the contribution of the Hon. Tara Moriarty, who did a really great job in her former role as shadow Minister for Mental Health. She is very well respected in the mental health sector, and I think she is really missed there. I also acknowledge the contribution of Ms Cate Faehrmann and her commitment to mental health. We know that providing adequate support is vital to ensuring that communities can build their resilience and begin to recover. We have seen mental health have a much higher profile recently. I think that COVID, the bushfires and the drought have brought that on. That is a really positive thing. Suicide is a difficult thing to talk about, and we need to talk about it the right way. The fact that we actually are engaging in those discussions is a really positive thing and a real tribute not to the Government but to the people in the sector who are allowing that to happen.

When I was a cancer nurse, I would go in to see people who had just been diagnosed with a new cancer—they would be there with their partner or their family—and in every case they would say to me, "Bronnie, please, can we talk to someone who's been through this, someone who's had this diagnosis and had this treatment?" So I had this great array of ex-patients who had done really well who could go and talk to them. The mental health sector has been doing that for so well for so long. That is why we employ people with lived experience as peer support workers. It validates the conversation. I think that has had a lot to do with this new ability to talk about mental health comfortably, to not see any stigma and to be able to reach out and grab help.

I am concerned also about the mental health of young people. I think this pandemic has had an adverse effect on them. But I say to the Chamber that is why the Government is investing in mental health. We are the first State to have specialist mental health and child and adolescent mental health teams, or safeguard teams, all driven by the sector. With headspace we are jumping into a Federal space and saying, "We're going to get rid of that waitlist. We're going to try something innovative. We're going to use masters students in psychology, occupational therapy and psychiatry to fill those spaces so we can reduce that waitlist."

With all of us "tuning in" to take on the hashtag for Mental Health Month, now we are able to have those conversations, we are brave enough to look at some different models and talk about mental health in schools. I know I talk about the school nurse program a lot, but the independent evaluation of that program is phenomenal when it comes to the mental health of young people. So we cannot box ourselves into certain things. We have to be open to trying lots of different things to make it work, because what suits me is not going to suit you and is not going to suit a young person. Again, I thank the Hon. Scott Farlow for his commitment to mental health, for bringing this motion forward and for all of his hard work.

The Hon. NATASHA MACLAREN-JONES (17:01): I support the motion moved by the Hon. Scott Farlow and thank him for not only bringing this motion forward but also the work that he does with the parliamentary friendship group. I also acknowledge the number of forums he has held over the past 12 months with a number of members from both Chambers to raise awareness about what is happening with mental health across the State, particularly in rural and regional areas. Mental Health Month serves as an opportunity to promote mental wellbeing for ourselves and those around us. This year, in particular, it is extremely important.

We have heard about the impacts of the droughts, fires, floods and the COVID-19 pandemic on people's mental health. The New South Wales Government has been investing significantly in mental health support. Over the weekend, the Premier, the Treasurer and the mental health Minister together announced a record \$130 million investment to provide immediate access for anyone whose mental health has been affected during the COVID-19 pandemic. As we have heard, sadly, there has been an increase in eating disorders and self-harm. The funding boost will go to not only supporting those affected by mental health but also providing psychology and psychiatry services.

We are also investing in mental health first aiders. An additional 275,000 people in the community are being trained specifically in suicide prevention and will be going into our schools and supporting parents, sports coaches and peer leaders. During the pandemic, organisations across the State received additional funding from the Government particularly to provide digital assistance. One of those organisations, Orygen, has been rolling

out a program called Moderated Online Social Therapy, known as MOST, which is a digital mental health support service for our young people. MOST provides 24/7 integrated face-to-face and online therapy, along with tools and programs to support young people.

I acknowledge the work that the mental health Minister has done in rolling out mother and baby units. I had the opportunity to visit the one at Royal Prince Alfred Hospital last year in my capacity as Parliamentary Secretary for Health. More recently one was announced for Westmead. This is part of the Government's \$700 million investment in mental health programs. Having worked as a former psych nurse, I saw a patient who was a mother. She was in care for about four months and there were challenges not only mentally but also physically for a pregnant woman in a locked unit. Having these units now available to support mothers and babies is phenomenal. I thank the Minister for the work she has done in this space and I look forward to seeing more things in the coming months.

The Hon. SHAYNE MALLARD (17:04): I wish to speak on this important motion and I thank the Hon. Scott Farlow for bringing it to the attention of the House. Whilst I was preparing my thoughts for this motion, lo and behold, on my desk landed the wonderful journal from the Country Women's Association. I acknowledge that that journal, empowering women in rural New South Wales, is about 90 years old. It had a section on mental health, which I was really pleased to see. I read the magazine and found an article relevant to Mental Health Month entitled "Make Time for You". The article described six building blocks of mental health wellbeing. They are simple steps that people can follow to make a difference in their daily mental health. The building blocks described are: get healthy, get active, eat well, get more rest, keep learning, show kindness, connect more, take notice and embrace nature, which I think a member referred to earlier. These are practical measures—and it is typical of rural people to give practical advice—about looking after your personal mental health.

Reducing stress, improving brain function and reducing aggression are building blocks to create practical tools that can be used to take a positive step towards improved mental health. For example, during the lockdown I organised a Zoom yoga with my staff. It was a simple way of ensuring that we remained connected as a team and healthy, while placing a particular focus on self-reflection. I might say, I was criticised by right-wing media commentators and have been referred to as the "Minister for Yoga". I would be proud to be the "Minister for Wellbeing". Those building blocks are not perfect for those living with serious mental health conditions, but that is why the Government is providing funding and support to assist the people of New South Wales with serious mental health challenges.

The Premier; the Minister for Mental Health, Regional Youth and Women; and the Treasurer recently announced a record \$130 million investment to provide immediate access to help for anyone whose mental health has been impacted by the COVID-19 pandemic. This funding will assist New South Wales residents struggling with mental health challenges by providing more appointments for psychological and psychiatric services, addressing the sharp rise in eating disorders and self-harm presentations, freeing up more mental health beds and launching the most extensive suicide prevention training program ever undertaken in this State. It is fitting that this record investment, which will make a real difference to the lives of people in New South Wales struggling with mental health challenges particularly after COVID, has been announced during Mental Health Month. It is a time when we should all take a moment to check in with our colleagues and loved ones as well as reflect on our own mental health wellbeing, just as the Country Women's Association suggests.

The Hon. SAM FARRAWAY (17:08): I support the motion moved by my colleague the Hon. Scott Farlow. As he highlighted in his contribution, October is Mental Health Month and it offers all of us a chance to promote activities and ideas that have a positive impact on our daily lives and the lives of people around us. This year's theme, "Tune In", is all about being present. It is a fitting reminder of the ability we all have to tune in to the things we can do to support people's mental health, including our own and that of family, friends and all those around us. The mental health and wellbeing of our children and young people is a priority of this Government. It is more important than ever to encourage young people to tune in to their mental health and needs and to ensure that they ask for help when they need it.

The New South Wales Government is investing \$88.4 million over four years from 2019-20 to provide every public high school with access to full-time counselling support as well as full-time student support officers. Up to 100 additional school counselling staff or psychologists and an additional 350 students support officers are being employed, which is making it easier for students to access mental health and wellbeing support in their communities. A dedicated fly-in fly-out service has been established to provide regular and timely access to psychological support in rural and remote New South Wales schools. In addition, the New South Wales Government has announced \$46.8 million over four years from 2021-22 onwards for 100 additional wellbeing and rural in-reach nurses. That is the brain child of our Minister for Mental Health, Regional Youth and Women, so well done. The school-based nurses support the wellbeing needs of students and their families in the community to ensure that students can easily access health and support when and where needed.

As part of the New South Wales Government's record \$2.6 billion investment into mental health, a number of initiatives are in place to promote wellbeing in school-aged children. Those strategies include engaging school communities, building resilience in students of all ages and developing social and emotional skills, as well as anti-bullying strategies. Building on that investment, the New South Wales Government has made a significant investment of \$109 million for 25 safeguard teams that will provide community-based support to help children, teens and their family coordinate all aspects of their care, which is a huge benefit to regional communities. I support this motion moved my colleague the Hon. Scott Farlow. Well done.

The Hon. WES FANG (17:11): I thank the Hon. Scott Farlow for moving this fabulous motion in the House. I thank my good friend the Hon. Ben Franklin for allowing me to make a contribution before him. That is the way that The Nationals operate—we are a family. The highest priority of this Government is to make sure that our citizens are mentally well. We have a strong track record of putting people's mental health first and we know that because we have a record investment of \$2.6 billion in the last budget. We are delivering innovative programs. We are funding unique positions in the community and trialling pilot initiatives in an effort to improve the State's mental health. One of those is the police, ambulance and clinical early response program, or PACER, which supports our first responders when dealing with complex acute mental health cases in the community.

The 2021-22 State budget committed more than \$25 million over four years to continue the Government's investment in the PACER program across New South Wales. That builds on the \$6.1 million that was invested during the 2020-21 budget. This groundbreaking collaboration embeds mental health clinicians with first responders to support them and appropriately recognise, assess and respond to people experiencing a mental health crisis. When police are called to a mental health emergency, a clinician attends with the police to assess the person's mental health needs and organises the appropriate care. Funding PACER ensures that those who need to receive care in a timely manner are connected with services for ongoing help. It is refreshing how we designed and delivered those services, particularly in rural areas, which is an example of our commitment to mental health.

Further, \$36.4 million over four years will fund 57 mental health response recovery specialists across regional and rural New South Wales to provide assertive outreach support for communities and coordination with local services at a time of disaster or crisis during the ongoing recovery phase. Those positions will provide assertive outreach counselling and mental health promotion activities to raise awareness of the need for mental health support and to reduce stigma against seeking help. Funding has been secured for the Rural Adversity Mental Health Program, the RAMHP, to continue the 19.5 full-time equivalent coordinators across nine regional and rural local health districts until 2026. Coordinators will continue to travel long distances to provide the support in adverse conditions in rural areas as well as providing mental health promotion training, links and care. Feedback from people in rural areas about this program is that it really helps to raise awareness and recognition in responding to people in distress. The New South Wales Government will continue to support our communities to be mentally well. I congratulate the Minister on her fantastic work.

The Hon. BEN FRANKLIN (17:14): I also thank my friend and colleague the birthday boy, the Hon. Scott Farlow, for moving this motion today. As members have said, the past 18 months—the past three months in particular—have been really tough. It is so important that this is something we can talk about. In the living memory of most of us there was a time when it was not okay to ask if you were not okay. There was not a Minister for Mental Health or the hundreds of millions of dollars of investment that we see from both sides of politics to look after people and to get them the support that they need. Members of Parliament would not be addressing mental health issues and standing in this Chamber sharing personal stories. But here we are and I think that is an achievement in this place of which we can be proud. Dedicating a month in Australia to recognising mental health and wellbeing is profoundly important and I am proud to support this motion before us today.

Looking after our mental wellbeing means many different things to many different people. Everyone has their own needs, which is why the New South Wales Government has invested \$2.6 billion to provide a versatile suite of supports. Under the leadership of the Hon. Bronnie Taylor, who we heard speak so passionately today as the Minister for Mental Health, Regional Youth and Women, New South Wales has been provided with significantly increased support and individuals have been given the tools to help look after themselves. I think it is worth having a quick look at some of those.

Thanks to the partnership with and investment from the New South Wales Government, headspace was recently able to host mental health workshops for parents and carers supporting young people. In my part of the world, in Lismore and in the northern rivers region, several of these sessions were held and the feedback that I heard is that they were an enormous help to parents to start a conversation or to recognise the first signs of distress. The Student Wellbeing Hub was established as a resource for parents, students and teachers from kindergarten to year 12 to provide tools to manage the challenges of growing up, including peer pressure, online safety, bullying and building respectful relationships.

The New South Wales Government also launched the Family Project—a fun online resource to support families with activity ideas in lockdown to help kids and families connect, stay active and have fun without screens. Just this week, \$130 million was announced to invest in sports clubs and multicultural groups to support people's mental health. Tuning in to the best way to look after ourselves comes in all shapes and sizes. This Government understands that, which is why our investment is diverse. It is practical and it empowers people to support themselves in the way that best suits them.

The Hon. SCOTT FARLOW (17:17): In reply: I thank the Hon. Tara Moriarty, Ms Cate Faehrmann, Minister Hon. Bronnie Taylor, the Hon. Ben Franklin, the Hon. Wes Fang, the Hon. Natasha Maclaren-Jones, the Hon. Shayne Mallard, and the Hon. Sam Faraway for all contributing to the debate. This may be the seventh motion—I may have missed one year—that I have moved on Mental Health Month in my time in this Parliament. It is quite an emotional debate and one that brings members from across the Chamber together. As much as we talk about the money that is involved—in my inaugural speech I said that I hate talking about money when it comes to projects and the like—conversations relating to mental health are most important.

Hearing all members' contributions about their commitment in this area brings together the best in this Chamber. Of course money is important to support programs such as those that the Hon. Wes Fang talked about—the Rural Adversity Mental Health Program, the work of peer support workers and those with a lived experience, and the difference that makes to people's mental health. It is important to make a meaningful difference. All these projects and programs require money to make them work but, when it comes to mental health, conversations make the difference—conversations between one individual and another about being able to spot the signs.

The Hon. Ben Franklin said earlier that the past few months have been difficult. Relationships have been difficult and people have struggled. People close to us have struggled during this time. I said earlier that members of Parliament are privileged in that they have not had to endure what those in the community have endured. At times when it was difficult for some I did not experience the same difficulties. The pandemic impacted communities in many different ways, for example, economic distress and other constraints. It has been a difficult time.

As our State emerges from the pandemic it is important to check on one another and to be mindful of the fact that even as life is going back to normal for most of us that is not the case for some in our community. Many people will still experience distress for some time. That is why programs such as the ones to which we have referred are important. Members must come together, talk about issues such as this and check in on one another in a sense. I thank all honourable members for their contribution to the debate and commend the motion to the House.

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

Motion agreed to.

Documents

NSW BUILDING COMMISSIONER

Production of Documents: Order

The Hon. COURTNEY HOUSSOS: I move:

That private members' business item No. 1393 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. COURTNEY HOUSSOS (17:21): I seek leave to amend private members' business item No. 1393 outside the order of precedence standing in my name on the *Notice Paper* for today as follows:

- (1) Omit paragraph (a) and insert instead:
 - (a) any requests, made by the NSW Building Commissioner including emails and correspondence, for additional resources, funding or powers;
- (2) Insert after paragraph (a):
 - (b) all formal requests, including briefing notes and submissions correspondence and emails, made by the NSW Building Commissioner for:
 - (i) changes to legislation;
 - (ii) changes to the powers of the NSW Building Commissioner; and

Leave granted.

The Hon. COURTNEY HOUSSOS: Accordingly, I move:

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 1 August 2019 in the possession, custody or control of the Department of Customer Service or Minister for Better Regulation and Innovation relating to requests by the NSW Building Commissioner:

- (a) any requests, made by the NSW Building Commissioner including emails and correspondence, for additional resources, funding or powers;
- (b) all formal requests, including briefing notes and submissions correspondence and emails, made by the NSW Building Commissioner for:
 - (i) changes to legislation;
 - (ii) changes to the powers of the NSW Building Commissioner, and 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; 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.

We often refer to Mascot Towers and Opal Tower as being the most obvious examples of building defects that are plaguing New South Wales, but just last week we heard about the Vicinity apartments at Canterbury. Other members and I also raised issues relating to the Imperial Tower and buyers in Parramatta. In an opinion piece in Saturday's *The Sydney Morning Herald* the Building Commissioner talked about the growing problem of building defects across this State and that 85 per cent of buildings with serious defects are not reported to Fair Trading.

A study released last week by the University of New South Wales which examined 635 buildings in three local government areas across Sydney found that in Canterbury-Bankstown alone 10 per cent of the buildings are facing serious structural defects. This is not a one-off and it is not an aberration. Indeed, the authors of that study told our first inquiry into building standards two years ago that if someone wants to purchase a unit and reads the strata minutes and they do not talk about what will be done to rectify defects, there is a serious problem as it is not being recorded. The authors of that study said that there needs to be a discussion about the rectification of defects in every building.

Mr David Chandler had a long history in the industry prior to his appointment as Building Commissioner in August 2019 by this Government. The Government introduced a number of initiatives to address these issues in the building industry. We are seeking this information as it is important to determine whether the Government should be going further. I used the example of flammable cladding because the Building Commissioner, in his first week in the job, appeared before the building inquiry and told us that he had already provided advice to the Government about what he thought should be the response to flammable cladding.

That advice took years to be actioned. We are now seeking information through this call for papers. We would like to know: What are the other things that the Government should be doing to address this problem—this growing crisis across New South Wales? Has the Building Commissioner made other recommendations to the Minister or to the department? What are they, and what more can we be doing? I commend the motion to the House. I also note that I have worked constructively with the Minister's office to move the amendment today.

The Hon. SAM FARRAWAY (17:24): On behalf of the Government I urge members to oppose the motion of the Hon. Courtney Houssos. I start the Government's response to the irresponsible motion from a position of sheer disappointment for this fishing trip led by the Opposition. The Building Commissioner has answered those questions on record at previous budget estimates hearings and in briefings with the Opposition and the crossbench. If the Hon. Courtney Houssos wants to confirm that the position has not changed, she is able to do so in budget estimates next Wednesday with Minister Anderson. In doing so, the member would avoid taking the busy Building Commissioner off the job just so he can provide papers to Parliament. The Government's position is that the Building Commissioner and his team should not be taken off the job to comply with the call for papers.

The Labor Party is now crab-walking away from its previous position of offering bipartisan support for the building reforms the Government is undertaking and is now hell-bent on turning the issue into a political exercise. Let me take members to 14 November 2019. I was only a few weeks into my term as a freshly minted member of this House when the Hon. Courtney Houssos was more than happy to talk about how important it was to provide resources to the commissioner. The member conceded that those resources were being provided. In June last year the mover of the motion stated:

... we thought he needed more powers, that he needed more staff and a commission and we thought he needed statutory authority. We are getting there slowly.

The motion shows how hollow those words were because it is diverting significant resources from the Building Commissioner's team for a fishing exercise. Members of this Chamber who want to see the Building Commissioner perform the important work of cleaning up the building and construction industry should oppose the motion. Since the Government announced its reform agenda, spearheaded by Minister Anderson and the

NSW Building Commissioner, every effort has been made to make that change a reality. Every day the building regulator is auditing residential apartment buildings and meeting with industry, builders and designers to ensure they design and construct better buildings. Every day the commission is developing world-leading approaches to the use of data to inform regulatory oversight and intervention with the aim of restoring market confidence in the sector.

The Government does not shirk from its obligations; nor is it opposed to transparently discussing whether its actions are working. The Minister and the Building Commissioner have briefed Opposition and crossbench members on various occasions. We are not opposing the motion to try to shirk our responsibility to account for our actions to Parliament. We are opposing the motion because we need to put our resources where they are needed, which is with the Building Commissioner and his team because fixing the problems in residential construction is the commitment we have all made to the people of New South Wales.

The Hon. WES FANG (17:28): I oppose yet another Standing Order 52 motion, again from the Labor Opposition and yet again we see an abuse of the power of this House. The Standing Order 52 powers should be used where there is a belief or suspicion that something exists in those papers. Members present an argument about why the papers should be delivered and the House makes a decision, and the House is the master of its own destiny. This is a fishing expedition where the mover says that we need to know. We have estimates for that, which are coming up very shortly. If we need to know, the question can be asked at estimates. We do not need to have the powers of this House abused in this way to produce papers so that those opposite can have a look through them before estimates, which is exactly what is going on here.

The Hon. Courtney Houssos: We will not get the papers before estimates, Wes. Do your research.

The Hon. WES FANG: The Hon. Courtney Houssos was heard in silence and should allow me the same courtesy. We have to draw a line because we are now seeing an absolute abuse of the powers of this House. There will come a time when people will see what is happening. It is an absolute waste of resources and the diversion of those resources is taking the people of New South Wales away from their tasks to provide papers to satisfy a fishing expedition. This House has powers under Standing Order 52, which provides the House with an investigative resource to allow information to be presented that would not otherwise be given.

It is not to be used for bus surveys and fishing expeditions. We are drawing a line now. People will start questioning why Opposition and crossbench members are abusing the powers of this House in the way they are. I support the Hon. Sam Faraway's contribution. I oppose the call for papers under Standing Order 52. Where there is an absolute need for powers under Standing Order 52 to be used, we should use them. They are not to be used for a fishing expedition, and the number of motions for the production of documents that we have coming up shows what an abuse of power this is.

The Hon. COURTNEY HOUSSOS (17:31): In reply: Perhaps I should withdraw my final words, which were that I had worked constructively with the ministerial office to come up with an amendment. Perhaps I should revert to the original motion, given the contributions from the previous two members. People have clearly been busy in the ministerial office belting out the standard speeches, "It is an abuse of power. It is a waste of time." Let us put a few things on record before considering this important call for papers. I was quite restrained when I made my initial remarks, but those opposite called this an abuse of the powers of the House, which I take incredibly seriously. I call on those members to withdraw those accusations.

They are the same people who told us, when we asked question after question about the Riverina Conservatorium of Music in this House, that we were muckraking and scaremongering. They are the same people who tell us that transparency and scrutiny are fine, just not in the form of questions that we want to ask. They are not legitimate questions because they have not been cooked up by those opposite. We will be asking legitimate questions through budget estimates, but this House has important powers of scrutiny of government. We are asking legitimate questions on behalf of apartment owners, residents and prospective buyers right across the State. If Government members have nothing to hide then they should not be concerned about the call for papers.

The ferocity of the comments from those opposite shows me that there is something to hide and that they are concerned by the call for papers. These are legitimate questions: Has the Government done enough to protect apartment owners? Has the Government done enough to protect apartment residents? Has the Government done enough to protect those who are investing their hard-earned money as first home buyers across the State? I have spoken with many people who have found themselves tied in knots because of a failure of regulation over a very long period of time, and we ask legitimate questions on their behalf. Given the recent history and track record of this House in uncovering information and raising legitimate questions, the cooked-up speeches about abuse of power by those opposite are absolutely farcical. I call on the House to agree to my motion as amended.

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

The House divided.

Ayes23
 Noes14
 Majority.....9

AYES

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

NOES

Amato	Franklin	Mitchell
Cusack	Harwin	Poulos
Fang	Khan	Tudehope
Farlow	Mallard (teller)	Ward
Farraway (teller)	Martin	

PAIRS

Secord

Maclaren-Jones

Motion agreed to.*Bills***URANIUM MINING AND NUCLEAR FACILITIES (PROHIBITIONS) REPEAL BILL 2019****Second Reading Debate****Debate resumed from 26 August 2020.**

The Hon. ROSE JACKSON (17:46): I continue my contribution to debate on the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019 and its proposal to allow for the establishment of a uranium mining and nuclear power industry in New South Wales. Members may recall that earlier in the debate, which was some time ago, the suggestion was made that the nuclear power industry was the answer to the energy challenge posed by climate change and the movement away from fossil fuels.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): Order! Members will show the Hon. Rose Jackson some courtesy and take their private conversations outside the Chamber.

The Hon. ROSE JACKSON: In a way, I wish it would work. I would love to believe that we have this industry right under our noses, which will deliver the clean, reliable, affordable energy that we need to transition away from fossil fuels. I love the idea that it would work. A decade ago predictions were made about this new technology. People talked up small, clean reactors and the resolution of the issues of the waste, the environmental damage and the massive water use. We were told that those technologies were just around the corner, that they were going to be commonplace in Australia and around the world.

The reality is those predictions have proven false. The promise was illusory. No such reactors exist—none. There is not one commercially viable reactor of this sort in Australia or anywhere else in the world. The dream has failed. It is not just me saying that; it is the conclusion of the economists and other reputable, conservative-leading organisations that have looked at it and said, "Yes, it sounded great, but it just didn't happen." It has proven almost impossible to establish nuclear power plants on time and on budget. This Government could not even deliver a light rail on time and on budget, so the idea that it could deliver a nuclear power plant is completely ridiculous.

The economics is presumably why plants are being decommissioned across the world. That trend against the establishment, and towards the decommissioning, of nuclear power plants is a significant indicator of the prospects of a viable uranium mining industry in New South Wales. Globally, renewable energy is now cheaper

and more efficient than nuclear power. Already, more energy is generated from renewable sources than nuclear power—and that is moving in one direction and one direction only. The global share of energy generated by nuclear power is going backwards. That is not a train we want to get on. That presumably explains the almost comically lopsided investor interest. Efforts by the New South Wales Government to establish a viable uranium mining industry in this State or support the generation of nuclear power here or abroad via export would be an utter waste of time and money. The Government should stop trying to make nuclear happen. It is not going to happen.

It is true that coal power is right at the end of its life cycle and that we need alternative fuel sources that will not kill our planet. But the idea that nuclear power is the bridge to a fully renewable grid is just not going to work. It is too difficult. It is too costly. It is too slow. The bridge has collapsed—we need to get over it. The reality is that the establishment of a uranium mining and nuclear power industry in New South Wales is going to be met with massive community opposition. Where are we going to put these new mines? Where are the nuclear power stations going to go? You can barely find a council in New South Wales that will accept a block of flats for affordable housing, let alone a nuclear power plant.

Labor is keenly interested in the future opportunities of the mining industry in New South Wales. As the global coal market continues to decline, the answer in terms of investment, actual jobs and opportunities is not uranium. It is the future of mining things like rare earth minerals and cobalt and lithium. Premier Perrottet has said he is open to nuclear power, arguing that it should not be off the table for "the ideological reasons of the past." But that is not why we should not pursue this option. The Premier also likes quoting David Bowie, "The future belongs to those who can hear it coming." That is not what David Bowie said. The correct quote is, "Tomorrow belongs to those who can hear it coming." But considering the Premier corrected Scott Morrison when he misattributed a quote to Ronald Reagan that was actually said by Harry Truman, I will give him a pass for the misquote of David Bowie.

Labor is not interested in "the ideological reasons of the past", whatever that refers to. We are interested in listening to the future coming, and in terms of national and global power trends uranium mining and nuclear power are the industries of the past. It has got nothing to do with ideology; it is straight economics. It is straight reliability. In France, one whole month per year is lost to zero production in its nuclear power industry because of technical failures. The Premier has also said, "Uncertainty in the energy market is one of the biggest challenges facing the economy", and urged a settlement on policies that give certainty to investors in the sector. The investors in the sector have already spoken. They are putting their money, their energy and their effort behind the renewables industry.

It is true that we need certainty. It is true that we need to be clear about the future energy plans in this State. So let us send a clear message: Get over the nuclear pipedream. It is not going to happen. The community has moved on. The science has moved on. The investors have moved on. They want to talk about building and investing in renewable energy. That is the future. Let us hear that coming.

The Hon. WES FANG (17:53): I will start my contribution to the debate on the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019 where the Hon. Rose Jackson left off, which was that it is not about ideology. I find that it is ideology with which those opposite oppose nuclear energy, nuclear power and uranium mining, which is what the bill is effectively discussing. If we were to uncover nuclear power today, without the spectre of World War II and the use of nuclear weaponry to end that war with Japan, we would hail it as a great scientific discovery. I note the comment of the Hon. Rose Jackson that the science has moved on. The science is the science, and the science is this: from nuclear science we can produce heat with zero carbon emissions, and from that heat we can produce electricity. We currently use coal to do that. We can use nuclear power to do it. We can do it in a way that is not emitting CO₂ and we can do it 24 hours a day, so that we are not reliant on the wind blowing and the sun shining. That is the difference between renewables and using a thermal means of producing energy.

I was a member of the Standing Committee on State Development that looked into the bill. There are a number of factors to it. One of them is the ban on uranium mining. At the moment we can issue a licence to mine uranium, but it cannot be mined. The reason that we do not have business cases for uranium mining in this State is that it cannot be done. You might be able to seek out the uranium—and we suspect that there are a number of large deposits in western New South Wales—but once you find it, you cannot mine for it. To the Hon. Rose Jackson's point that the economists are not backing uranium mining, of course they are not because at the moment we prohibit it. The bill looks to lift that prohibition. I think that is sensible. We spent time at the Beverley uranium mine in South Australia and saw the way that State is able to extract uranium from the ground, not by open cut methods but by using a suction and extraction method from the solution that comes out. It is, effectively, just pipes on the ground. The prosperity that it provides to South Australia is of huge benefit. For our State to be a part of that would be very exciting, and the first step is lifting the ban on uranium mining.

The second part of the bill relates to nuclear facilities. Again, part of the issue is that we have a prohibition on nuclear facilities. That perhaps reflects the sentiment of the community a number of decades ago. But, again, I do not believe it is the sentiment now. It is about educating those in the community about what modern nuclear power is. As part of its inquiry, the committee looked at modern nuclear reactors. I suspect there is a belief in the community that every nuclear power station is like Chernobyl and the expectation that they are going to fail in the same way. I do not believe that is the case.

Another point that the Hon. Rose Jackson made, amongst many inconsistencies in the arguments, was that the small modular reactors that the Government has been hailing as "the new thing" have not materialised. They have. They are being produced in a demonstration mode in the United States at the moment. Once the science around them is set and there is the ability to produce small modular reactors through a production line in a safe, methodical way with scalability and deliverability, they are going to revolutionise the way that we generate electricity.

We know from plants like Chernobyl that generally, when they fail, they fail in a non-safe way. If the core has management issues, generally they overheat and then they need to be actively cooled using water. When you have an issue with a cooling system is when you potentially have a meltdown. The interesting thing about small modular reactors is that they are small and contained enough that, when they fail, they fail in a safe way. Even if you lose control of the thermonuclear reaction inside it, it is small enough that the air cooling around it will not let it go thermal. That is what is crucial about small modular reactors and why at the time I said I would have one in my backyard. I know that, even if we lose full control of it, it will not go into meltdown.

From a very small amount of resource we can generate enough heat to produce electricity in a way that is CO2 free, and we can use it as baseload power 24 hours a day. With small modular reactors, we can scale them up or down and deploy them all over the country so that we do not have the transmission issues that we currently have. In this country and State, we have the potential to be leading on this. The inquiry showed without doubt that we really need to look at whether we are going to accept the science. We know that the science says there are dangers to this. There are dangers in so many things, but with technology, research and science we have been able to manage those risks. Nuclear power provides to us the ability to produce baseload power for our people across this country, safely and in such a way that we can control our own destiny. I think that is the key—that we control our own destiny.

I am very much a supporter of nuclear power. I have said that I would happily have one in my backyard. I am excited that the Federal Government has looked to now introduce nuclear technology on submarines because I think that the people of this State deserve to understand and accept the science and not have the 1970s and 1980s fear of nuclear held over them by those opposite with their ideological objection. I think that we can be the nuclear centre of Australia. We are well set up for that, and I think it is a great thing for us to be looking at.

The Hon. MICK VEITCH (18:03): The Hon. Wes Fang spoke about the State Development Committee and the work it did in examining the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019. I was on that committee with the Hon. John Graham. We did a fair bit of travelling and had some good hearings and inspections of some facilities. The chairmanship of the Hon. Taylor Martin was very good. Albeit a while ago, he has made a contribution to this debate. His contribution showed that he was clearly in favour of nuclear and uranium, but he did say at the end that the Government still had not been through the process of taking a position on this piece of legislation. I have just been listening to the Hon. Wes Fang and I think pretty much the same thing: He is clearly in favour of this, but at the end we did not get to whether or not he supported or opposed the piece of legislation. I guess we are all still waiting. I know the Hon. Mark Latham is probably waiting to see what the Government position is on this as well. But, anyway, we had two speakers and still no spot.

There was a dissenting statement to the State Development Committee report, which is unusual for that committee. It tends to be a consensus committee but, as some bill inquiries now go to it, it has changed the process a little bit. Essentially, I will now draw upon the dissenting statement for the benefit of the House. The Hon. Rose Jackson said that Labor has a longstanding and unequivocal platform position in relation to nuclear exploration, extraction and export. Labor has long opposed them, even back when the Hon. Mark Latham may have been involved with the party. The Hon. Rose Jackson continued:

On the basis of current technologies and costs, we remain unconvinced of the benefits nuclear power may bring. We remain mindful of the challenges caused by managing and storing spent fuel rods and radioactive waste that lasts many lifetimes. Nuclear power continues to have question marks both over its lasting environmental impact via waste as well as its cost.

Labor believes the future of energy generation for NSW lies in clean and renewable energy sources, supported by firming and storage.

There is an opportunity cost. Legislative sponsorship and investment in nuclear generation would merely serve to divert research and development away from where Labor believes it is required, namely the accelerated development of a renewable generation sector.

A Labor Government will maintain a ban on uranium exploration, extraction and export. A Labor Government will not introduce nuclear power in NSW.

We do support the concerns raised in this report about increasing energy costs for NSW consumers. As the report notes these concerns were dramatically underlined by one witness who argued that Australia went from an electricity price outlook of a 4 per cent increase per year in 2006 to an outlook for 4 per cent per month in 2019.

For this reason we commend this and other inquiries into our state's energy future. These are important issues to be addressed for our state's future. This report is best read in conjunction with the earlier report of the Select Committee on Electricity Supply, Demand and Prices in New South Wales. That report drew attention to the fact that rising electricity prices are not simply a function of a lack of generation but also of a deregulated generation and retail sectors.

We do recognise the scale of the challenge that climate change presents to our state and the planet. No government faced with this challenge should be blind to developments in technology which might help solve this life threatening problem.

Accordingly we have supported recommendations in this report which would see the Government continue to monitor new developments in energy technology.

In particular we draw attention to the presence of the ANSTO facility in Sydney. The cluster of scientists who are currently working there represent a valuable source of world class expertise in nuclear science, nuclear medicine and nuclear safety. The NSW Government should support this workforce capacity and work to strengthen it.

Our universities have research strengths which complement this knowledge, including in climate and energy science.

These centres of knowledge are vital for our state and country to navigate an uncertain future. They provide a competitive advantage to NSW allowing us to closely following international developments in energy technology. They should be fostered.

The NSW Chief Scientist and Engineer has a key role to play in ensuring that these state research and knowledge strengths are mapped, understood and strengthened over time.

Much of the discussion around nuclear energy centred on the emerging technology of Small Nuclear Reactors.

I acknowledge the comments of the Hon. Wes Fang in that regard. A lot of what he said came from testimony that the committee received. The Hon. Rose Jackson continued:

Some submissions argued that modern Small Nuclear Reactors may become a safe and cost effective future technology.

We note this is inconsistent with a key report prepared by the British Department of Industry regarding the current state of that technology. The report from the UK Government, "Department of Energy and Climate Change, SMR Techno-Economic Assessment - Project 1 – SMRs: Comprehensive Analysis and Assessment SMR TEA Report: Volume 1, 2016" found that Small Nuclear Reactors could be up to 30 per cent more expensive than other nuclear power.

...

The future of NSW energy supply is central to the state's fortunes. New developments in energy policy and technology remain central to our planet's ability to navigate the challenge of climate change.

While the Hon. John Graham and I disagreed with the majority of recommendations in the report, we welcomed the debate. We thank the Hon. Mark Latham for allowing that debate to be had. I also acknowledge that our colleague the Hon. Mark Buttigieg joined the committee as a participating member. We oppose the bill.

Mr DAVID SHOEBRIDGE (18:09): On behalf of The Greens I indicate our strong opposition to the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019. I intend to be brief. The bill would damage Australia's international standing and the slowly emerging push in Australia to finally acknowledge our potential as a renewable energy superpower. The bill is designed as a distraction in what the right wing in Australian politics want to paint as climate wars. The development of a uranium industry in Australia—the mining and nuclear facilities—is just the first step towards the development of a more intense nuclear industry.

We are already seeing that with the Morrison Government's push for nuclear-powered submarines. With that comes an increasing right-wing push to develop a nuclear industry in Australia, and it will be but a short period of time before we see the right in politics also suggest that we should weaponise the nuclear industry. One can already hear those war bells, those war drums, sounding. I will deal with how ineffectual nuclear power will be in the energy space, but one can already hear the push for a nuclear industry in Australia with an overt defence intent. To move from the powering of nuclear submarines to being involved in the nuclear arms race would be a disaster for world peace and ultimately for Australia's security.

It is a simple fact that all uranium mining, all uranium extraction and all of the nuclear industry will happen on First Nations land. First Nations peoples in this continent have already seen what happens when the nuclear industry expands on their land. They have already seen the effects of imperial nuclear powers poisoning their land in Maralinga, indiscriminately killing their people. They have already seen the nuclear industry, and they do not want a bar of it. Every mine and every reprocessing facility will be on First Nations land, and we join in solidarity with First Nations peoples to oppose that. Do not poison the water, the land and the air of First Nations peoples. We say do not do this, in solidarity with First Nations peoples.

The argument that somehow nuclear power will replace fossil fuels for the energy sector is so palpably false, so utterly and extraordinarily false. Every single analysis shows that nuclear power is the most expensive new form of power that one could possibly look for. We know that the way to become an energy superpower is

the massive expansion of renewable energy—wind and solar—which are vastly more cost effective than any new fossil fuel energy and an order of magnitude more cost effective than nuclear power.

One does not have to go back into history to look at the costs of nuclear power. Right now the United Kingdom is trying to complete a project that was first planned at the end of last century, got planning approval in the first decade of this century and has been under construction in one form or another since 2010. That is the British Hinkley Point C nuclear plant. The initial budget for that was less than £10 billion, or roughly A\$20 billion—still an obscene amount of money for the amount of energy it will generate. It was going to be completed by 2018. In fact, the initial plans were looking at about a 2016 completion date, but the first formal completion date was by 2018.

It has been an economic and construction nightmare. Only a few months ago the British Government and its partner Électricité de France indicated that they have had yet another cost blowout of £500 million, effectively A\$1 billion. The current estimate for a project that they hope might be completed in June 2026 is £23 billion, almost A\$50 billion, for just one power station. Their most hopeful completion date is June 2026. If the past is any guide for the future, the cost if they ever eventually complete it—and it is meeting so many hurdles that it may not be completed—will probably be closer to £30 billion, or something like A\$60 billion.

That is the industry that Pauline Hanson's One Nation says is the future for electricity generation in Australia. That is the industry that some small rump of the National Party says will replace coal-fired power in New South Wales. It would be an economically and environmentally crippling decision, and it is nothing more than a distraction from what we need to do right now. We know how to deal with climate change and with the decommissioning of fossil fuel power stations. We know exactly what to do. If we electrify everything, keep the gas and coal in the ground and rapidly expand solar, onshore and offshore wind, pumped hydro and storage solutions then we can rapidly get to 100 per cent reliable renewables by 2030 at a fraction of the cost of even one nuclear power plant.

I know that Pauline Hanson's One Nation will say, "Oh, but there are these magical little ones that have not been built, proven or designed. There are these magical little ones that are at the end of the fairy garden of some uranium export industry consultant in the United States. They are small, they are designed by fairies and they will be available soon." That is such nonsense. It is a distraction from the real task, which is rapidly getting us to 100 per cent renewables. We oppose the bill. We stand with First Nations peoples against this push to poison our land, water and air and push us towards the deeply dangerous international nuclear industry.

The Hon. ROBERT BORSACK (18:17): I listened with interest to what Mr David Shoebridge said, and I obviously cannot agree with him. The Shooters, Fishers and Farmers Party is not a rump of the National Party; it is replacing the National Party. I support the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019, introduced by the Hon. Mark Latham. The bill is the logical long-term plan New South Wales needs to ensure reliable baseload power. Nuclear energy is the panacea for growing concerns over energy supply and climate change. New developments make it cost effective—with gas, coal, and if it is far cheaper than renewables—when not subsidised by taxpayers' money.

It feels like only yesterday that this House held a debate for the Government's Electricity Infrastructure Investment Bill 2020, which mapped out and planned New South Wales' renewable future. It introduced the term "renewable energy zones", which take up to 10 years to build, and a big pumped hydro project that will take up to eight years. Who knows how much that will cost? We have already seen a 100 per cent blowout in the estimates of that. Minister Kean said in his second reading speech:

As a government, we recognise these measures are bold ... The complexity and scale of the challenge should not be lost on us ... It has high up-front capital costs and low ongoing marginal costs.

I say there is nothing bold about Mr Kean's roadmap. It will take 10 years to invest in and develop renewable energy zones that have no proven affordability or reliability, especially once significant government subsidies wind down and electricity prices start to rise to take up the strain. Renewable energy zones have no proven track record; nuclear does. According to the Australian Government report *Uranium Mining, Processing and Nuclear Energy—Opportunities for Australia?*, nuclear energy is an internationally proven technology that is competitive with fossil fuel base load generation, and it is the most cost effective, low-emission technology that can provide the baseload power we need. The report states:

Any technology choice must inevitably require balancing of the full life cycle costs and the benefits of competing alternatives. The health and safety costs of uranium mining and nuclear fuel use, including waste disposal, are significantly lower, on a unit of energy produced basis, than current fossil fuel-based energy generation when coal mining, preparation and eventual waste disposal are considered.

Those opposed say that we have missed the boat in New South Wales, as it will take a decade to create and get a nuclear industry up and running. This is contradictory given the timelines we have seen provided for the renewable

energy zones mentioned earlier. It will take a decade to set up a reliably proven nuclear energy supply versus a decade to set up renewable energy zones that are untested, will not provide the required baseload power we need and, of course, are unreliable. I know where I want to put my money.

The concern is no longer whether nuclear energy is reliable and safe, but rather, the social licence of it all. The green vote has shut down the debate and nuclear energy is politically a very unpopular subject. Whether we like it or not, nuclear weapons and proliferation will remain a global issue. Our involvement in the nuclear fuel cycle will not change that risk. With nuclear energy we have the option for reliable baseload power that simultaneously slashes greenhouse gas emissions, and the Left is opposed to that. The challenges that we face are not impossible to overcome, and debate should be encouraged upon all things nuclear.

During the Hon. Rose Jackson's contribution, she claimed that those who propose nuclear policies live as though the last 30 years of scientific development had not happened. I acknowledge her nod.

The Hon. Rose Jackson: I did say that.

The Hon. ROBERT BORSAK: The member cited Chernobyl as a deterrent for nuclear reactors in New South Wales. Touché, Ms Jackson; thirty years of development has also occurred in the nuclear space. Progress is not only for renewables. Comprehensive regulatory control would ensure the industry adhered to and achieved positive community outcomes. We have only to look at the disaster unfolding in the United Kingdom as green energy fails them. Prime Minister Johnson is ordering up to 10 new small modular nuclear reactors—

The Hon. Mark Latham: Hear, hear!

The Hon. ROBERT BORSAK: —those funny little things that do not exist. Rolls Royce actually produce them on a production line over there. They are a bit weird. They actually drive them around on the back of Rolls Royce trucks. Good things come in small packages. It is a rethinking of proven technologies using recognised nuclear standards and technology that strips out uncertainty and builds certainty of baseload power that underpins industry, communities, households and families. As Michael Shellenberger says:

If you truly want to save the world, don't build solar panels in sweat shops of Asia. You don't need to use slave labour to build wind turbines that will end up in landfill.

He rightly says:

If you truly love the planet and you want to truly save it, the answer is nuclear. It is the only answer.

The Shooters, Fishers and Farmers Party supports the bill.

The Hon. MARK BUTTIGIEG (18:23): I make a very brief contribution because, as my honourable colleague Mick Veitch said, I participated on the State Development Committee. We heard some really good evidence. I found it a very interesting subject and it was very informative. I have always been interested in this subject and, as my colleagues have enunciated, it has been a longstanding policy of the Labor Party that we oppose it, not just on a blind ideological position. I think in the fullness of time the Labor Party case has been made out by the facts as they stand. One only has to look at where the market is going with this. From reading the newspapers—*The Australian Financial Review*, *The Sydney Morning Herald*—all these big companies have seen the writing on the wall for probably 10, 15 years now. They know where it is going. That is because these people are in the business of making money and they want to go where the economic growth is. The marginal cost of renewable energy is coming down so fast that they know that that is where the money is in the future.

The idea that we would have this cop-out technology, where we try to prop up some nostalgic commitment to the past that big, bulky infrastructure is where the baseload power needs to be and therefore it must be good, is fanciful. It has issues with waste that I did not hear anyone refute on that committee. The ability of a country to manage and dispose of waste will not go away any time soon. It is a problem that lasts millennia in some cases, and I have not seen any thorough solution to that problem. Again, the idea that you would pump billions upon billions of dollars into technology and hold your country back from where the growth opportunities are in that renewable sector just does not make sense.

It is almost a psychological imagery thing that you have got to have these big chunks of baseload power. If you have enough distributed multiplicity of power sources, and you have enough renewable sources and batteries spread out over a large enough area, you will be able to solve that problem. That is where the market is going, and companies like BHP and Rio Tinto know it. That is why the debate has moved on. That is why your bloke in Canberra has changed his mind; he knows where this is going and where the politics is going. As my colleague the Hon. Rose Jackson said, we are fighting old battles here. The debate has moved on.

We should just close it off and tap in to where the growth areas are in renewable energy. It has jobs and economic growth. It has no waste and it is going to provide us with an energy source well into the future.

Sometimes it is fashionable and easy politics to try to pitch to an audience that because it is big infrastructure it is going to provide a lot of jobs and get us out of the energy crisis, but the facts do not speak to that. As laudable as it is that the member has introduced this bill to the House, the debate has moved on. I back in the Labor Party position that we oppose the bill.

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

Reverend the Hon. FRED NILE (20:00): I speak in support of the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019 introduced by the Hon. Mark Latham. This is a simple bill which will repeal the ban on uranium mining and the development of nuclear facilities in New South Wales. It is a simple bill, as I said, of only two or three paragraphs because it is a repeal bill. I am happy to support the Hon. Mark Latham's bill to repeal the prohibition on nuclear power. He has spoken about this a number of times, and we all know where he is coming from. There is a great deal of talk on renewable energy as a means by which we can combat man-made climate change. I am not convinced that renewable energy sources such as wind, solar and hydro are sufficient for our current or growing energy needs. For example, while noble in principle, the Snowy Hydro represents one of the greatest white elephants in Australia's history and has delivered a very small return on investment.

Nuclear energy, however, remains clean and green, and Australia is uniquely suited to embarking down this path. We do not suffer earthquakes and other problems like our friends in Japan. Our energy operators are far more talented and able than those in other countries. Our friends in America operate 96 nuclear reactors across 30 States, which are responsible for 20 per cent of their energy production, with most of their remaining energy being sourced by coal and gas. The French, on the other hand, draw 70 per cent of their energy production from 58 nuclear reactors, and our friends in South Korea draw 26 per cent of their energy needs from four nuclear reactors. So we can see across the world that other countries see no problem with nuclear power and neither should Australia.

It is very important that we support the bill, which recognises the importance of nuclear energy power plants. Sadly, there is a tendency to distort the facts about nuclear power and mislead otherwise well-intentioned people engaged in this debate. Looking at the global situation, as I have mentioned already, concerning nuclear power plants, Geoscience Australia provides information that 2013 figures state that there are 435 nuclear power reactors in the world based in 31 countries. Nuclear power is responsible for 11 per cent of global energy supply. At the start of 2013 a further 65 nuclear reactors were under construction in 14 countries and another 167 nuclear reactors were planned. Apart from China, India, Russia and North Korea, other countries that are not traditionally considered nuclear powers are expanding or constructing nuclear capacities or proposing to do so. They include the United Arab Emirates, Saudi Arabia, Vietnam, Bangladesh, Poland, Turkey and other countries.

Some people have suggested that nuclear power is in recession. The facts show that nothing could be further from the truth. Nuclear plants are not fading away. We should not ignore the lessons offered by the example of other countries. For example, Poland is particularly interesting, especially to my colleagues who are concerned about our reliance on coal or about the prestige Australia enjoys as a First World nation. According to recently updated data provided by the World Nuclear Association, Poland has intentionally assumed an energy diversification policy that will see it free from coal as the only source of energy generation. Nuclear energy production features as an important aspect of this diversification program. Poland has done this even though it owns the European Union's largest deposits of coal.

As noted by strategic researchers from the Washington-based Institute of World Politics, such moves have security implications as our country moves towards energy independence. Energy independence, of course, amplifies a nation's sovereign status and enhances its political strength in the arena of foreign relations. It also enhances the country's scientific capabilities. Why we would deny this to ourselves and to Australia is a mystery to me. The Organisation for Economic Co-operation and Development, the Nuclear Energy Agency and the International Atomic Energy Agency have projected that global uranium demand associated with fuelling nuclear power plants worldwide will continue to grow in these coming years right up to 2035.

Australia has considerable deposits of uranium that could be used for fuelling all these nuclear reactors. This includes 1,174 kilotons of A-grade uranium ore that is known as "reasonably assured resource recoverable". This represents 34 per cent of the world's global uranium supply and it is right here in Australia. Most of this deposit is concentrated in the Olympic Dam area in South Australia, which is the world's largest uranium deposit. And there are many others, including Ranger in the Northern Territory and Yeelirrie in Western Australia.

The export of uranium is heavily regulated by strict safeguards concerning end use, which I fully support. In other words, we are not talking about increasing nuclear weapons—far from it. We are talking about using uranium for peaceful purposes. This legislation will be used only for civilian purposes and not military purposes.

We are also subject to international standards on physical security of the mining and use of uranium and nuclear fuel. I commend the Hon. Mark Latham for his persistence in the face of a lot of negativity from some areas, and we have had some of that tonight from The Greens. I commend him for his persistence and for staying on track with what he knows to be good policies for Australia.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (20:09): I thank the Hon. Mark Latham member for bringing the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019 back to the House for debate. At present in New South Wales there is a boom in minerals exploration. I understand the honourable member wants to progress this debate in a bid to drive even further investment in exploration. The Government is also eager to drive jobs and investment in the regions as we emerge from the COVID pandemic. As a senior Minister in this place, I will ensure that the Perrottet-Toole Government has another look at this bill with fresh eyes and, in doing so, ensures appropriate safeguards while also examining the issues surrounding the debate more broadly. That is a commitment I give to the honourable member in this place.

The PRESIDENT: Order! Pursuant to the conduct of business motion moved earlier today, debate is interrupted to allow the mover to speak in reply for not more than 10 minutes.

The Hon. Mark Latham: An agreement has been struck with Mr Justin Field to give him five minutes and then I will take five minutes in reply, if that is suitable to the Chamber.

Mr JUSTIN FIELD (20:10): By leave: I thank the Hon. Mark Latham for allowing time for me to speak in the debate on the Uranium Mining and Nuclear Facilities (Prohibitions) Repeal Bill 2019. There is a reason that nuclear prohibition exists in New South Wales: People do not want it. It is expensive and it is risky. The idea that has been advanced tonight by a number of people that a country that does not have a nuclear industry or the regulatory framework in place should all of a sudden become world leaders in small nuclear reactors is a clearly absurd notion. If it was that easy to do, why hasn't France, the United States, Russia or China done it? Countries with developed and established nuclear industries have not gone this way. There are three or four small modular reactors operating in the world, with a total installed capacity of about 300 megawatts. We have 22,000 megawatts of installed solar photovoltaic capacity in Australia. We have over 6,000 megawatts of solar in operation and another 5,000 in construction.

Those on the other side of the debate will say that you cannot compare base load installed capacity with intermittent capacity; I know. But the numbers and the investments speak for themselves. Renewable energy is where the money is going because it is cheaper and it works. Australia's natural energy advantage when it comes to emissions-free power is its renewables. We have the sun, we have the wind and we have the space. It is laughable how some have jumped into this debate to say that nuclear is the climate solution. They are the same people who were the first to be critical of genuine renewable energy. They mock and block attempts to reduce carbon emissions and champion new gas and coal exploration. Their hypocrisy is on display.

Think about the climate arguments. The imperative is to reduce our emissions quickly, particularly from the energy sector. Nuclear is the slowest and most expensive way to do it. There are just three small modular reactors operating around the world. If the imperative is to transition the energy sector quickly, this is the last way to do it. If you are for nuclear power in New South Wales, you are for bigger bills, delaying action on climate change and increasing land-use conflict by seeking more energy-related mining that will impact on water and agricultural land. There is also a security risk. We have heard the view expressed by a member of The Nationals that we should have these things willy-nilly all over the place. If you are concerned about nuclear security, the last thing you would want is to have a bunch of small reactors that are transportable on trucks willy-nilly around the State. What an absolutely ludicrous argument it is being advanced by The Nationals.

This issue is a big one on the South Coast. Every time this comes up, someone mentions Jervis Bay. The community there absolutely rejects it outright. There is something beautifully simple about getting our power from the sun. The irony is that it is the biggest nuclear reactor in the sky, and that is how we get our power. There is an obsession with the idea that unless you have dug it up, engineered it and burnt it, you do not have real power. That could not be further from the truth. The future is renewables. There is a beautiful simplicity in it. The idea that you have to do it in a dirty and aggressive way—which is just another way to describe nuclear power—is clearly not what the people of New South Wales want. I do not support this bill, and the community does not support lifting the nuclear prohibition laws in New South Wales.

The Hon. MARK LATHAM (20:14): In reply: I thank each of the speakers in the debate. I thank the Hon. Taylor Martin, who chaired the excellent committee that reported well and advocated for progressing the bill. I thank also the Minister for his gesture of goodwill to say that the new Perrottet-Toole Government will look at this with fresh eyes and see if it can be advanced in due course. The reason I brought the bill back for debate at this time is the game changer that is nuclear-powered submarines, which have not been mentioned in the second reading discussion. It is now Labor Party policy, Liberal Party policy and National Party policy to have

nuclear-powered submarines in Australia for our all-important national security in dealing with the rise of China. That is the reality. The major parties have said that we need nuclear-powered submarines to keep Australia safe.

One of the fallacies put around by the green advocates is that this is a bill to construct a nuclear power station tomorrow. It is not. It is a bill to lift the ban. At the moment, the ban would stop New South Wales from participating in the development of workforce expertise and the other technical nuclear facilities that would support the nuclear-powered submarines. Why should New South Wales sacrifice that industry and say that we do not want it? Why should South Australia or Western Australia get the jobs and investment? This is a bill to facilitate New South Wales getting a share of the workforce expertise, the jobs, the prosperity, the industry and the possibilities that come from nuclear-powered submarines. You might think of it as a defence department equivalent of Lucas Heights, where they have developed all the expertise and the reactor for nuclear medicine. It is an enormous success on the suburban outskirts of Sydney. Why shouldn't we raise the possibility of doing that with nuclear-powered submarines?

Lifting the ban allows us to separate the issue of the nuclear-powered submarines from the question of electricity generation. It should be possible to acknowledge that, for all the talk about sun and wind, they do not operate 24/7. The advocates of renewables never answer the question that Malcolm Turnbull has now framed as a crisis inside a crisis. Turnbull says the crisis is climate change, which is contestable. But he also says the crisis inside the crisis is a lack of backup power to ensure that the lights stay on. When the sun is not shining and the wind is not blowing, what do you do?

Ms Abigail Boyd: Batteries.

The Hon. MARK LATHAM: Turnbull has pointed out quite correctly that batteries are only a short-term solution. There is no way of scaling up mass battery storage in Australia to fill the gap. We are the flattest, driest continent on earth. Talking about expense, Turnbull himself spent \$13 billion for Snowy 2.0. If you wanted to make good use of the small modular reactors, you would do it as the backup power system. For all this disparaging of small modular reactors, we have to face the reality that in Britain the Johnson Government has ordered 16 of them to respond to the European energy crisis. Europe at the moment is like a scene from *Mad Max*, where the scavengers are trying to get the fossil fuels as they try to power their economies in the COVID recovery. They have had a 40 per cent reduction in fossil fuel research and energy development over the past six years. Naturally, gas prices have gone through the roof and coal prices have never been higher. All of Europe is scrambling for energy sources. Germany bitterly resents the fact that it closed down its 30 per cent power supply from nuclear.

The logical solution in New South Wales is to acknowledge that this is not a bill to construct a nuclear power station tomorrow. It is a bill to sensibly lift a ban and to enable the development of facilities, if deemed appropriate. If New South Wales can get a share of the jobs, prosperity and investments that come from nuclear-powered submarines, it is just logical, is it not? Why would we sacrifice those things to South Australia? Can anyone pretend that, if the threat is China, it is sensible to base those submarines in Adelaide rather than the east coast of Australia or in Perth? We have to get a share of that pie. This is a bill to enable that possibility. It is the great circuit-breaker in the debate about nuclear power in New South Wales.

As for uranium mining, there has always been an inconsistency. They have a billion-dollar industry in South Australia that has the uranium taken out of the ground. We saw it at the environmentally safe Beverley mine, where the remediation of the ground is so simple. Why do we allow South Australia to take advantage of a resource that we have in the ground in New South Wales around Broken Hill and the western districts of our State? Ignore the scare campaign. Support the facilitation of possibilities in the economic recovery. New South Wales should not tie its hands behind its back and say, "No, we don't want a share of any of the outcomes that come from nuclear-powered submarines."

Inevitably, Australia will be part of workforce and expertise development. We will not be the only country in the world that has nuclear-powered submarines and no nuclear industry. That is just ridiculous. Do not bind us in turning away investment and jobs in the western districts of New South Wales through uranium mining. This bill is full of possibility. I welcome that it is being looked at with fresh eyes by the Perrottet-Toole Government. Accordingly, I move that the debate now be adjourned. The House can consider the voting and the Committee of the Whole at a further sitting.

Debate adjourned.

*Documents***NATIVE FOREST MANAGEMENT****Correspondence**

The CLERK: According to the resolution of the House of 13 October 2021, I table correspondence relating to an order for papers regarding forestry operations in public forests, received this day from the Secretary of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution.

HASSALL DEVELOPMENTS PTY LTD**Correspondence**

The CLERK: According to the resolution of the House of 13 October 2021, I table correspondence relating to an order for papers regarding Hassall Developments Pty Ltd, received this day from the Secretary of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution.

NSW GENERATIONS (DEBT RETIREMENT) FUND**Return to Order**

The CLERK: According to the resolution of the House of 13 October 2021, I table documents relating to an order for papers regarding the NSW Generations Fund (Debt Retirement Fund), received this day from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

TAFE NSW COURSES**Tabling of Documents Reported to be Not Privileged**

The CLERK: According to the resolution of the House of 13 October 2021, I table correspondence received this day from the Office of the General Counsel, Department of Premier and Cabinet, attaching a redacted document identified as not privileged in the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, dated 6 August 2021, on the disputed claim of privilege on papers relating to courses offered by TAFE NSW.

AUDIT OF UBER**Production of Documents: Order**

The Hon. DANIEL MOOKHEY: I move:

That private members' business item No. 1338 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. DANIEL MOOKHEY (20:21): I seek leave to amend private members' business item No. 1338 outside the order of precedence standing in my name on the *Notice Paper* for today as follows:

- (1) Insert after paragraph (a):
 - (b) any audit reports by the Point to Point Commissioner in relation to rideshare platforms,
- (2) Insert after paragraph (d):
 - (e) any warnings, improvement notices or prohibition notices issued to any other rideshare platform by the Point to Point Transport Commissioner.

Leave not granted.

The Hon. DANIEL MOOKHEY: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Transport and Roads, Transport for NSW or the Point to Point Transport Commissioner relating to an audit of Uber:

- (a) the safety audit of Uber referred to in the media release by the Point to Point Transport Commissioner, "Uber directed to improve its security systems", published 12 August 2021;
- (b) any legal advice obtained by the Point to Point Transport Commissioner connected to the audit;
- (c) all briefings and correspondence regarding the audit in the possession, custody or control of the Minister for Transport and Roads or Transport for NSW;
- (d) any warnings, improvement notices or prohibition notices issued to any company trading as Uber by the Point to Point Transport Commissioner;

- (e) all correspondence and communication, including attachments, between the Point to Point Transport Commissioner and any company trading as Uber regarding the audit; and
- (f) 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 is a simple motion under the standing order to obtain a document that is of some relevance to the Select Committee on the Future of Work and Workers that is inquiring into the impact of technological change on the workforce of New South Wales. The motion relates to an audit that was recently completed by the Point to Point Transport Commissioner in relation to Uber. As a result of that audit, the commissioner issued \$200,000 worth of fines to Uber. Among other offences that were found was Uber's failure to report 500-odd incidents, including 12 incidents of sexual assault, as well as incidents of mechanical failure, crashes and other matters that should have been reported to police. The audit found that 37 per cent of Uber's drivers had driven continuously for more than 12 hours over a two-week period, which is highly alarming. Anyone who has any familiarity with the transport industry will understand how alarming it is for one company to have more than one in three of its workers engaging in such practices at the expense of their health, fatigue and the broader issue of road safety. That is deeply troubling. Those are just two of the four grounds that the commissioner found.

The commission was established on a bipartisan basis with an expectation that the commissioner would exercise his powers as he saw fit in accordance with the Act. But when the Select Committee on the Future of Work and Workers requested this document because it is obviously relevant to its inquiries, the commissioner said that he was barred from providing the report by statutory secrecy provisions. I ask the House to use its power to obtain the document and override any statutory secrecy provision that may bar the commissioner from providing it on a voluntary basis. I understand that the commissioner will make an argument relating to privilege, which may or may not be respected. If this motion is agreed to I will happily have a dialogue with the Government and inspect any submission made by it in good faith.

The document may be privileged and may need to remain privileged for compelling reasons adduced by the commissioner. Nevertheless, it is important that we get access to the document. This is the first report of its kind about a platform as big as Uber. Uber says it has had more than 100,000 workers on its platforms over time, so it is a big force. It is incumbent on us to ensure that our laws are working and that the lessons that can be learnt from Uber are properly understood by the committees that are inquiring into it. Given how so many of the matters to do with fatigue in the transport industry are related to pay and how pay incentives and organisation of work tasks have such a heavy impact on how transport workers perform their duties, it is appropriate to ensure that we are not permitting perverse economic incentives that encourage transport workers to take excessive risk. There is a link between pay and safety conditions that is well established in academia and has been broadly accepted among parts of the transport industry. The motion is important as it has relevance to the fatigue issue. I seek all members' support for this motion.

The Hon. SCOTT FARLOW (20:26): The Hon. Daniel Mookhey has outlined his case and provided us with relevant information. The Point to Point Transport Commissioner appeared before the Select Committee on the Future of Work and Workers only this week and provided information that is relevant to most of the matters raised in the motion. During that process the commissioner was asked to answer several questions relating to the Uber audit as well as questions about a range of other matters. As we have heard from the Hon. Daniel Mookhey, the commissioner cooperated fully in the hearing. After requests by members, the commissioner also agreed to produce a number of documents, some of which are being requested again in this motion. With the committee already underway and the commissioner being cooperative and transparent, it remains unclear why members oppose seek to waste time and resources to duplicate processes that have already been instigated.

As the safety regulator for the point-to-point industry, the commissioner is responsible for authorising service providers, issuing taxi licences, managing enforcement and making recommendations to ensure passenger and driver safety in New South Wales. The commissioner ensures that the point-to-point transport industry complies with the law through education and enforcement, providing services for industry participants and information for passengers, government agencies and the general public. The commissioner also works with industry and government partners, such as the NSW Police Force and Transport for NSW, to enforce safety standards and ensure safer practices for the people of New South Wales. The point-to-point transport industry continues to evolve, with rapid advancements in technology and innovation, existing services diversifying their offerings and new service delivery models emerging.

As service providers adopt new technology they must also ensure that their safety management systems remain appropriate and effective. Under the point-to-point regulatory regime, safety is always the number one priority. Regardless of a business's size or its service delivery model, compliance with the law is necessary to achieve this. Safety audits, targeted campaigns, on-street compliance, advisory visits, investigations and prosecutions all form part of the commission's Swiss Army knife tool that is available to ensure that the

point-to-point transport industry is safe for both drivers and passengers. An audit may be conducted as part of a regular schedule or in response to information such as complaints or incidents.

During the 2020-21 financial year, commission compliance officers carried out 61 safety audits, 78 advisory visits, 1,349 taxi vehicle compliance checks and 1,736 hire vehicle and rideshare compliance checks. I now come to the crux of the matter. As I have stated, those opposite spoke to the commissioner about these matters earlier this week and the commissioner cooperated fully in the process. The Hon. Daniel Mookhey's motion will only waste more time and resources. The Government opposes the motion.

The Hon. MARK BANASIAK (20:29): The Shooters, Fishers and Farmers Party supports the motion moved by the Hon. Daniel Mookhey. It does so because Uber's compliance with the Act and the Point to Point Transport Commissioner's ability to properly enforce the Act as it pertains to rideshare are matters that the party has been pursuing not only in this House but also in budget estimates, the point-to-point transport inquiry, the future of work inquiry and more recently in written questions on notice to the Minister specifically about this so-called safety audit. In my question to the Minister, I raised an article which referenced \$200,000 in fines issued for 500 previously undeclared offences. If we break that down, it basically equates to the fine equivalent of failing to stop at a stop sign. In 2016 Transport for NSW released a statement which said that the law is clear and has not changed and that fines of up to \$110,000 were available for breaches of the Act. Clearly someone has forgotten to tell the Point to Point Transport Commissioner, or perhaps someone directed him not to issue fines to rideshare in that period where it operated legally. Either way, no fines were issued during that period.

If members look to questions from estimates and the Portfolio Committee No. 6 inquiry that specifically go to those safety audits, through my question we find that in 2019 taxis were being stopped up to 15 times more often than rideshare and that the number of notifiable offences for rideshare far outweighed their inspection rates. That alone should not fill anyone with confidence that the Point to Point Transport Commissioner can regulate the industry in a balanced and equitable manner. It actually sounds like someone is doing favours for their mates who have shares in rideshare. This is epitomised by the Point to Point Transport Commissioner's response—

The Hon. Wes Fang: You're lucky you've got parliamentary privilege, mate.

The Hon. MARK BANASIAK: —saying that rideshare companies like Uber are now held responsible and self-directed—

The Hon. Wes Fang: Be very careful what you say, champ.

The Hon. Daniel Mookhey: Point of order: Mr President, this has been a relatively civilised debate, by our standards. Perhaps the Hon. Wes Fang should observe that standard of civility now. Everyone has been heard in silence. It is a lot quicker when we do not have pointless interjections emanating from the back of the room.

Mr David Shoebridge: To the point of order: The Hon. Wes Fang keeps referring to the honourable member as "mate" and "champ", which is totally inappropriate.

The PRESIDENT: I did not hear the words used by the Hon. Wes Fang, but I ask the member to restrain himself.

The Hon. MARK BANASIAK: This is epitomised by the Point to Point Transport Commissioner's response to my questions around taxis being stopped up to 15 times more often than rideshare, where he said that rideshare companies like Uber are now held responsible and are self-directed. The safety audits are potentially all smoke and mirrors, at least for rideshare, because the Point to Point Transport Commissioner is basically sitting back and waiting for rideshare to sidle up to the confessional box and announce its sins. It is critical that members see these documents, because the answers to questions have raised more issues than they have resolved. The Government's grand, idiotic plan is to reform the industry, cancel everyone's property rights—that is, 5,000 taxi owners' licences—and then reissue unlimited licences for \$200 and remove geographical restrictions so they can operate anywhere.

I seek an extension of time.

Leave granted.

The Hon. MARK BANASIAK: The Point to Point Transport Commission cannot effectively enforce the Act as it stands, and now we cannot expect it to do even more when the Government is essentially plagiarising an idiotic plan from Victoria.

The Hon. DANIEL MOOKHEY (20:33): In reply: I thank the Hon. Scott Farlow and the Hon. Mark Banasiak for their contributions. I was expecting a love-in with this particular Standing Order 52 motion. I was disappointed when I was hit by a metaphorical taxi or an Uber in the contribution made by the Parliamentary Secretary, which I will take as an ambush, in truth. I was very kind and generous as I moved this motion relating

to the Point to Point Transport Commissioner. I could have pointed out many of the other failures that some people have accused that office of, but I did not. I gave it the benefit of faith, but I feel like I now have to engage in the debate that has been led by the Parliamentary Secretary. The argument that the Point to Point Transport Commissioner is a candid witness who comes forward to all inquiries, divulges all truth, answers all questions and provides all documents is not true, according to anyone who actually paid attention to Monday's hearing. In multiple instances the commissioner has said that he might be able to provide us that information, but equally he might be barred by reasons of statutory secrecy. That is the first point.

The second point has rightly been made by the Hon. Mark Banasiak, who the House should applaud for his diligence and persistence when it comes to scrutiny of the point-to-point transport industry and how the new regime is working. He deserves a lot of credit and praise for persisting with those issues. It is clear that members often do not get the most basic information that is required to make reasonable policy choices, including information such as precisely who is paying the levy and how many trips are being performed by each platform. These are really basic questions, and I know that the Hon. Mark Banasiak has been pursuing them—as has the Opposition—in that inquiry and other inquiries. I do not take the view on faith that the Point to Point Transport Commissioner is a startling witness who we should always accept on face value. It is just not the case. But, to be fair to him, he might be barred for reasons of statutory secrecy. That is why we have the power under Standing Order 52. That is why we have the ability to override such statutes, which is why we seek to in this place.

In respect to the argument that has been mounted that somehow this is a hostile act, the Government has to appreciate that this Chamber has two functions: an accountability function and a legislative function. We have as much right to seek information to assist us in our legislative function as we have in our accountability function. The Opposition is not moving this motion with hostility to embarrass the Government, although—let us be honest—that is open to us. This is about making better laws and acquainting members with the information that is required for us to create laws that are fit for purpose. That is it. There is nothing further. This is relevant information about a major actor in the industry to which members are barred from having access by statutory secrecy provisions. As a result, we are here. I commend the motion to the House.

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

Motion agreed to.

Motions

INTERNATIONAL DAY OF SIGN LANGUAGES

Ms ABIGAIL BOYD: I move:

That private members' business item No. 1316 outside the order of precedence be considered in a short form format.

Motion agreed to.

Ms ABIGAIL BOYD (20:36): I move:

- (1) That this House notes that:
 - (a) Thursday 23 September 2021 was International Day of Sign Languages, a day which celebrates the human rights of people who are deaf, hard of hearing or deafblind, and raises awareness of the importance of sign language in disability inclusion and participation;
 - (b) according to the Australian Network on Disability, one in six Australians is deaf;
 - (c) according to AbSec, the NSW Child, Family and Community Peak Aboriginal Corporation, Aboriginal and Torres Strait Islander children under 15 are 3.4 times more likely to be deaf; and
 - (d) there exist significant gaps in research and education of Auslan (Australian Sign Language) in New South Wales, which creates barriers to inclusion and participation of vital members of the New South Wales community.
- (2) That this House notes that, after failing to provide an Auslan interpreter during press conferences relating to easing COVID-19 restrictions on 10 and 11 October, the Government confirmed on 12 October 2021 that Auslan interpretation will no longer be provided at press conferences at which the Chief Health Officer and/or Deputy Health Officer are not present.
- (3) That this House calls on the Government to create a more inclusive, equitable and accessible community for all people who are deaf, hard of hearing or deafblind by improving access across New South Wales to quality sign language education, including early access to sign language services which are important to the growth and development of people who are deaf.
- (4) That this House calls on the New South Wales Government to immediately reinstate Auslan interpreters at all media conferences in which statements are made in relation to COVID-19 and/or health orders.

Over the past almost four months of lockdown, millions of people across New South Wales have tuned in daily to the 11.00 a.m. press conferences, anxiously awaiting updates on the COVID-19 situation and the toll that the Delta variant has taken on our communities. As restrictions tightened and eased, our work and family lives changed and we all adjusted to the unprecedented impact of the pandemic on the way we live. Then the 70 per cent

vaccination date came, so-called Freedom Day. Many of us tuned in to find out exactly what the new Premier, with his sudden changes to the road map to freedom, would be allowing us to do—except for the 30,000 signing people nationally that use interpreters.

For Auslan users the 11.00 a.m. press conference on COVID restrictions was suddenly and without notice incomprehensible, with the previously reliable live Auslan interpretation absent without any explanation. The Premier's office has since confirmed that it will make no commitments to have Auslan interpreters present at its press conferences, except at pressers hosted by NSW Health. During an unprecedented global pandemic, when it is reasonable to assume that questions asked by the press may relate to public health and safety whether the original press conference is directly related to it or not, that is just not good enough. In refusing to provide Auslan interpretation, the Government is effectively locking deaf and hard-of-hearing people out of our democracy and putting public health at risk by limiting the reach of information about COVID.

The motion I am moving today calls on the Government to ensure that Auslan interpreters are present at all pressers at which statements are made about COVID or health orders. It does not even go so far as to call for Auslan interpretation at all government press conferences, which should be the minimum standard of accessibility. I first moved this motion last week as formal business, thinking that the Government would see the importance for public health and accept this absolute bare-minimum ask. But the Government objected, so I move this motion for debate today.

I have been informed that the Government's Auslan interpretation contract provides for an interpreter to be available and on standby for the Government, with technology available to provide interpretation remotely if need be. While there is most certainly a need for more Auslan interpreters nationally, that is not an excuse that the Government can hide behind. The decision by the Premier's office to not use these services is not even a matter of convenience. It is a clear message to the deaf and hard-of-hearing community, and people with disability more broadly, that their needs are not important to this Government.

In 2007 Australia signed the United Nations Convention on the Rights of Persons with Disabilities, which requires the Federal Government, and the State governments by extension, to provide equal access to information and communications, including through live sign language interpretation. But 14 years later most governments in Australia, including both the New South Wales and the Federal governments, do not ensure that their communications are accessible. To my knowledge, the Victorian Government is the only government in the country that aims to provide live Auslan interpretation at all of their press conferences. I note that in the rare circumstances where an interpreter is unavailable—for example, where there is insufficient notice of an impromptu press conference—there is explicit acknowledgement of the failure to provide that Auslan interpretation at that time. In contrast, the office of the Premier has stated:

As NSW returns to a more normal setting and emerges from COVID-19 there will be a range of media events, some of which may include the services of Auslan interpreters and some of which may not.

How is that acceptable? All information intended for the public should be accessible to the entirety of the public. One in six of us is hard of hearing and 30,000 people across the country require Auslan interpreters. There is no excuse for restricting live access to government communications to a select few, and certainly not for government communications about COVID and health orders. The idea that people who require an Auslan interpreter need to tune in to a particular press conference to find out if they will be able to understand it because it is at the Premier's whim is absurd. We need to do so much more to be compliant with our human rights obligations. All we are asking for in this motion is the absolute bare minimum. I commend the motion to the House.

The Hon. SCOTT FARLOW (20:41): The Government does not oppose the motion by Ms Abigail Boyd, but we place on record the important work we are doing in creating inclusive communities for all people with a disability. I thank Ms Abigail Boyd for bringing this important motion to the House and I commend the Hon. Penny Sharpe for raising this issue at the beginning of the pandemic. The Disability Inclusion Act 2014 enshrines the principles of access and inclusion, mandating the development of Disability Inclusion Action Plans [DIAPs] for the New South Wales Government, all government agencies and the 128 councils around the State. These DIAPs provide the foundation for accessible communities and are required to be regularly reviewed and reported on to ensure they continually meet the needs of people with a disability and are fit for purpose.

In 2020 the New South Wales Government undertook a review of the Disability Inclusion Act, with community consultation reaffirming the need for accessibility in all aspects of society for people with disability. The consultation was not limited to just the physical accessibility of society but also the need for access to information, services and communication. Through bushfires, floods and the COVID-19 pandemic all government agencies have continued to provide information in a variety of accessible formats: easy reads, voice-to-text, closed captioning and Auslan interpreters. Those examples highlight the understanding the Government has to ensure that all members of society have accessible information.

The NSW Health COVID Disability Information Helpline has been a vital source of information for people in the community with disability and for their families and support workers. I am sure that all members of this House will join the Government in thanking the Auslan interpreters and other staff who have ensured access to information throughout this time. They have worked tirelessly alongside our leaders and health officials day in, day out to deliver important updates to the members of society who are deaf or hard of hearing. The New South Wales Government worked closely with the Deaf Society of New South Wales to provide Auslan interpreters at all major press conferences that provide vital information to the community on health-related matters, changes in restrictions or the live streaming of NSW Health press conferences. The Government will continue to work with all levels of government to continue the important work of making our communities and our societies inclusive of all people.

As Ms Abigail Boyd mentioned in her contribution, we are moving to a different time in the COVID-19 pandemic response. We are moving to a time when we are living with COVID, and the status of the press conferences undertaken by the Premier are returning to more of a normal setting rather than the crisis emergency setting, as has been the case with COVID-19 pandemic information. As such, and as has been outlined by Ms Abigail Boyd in her contribution, a different setting is being undertaken by the Premier's office in the Premier's press conferences.

The Hon. PENNY SHARPE (20:44): I support the motion of Ms Abigail Boyd and I thank her for bringing the motion to the House. I acknowledge that 23 September 2021 was the International Day of Sign Languages, so here is where I give my Auslan another go and sign "Happy International Day of Sign Languages". I thank the deaf members of the Labor Party who sent me instructional videos on how to do that; they are awesome. The International Day of Sign Languages is important, but what this motion is really about is providing Auslan interpreters for the people who need them. I commend the Government for providing Auslan interpreters through most of the pandemic, but at the beginning of the pandemic, as the Hon. Scott Farlow noted, the Government did not provide interpreters when very important information was being provided to the community. The Government then sorted it out.

I congratulate the Government for doing the right thing but, let us be honest, it is a basic accessibility issue about communicating vital information to Auslan users. That has happened through the pandemic, but I register my disappointment at the shock, horror and complaints of members of the Deaf community who contacted my office when at the new Premier's very first press conference—a bunch of men in suits in a pub, by the way, but aside from that—not an Auslan interpreter was to be seen when announcing us coming out of lockdown. That was one of the most important messages that the deaf community needed to be able to receive and it was not given to them. It was a gross oversight. I believe it showed how important Auslan interpretation is for all important government announcements and that we should be using interpreters.

If it is the case that there is an Auslan interpreter ready to go to every Premier's press conference, I do not understand why that is not happening. It is a matter of resourcing, and those interpreters are extremely important. The deaf community learned during COVID that they could tune in at 11 o'clock and get information that they understood. Closed captioning is not the answer. Auslan is the first language for many people and an Auslan interpreter is the best, safest and most accessible way for them to receive information. The International Day of Sign Languages is worth recognising but, importantly, the Government should also recognise its responsibilities. The Disability Inclusion Act in New South Wales is important. I think it was the Hon. John Ajaka who brought that bill to the House. That Act is very important, but it is meaningless if we have got the resources to provide Auslan interpreters and we choose not to do so.

The Hon. PETER PRIMROSE (20:47): Happy International Day of Sign Languages. The United Nations has declared 23 September as the International Day of Sign Languages—a unique opportunity to support the linguistic identity and cultural diversity of all deaf people and other sign language users. Collectively, more than 300 different sign languages are used around the world. Sign languages are fully fledged natural languages, structurally distinct from spoken languages. The 2021 theme declared by the World Federation of the Deaf is "We sign for human rights", highlighting how each of us—deaf and hearing people around the world—can work together to promote the recognition of the right to use sign languages in all areas of life.

The mother tongue sign language in Australia is Auslan. Auslan is part of our linguistic and cultural diversity. At this time, when people are anxious and need information to go safely about their lives and not inadvertently break the law, the importance of having Auslan interpreters providing real-time information about COVID and the public health orders is vital. I suggest that it is equally important to ensure that we provide Auslan interpreters when all government announcements are being made. People who use Auslan should have Auslan interpreters positioned so that the interpreter's face, body and both hands are viewable to them during press conferences. The sheer number of recent public health order iterations and their almost daily changes, along with the complicated way they are written, makes having access to the media conferences important. When your

language is visual and spatial, it is even more vital to be able to view the information being provided, especially when mask wearing can pose additional communication barriers.

For those who say closed captions are available, all I can say is that, given they are captioned in real time, even the people who do this necessary work admit that sometimes mistakes are made. The difficulties of captioning Campsie and Kempsey, for instance, throws up a 430-kilometre confusion. The presence of Auslan interpreters should be standard practice for media conferences, especially when the Government is announcing matters as important as those surrounding COVID restrictions or other important information. Being able to understand what is legally expected of you by your Government is a pretty basic human right. And, again, happy International Day of Sign Languages.

Ms ABIGAIL BOYD (20:50): In reply: I thank all members who contributed to the debate—the Hon. Scott Farlow, the Hon. Penny Sharpe and the Hon. Peter Primrose. I learnt a little bit of Auslan for about a year. I do fingerspell with my youngest child but I am far too shy to do it right at this minute.

The Hon. Penny Sharpe: No. Give it a go.

Ms ABIGAIL BOYD: I have a lot of admiration for the Hon. Penny Sharpe. Having listened to the Government's response, I understand what has been said—that we now are moving to more normal settings—but when you go from not doing anything that you are supposed to do, to then doing it some of the time, and then going back to not doing the thing that we are supposed to do, the Government's response is not a very good argument. This is something that we should be doing for every Government press conference. It is something that Victoria managed to do. I do not understand why we cannot do it. The resources are there. It is vitally important to involve a really important segment of our community in our democracy. If we were actually complying with our human rights obligations and doing what is being done in many other countries around the world, we would have Auslan interpreters interpreting what I am saying right now. That is actually what our minimum requirements are.

In this motion all we are asking for is for the Government to at least put in Auslan interpretation for when we are discussing issues in a global pandemic that may turn to issues about health, lockdown and restrictions. I ask that the Premier reconsider his position on this because it sends a message not just to the Deaf community and the hard-of-hearing community but to all people with a disability that they just do not matter. It is so very damaging for that message to be sent by this Government at this time. It causes great concern when we see that along with issues like the failure to include the minimum accessibility standards in the National Construction Code within our legislation. The people with a disability in New South Wales are feeling, rightfully, overlooked and disrespected. The least we could do is have Auslan interpreters at Government press conferences.

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

Motion agreed to.

THE HON. ADAM MARSHALL

The Hon. MICK VEITCH: I move:

That private members' business item No. 1383 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MICK VEITCH (20:54): I seek leave to amend private members' business item No. 1383 outside the order of precedence by omitting paragraph (3) and inserting instead:

- (3) That this House notes that:
 - (a) on 20 October 2021, documents, which were not released by the Department of Regional NSW in response to the application made under the GIPA Act relating to question on notice no. 6849, were provided to the Hon. Mick Veitch, MLC; and
 - (b) these additional documents provide further details regarding the review and approval process undertaken for question on notice no. 6849, and clarify that the Corporate Service team, Regional NSW, subsequently approved the final answer provided by the Hon. Adam Marshall, MP, Minister for Agriculture and Western New South Wales.

Leave granted.

The Hon. MICK VEITCH: Accordingly, I move:

- (1) That this House notes that:
 - (a) on 14 July 2021 a written question was asked to the Hon. Bronnie Taylor, Minister for Mental Health, Regional Youth and Women, in her capacity representing the Minister for Agriculture and Western New South Wales in the Legislative Council regarding Department of Primary Industry Staff (question No. 6849);

- (b) question on notice No. 6849 (1) asked "How many Full-time equivalent [FTE] staff were employed by the Department of Primary Industries on 1 July 2020?";
 - (c) the answer received to question on notice no. 6849 (1) stated "Department of Primary Industries workforce data is available in the Department of Regional NSW Annual Report";
 - (d) question on notice No. 6849 (2) asked "How many FTE equivalent staff were employed by the Department of Primary Industries for 1 July 2021?"; and
 - (e) the answer received to question on notice No. 6849 (2) stated "See(1)".
- (2) That this House notes that documents released by the Department of Regional NSW following an application made under the Government Information (Public Access) Act 2009 (GIPA Act) disclose that:
- (a) the initial draft response to question on notice no. 6849 (1) and (2), as approved and recommended by the Corporate Service team, Regional NSW, stated:
 - Contingent and casual staff are considered to be 0 FTE
 - (1) There were 1822.5 FTE at 1 July 2020.
 - (2) There were 1879.7 FTE at 1 July 2021.
 - (b) correspondence from the Ministerial & Executive Response team, requested that the Corporate Service team review the draft response, stating:

The MO [minister's office] have asked if you could please review the attached [LC question No. 6849] regarding the comments from the MO; and
 - (c) the reply correspondence from the Corporate Service team to the Ministerial & Executive Response team did not support the change, stating:

We're not supportive of the changed statement by the MO. The information in question is not featured in the DRNSW Annual Report. I believe we sent across the answers in the original response.
- (3) That this House notes that:
- (a) on 20 October 2021, documents, which were not released by the Department of Regional NSW in response to the application made under the GIPA Act relating to question on notice No. 6849, were provided to the Hon. Mick Veitch, MLC; and
 - (b) these additional documents provide further details regarding the review and approval process undertaken for question on notice no. 6849, and clarify that the Corporate Service team, Regional NSW, subsequently approved the final answer provided by the Hon. Adam Marshall, MP, Minister for Agriculture and Western New South Wales.
- (4) That this House notes that:
- (a) questions are an important mechanism of executive government accountability to Parliament that provide members an opportunity to seek information and hold the government accountable for its actions;
 - (b) ministers in the Legislative Council are responsible for the answers they provide from the ministers in the Legislative Assembly they represent, and accordingly have an obligation to ensure that answers do not mislead the House; and
 - (c) should ministers in the Legislative Council fail in their obligations, it is open to this House to take all necessary action, including seeking explanations for non-compliance or censure, to cause compliance with the standing rules and orders of the House.

From the outset, this commences a censure motion based off the back of information that was contained in an application under the Government Information (Public Access) Act [GIPAA] I lodged relating to an answer provided to a question on notice. The motion details that process. Where we get to at this hour in the House tonight is that this afternoon a document was missing. I extend my appreciation to the leader of Government business and the Leader of the House, his staff and the Minister's staff for providing this missing document from my application under GIPAA. There has to be an explanation as to how this document was not included. If it had been included, I dare say I would not be moving this motion.

My frustration moved from information that clearly indicates at face value an intention to mislead to asking the question: Why was that document applied for under the GIPAA not included? I think there is a cumulative frustration in the Chamber about the processes either not being followed or being thwarted in relation to questions on notice or applications under GIPAA. This is a very good example of why crossbench and Opposition members go to Standing Order 52 [SO 52]. This is what happens: The documents applied for under the GIPAA are provided and a document is not included. I know that Government members get frustrated by the SO 52 process and why we do it, but this is the example. This is what happens. That particular document has now been shown to me. I ask that, in his contribution to the debate, the Minister table that document in the House so other honourable members can inspect the document as well.

This then leads me to what is probably the most important part of the motion, which is paragraph (4). The reason that paragraph is in the motion is that it is really a message for the Legislative Assembly Ministers. They

put the Ministers in this House in a very difficult situation. The Ministers in this House have to provide the information from Legislative Assembly Ministers and make sure that it is accurate when they provide it and present it in this House in accordance with the standing orders. There are obligations on the Ministers in this House to make sure that that information is correct but there are some—not all Ministers in the Legislative Assembly, which I make very clear—who are the culprits. Some Legislative Assembly Ministers clearly have a degree of disrespect for this Chamber and they put their ministerial colleagues in a terrible situation.

Paragraph (4) of the motion is a line in the sand. This House is saying to the Ministers: We expect information to be accurate and correct. In regard to the question on notice I lodged, the information I asked for was not for 30 June but 1 July for a reason. I wanted a comparator between 1 July 2020 and 1 July 2021. The response stated it was in the annual report. As most honourable members would know, the annual report for 1 July 2021 through 30 June 2022 is not printed yet. For the answer to say that it is in the annual report is clearly not correct. I again say to Ministers to just be careful about referring to documents. I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (20:58): I thank the Hon. Mick Veitch for his kind acknowledgement of the cooperation which existed in relation to clearing this up. I also acknowledge some of the other observations he has made in his contribution. First of all, I think there is an obligation, and Ministers should take their obligations in relation to answering questions seriously. My office takes its role seriously and makes sure that it answers questions properly and provides information that is readily accessible. By way of explanation so that members understand what has gone on, the Minister contends that he has answered the question. The document requested by the Hon. Mick Veitch, which was subject to a request for information under the Government Information (Public Access) Act [GIPAA], was not provided. I seek to table a copy of a document that should have been provided. I acknowledge the frustration of the Hon. Mick Veitch when he realised it was not provided. It compelled him, in what he thought was a bona fide manner, to censure the Minister.

The Minister accurately answered the question in respect of a departmental GIPAA—not a GIPAA to the Minister's office over which he had responsibility—and an essential document was left out. The Hon. Mick Veitch rightly asked why that document had been omitted. If I were the Minister responsible I would also be asking why. However, the confusion has been resolved. The member also made an observation about what is probably best described as attention to detail. If someone asks for a copy of an annual report for one year and they are provided with a document for the following year, it is obvious that attention to detail is clearly lacking, but that could apply to us all. The GIPAA application relating to Question on Notice No. 6848 was also potentially in error because this motion relates to Question on Notice No. 6849. Attention to detail is something that we all seek to perfect. The example that has been given tonight about making sure that we answer questions adequately and attend to the production of documents is well made. Attention to detail is obligatory for all members.

I seek leave to table a document relating to Legislative Council Question on Notice No. 6849.

Leave granted.

Document tabled.

The Hon. MARK BANASIAK (21:02): I support the motion moved by the Hon. Mick Veitch. The functions and mechanisms of this Chamber are not simply for show; they are integral to holding the Executive Government to account. The Hon. Mick Veitch was obligated to move a censure motion against the Hon. Adam Marshall because of the perception that he has misled the House. As the Hon. Mick Veitch said, he is drawing a line in the sand. I sense a collective frustration as this is not the first time that this Minister or other agriculture Ministers have potentially misled the House. I draw the attention of members to the lengthy motion I moved last year on the commercial fishing reforms in which this Minister was caught up about misleading estimates.

We do not want to see a culture developing where there is a genuine attempt to give us as little information as possible to our questions, or for Ministers simply not to answer questions. Currently we have examples of that. I asked the current Minister 15 questions about the draft marine management plan and he answered only one. As the Hon. Mick Veitch said, we are drawing a line in the sand. Incorrect answers and discrepancies between Ministers and departments cannot be allowed to continue. It is those failings that have contributed to this inherent distrust of government and have resulted in censure motions and SO 52s rearing their ugly heads. That needs to stop. The Minister for Finance and Small Business is making a genuine attempt to rectify this practice. Hopefully it will stop and we will not be forced to censure Ministers every time we do not get appropriate answers or we suspect that the House is being misled. I commend the motion to the House.

The Hon. ROD ROBERTS (21:04): On behalf of One Nation I support the motion moved by the Hon. Mick Veitch. In particular I refer to paragraph (4) of his motion, which deals with the importance of the

Executive Government being held to account and answering questions. I will not be as polite as the Hon. Mick Veitch has been; I will name some Ministers because I have the documents in front of me. All the Ministers in this Chamber have been nothing but exemplary in their answering of questions. They seem to know how it works. On 12 August I asked the Minister for Mental Health, Regional Youth and Women, representing the Minister for Health, question No. 7174:

- (1) Did the NSW Department of Health provide the NSW Police Force with the details of the people that breached public health orders by attending a gathering at a residence after a funeral at Pendle Hill on the 19th July 2021?
 - (a) If the details of the individuals who attended the unlawful gathering were not provided:
 - (i) Why were these details not provided...

The answer I received was, "It would be inappropriate to comment on a police investigation." I did not ask about a police investigation; I simply asked whether the details were provided to the police, yes, or no. If it is no, the Minister must have a reason for not providing the details. He should not tell me it is inappropriate to comment on a police investigation; that was not the question. The Minister for Finance and Small Business came to my rescue when I blew up over this one: On 29 July 2019, I asked then Minister Ward question No. 330:

- (1) How many inmates over the age of 18 years were being detained in Juvenile Detention Centres across New South Wales on the 22nd July 2019?

I will not read the 18-line answer, but there was no mention of anyone being over the age 18 in a detention centre. On 2 September 2021, more than 18 months after the first reported case of COVID-19 in this country, I asked Minister Marshall question No. 7358:

- ... does the Government have a clear plan for addressing the labour shortage of seasonal agriculture workers for New South Wales?
 - (i) If so, what is that plan?

The answer was yes. The plan is as follows:

The New South Wales Government is currently implementing a range of actions which will complement the existing measures to help industry address the shortage.

If that is the plan, God help us all. That is the best that the Government can come up with. On 30 August 2021 I asked my old mate the Minister for Health and Medical Research question No. 7320:

- (a) What definition does the government use when assigning a death as "died of COVID-19" when reporting in the media?
- (b) What definition does the government use when assigning a death "died with COVID-19" when reporting in the media?
- (2) Is an autopsy performed on each deceased prior to informing media of death due to COVID-19?
 - (a) If not, why not?

As members would be aware, I was a police investigator for a number of years. I would either receive a death certificate from a doctor stating the cause of a death or I was informed that an autopsy had to be performed. I can inform members that an autopsy does not take place overnight. I know that the Minister has been involved in the health department. Every morning we would be informed, "Last night we lost 13 people who died of COVID-19." I support the motion. [*Time expired.*]

Mr JUSTIN FIELD (21:08): I support the motion moved by the Hon. Mick Veitch. Members may have noticed a sense of frustration in the Chamber. I think of myself as a relatively prolific questioner of the Government in areas in which I put in quite a lot of time on behalf of the community of New South Wales—the stakeholders I represent. I put a lot of time into understanding the issues and challenging the Government on its policies, proposals or announcements. If we ask a two-part question, only one part of the question is answered. If we ask a question about an area that is the responsibility of a particular Minister, the Government says it is not the responsibility of that Minister and the process is prolonged.

In the take-note debate today I asked the new Deputy Premier of New South Wales a series of questions, but he simply referred me to existing public documents that clearly I had read because all my questions related to those documents. Government Ministers are not taking us seriously. I suspect some of it is because we do not have the same relationship in some instances. Staff make a decision: "They haven't shown an interest in this area before and they haven't come to see us, so we're not going to give them anything." I understand that. Maybe it is on us to reach out and say, "I'm doing some investigation into this and I have some questions coming. If you have any questions about what they are trying to get to, give me a call." But that is not really what we are here for.

We have a statutory role and responsibility to ask questions and hold government to account. The Government has a statutory responsibility to answer those questions—not to play favourites, pick and choose, and

sometimes deliberately mislead or underplay. And what happens? We put in requests under the Government Information (Public Access) Act and under Standing Order 52, and it chews up more time and takes up more money. I ask the new Executive team to please hear the frustration of some of us who are trying to do our jobs. They are making it harder, in some instances. I suggest they look at the media coverage of the things that have been raised through these processes. It just gets worse, because members in this place do not stop when they do not get the answer they want; they keep going. The Government is the worse for it, and the community ends up being left in the dark and frustrated with government generally. We all bear some of that impact. I ask Government members to let us do our job by them doing their job when it comes to answering questions. I implore the Government to do that. I congratulate the member on the motion.

The Hon. MICK VEITCH (21:11): In reply: I acknowledge all of the contributors to the debate. It is clear from the contributions that there is a degree of frustration. As I said earlier, this is essentially a line in the sand. I acknowledge the Minister's contribution to the debate. It is clear that the matter is being taken seriously. The conversations I have had with the Hon. Damien Tudehope and his staff that have got us to this point were quite indicative of the seriousness with which he took the matter. My frustrations around the application under the Government Information (Public Access) Act [GIPAA] do not disappear. The document should have been provided in response to the GIPAA application. I dare say the Minister is probably just as frustrated as I am about the fact that the document was not provided. It is a lot easier for all of us if we apply and follow the process, because the process is what gets us through. We would not have been here debating this motion if the process had been followed. I commend the motion to the House.

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

Motion agreed to.

Documents

GREAT WESTERN HIGHWAY UPGRADE

Production of Documents: Order

The Hon. ADAM SEARLE: I move:

That private members' business item No. 1315 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. ADAM SEARLE (21:13): I move:

That, under Standing Order 52, there be laid upon the table of the House within 30 days of the date of passing of this resolution the following documents, created since January 2018, in the possession, custody or control of the Transport for NSW; Department of Planning, Industry and Environment; or the Deputy Premier; Minister for Regional New South Wales; and Minister for Regional Transport and Roads relating to the Great Western Highway Upgrade between Katoomba and Lithgow:

- (a) all communications and correspondence, including phone logs and emails, sent or received by Transport for NSW, Department of Planning, Industry and Environment, the Deputy Premier, Minister for Regional New South Wales, and Minister for Regional Transport and Roads relating to:
 - (i) the current upgrade proposal;
 - (ii) the 11 kilometre tunnel proposal; and
 - (iii) the 19 kilometre tunnel proposal.
- (b) all reports and studies concerning the current upgrade proposal, the 11 kilometre tunnel proposal, the 19 kilometre tunnel proposal and the Great Western Highway proposed duplication, including drafts, preliminary findings, tender documents, comparisons, benefit cost ratios and independent reviews of:
 - (i) traffic;
 - (ii) noise;
 - (iii) environment;
 - (iv) water management on catchment and sensitive areas;
 - (v) heritage; and
 - (vi) socio-economic studies.
- (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 labour the point. The motion is self-explanatory. The Opposition is seeking documents relating to the Great Western Highway upgrade between Katoomba and Lithgow, in particular, around the various proposals: the current upgrade proposal, the 11-kilometre tunnel proposal and the 19-kilometre tunnel proposal. The highway

upgrade has been a fraught project as its various iterations potentially negatively impact on a number of townships. For example, for a long period of time Blackheath residents were very concerned about whether houses would be resumed and whether there would be a widened highway through the town, negatively impacting it. Now the Government has committed to a 4½-kilometre tunnel to bypass Blackheath and a four-kilometre tunnel underneath Victoria Pass. We hear that the Government says it is investigating connecting those two tunnels into one longer tunnel. That process is supposed to be completed by mid-2022.

Various estimates have put the cost of the 11-kilometre tunnel between Blackheath and Mount Victoria at around \$8 billion. That is an extraordinary amount of money. There is an apprehension on the part of residents and the local council that this is not about providing greater access to the Central West or easing local traffic congestion, but that it is really about allowing 25-metre B-doubles and 30-metre fixed-rig trucks that currently cannot legally use the Great Western Highway to transit through the Blue Mountains. Residents and council are very concerned about that. There are residents in Medlow Bath who are very concerned about plans for a four-lane highway that could negatively impact that town. The residents of Hartley are very concerned about the dual carriageway proposal impacting their town as part of the upgrade proposal.

Given that until very recently we have been in lockdown, my local State member of Parliament, Trish Doyle, the member for Blue Mountains; my Federal MP, Susan Templeman, the member for Macquarie; and the local mayor of Blue Mountains have asked relevant authorities to extend the consultation period or to delay things because of the lockdown period not permitting people to meaningfully engage in the process. That request has not been listened to, at least not by the State Government. Because there is concern about the different proposals and about whether the Government is actually serious about this plan or whether it is just a thought bubble, I have put this motion to the House to seek the documents so that we can see what the status is and what the information tells us. That will allow members of this House to better scrutinise and shed light on what the Government is actually planning. These documents could inform a more educated public conversation around the different options.

I make no bones about the fact that, like the Hon. Shayne Mallard, I am a resident of the Blue Mountains. This is a matter that is close to my heart. I freely declare that interest. But it is also a matter of interest to the 76,000 residents of the Blue Mountains and to many people who visit the area, who are very concerned about the potential for the upgrades to negatively impact the heritage values as well as the amenity of these towns and villages. I come to the House with this motion to seek the documents and the information to better inform public discussion on these issues. I ask that the House support the motion.

The Hon. SHAYNE MALLARD (21:18): I respond to the motion on behalf of the Government. It is not surprising that I am doing so, acknowledging that I am a resident at the eastern commencement point of the highway upgrade, just west of Katoomba. I have been very involved with it. The Government will not be opposing this Standing Order 52 request, but we think it is unnecessary. The scope and width of the motion is quite extraordinary. It asks for all communications and correspondence, including phone logs and emails, regarding the whole project, as well as the whole of any studies or draft studies.

The honourable member, who is a resident of the Blue Mountains and whom I consider to be a friend, talked about having a public conversation. But the material is being sought, in my view and in the Government's view, to continue a campaign being run by local politicians—the State and Federal members are in the Labor Party; in the Federal election it was the most marginal seat in Australia—for political purposes. They can call it a public conversation or they can say, "Let's have some more material for the election campaign." The Labor Party should be applauding the Government for investing \$4.5 billion in the missing link, which is the last missing link of the highway infrastructure around our city, north, south and west. It was in the too-hard basket for reasons of engineering and the cost for previous governments, including the Labor Government, to complete it.

The 130-kilometre upgrade will deliver dual carriageways in both directions, with safe turning lanes and all the infrastructure that goes with a modern motorway system, and will bypass by tunnel the township of Blackheath. It is one of the most difficult projects to work a way around. There was no bypass option for Blackheath that was acceptable to any of us, and the tunnel option went ahead. The tunnel under Mount Victoria and Victoria Pass, which was announced earlier, is now coming out in the valley at Hartley. Now a decision has been made to investigate the connection of the two to make Australia's longest traffic tunnel. I was with the former Deputy Prime Minister when that was announced; we are hoping that some Federal money will come through for that.

It is a major investment by the State and Federal Liberal-Nationals governments in the infrastructure of the motorway going into Sydney. It is a critical piece of road infrastructure for holidaymakers, local residents, local freight and transport; there are already B-doubles on that highway. We have evidence that the investment will save lives and is better for the environment. The Government will not block the motion, but it sees through the reason for calling for such a dragnet. I have a response from the transport department about the amount of

resources it has to put into doing this. The Government looks forward to seeing the press releases and the local newspaper stories when the SO 52 is supplied.

The Hon. WES FANG (21:21): I will only make a brief contribution. I note the sighs from those opposite. I am going to make the same point that I have already made tonight. I am permitted to do so because the repetitive orders for papers under Standing Order [SO] 52 in this place encourage me to make repetitive contributions. What effort have those opposite made prior to this SO 52 motion to get these documents? Or is it such now that members come into this House and move an SO 52 motion for documents straight in without having done any of the groundwork, such as making a request, seeking advice from the department, making an application under the Government Information (Public Access) Act or the like? Once upon a time an SO 52 was done by those opposite as a last resort; now it seems to be the standard pro forma for getting documents. That is not an appropriate way to use the powers of this House. I seek for the mover of the motion in his reply to outline the steps that have been attempted to access these documents before going down the path of moving an SO 52 motion.

If no effort has been made and those opposite are putting in SO 52 after SO 52, we are again seeing an abuse of this House and its powers, and a use of those powers which the original conceivers of them possibly did not expect. In recent times we have had debates about the powers of this House. Those opposite have accused the Government of abusing the powers and the standing orders of the House. They are looking to have them changed. Well, I am going to call it out: I think that we are seeing an absolute abuse of the SO 52 power now. It is evident by the number of SO 52s that have been moved tonight and by the rubbish SO 52s that we have seen, such as a bus survey. If that is what those opposite are using the powers of the House for, that is a reflection on them. They see that as an appropriate way to use this House; I do not think it is. It is a crown of thorns on those opposite.

The Hon. ADAM SEARLE (21:24): In reply: I thank the Hon. Shayne Mallard and the Hon. Wes Fang for their contributions. To take Mr Fang's question, I put this motion together. It is actually a fairly stripped-back version of the motion that a variety of residents and local action groups had asked me to move, to seek information from the House.

The Hon. Shayne Mallard: And branch members.

The Hon. ADAM SEARLE: No, I don't believe any of them were branch members, to be clear. Council, residents and community groups had at different times sought that information through the process of interacting with the various announcements. There has been an effort by members of the community to seek that information, but there is no limitation on this House's ability to seek documents. There is no series of hoops through which members are supposed to jump. As I said, this is a stripped-back version of what we were asked to pursue, and I think it is reasonable and focused. It is meant to get to the bottom of what the Government is seriously proposing to do here.

The Hon. Wes Fang: No, it's not. It's a fishing expedition, Adam. Call it what it is, mate.

The Hon. Trevor Khan: Point of order: I am sorry to do this, but the contribution by the Hon. Wes Fang has already been made. It should not be made from the back of the Chamber.

The DEPUTY PRESIDENT (Ms Abigail Boyd): I uphold the point of order. I ask members to keep interjections to a minimum.

The Hon. ADAM SEARLE: To take the point raised by the Hon. Shayne Mallard, I never opposed improvements to the Great Western Highway when I was a councillor or when I was a local mayor. The Opposition welcomes investment in improvements and safety. But the Government has a bit of form, as do the Liberal and National parties, on raising spectres and prospects of grandiose projects that do not come to fruition. I still remember the 1999 election promise from the Coalition to put a tunnel through the Blue Mountains to the Central West. I am waiting for the Government's famed upgrade of the Bells Line of Road, the superhighway which those opposite promised for 16 years in opposition and in 10 years in government have not done a bean about. Let's get the information about these various iterations. Let's get the information about what the Government is thinking about so that there can be a proper and informed community discussion about the different options.

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

Motion agreed to.

Motions

DINGO CONTROL

The Hon. MARK PEARSON: I move:

That private members' business item No. 1302 outside the order of precedence be considered in a short form format.

The Hon. MARK PEARSON (21:28): I move:

- (1) That this House notes that a news article was published on the Australian Broadcasting Corporation News Online website on the 21 June 2021 which:
 - (a) discussed the practice of hanging dead dingoes on trees in rural areas as a method for easy tallying of slaughter numbers; and
 - (b) raised the question as to whether this practice was unacceptable to the modern sensibilities of the general public.
- (2) That this House considers that the practice of hanging dingo carcasses is outdated, barbaric and serves no useful purpose.
- (3) That this House commends those farmers speaking out against the hanging of dingo bodies.
- (4) This House notes that dingo experts, scientists and conservationists are increasingly calling on landholders to learn to co-exist with dingoes given their critical ecological role as apex predators.
- (5) That this House calls for an end to the lethal control of dingoes. The subject matter of this debate centres on the cruel and unnecessary persecution of the dingo that has continued unabated since the Europeans first brought their sheep to graze on the open plains. Pastoralists killed and continue to kill so many animals because of the pastoralists' steadfast refusal to adapt to the environment as it exists, as opposed to the one they misguidedly seek to impose for their own narrow interests. Along with the killing of the animals comes the dispossession of the Indigenous peoples, who have learnt over millennia to live within the constraints of this environment. They knew to take only enough for their needs and engaged in cultural practices that ensured the land and the animals thrived under their custodianship. In their ignorance and greed, pastoralists decided that some animals had to be eradicated or at least kept on the margins because they wanted to gain the maximum profit from the sheep and cattle they now farm.

Australian farming has always been knee-deep in the blood of animals—not just those farmed for slaughter but also others such as the Tasmanian tiger, which was wrongfully accused of decimating flocks of sheep. Science has now proven that the tigers' jaws were so weak that they could not have hunted anything larger than a possum. Wedge-tailed eagles were poisoned and shot in the mistaken belief that they preyed on healthy lambs. But we now know that when eagles are seen to be feeding on dead lambs, those lambs had died from causes such as stillbirth, maternal rejection, starvation or bad weather. But myths, particularly in conservative farming communities, are not easily debunked, and so we still see the tragic poisonings of eagles, such as the recent poisoning of more than 100 eagles in East Gippsland.

Even kangaroos—peaceful herbivores lacking in both talons and fangs—are routinely killed in their millions each year because in times of severe drought they have no choice but to seek out the pastures which were once their ancestral grasslands. The war on dingoes belongs in the same category of wilful ignorance and cruel behaviour. The *ABC News* images of dingo carcasses strung up in trees near Winton in western Queensland shows how far we still have to go to dispel myths and re-educate farmers about the importance of dingoes and the role they play in the environment.

Science tells us that the dingo appeared on the Australian continent sometime between 18,000 and 4,700 years ago. They became camp dogs and hunting companions alongside Indigenous peoples. Dingoes maintained a symbolic partnership with Aboriginal peoples over thousands of years and, as such, they are a cultural keystone species. Dingoes are animals of exceptional significance to Aboriginal culture, which is illustrated by their pervasiveness in language and traditions. Over thousands of years dingoes maintained their dual roles of human companion and predator while remaining essentially wild and independent. Tragically, this cultural connection with dingoes was severely impacted by the lethal targeting of dingoes by pastoralists.

Australia has suffered the worst rate of mammalian extinctions in the world, and this crisis is directly related to dingo control. The reduction in dingoes has been linked to the widespread loss of small and medium-sized native animals. The ecological value of the role of the dingo as Australia's top predator must be recognised. I have been consulting with ecologists, Aboriginal Elders Uncle Max "Dulumunmun" Harrison and Auntie Ro Mudyin Godwin, and dingo carers to determine the best way forward to protect dingoes. In conducting my consultations I have become aware of the work undertaken by Joshua Said of the Dingo Den.

I seek an extension of two minutes.

Leave granted.

The Hon. MARK PEARSON: One of the consequences of enshrining dingo protection in law, which is what I intend to do by bringing in a bill to that effect, is that pastoralists will likely discover that they can coexist with the dingoes living in their midst. Ecologist Arian Wallach has developed a dingo diversity project to study the role of dingoes in healthy ecosystems. She has established one of the country's first dingo-friendly cattle stations at Evelyn Downs in South Australia. She believes that we need healthy ecosystems and that this requires

the presence of dingoes. She says, "We have to start letting go of how things were done 100 years ago." She runs a herd of 1,000 cattle and it is working out quite well.

I urge farmers to be open-minded about ending the war on dingoes. After more than 200 years of demonising, trapping and shooting dingoes, I believe that the time has come to lay down our weapons. Just as the extinction of the Tasmanian tiger and the killing of wedge-tailed eagles are now seen as shameful and abhorrent, future generations will look back in disgust at the torture and suffering inflicted upon the dingo.

The Hon. SAM FARRAWAY (21:34): On behalf of the Government, I oppose the motion. I do so purely because it calls for an end to the lethal control of a known pest, and pest management is taken very seriously by members on the Government's side of the House. While I am not intimately familiar with the practice of hanging dingo carcasses in trees, the Hon. Mark Pearson refers to Winton in western Queensland, where the practice may be more common than here in New South Wales. However, I make one thing clear from the outset: Dingoes are wild dogs. It is wild dogs that cause destruction not only to the agricultural production of farmers, whom this Government holds in such high regard, but also to the environment and to our valued native species. The primary goal of controlling wild dogs is to reduce those impacts. Our land, agricultural production and native animals are simply too important.

I will never apologise—and neither will this Government—for standing up for farmers and doing what we can to support the agricultural industry. Every year wild dogs cause \$25 million in damage and lost production. These four-legged fiends are a plague on primary producers and bush communities. The New South Wales Government supports landholders in controlling wild dogs through many means—not only through the biggest aerial and ground-baiting programs in the world, but also through the use of wild dog fences. And not just any fence—the New South Wales Government is building the world's longest wild dog fence, which will run 742 kilometres along the Queensland and South Australian borders. The Government is investing a record \$37.5 million in this fence fortress. It is critical that we support farmers in managing the populations of pests. Landholders play an important role in controlling wild dogs. Without them we would not be able to carry out the pest control methods that we use now. Farmers in every corner of the State work hand in glove with Local Land Services to ensure that we knock down pest populations—not just wild dogs but also feral pigs, donkeys, deer and more.

So, no, the Government will not support an end to the lethal control of wild dogs or dingoes, whatever one wants to call them, because they are the same thing and they wreak havoc on our farmers, who are the backbone of our bush communities. While members on this side of the House take the issue of animal welfare seriously and condemn anyone who commits abhorrent acts, this practice is not an act of cruelty. The Government opposes the motion for those and many other reasons.

The Hon. MICK VEITCH (21:37): I think we need to be a bit calm and sensible about this. The first item in the motion refers to a television show. I am not sure why anyone would oppose that. The second paragraph in the motion states:

That this House considers that the practice of hanging dingo carcasses is outdated, barbaric and serves no useful purpose.

I am not quite sure why people hang the carcasses. I guess decades ago there must have been a reason for doing that, but I am not sure why people would still do it. This is not an area in which I have a lot of expertise, but I would like to know why people do it. The third paragraph states:

That this House commends those farmers speaking out against the hanging of dingo bodies.

People have the right to speak up at any stage. If farmers want to speak out against the practice of hanging dingo carcasses, they should be able to. I do not have a problem with that. The fourth paragraph states:

That this House notes that dingo experts, scientists and conservationists are increasingly calling on landholders to learn to co-exist with dingoes given their critical ecological role as apex predators.

One of the scientists in this field has spoken to me about this issue and, as far as I am concerned, the fourth paragraph is pretty okay to the Opposition. Paragraph 5 states that this House calls for an end to the lethal control of dingoes, which is the stumbling block for the Opposition. I have spoken to the proponent of this motion and, therefore, I seek leave to move an amendment to the motion. I apologise to the clerks at the table. They had no idea I was doing this. I move:

That the question be amended by omitting paragraph (5) and inserting instead:

- (5) That the House calls on the Minister to table a report on measures utilised to control the dingo population in New South Wales.

I move that amendment because I am not sure what the lethal methods being used are. As I said to the proponent of the motion, it is hard for me to vote in favour of it if I have no understanding what they are or if I have no

research or quantitative measures to consider. I would like that information. It would help in our decision-making process. If my amendment does not get up, then we will not support the original motion because of paragraph (5). If the amendment gets up, we will support the motion as amended.

Ms CATE FAEHRMANN (21:40): The Greens support the motion moved by the Hon. Mark Pearson. I thank him for bringing it to the attention of the Chamber today. There is a myth that dingoes have nearly gone extinct and that all dog-like animals found in the wild are essentially wild dogs. It is on that basis that the Government actively encourages the culling of dingoes. We heard the Government member talk about how many millions of baits are being dropped, specifically to target dingoes. Its policies refer to dingoes as wild dogs, which is what the Hon. Sam Faraway said a number of times in his speech, and he classified them as pest animals.

The New South Wales Biosecurity Act 2015 places a duty upon landholders to control wild dogs and minimise their negative impacts. However, genetic testing conducted by the Australian Dingo Foundation on 783 wild canines that were killed as part of pest control measures revealed another truth. One in four of the animals tested were pure dingoes and most were genetically three-quarters dingo. Only five of the 783 animals killed were domestic dogs with no dingo ancestry. The reality is that wild dogs are simply dingoes or dingoes with some dog genes. The Ecological Society of Australia does not hold back in its defence of dingoes and is fiercely opposed to extreme culling. It states:

Dingo management parallels persecution of the Tasmanian tiger: a top-predator that was hunted for its alleged impact of livestock. Dingoes are persecuted for similar reasons to the extinct Tasmanian tiger.

Ecologists fear that ongoing culling of the dingo could cause a Tasmanian tiger-like extinction. Culling has reduced the distribution of the species and disrupted its social structure, which gives domestic dogs the opportunity to mate with dingoes, which increases the risk of hybridisation. The Ecological Society of Australia favours non-lethal control measures and states:

Alternatives to lethal control and the dingo fence exist, with potential benefits to farmers and biodiversity alike.

Earlier this year research was conducted using satellite imagery for the first time to determine the impact of dingoes on the environment. The results are incredible. The research compared vegetation cover on either side of the dingo fence that covers 5,600 kilometres over three States. Satellite imaging of dead vegetation between 1988 and 2020 reveals stark differences in the amount of vegetation on either side. Dingoes are a keystone species and an integral part of Australia's ecosystems. Their presence in the right numbers acts as a natural control to a number of herbivores, such as kangaroos and wallabies, which in turn prevents potential overgrazing of native vegetation. That means smaller native animals have more places to hide from cats and foxes, with dingoes also keeping their numbers down. We need to find alternative ways to protect farms and learn to live with dingoes before we drive another precious native Australian species to extinction.

The Hon. EMMA HURST (21:43): I support the motion of my colleague the Hon. Mark Pearson. I will specifically talk about the part that calls for an end to the lethal control measures used on dingoes. I have been lucky enough in my life to have met many dingoes, including those that reside at Dingo Den Animal Rescue in Penrith. Coming face to face with the wild at heart is unique. You realise this when you arrive at the sanctuary and you are instructed on how to greet a dingo. You get down to their level and you let them smell your breath first to earn their trust. It is in this very personal interaction with the dingo that you truly see how special those animals are. Those beautiful, native animals are confident, friendly and patient, but also quite different to other dogs. They are curiously independent, intelligent and self-willed, yet every year in Australia thousands of dingoes are scalped, shot or poisoned. Experts have told me that the Government's 1080 poison program could wipe out dingoes entirely. Although, based on the Hon. Sam Faraway's contribution, making this native animal extinct seems to be the plan of the Government.

This is allowed to happen because they are the only native animal that does not have the status of being protected under the Biosecurity Act. This Government has already dropped 1080 baits across a distance similar to the length of Russia. This is cruel, thoughtless and irresponsible madness. Any animal unfortunate enough to ingest one of those baits will die a slow and agonising death. They will vomit, shake, scream, spasm and writhe in excruciating pain for days before dying. Anybody who claims to be dedicated to protecting native animals must hear this: 1080 poison could wipe out dingoes and other threatened species. We have heard in this House recently of the State's horrific treatment of kangaroos and now dingoes. Ghandi said, "The greatness of a nation and its moral progress can be judged on the way its animals are treated." One look at the way Australia treats its native animals would shock anyone. We should be ashamed. The Government should be ashamed. Contributions from Government members encouraging the extinction of this native animal are shameful. I urge all members to support this motion.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (21:46): The Government will support the amendment moved by the Hon. Mick Veitch.

The Hon. MARK PEARSON (21:46): In reply: I thank members for their contributions. I note the way the Hon. Mick Veitch approached this motion. He actually read it, and I think anyone who wishes to make a contribution should do the same so that their contribution can also be helpful. I thank members for their contributions because it has shed light on and clarified what our various positions are. I commend the motion to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The Hon. Mark Pearson has moved a motion, to which the Hon. Mick Veitch has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

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

Motion as amended agreed to.

THE STAR CASINO

Mr JUSTIN FIELD: I move:

That private members' business item No. 1354 outside the order of precedence be considered in a short form format.

Motion agreed to.

Mr JUSTIN FIELD (21:49): I seek leave to amend private members' business item No. 1354 outside the order of precedence as follows:

- (1) In paragraphs 1 (a) and (2) omit "revelations" and insert instead "allegations".
- (2) Omit paragraph (4) and insert instead:
 - (4) That this House notes the public claims in February 2020 by former Clubs NSW manager of anti-money laundering and counterterrorism financing Troy Stolz that a Clubs NSW 2019 board paper identified that up to 95 per cent of clubs in New South Wales were not complying with anti-money laundering and counterterrorism financing laws.
- (3) Omit paragraph (5) and insert instead:
 - (5) That this House notes the Government, since 2017 has taken in excess of \$8 billion in gambling taxes from clubs, pubs and casinos.
- (4) Omit paragraph (6) and insert instead:
 - (6) That this House welcomes the announcement yesterday that the inquiry being conducted by Adam Bell, SC, into the Star casino will now conduct public hearings in March 2022.

Leave not granted.

Mr JUSTIN FIELD: I move:

- (1) That this House notes:
 - (a) the revelations aired on *60 Minutes* on 10 October 2021 that between 2014 and 2021 Star Entertainment, the owner of Sydney's only currently operating casino, enabled suspected money laundering, organised crime, large-scale fraud and foreign interference within its Australian casinos, even though its board was warned its anti-money laundering controls were failing;
 - (b) that one individual is alleged to have gambled \$175 million through the poker machines at the casino, only stopping when the NSW Police Force organised crime squad arrested them in June in connection with three tonnes of cocaine allegedly imported in various shipments in 2020 and 2021;
 - (c) the board was warned in 2018 in an internal report that:
 - (i) Star's anti-money laundering risk-assessment system "does not consider terrorism financing as required by the AML-CTF [Anti-Money Laundering and Counter-Terrorism Financing] Act";
 - (ii) Star's assessments of some gamblers "appear to understate the level of money laundering risk"; and
 - (iii) Star had "no documented money laundering risk assessment, or risk-assessment methodology" for Chinese high-roller tour groups known as junkets.
 - (d) the response by the New South Wales regulator, the Independent Liquor and Gaming Authority suggested that Star had not made them aware of those warnings or the company's response.
- (2) That this House notes the Star revelations follow the findings of the Bergin Inquiry into Crown Casino that included finding Crown actively facilitated money laundering.
- (3) That this House notes media stories in August 2021 that the Government was considering allowing an extra 1,000 poker machines into Sydney's Star casino, with licences to be transferred from poor performing pokies in regional areas of the State.

- (4) That this House notes the courageous efforts of former Clubs NSW manager of anti-money laundering and counterterrorism financing Troy Stolz who, as a whistleblower, exposed that 95 per cent of clubs in New South Wales were "operating illegally" by not complying with anti-money laundering and counterterrorism financing laws and that this was known to the Clubs NSW board.
- (5) That this House notes the Government, since 2017 has taken in excess of \$8 billion in gambling taxes from clubs, pubs and casinos and notes that a portion of this tax revenue has unquestionably come from the proceeds of organised crime, laundered through poker machines.
- (6) That this House calls on the Government to establish a public inquiry into the revelations about Star's Sydney casino and to expand such a public inquiry to include the broader issue of money laundering through poker machines and the links of organised crime with the gambling industry.

I was shocked by revelations made by Channel Nine's *60 Minutes* and in *The Sydney Morning Herald* on 10 October that between 2014 and 2021 The Star Entertainment Group, the owner of the only currently operating casino in New South Wales, was suspected of money laundering, organised crime, large-scale fraud and foreign interference within its Australian casinos even though its board was warned that its anti-money laundering controls were failing. I was shocked because I could have sworn that I had heard this only a couple of years earlier—and, of course, we did. We heard almost identical things in relation to Crown casino. At that time it did not even operate a casino in New South Wales but the Government, again faced with revelations from similar journalists from the same news outfit, put information out in the public space that warranted and justified a pretty extraordinary public inquiry into Crown and its suitability to hold a casino licence in New South Wales. Of course, the Crown casino at Barangaroo is still not operating today. I think that speaks to the seriousness with which the Government took that particular issue, the reaction and consideration by Justice Bergin and the response.

But The Star is operating a casino in New South Wales and, despite the fact that the Bergin inquiry found the most egregious breaches by Crown of what would be the standards for an operator of a casino in New South Wales, continued to operate, during that inquiry and since, in a manner that raises serious questions about its suitability to hold a casino licence in New South Wales. One of the allegations is that one individual gambled as much as \$175 million through the poker machines at The Star casino. They only stopped when the NSW Police Force's Organised Crime Squad arrested them in June this year in connection with three tonnes of cocaine allegedly imported in various shipments in 2020 and 2021. This was all happening in the same window of time as the Crown inquiry. This is all happening in the same window of time in which the Government was considering allowing The Star casino to lease a thousand more poker machines. It has only 1,500 at the moment. But this money, quite clearly—let's be absolutely clear—is money and proceeds of crime that is being laundered through poker machines at The Star casino, and this was all happening at the same time.

I welcome, and the motion as I was trying to amend it would have welcomed, the Government's announcement yesterday that the inquiry being conducted by Adam Bell, SC, into The Star casino revelations will conduct public hearings in March 2022. Of course, the casino's licence was up for a review and that was largely a private inquiry, but it will now be a public inquiry. That is warranted. One of the reasons I think it is really important to have some sort of political response to the allegations and revelations that have been made in the media is to draw out this curious difference between how we have treated the casino sector in New South Wales and how we are treating the pubs and clubs sector in New South Wales. Of course the issue here has been the money laundering through the 1,500 poker machines at The Star casino.

We have 95,000 poker machines in New South Wales clubs and pubs. In early 2020 a former officer of ClubsNSW involved in anti-money laundering preparedness within that organisation went public with documentation that suggested the board of ClubsNSW was aware of very low levels of compliance within clubs in New South Wales with regards to their obligations in respect to anti-money laundering, any organised crime and terrorism activities. In response to some questions today, the Government said largely that has been a Federal matter. I would contest whether New South Wales has the right regulatory settings to identify and react to money laundering and poker machines in this State and whether we are doing the right thing by the public in those clubs and pubs that operate the 95,000 machines in New South Wales to ensure that clubs and pubs have the necessary tools to be able to identify and address money laundering risks in their venues. I welcome this debate. It is a shame the Government denied leave for the amendments I wished to move, but I look forward to hearing what the Government has to say.

The Hon. NATALIE WARD (Minister for Sport, Multiculturalism, Seniors and Veterans) (21:56): On behalf of the Government I respond to the motion moved by Mr Justin Field. The Government is concerned by recent media reports that allege The Star has been enabling suspected money laundering, organised crime, large-scale fraud and foreign interference within its Australian casinos. The reports allege that The Star's audit committee was warned its anti-money laundering controls were failing and that The Star did not adequately act on these warnings. Currently, the Independent Liquor and Gaming Authority [ILGA] is undertaking a review into The Star's operations. This review is being headed by Mr Adam Bell, SC, as the mover of the motion quite rightly

recognised, who has extensive knowledge of casino regulatory matters and was Counsel Assisting ILGA's Bergin inquiry into Crown.

The review will consider how effectively The Star is complying with its statutory obligations and whether it remains suitable to hold a casino licence. In particular, it will examine The Star's operations to ensure it remains free from criminal influence or exploitation and does not cause harm to the public interest. It will also examine how effectively The Star detects and prevents money laundering activities taking place within the casino, its operations or in connection with any entity associated with The Star, including the anti-money laundering training of its staff and the recording and reporting of any incidents.

The review has been established under sections 30 and 143 of the Casino Control Act 1992. Mr Bell will conduct the review with powers and authorities conferred on a commissioner under the Royal Commissions Act 1923. ILGA and the Government have stated that it is up to Mr Bell whether he wants to hold public hearings. If he chooses to hold public hearings, ILGA and the Government will work to ensure that they take place. However, it would be inappropriate for ILGA and the Government to tell Mr Bell how to conduct his inquiry. The current review is set up to consider the recommendations made in the previous five-yearly reviews, as well as the Bergin inquiry and evidence given by The Star for that inquiry.

I am advised that money laundering is not just occurring in casinos but in hotels and clubs as well. Noting these concerns, the New South Wales Government is increasingly taking a role additional to that played by the Australian Transaction Reports and Analysis Centre in identifying and policing money laundering in venues. However, given the review has been established by the Casino Control Act 1992, its scope cannot be expanded to include the issue of money laundering through poker machines and the links of organised crime within the gambling industry more broadly. Expanding this investigation to cover the complexity of the gambling industry in New South Wales that spans across pubs, clubs, hotels and casinos could hinder the targeted, focused approach already established by the current review. Investigating the adequacy of The Star's anti-money laundering and counterterrorism financing policies and procedures is incredibly important given the seriousness of the recent allegations. It is also important to note that these allegations relate to The Star's anti-money laundering policies and procedures, which is a broader issue than the number of available gaming machines at The Star.

I seek leave for an extension of time of one minute to conclude my remarks.

Leave granted.

The Hon. NATALIE WARD: I thank the House for its indulgence. Whether The Star operates 1,500 machines or 2,500 machines, the same expectations apply regarding requirements for there to be appropriate money-laundering and harm-minimisation measures in place and for those to be actively implemented. The New South Wales Government believes the current review focused solely on The Star should continue, with Mr Bell expected to deliver his findings to ILGA by March 2022. It is crucial that ILGA receives the report from Mr Bell in a timely manner so that it can act on his report. Any attempt to broaden the scope of his review will only delay the time frame for receiving his important recommendations well beyond the current deadline of March 2022. Any delay to the inquiry will delay necessary reforms to The Star. Therefore, it is in the public interest to ensure that Mr Bell's inquiry proceeds as intended. For those reasons, we oppose the honourable member's motion.

The DEPUTY PRESIDENT (Ms Abigail Boyd): 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. MICK VEITCH (22:00): I make a contribution to debate on the motion of Mr Justin Field. I move:

That the question be amended as follows:

- (1) In paragraphs (1) (a) and (2) omit the word "revelations" and insert instead "allegations".
- (2) Omit paragraph (4) and insert instead:
 - (4) That this House notes the public claims in February 2020 by former ClubsNSW manager of anti-money laundering and counter-terrorism financing Troy Stolz that a ClubsNSW 2019 board paper identified that up to 95 per cent of clubs in New South Wales were not complying with anti-money laundering and counter-terrorism financing laws.
- (3) Omit paragraph (5) and insert instead:
 - (5) That this House notes the Government, since 2017, has taken in excess of \$8 billion in gambling taxes from clubs, pubs and casinos.
- (4) Omit paragraph (6) and insert instead:
 - (6) That this House welcomes the announcement yesterday that the inquiry being conducted by Adam Bell, SC, into The Star casino will now conduct public hearings in March 2022.

I move this amendment because, following consultation with the shadow Minister and the proponent, as it stands we would be unable to support the motion. Similar to the Government, we would like to see Mr Bell's public inquiry run its course, look at the recommendations and then go from there. If agreed to, these amendments would provide some comfort for the Opposition, but if the amendments do not get up and the motion as it stands remains we would be unable to support the motion.

I understand that this is about members looking particularly at money laundering and poker machines in clubs. I come from regional New South Wales. There are clubs in regional New South Wales that are very important parts of their local communities—they are not your Panthers, they are not your Mounties. During the bushfires I am certain the honourable member would have seen the substantial contribution that the clubs in those communities played, particularly in the smaller communities. Whilst I can appreciate where the member is coming from with the motion, I believe it is important that we do not see this as an attack on all clubs in New South Wales, because they are a very important part of the social fabric of a whole range of regional communities.

Ms CATE FAEHRMANN (22:03): On behalf of The Greens, I support this motion moved by Mr Justin Field and thank him for bringing it to the House tonight. I think it is extraordinary for the Government member to not agree to him amending this motion, considering the substance of the motion. Usually everyone in this place is very agreeable to allowing members to amend their motions because they are private members' motions. For the Hon. Damien Tudehope to say no to these amendments is quite extraordinary, considering the substance of the motion.

The Hon. Shayne Mallard: Point of order: Members have exercised their prerogative to not grant leave. It is not a debating point for the motion. The motion is before the House. The member should not speak about what occurred before the motion was moved but should be brought back to the motion.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I am troubled by the prospect that the granting of leave is precisely that. Every member has the right to refuse that leave. I have seen members of The Greens refuse leave on matters from time to time. There is an issue of respecting the right of members not to grant leave. Ms Cate Faehrmann will proceed to speak to the motion.

Ms CATE FAEHRMANN: I take some of my remaining time to speak about the extraordinary allegations that the Nine Network and newspapers aired, which were very similar to what we saw with the Crown casino allegations, such as the high-roller guests that staff frequently welcomed through their doors: an alleged Sydney cocaine importer; a Canberra restaurateur, an accused drug trafficker and money launderer; the nation's most infamous accused foreign interference agent; and some of Australia's biggest alleged tax cheats and corporate fraudsters. It is extraordinary that Star had previously engaged KPMG to report to its board's audit committee and that the confidential reports outlined how The Star was failing to combat the risk of money laundering, terrorism financing and corruption within its Sydney and Queensland casinos but apparently kept going. The investigation revealed that Star helped Chinese high-rollers avoid Chinese anti-gambling laws by allowing them to withdraw money in a way that disguised it as hotel expenses.

I note also that the motion acknowledges the work of whistleblower Troy Stolz. I will take these last few seconds of my time tonight to thank him for his extraordinary courage in being a whistleblower, considering his role at ClubsNSW. It was a very brave thing for him to do. I commend the motion.

The Hon. LOU AMATO (22:07): I speak to the motion of Mr Justin Field. As recent media reports have demonstrated, there is no doubt that money laundering has continued to occur in casinos despite the Commonwealth money laundering framework and the efforts of the Australian Transaction Reports and Analysis Centre [AUSTRAC]. Currently the Federal Government is primarily responsible for regulating and enforcing anti-money laundering laws through AUSTRAC. AUSTRAC is also assisted by State and Territory regulators and law enforcement agencies. AUSTRAC regulates more than 15,000 businesses and industries that may be subject to money laundering. As part of this, AUSTRAC imposes the requirements that businesses have systems and controls in place to manage risk.

Given the size of this regulated industry, AUSTRAC does not actively monitor all entities to ensure that they are complying with anti-money laundering laws. Instead, AUSTRAC relies on proactive reports by regulated entities and audits that it undertakes to detect money laundering. Casinos are one of the industries regulated under the Commonwealth anti-money laundering framework. It is critical that the management and operation of casinos in New South Wales are free from criminal influence and exploitation.

The New South Wales Government remains committed to this view. For this reason, the New South Wales Government has agreed to support all 19 recommendations of the Bergin inquiry report on the regulation of casinos in New South Wales, including that the Government take on a role in regulating money laundering in casinos. The public inquiry into Crown, conducted by the Hon. Patricia Bergin, SC, investigated the acquisition

of shares in Crown Resorts by Melco Resorts; allegations made regarding junket operations at Crown Melbourne; and the New South Wales regulatory environment for casinos. The Bergin inquiry identified clear failures in Crown money-laundering controls as well as in its policy, procedures and culture of compliance.

As a result, the Bergin inquiry recommended that the New South Wales Government take on greater responsibility for regulating and policing money laundering in casinos, with additional powers to support this increased responsibility. These recommendations were among a host of recommended reforms to the regulatory framework for all casinos in New South Wales, including establishing a new, independent, standalone specialist casino regulator; banning casinos from dealing with junket operators; and amending the legislative framework to strengthen the suitability requirements for licensees and close associates of licensees.

The New South Wales Government has determined that it supports the Bergin inquiry's recommendations, including that the casino regulator be given extended powers to regulate and oversee anti-money laundering measures in casinos. This includes reforms such as requiring concurrent reporting by casino operators of suspicious transactions to both AUSTRAC and the casino regulator, requiring casino operators to obtain a declaration of source of funds for cash transactions over a specified threshold, and banning or licensing junkets. The recommendations also require casino operators to take a more proactive stance in preventing money laundering. The Government has already commenced implementation of the recommendations from the Bergin inquiry and is working to strengthen anti-money laundering requirements for all casinos in New South Wales.

The Hon. JOHN GRAHAM (22:10): This discussion has ranged across clubs, pubs and casinos. The House knows that I support venues wherever I find them. I often prefer that they lean more heavily on entertainment rather than gambling. This Parliament has a role to play in making entertainment a viable economic path for venues. I make a couple of comments after the Minister has put the Government's case. Firstly, I welcome that the Minister has joined with the Queensland Minister in saying publicly that these are serious allegations. The expression of that view in two jurisdictions is very welcome. The Minister seemed to say that the public inquiry was up to Adam Bell, SC. The Opposition's understanding was that Mr Bell has indicated that he thinks that conducting public inquiries is in the public interest and that he has communicated that to the Independent Liquor & Gaming Authority [ILGA], which goes somewhat further than the position put by the Government.

Secondly, though I agree with the observations about the need for the inquiry to be timely, the Opposition understood that we had moved beyond the March time line. In fact, in a statement yesterday ILGA said that hearings would be held in March. This is now due at the end of June. I welcome those statements, though. It was probably inevitable that this discussion became public. I think it is better for the staff, in this instance, to have these issues dealt with once, rather than dealing with them behind closed doors and then having a call for them to be dealt with in public. Certainly it is better for the public. We need the public to have confidence in the operation of casinos. This is a heavily regulated industry. There is very serious regulatory oversight of these venues, but it is essential that the public has confidence in them. Adam Bell, SC, and ILGA taking that step is welcome.

Reverend the Hon. FRED NILE (22:12): I support Mr Justin Field's original motion and thank him for the detailed work and research he has been engaged in to bring this matter to the attention of all members of Parliament. I hope that any amendments are not designed to water down the facts as presented by Mr Justin Field in his original motion. I support his original motion.

The Hon. SAM FARRAWAY (22:13): I oppose the motion, and I will expand on the previous contribution of my colleague the Hon. Lou Amato. Historically, the Federal Government has been responsible for implementing and enforcing anti-money-laundering laws through the Australian Transaction Reports and Analysis Centre [AUSTRAC]. As we heard before, AUSTRAC regulates more than 15,000 businesses in industries that may be subject to money laundering. Hotels and clubs with gaming machines are regulated by AUSTRAC under the Commonwealth's anti-money laundering framework. Hotels and clubs with 15 or fewer gaming machines must, among other requirements, be enrolled with AUSTRAC, report suspicious transactions to AUSTRAC and keep records and transaction reports.

Hotels and clubs with more than 15 gaming machines are a reporting entity under the AUSTRAC rules. Reporting entities are subject to strict requirements. Some of these requirements are that they must have an anti-money laundering [AML] and counterterrorism financing [CTF] program approved by their directors before customers can play on gaming machines; appoint a designated AML/CTF compliance officer, who is trained and adequately resourced, in a position of sufficient authority; adopt an AML/CTF risk awareness training program; implement an AML/CTF program and complete a risk assessment, both of which must be implemented and formally adopted by the club's board and subject to ongoing oversight by senior management or the board; have procedures for ongoing customer due diligence, including transaction monitoring; have the club's AML/CTF program independently reviewed at least every two years; have procedures for collecting and verifying Know Your Customer information; and submit an annual compliance report to AUSTRAC.

While the inquiry recommended that the New South Wales Government take on greater responsibility for regulating and policing money laundering in casinos, the Government notes that there is increasing evidence to suggest that money laundering is occurring through gaming machines in hotels and clubs as well. Noting these concerns, Liquor & Gaming NSW is increasingly taking a role additional to that played by AUSTRAC in identifying and policing money laundering in venues. The Gaming Machines Act 2001 requires all clubs and hotels to connect their gaming machines to the Centralised Monitoring System. The system allows Liquor & Gaming NSW to view all transactions on gaming machines, identify transactions of concern that may indicate instances of money laundering and refer the transactions to law enforcement agencies, which then undertake formal investigations of the suspicious transactions.

At the moment, it is impossible to determine the amount of money that is laundered through gaming machines, just as it is impossible to determine the amount of criminal activity at any one time. However, the Government remains committed to ensuring that gaming machines are not used for criminal purposes and will continue to implement measures to help combat money laundering in hotels and clubs.

Mr JUSTIN FIELD (22:16): In reply: I thank all members for their contributions to this debate. I will clear up some things. I do not know whether this was a misunderstanding or a misrepresentation. My motion did not suggest that Adam Bell's inquiry into The Star be broadened to look at gaming machines and links to organised crime and money laundering in clubs and pubs. The inquiry was constituted under the casino Act. I was very much drawing a distinction, though, between two responses of governments. We have had quite detailed inquiries into Crown and now The Star.

We have just heard two members read speeches that were almost identical to the Minister's answer to my questions yesterday, which I appreciated. He outlined the very detailed anti-money laundering requirements for venues with more than 15 poker machines. But early last year a whistleblower showed that the board of ClubsNSW had acknowledged that as many as 95 per cent of clubs with that obligation were not complying with their obligation. This week the Minister acknowledged that money laundering is increasing in clubs and pubs. Over there, we have a royal commission-style inquiry into Crown, with 1,500 machines; over here, we have crickets. I am drawing that distinction.

I recognise the role of clubs, particularly in regional communities and in the bushfires. Money laundering is going on in our regional clubs, where there are bikies, organised crime and ice. Money is flowing through those machines too. That is where the families are, more and more. That is where they are on weekends. The organised crime is going on in the same venues. We owe it to those communities and to those club venue owners. We are not backing them with the right resources to identify and respond to these sorts of risks. We should be looking at this. There should be a parliamentary response, a political response, if the Government is not prepared to institute an inquiry like it has with the casinos, not into the clubs—people recognise my position on poker machines—but into what is going on with those machines and how they are being used. I hope that the intention of the Government is not to be a recipient of the proceeds of crime in its regime of taxation of gambling machines.

I do not think it is our intention to create a structure to facilitate money laundering on a pretty massive scale. I appreciate the various contributions. There is some differentiation between the Minister's response and what I believe is the public response from the Independent Liquor & Gaming Authority. Hopefully that will be cleared up. I hope there will be some consideration for whether we are missing a big part of the puzzle regarding the money laundering risks in our gambling sector in New South Wales. I commend the original motion to the House.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Mr Justin Field has moved a motion, to which the Hon. Mick Veitch has moved an amendment. The question is that the amendment be agreed to.

Amendment negatived.

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

Motion negatived.

Bills

ICAC AND OTHER INDEPENDENT COMMISSIONS LEGISLATION AMENDMENT (INDEPENDENT FUNDING) BILL 2021

Second Reading Debate

Debate resumed from 13 October 2021.

The Hon. Don Harwin: Point of order: I raise a point of order in relation to private members' business item No. 1329 standing in the name of the Hon. Robert Borsak regarding the ICAC and Other Independent

Commissions Legislation Amendment (Independent Funding) Bill 2021 on the basis that it contravenes section 5 of the Constitution Act. The bill proposes, amongst other things, to insert a new provision, section 4.6A, into the Government Sector Finance Act 2018. New section 4.6A (2) provides that:

The appropriation made by the annual Appropriation Act to an agency is taken to include, as a contingency fund for the annual reporting period, an amount equal to 25% of the appropriation made (the *contingency fund*).

New section 4.6A (4) further provides that:

The Treasurer must, at the request of an agency, authorise the payment of a sum out of the contingency fund if—

- (a) the appropriation made by the annual Appropriation Act for the agency for the annual reporting period has been exhausted, and
- (b) payments authorised to be made under this section will not exceed the contingency fund, and
- (c) the relevant Joint Committee has approved the payment of the sum, and
- (d) other requirements prescribed by the regulations, if any, have been met.

Section 5 of the Constitution Act 1902 specifies:

The Legislature shall, subject to the provisions of the Commonwealth of Australia Constitution Act, have power to make laws for the peace, welfare, and good government of New South Wales in all cases whatsoever—

Provided that all Bills for appropriating any part of the public revenue, or for imposing any new rate, tax or impost, shall originate in the Legislative Assembly.

The provision reflects the general principle that it is the government of the day that initiates or moves to increase parliamentary appropriations and taxation. This constitutional and parliamentary principle has been described as embodying the financial initiative of the Crown. The effect of new section 4.6A, particularly subsection (2), is to increase by 25 per cent the amount appropriated to an agency by the annual Appropriation Act. The bill would therefore be a bill for appropriating any part of the public revenue, within the meaning of the second paragraph of section 5 of the Constitution Act, and must originate in the Legislative Assembly.

Accordingly, the bill cannot originate in the Legislative Council. Therefore, Mr Deputy President, I ask you to rule the notice of motion out of order. For the information of the Chair and the House I enclose advice from Karen Smith, the Crown Solicitor, upon which my remarks are made. For the information of honourable members I quote paragraph two of that document, in which Karen Smith said:

The Bill is, in my view, a Bill "for appropriating any part of the public revenue", within the meaning of the second paragraph of s. 5 of the *Constitution Act 1902*. The Bill could not, therefore, originate in the Legislative Council.

I seek leave to table the advice from the Crown Solicitor, dated 19 October 2021 in relation to this matter.

Leave granted.

Document tabled.

The Hon. Robert Borsak: To the point of order: The Minister knows full well that this is not an appropriation bill and that it is not attempting to be an appropriation bill. I addressed that in my second reading speech. The Minister also knows full well that the bill has come into this House for the second time. These objections were not raised at the first instance when we debated it. Was it last year or earlier this year?

The DEPUTY PRESIDENT (The Hon. Trevor Khan): It was 2020.

The Hon. Robert Borsak: Thank you. All the quotations from the Crown Solicitor talking about money and talking about originating from the Constitution Act in the lower House are bumf, frankly, and the Minister knows it. The reality is that the bill seeks to look at ways and means by which the Government can more properly exercise its powers and duties to the governance bodies that the bill addresses. I urge the Deputy President to not uphold the point of order that the Minister has taken. The reality is that the bill is very important. It is very important that this motion gets properly debated, goes through the same processes that it went through last time and goes to the lower House, especially in these times when a former Premier of the State is being subjected to the issues around ICAC. It is important that the organisation is properly provided for in the future, and that we do not see the sort of obfuscation that the Minister has engaged in at this time.

The Hon. John Graham: To the point of order: Firstly I observe that a bill with almost exactly these terms was debated in this House and passed in November last year. It was also debated in the other place quite successfully over a period of time and then was voted down in that place on 13 May this year. There was some debate on these issues in both places. It was touched on and successfully managed in the course of the Parliament as a whole considering some very significant issues about the principles that are raised here.

That having been done, the Opposition is surprised that the Government is raising at the last minute matters relating to this bill. I refer to the point made by the Leader of the Government on the 25 per cent measure—the contingency fund in this bill. That does not constrain the Executive from making funding decisions. It may constrain some of the principles around how that funding is provided, but the funding decision would sit with the Government. It would have to take into the account the principle that the member has addressed. Without canvassing some of the issues that the Deputy President is keen to avoid, and given the serious issues that were raised in this bill, it would be quite extraordinary if the Leader of the Government were to shut down debate. The Deputy President has been placed in a difficult position because of the way in which this matter has been dealt with by the Government.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Do not feel sorry for me.

The Hon. JOHN GRAHAM: Mr Deputy President, do not feel pressured to rule against the bill being debated at this time.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I will adopt the approach adopted by President Ajaka in matters such as this. Indeed, I have had to deal with matters relating to the issue of appropriations and money bills on a prior occasion, and on at least one occasion the matter was reserved to allow further consideration. I think it is appropriate in this case that the same be done, noting that on the previous occasion a point of order was not taken but it has been taken at this stage. It is a constitutional matter and, therefore, of significant importance. I intend to reserve my ruling but I note that the Leader of the Government has tabled an advice. It would seem appropriate that that advice be made available to all relevant parties. I am sure the Clerk will organise for the distribution of that advice by tomorrow. I will then propose that all members, but obviously there are certain relevant parties, will have seven days in which to make any written submissions to the President that they choose to make and then the matter will fall discreetly into the lap of the President to decide. On that basis the matter is stood over at this stage to allow everyone to have a good think about what they wish to say.

The Hon. Adam Searle: Obviously not before seven days.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I chose seven days because we have budget estimates and it gives an opportunity for this matter to be further addressed this year, which I know the Hon. Robert Borsak wants to see done. I do not want to give an extended time that would unduly frustrate the matter if it is to proceed after the President has decided upon it.

Motions

LEGACY WEEK

The Hon. BEN FRANKLIN: I move:

That private members' business item No. 1321 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. BEN FRANKLIN (22:33): I move:

- (1) That this House notes that:
 - (a) Legacy Week occurred from Sunday 29 August 2021 to Saturday 4 September 2021;
 - (b) the Legacy Week appeal has been running since the 1940s and is a time for all Australians to show their support for the widows and children whose loved ones have served our country;
 - (c) the Legacy badge is a special emblem of support for our veterans' families, symbolising our nation's greatest values of mateship, compassion and fairness;
 - (d) Legacy badges may be little but the funds they raise make a big impact in the lives of our veterans' families; and
 - (e) Legacy supports 43,000 partners and children of veterans who gave their lives or health serving our country.
- (2) That this House thanks Legacy for the work it undertakes in supporting our veterans and their families.

A great many important dates and anniversaries occurred during lockdown that we were not able to recognise in the way that we normally would. One of these was the Legacy Week appeal. The concept of what we now know as Legacy was borne out of World War I, where 60,000 Australian service personnel were killed and more than 150,000 were wounded, many of whom died soon after. For the widows and children left behind, many faced a great deal of uncertainty and hardship. Recognising this, Major General Sir John Gellibrand formed the Remembrance Club in Hobart in 1923 and, inspired by the club in Hobart, Lieutenant-General Sir Stanley Savage established a similar club in Melbourne. This club was named Legacy. The concept was that returned servicemen, a legatee, would be there to support the wives and children who were left behind, grieving their husbands and fathers.

For nearly 100 years the foundations of Legacy have been supporting those whose lives have been impacted by war, and their purpose remains true to this day. In 2021 Legacy Week was held from 29 August to 4 September. While COVID-19 has heavily impacted fundraising efforts, Legacy's important mission continued when a virtual launch was held to mark the occasion. For many, purchasing a badge may be small in cost but is priceless for those who know its true value. This is the case for over 43,000 Legacy families, partners and children of veterans who gave their life or health to the service of our nation. One of these is the Till family.

Bree was in the Air Force Cadets when she was introduced to Sergeant Brett Till, a father of two. Brett and Bree married in 2008 and, approaching their one-year anniversary, Brett was deployed to Afghanistan. Eight weeks pregnant, Bree said goodbye to her husband, and Jacob and Taleah said goodbye to their dad for what would be the last time. Brett was killed by an explosive device that he was trying to render safe. He was only 31. Overnight, Bree was faced with the challenges of being a single parent and pregnant on her own. As Brett died overseas the paperwork processes after his death were complicated. She and the children were also facing having to move out of their home—all of this while trying to cope with her advancing pregnancy, which was meant to be a happy and joyous time, while grieving for her husband, who would never meet their unborn child.

Bree was feeling desperate when Legacy reached out to her, and within a matter of days that weight had been lifted. Her legatee was able to help with the paperwork and negotiated an extension to stay in their home. Legacy also helped to pay for school fees, books and uniforms, and the children were able to meet and bond with other Legacy children who understood what they were going through. Legacy helped to save the Till family. Legacy has been so important for thousands of families, including my own. My grandmother was a war widow and my dad grew up without his father. When he matriculated from high school in Wagga Wagga, having just turned 17, he won a scholarship to go to Sydney University. But he said that he simply would never have been able to take up that opportunity if it were not for Legacy.

It was his local Legacy branch that supported him with accommodation costs to come to Sydney and stay in a Legacy hostel called Glen Mervyn. I have an article dated Friday 8 November 1946 in *The Land* which talks about the very place in which my father stayed. It states:

Glen Mervyn becomes a Legacy Hostel for country boys and girls doing educational courses in the city. Glen Mervyn, one of the loveliest of all of the Red Cross homes has been acquired by the Legacy Club of Sydney on a lease costing a token of one peppercorn per year to be used as a hostel for country boys and girls coming to the city for educational courses.

It continues:

Residence to "Glen Mervyn" under Legacy rules, is obtainable only by the club's "wards," sons and daughters of servicemen from both World Wars killed in action. Their welfare is the work of Legacy, which safeguards their future by assisting promising students in furtherance of their studies.

My father would never have had the opportunities that he has had in life without the support that Legacy has given him. Since the Legacy Week Appeal was launched in 1940, tens of thousands of families who were affected by their partners' service in conflict and peacekeeping operations across the globe have had their lives touched by Legacy. Today there are 44 Legacy clubs in Australia, plus one in London, that provide emotional, social and financial support to families to ensure that the memory of their loved ones is never forgotten. I offer my sincere thanks to Legacy for everything it does. To those that need Legacy, its support will mean more than can ever be put into words. I commend the motion to the House.

The Hon. TARA MORIARTY (22:38): On behalf of the Opposition I indicate our support for this motion and acknowledge the incredible and important work done by Legacy in supporting 43,000 partners and children of veterans who gave their lives or health serving our country. We need to remind ourselves of the sacrifices made by those who served our country in times of war and conflict and do everything we can to avoid future loss and tragedy. But it is also essential that the families, partners and children are supported following a loss of a loved one in our service. Legacy performs that role and we thank it for doing so.

Legacy Week occurred from 29 August to 4 September 2021. Legacy Week has been running since the 1940s and is a time for all Australians to show their support for the widows and children whose loved ones served our country. It is not too much to ask to buy a small Legacy badge each year to raise much-needed funds to support the work that Legacy does in the community. The Opposition supports this motion calling on the House to thank Legacy for its work, and on behalf of the Opposition I acknowledge Legacy's work. I thank the Hon. Ben Franklin for moving the motion. I also thank him for sharing the story about his family and their experience with Legacy.

The Hon. NATALIE WARD (Minister for Sport, Multiculturalism, Seniors and Veterans) (22:39): I also thank the Hon. Ben Franklin for moving the motion and I support the motion enthusiastically. I also thank him for taking the time to give his personal story and his family's story, which so many share. It is so personal and so thoughtful of him. As the veterans Minister, I am very happy to speak in support of this motion, of course. The Legacy Week appeal has been running since the 1940s. This year it ran between 29 August and 4 September.

The Legacy badge is a special emblem of support, symbolising Australia's greatest values of mateship, compassion and fairness. By wearing it, we show our support for veterans, their widows and children. The badges may be small but the funds they raise make a big impact on the lives of our veterans and their families.

Each badge carries the symbol of an undying flame of service and the wreath of laurel inverted in remembrance. Legacy was created to keep the promise made by a soldier to his dying mate in the trenches on the Western Front in World War I—"I'll look after the missus and the kids." Today Legacy is still caring for tens of thousands of veterans and widows and children who lost their loved ones or who have been affected by their partner's service in the Korean War, the Milan emergency or the Vietnam War, as well as campaigns in Iraq and Afghanistan, and in peacekeeping operations across the globe. Since 1991 more than 72,000 members of the Australian Defence Force have served overseas. Legacy currently supports 43,000 individuals and families across Australia, assisted by the 3,600 volunteer members known as legatees.

Recently my office had the pleasure of meeting Legacy Club Services CEO, Mr John Hutcheson, who explained that Legacy divides its work into three main areas: first, relieving financial hardship by advocating for veterans' families or making financial payments; second, ensuring social connections so that no-one faces social isolation; and third, building resilience and independence through education and personal development programs. As expected, fundraising efforts for Legacy Week were heavily impacted for the second consecutive year by the cancellation of face-to-face fundraising. This year was the first time in Legacy's history that the fundraiser was held virtually. The funds raised will help Legacy continue its very important work, including regular phone calls, particularly to the elderly who have had limited socialisation opportunities during our COVID lockdowns.

As well as providing COVID-safe transport to make sure people do not miss their essential medical appointments, Legacy also is making laptops available to help with remote learning for children. I commend Legacy on its ninety-eighth year of promise-keeping and say: May your flame continue to burn brightly. In the few moments that remain for my speech, I recall that my grandmother often referred to Legacy and said that she either had had a phone call from Legacy or some other reference. I remember those reflections very fondly and know that she did the same. I support the motion.

The Hon. SHAYNE MALLARD (22:42): I want to address the Chamber and associate myself with the comments made by other members. I particularly acknowledge and admire the comments made by the Hon. Ben Franklin, who moved the motion, and thank him for sharing his family's story. I grew up in a family that has military connections as well. In World War I my great uncle was killed in France. In World War II my grandfather was injured fighting the Japanese in Papua New Guinea. Legacy was always viewed with great respect and regard in my family. Although I do not believe that we directly financially benefited from it, we were aware of its important role in our society because of our family's military history.

Legacy Week 2021 is important to note in this Chamber because sometimes we take some institutions for granted. Legacy dates back to the World War I era in 1925. We should not take Legacy for granted. Other members have referred to the welfare work that Legacy has done. It currently supports 43,000 individuals and families across Australia and has over 3,600 volunteer members in the organisation, who are an important part of the support provided to the families of those who serve our nation and who are either injured or make the supreme sacrifice. I will not deal in detail with the various services provided by Legacy because other members have already done so—financial, emotional and psychological support, health and medical support—but suffice it to say that all those services wrap around our veterans and their families today and continuously back to World War I.

It was mentioned before—and these figures always astound me—that 60,000 Australians died in World War I and 156,000 were injured and many of those died as a result of their wounds. I think that figure of those injured does not reflect the true number of those who were injured because we did not recognise psychological injury of World War I, World War II or, frankly, the Vietnam War. The impact of war is much greater than we think, and the role of Legacy has always been appreciated by military families but not really fully understood by the broader society. That is why we should acknowledge the important work that Legacy does. I thank the Hon. Ben Franklin and other members who participated in this debate.

Reverend the Hon. FRED NILE (22:45): I thank the Hon. Ben Franklin for moving the motion and for especially including our thanks to Legacy for its work over so many years, which is greatly appreciated. My only connection with the wars was through my father. He was in the British Army in World War I and was in France. He was shot up by the German machine guns, sent back to England to a hospital to be patched up and recover, and then he was sent back to France—so the Germans had a second go at him, but thankfully did not succeed the second time; otherwise I would not be here. I thank all those who have participated in this debate and all those who have served our nation over many years. Thank you.

The Hon. WES FANG (22:46): I join in the debate to make some brief comments and associate myself with the motion moved by the Hon. Ben Franklin. I thank him very much for moving the motion. I very much appreciate the contributions throughout the debate. A lot of members have spoken about their families and what it has meant to their families to have had involvement from Legacy, but I know from my own perspective, having served in the Australian Defence Force, that when you sign up you never really know where it is that you will end up and how your service may or may not end. It is reassuring to know that when you do sign up and put your life in the hands of others in the service of your country, there is an organisation of people who have been involved in the Australian Defence Force and who understand the sacrifice that you may make and who, in understanding that sacrifice, have said that they will look after your loved ones when you go.

I think that that helps the signing of the paper just a little bit more. I know that Mr Justin Field was also in the Army. I cannot speak for him, but I imagine that any member of this House or any person across the nation who has served in the Australian Defence Force would recognise that Legacy is there to provide support, service and assistance to your family should anything happen to you and it takes just a little bit of weight off your shoulders. To the people of Legacy and those who support them during Legacy Week by buying a badge I say thank you. I do not think you realise exactly how much support and how much you give to people who give their service to this country.

The Hon. NATASHA MACLAREN-JONES (22:49): I commend the Hon. Ben Franklin for moving the motion. As many in this Chamber know, Legacy Australia is an organisation that is very important to me. Having been a Junior Legatee since the age of 15, I saw firsthand the positive effects of Legacy Australia supporting the families of veterans who have given their lives or their health to our country. As members know, Legacy Week is celebrated annually. For the past two years it has been different; Legacy's fundraising efforts have had to change, as has its launch at the Australian War Memorial. This year Legacy Week was virtual, attended by the Governor-General and his wife, along with Junior Legatee Emily Johnson. His Excellency stated:

I can't think of an organisation in Australia that speaks more of what Australia is about and who we are than Legacy ...

During the launch Junior Legatee Emily Johnson shared her story, appreciating the way Legacy Australia stepped in following her father's funeral, when friends were moving on with their lives. She was a third-year student. She was relieved by the financial support that Legacy was able to provide through Westpac for her scholarship to university and to support her purchasing textbooks. As our State opens up, it is a good opportunity for all of us to look at ways that we can support Legacy. I extend my appreciation and thanks to all the volunteers. Without their support, organisations like Legacy could not go on to support young people to reach their full potential.

The Hon. BEN FRANKLIN (22:51): In reply: I really appreciate the spirit in which this debate has been conducted and all the contributions that have been made. My father was only one Legacy child, but he is representative of the many thousands of men and women whose lives that organisation has impacted so profoundly. One of the wonderful things about preparing for this motion was that I had the opportunity to discuss with my father in some depth how that organisation impacted him. Consider a young man who had not seen his father since he was a little boy; his father was killed on a Sandakan death march. He came to Sydney and the South Sydney Rabbitohs let the Legacy kids play their football games on their oval. The Randwick rugby union club gave them complimentary tickets to go to all of their games. The Randwick Ritz Cinemas gave them tickets every Friday night to go to the cinema.

The matron of the hostel noted that my father had appalling bleeding noses for two or three hours at least once a week and organised for him to see an ear, nose and throat surgeon in Macquarie Street for free. It fixed up that issue, which he had had for his whole life. That shows a couple of things: that Legacy supports individuals and the broader community, particularly those afflicted by war, and that—even more, perhaps—the community supports Legacy right back. That is the way it has always been. Legacy holds a very special place in the hearts of all Australians because there is something quite profound about a country asking its children to go to war, to fight for that country, to maintain its standard of living, its lifestyle, its values and its beliefs, and to die doing that. They understand the responsibility that they have to those they have left behind. Legacy is the organisation that stands up to defend, protect and advocate for those people. I cannot think of a more important or profound calling for any organisation. 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.

*Documents***LOCAL EVACUATION ROAD INFRASTRUCTURE UPGRADES****Production of Documents: Order**

The Hon. PENNY SHARPE: I move:

That private members' business item No. 1308 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. PENNY SHARPE (22:55): 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 February 2017 in the possession, custody or control of the Premier, Infrastructure NSW, the Department of Premier and Cabinet, the Minister for Transport and Roads, or Transport for NSW relating to Local Evacuation Road Infrastructure Upgrades outlined in the Infrastructure NSW document entitled *Resilient Valley, Resilient Communities: Hawkesbury-Nepean Valley Flood Risk Management Strategy*, dated January 2017:

- (a) all documents which detail the list of 177 potential projects identified by the working group led by Roads and Maritime Services, as noted in page 30 of the Hawkesbury-Nepean Valley Flood Management Strategy, as possible local evacuation road upgrades.
- (b) all documents relating to the high priority local evacuation road upgrade projects identified by the working group led by Roads and Maritime Services, as noted in page 30 of the Hawkesbury-Nepean Valley Flood Management Strategy, including:
 - (i) all documents which list the high priority local evacuation road upgrade projects as essential to maintain access to major regional evacuation routes;
 - (ii) all documents which lists the current status for each high priority local evacuation road upgrade project;
 - (iii) all documents detailing any assessment or cost-benefit analysis for each high priority local evacuation road upgrade project; and
 - (iv) the business case for each high priority local evacuation road upgrade project.
- (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.

This is a very straightforward order for papers under Standing Order 52 [SO 52]. It arises out of some of the work done by the Select Committee on the Proposal to Raise the Warragamba Dam Wall. This is about the alternatives. An interim report has been released by the Warragamba Dam committee; one of its key points is the issue around flood evacuation routes, road upgrades and the alternatives to raising the Warragamba Dam wall. This SO 52 seeks information in relation to that. I commend it to the House.

The Hon. SHAYNE MALLARD (22:56): Whilst the Government respects the power of the House to make orders for papers as part of its functions—most of the Government does, let me say—it opposes this motion but will not divide on it. The Government's position is clear: Flood evacuation road upgrades are essential to help residents safely evacuate from flood-prone areas. I am sure all members agree with that. Without going into a detailed defence of what the Government is doing, let me say in summary, because I know you have a very strong view on this, Mr Deputy President—

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I do.

The Hon. SHAYNE MALLARD: —in regard to this order for papers under Standing Order 52 [SO 52] there is serious work going on at the moment in terms of evacuation routes and identifying corridors. There is a long-term plan to reduce flood risk in the most flood-prone areas. It is all being led by Infrastructure NSW. The Government contends that this work is in progress. It is quite detailed. Yet another SO 52 will divert the resources of the Infrastructure NSW team to do this SO 52. There cannot be another bunch of bureaucrats or consultants brought in to do the SO 52 work. The people who work in the area have to do the work, because they can identify the documents that are being sought. The Opposition is taking people away from the work on identifying and implementing a strategy to reduce the danger from flooding, and that is a dangerous thing to do. That is the Government's contention. It is written more eloquently than this, but that is the argument.

The Government will fulfil the obligation of the House in regard to the SO 52 but argues that this SO 52 and many others are diverting resources away from the essential work of the Government, which is work that is about saving lives. This is a very serious matter. I have a list of all of the SO 52s that have similar impacts, but this is the most important one. The work is underway at the moment with stakeholders at the NSW State Emergency Service and councils in the area. I am on the Warragamba Dam committee. I have heard the evidence of the different groups about the work that is going on. It is important work, and we are all very worried about the potential for flooding in the Hawkesbury area and the potential danger to lives and property. Everyone in this

House takes it very seriously. The Government thinks the SO 52 is unnecessary and is a diversion of resources, but it will not divide on the motion.

Mr JUSTIN FIELD (22:59): I support the Standing Order 52 motion moved by the Hon. Penny Sharpe. I understand the Government's frustration with these requests, but I am disappointed that it is not supporting this one. I put that on record. I appreciate the contribution of the honourable member and his colleagues from the Government. They have participated with some intention and have been open to hearing the evidence at the Warragamba inquiry, which I am chairing. Our unanimous interim report recognised that there are calls from groups as diverse as the environment movement, traditional owners, the insurance industry, the Committee for Sydney and local government, all suggesting that perhaps we should look more closely at the alternatives. One critical aspect of a different approach is recognising that in building a bigger dam there will always be a bigger flood. It always gets over the top. The flood risk is there regardless of what happens with the dam wall.

That leaves us with this question: How do we make sure that when there is a big flood we keep people safe? One of the main aspects is making sure they can get out of harm's way, so evacuation corridors are key. The document that the Hon. Penny Sharpe has relied on identifies that there was some consideration of various options around evacuation routes. Decisions were made to invest a lot of money in one aspect of a response but maybe downplay another. We should see that. I have been frustrated, through the inquiry and in the House, that a lot of calls for papers, Government Information (Public Access) Act [GIPAA] applications and other questions relating to Warragamba Dam have been treated as Cabinet in confidence. This goes to the motion of the Hon. Mick Veitch that the House considered earlier. There is a growing frustration that credible work based on the efforts of members guided by community concern is disregarded. Governments hide behind secrecy provisions unfairly, in many instances.

We have seen the Biodiversity Offsets Scheme assessment process entirely redacted in GIPAA requests or declared Cabinet in confidence. We have seen the Government deny multiple efforts to try to get hold of information around this project. In the hearings, members of the Government hid behind the fact that the final environmental impact statement had not been produced in order to not answer a whole series of questions that were put to them. I am glad that Government members are not going to divide on this motion, but they should have just supported it. I look forward to seeing the information. I hope it can inform the considerations of the committee and the community about this important project and the alternatives that we should also be considering in detail.

The Hon. WES FANG (23:02): This is the fourth Standing Order 52 motion that I have spoken to tonight. Yet again, it seems to be a fishing expedition by the Opposition for documents. It is of such wide latitude that we are soon going to need a separate building for all of these documents. My concern is that the Standing Order 52 power is being used as a catch-all to get every document that is involved in this area or other areas as we have seen tonight. If an order for papers is required, it should be required for a targeted issue. That is not what we are seeing with these motions tonight. They are very wide in latitude. They are effectively a netting expedition for the Opposition to draw in all of the documents it can so it can sift through them and try to find something. The intent of a Standing Order 52 motion is to specify what you want and what you are looking for that you cannot get. Has the Hon. Penny Sharpe tried any other means to get these documents?

The Hon. Penny Sharpe: Oh my God. Are you going to mansplain an SO 52 to me? Please, keep going.

The PRESIDENT: Order! The member has the call.

The Hon. WES FANG: I note that the Hon. Penny Sharpe was heard in silence, yet she continues to sledge from the other side of the table. I ask her the same question that I asked the Hon. Adam Searle earlier tonight. Were any other means attempted to get these documents, or it is just the new standard that if the Opposition wants something it puts an order for papers in? I would contend that is an abuse of this House; it is an abuse of power. I do not think that was the intent of Standing Order 52. Those opposite should make a genuine attempt to try to source these documents through every other means possible before moving a motion under Standing Order 52. It should not be the go-to of the Opposition to try to get the Government, but that is what it is becoming. The public will soon see what the Opposition is doing and will hold it to account.

The Hon. TREVOR KHAN (23:05): I am finally forced to the table. What has been repeatedly said tonight is rubbish. The Hon. Wes Fang has to understand that Standing Order 52 requests are not constrained in the way that he seeks to do. I do not want to be in any way associated with his instructions to anyone as to when Standing Order 52 is used and how. The Privileges Committee looked at this regarding the Mount Penny calls for papers many years ago. It went so far as to call the former Minister, Ian Macdonald, before the inquiry to look at why and why not certain papers were not produced.

At no stage in examining that did we go through the exercise of saying that we had to have made a Government Information (Public Access) Act request before we made one under Standing Order 52. We did the call for papers for two reasons: Mount Penny was a matter of very significant public importance, and we had the numbers to do it. I can say we would have done a damn sight more if we could have convinced Reverend the Hon. Fred Nile to allow us to do so. The constraint that we had was that Reverend the Hon. Fred Nile was not always on our side.

We are in a House where we use the Standing Order 52 power. We have to be careful that we give sufficient time for the public servants to be able to comply with it, and I agree with the Hon. Wes Fang to the extent that it has to be drawn in a sufficiently clear way so everyone knows what to do. We did it, and the Opposition is now doing it. That is the nature of what we do in this House: We hold government to account, and we should all be proud of the job we do. I do not feel the need to lecture members opposite because I was precisely in their position once. The Hon. Wes Fang has not been there yet.

The Hon. PENNY SHARPE (23:07): In reply: I thank honourable members for their contributions. I thought it was going to be a fairly straightforward, respectful debate, with a genuine message from Government members that they respect the forms of this House and our ability to call for papers in the way that we seek to. They then went on to say why they do not like it. It is very wrong and very rugged to suggest that members on this side of the House, who are seeking information about flood mitigation in western Sydney, are somehow putting lives in danger by seeking information about what the flood evacuation routes are.

The Hon. Shayne Mallard started quite well but ended up not so well. The Hon. Wes Fang needs to know that there is a reason why Standing Order 52 motions are moved. I am not going to go over the words of the Hon. Trevor Khan, who gave us a bit of perspective. If the Hon. Wes Fang wants to know why the Opposition asks for these documents, I will tell him. It is because we ask questions and we get no answers in this House. We put questions on notice, and we get no answers. We did a whole piece today about the contempt with which some of the Ministers, particularly some of those in the other Chamber, deal with questions on notice, to the point where they are misleading members and they are doing the wrong thing. That is not some other Government; that is this Government and these Ministers. That is also a problem.

Some of us have spent way too much time with the Government Information (Public Access) Act. We know that, when it was introduced by the Hon. Nathan Rees, it was considered to be the best freedom of information legislation in Australia. It was about proactive release of documents as much as possible. Over the years, it has been degraded by how the Government operates. Now every single loophole is exploited to the maximum, whether it is loopholes about documents being commercial in confidence, about third-party endorsements or about how much time it is going to cost. I have reasonably asked for bits of paper and been told that getting them is going to cost \$10,000. It is public information. The public is entitled to have it.

Members opposite should not lecture us about access to information, about transparency and about a genuine respect for this House. Clearly, they have zero respect if that is the position they put tonight. I thank everyone else for their contributions. Standing Order 52 is a very important thing that this House takes very seriously and uses responsibly. We do not use it lightly. Ministers may have concerns about the breadth of our motions under Standing Order 52. Our doors are always open. We are always willing to—

The Hon. Damien Tudehope: It would be better if you drafted them properly in the first place.

The Hon. PENNY SHARPE: Either you want to solve the problem or you just want to whinge. I commend the motion to the House.

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

Motion agreed to.

WESTERN SYDNEY AIRPORT METRO PROPOSAL

Production of Documents: Order

The Hon. JOHN GRAHAM: I move:

That private members' business item No. 1380 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. JOHN GRAHAM (23:12): I move:

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 Treasurer, Treasury, Minister for Transport and Roads, Department of Premier and Cabinet, Infrastructure NSW, Transport for NSW, Sydney Metro or Department of Planning, Infrastructure and Environment relating to the proposed Western Sydney Airport Metro:

- (a) the final business case for the proposed Western Sydney Airport Metro;
- (b) the strategic business case for the proposed Western Sydney Airport Metro;
- (c) all documents which disclose:
 - (i) the cost of proceeding with construction of the Western Sydney Airport Metro;
 - (ii) costs incurred to date;
 - (iii) financial models for the Western Sydney Airport Metro;
 - (iv) the proposed tunnel diameter; and
 - (v) route or tunnel diameter options.
- (d) all briefing material provided to the Secretary of Transport for NSW or the Minister for Transport and Roads since 1 January 2017 regarding the Western Sydney Airport Metro;
- (e) all meeting papers, including the minutes, of any meeting of the Transport for NSW Finance and Investment Committee, regarding, or which reference, the Western Sydney Airport Metro;
- (f) all documents, created since 1 January 2017, in the possession, custody or control of the Minister for Transport and Roads regarding Western Sydney Airport Metro;
- (g) all monthly or regular project reports prepared for or by Transport for NSW or Sydney Metro regarding the Western Sydney Airport Metro;
- (h) all regular project reports prepared by Infrastructure NSW regarding Western Sydney Airport Metro;
- (i) all reports arising from any "gateway review", "health check" or "deep-dive" review prepared for, or undertaken by, Infrastructure NSW regarding the Western Sydney Airport Metro;
- (j) all "review workbooks" prepared for or by Infrastructure NSW, and all reports prepared by any independent review team for Infrastructure NSW, regarding the Western Sydney Airport Metro; and
- (k) 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.

After the last debate, I have some slight trepidation as I move this motion under Standing Order 52, but I am open to any advice on this matter from any member. The call for papers relates to the Western Sydney Airport Metro project. We have called for the business cases, and we are calling for two business cases here in relation to some other projects. That has not always gone well. The Leader of the Government exited the House rapidly on one occasion after the House took exception to the Western Harbour Tunnel and Beaches Link project business case repeatedly not being provided. I did not blame the Leader of the Government for that but rather one of the most recalcitrant Ministers in the Government at that time. The Leader of the Government is still here, and that Minister is gone. We hope that, as a result, we will get a better result with the production of this business case.

We believe that the Government could be more public with these business cases, but, whether it is provided publicly or under privilege, it is still useful to guide the deliberations of Opposition and crossbench members in dealing with these very significant projects that will reshape Sydney. We want to be able to look at these details. We believe that could be done publicly, but, even if it is done under privilege, it will guide the considerations of all sides of the House. That is one of the reasons why we are moving this.

This is a very important project. It promises to reshape how western Sydney residents move around. At the moment, western Sydney residents travel, on average, 26 kilometres a day, compared with nine kilometres a day being travelled by residents of inner Sydney, and they spend up to four hours a day commuting. The Government says that this is one of the projects that will transform that. One of the reasons we want to see this is that Infrastructure Australia has been less enthusiastic to date. When it evaluated the project in February 2021, it was not included on the priority list. Infrastructure Australia stated:

Based on the business case and evidence available, Infrastructure Australia has not included the Sydney Metro–Western Sydney Airport project on the Infrastructure Priority List at this time.

At the time, the benefit-cost ratio [BCR] was 0.75. That is one of the reasons why this call for papers is particularly important for the Parliament. Also, there are some warning signs from the local community. The two councils around the aerotropolis project, Penrith and Liverpool, have been raising a series of concerns about how prepared that project is as it goes on public exhibition. They called for that to be delayed so that they could be properly engaged in the discussion. Those warning signs mean that this call for papers, so that the Parliament can consider this, is even more important.

The Government did voluntarily produce documents in relation to the Western Harbour Tunnel and Beaches Link project. They were produced in the end and treated as being privileged documents by this House. I will not go into the details of the manner in which they were provided, because they are under privilege. But

I will say that the documents were of limited utility in the end for the sort of policy considerations and infrastructure decisions for which we would like to use them. I intend to raise that in another forum.

In the end in assessing the Western Harbour Tunnel and Beaches Link project the Opposition has had to rely on whistleblowers divulging the considerations of Cabinet. That was very helpful to us in shaping our policies. We have now raised serious questions about the beaches link. We would not proceed with that project because we now know how big the cost is, how low the BCR is and what the tolling arrangements are. But whistleblowing is a very substandard way for things to proceed. I encourage the Government to provide this, in whatever form it does, in a way that is more helpful to the House than the way in which it produced documents in the end for the Western Harbour Tunnel and Beaches Link case. But that is something I might talk to members about confidentially as the Opposition continues to raise that issue elsewhere.

The Hon. TAYLOR MARTIN (23:17): The Government opposes the motion. Unlike members opposite, this Government is getting on with the job of delivering over \$72 billion worth of transport projects, with key personnel, including leaders, planners, technical experts, stakeholder and community engagement specialists, finance and risk experts and many more working around the clock to deliver those projects to the people of New South Wales. The Western Sydney Airport Metro project is not just a mass transit solution; it is a city-shaping project that will transform and be the major economic stimulus for western Sydney, supporting more than 14,000 jobs during the construction alone. Given that the Western Sydney Airport project and its transport connections have been subject to numerous Standing Order 52 motions, those opposite would know well that the metro project has already been subject to comprehensive and robust planning, assessment, and approvals processes, as well as an extensive process of stakeholder and community consultation.

The project is thoroughly governed by the New South Wales Environmental Planning and Assessment Act for works located outside the boundary of the airport, the Commonwealth Airport Act for works located within the boundary of the airport and the Commonwealth Environmental Protection and Biodiversity Conservation Act for works located north of the airport. This motion under Standing Order 52 is unnecessary because detailed information, including 10 different technical papers, about the project has already been released in a comprehensive 29-chapter environmental impact statement. With one metro line in operation and three others in planning and delivery, stakeholder and community consultation is integral to how the Western Sydney Airport Metro project has been planned and will be delivered. As I said at the outset, the Government opposes the motion.

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

The House divided.

Ayes22
Noes16
Majority.....6

AYES

Banasiak
Borsak
Boyd
Buttigieg (teller)
D'Adam (teller)
Donnelly
Faehrmann
Field

Graham
Houssos
Hurst
Jackson
Mookhey
Moriarty
Moselmane

Pearson
Primrose
Roberts
Searle
Sharpe
Shoebridge
Veitch

NOES

Amato
Fang
Farlow
Farraway (teller)
Franklin
Harwin

Khan
Maclaren-Jones
Mallard (teller)
Martin
Mitchell

Nile
Poulos
Taylor
Tudehope
Ward

PAIRS

Secord

Cusack

Motion agreed to.**GREATER MACARTHUR GROWTH AREA BUSHFIRE AND EVACUATION PLANS****Production of Documents: Order**

Ms CATE FAEHRMANN: I move:

That private members' business item No. 1402 outside the order of precedence be considered in a short form format.

Motion agreed to.

Ms CATE FAEHRMANN (23:29): I move:

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 Minister for Police and Emergency Services, Minister for Planning and Public Spaces, the Department of Planning, Industry and Environment, or the NSW Rural Fire Service relating to bushfire and evacuation plans for the Greater Macarthur Growth Area:

- (a) all bushfire plans of management and evacuation plans, including all current and all draft plans, for the Greater Macarthur Growth Area, all associated suburbs and Wilton;
- (b) all documents, created since 1 October 2019, including correspondence and advice, related to bushfire evacuation plans for the Greater Macarthur Growth Area; 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.

This is a call for papers relating to bushfire plans of management and evacuation plans for the Greater Macarthur Growth Area and Wilton. The Black Summer bushfires came close to south-west Sydney in December 2019, with the Green Wattle Creek fire at Orangeville being described as "exploding out of the bush and engulfing towering trees within seconds". The fire saw three firefighters flown to hospital with minor burns. For locals it was a lesson in how quickly a bushfire can move. We know that climate change is going to result in more and more intense fires and it is only a matter of time before disaster strikes in south-west Sydney. But from what people have said to me, as far as anyone can tell there are no clear evacuation plans ready for the rapidly growing region.

Locals have been trying to access fire plans of management and evacuation plans from the RFS through an application under the Government Information (Public Access) Act, but the RFS referred the request to the Department of Planning, Industry and Environment, who referred it back to the RFS and the local councils. Currently, the Fires Near Me app and a text message to affected residents is the only plan in place that locals know for certain exists. In a region with patchy mobile coverage, this is less than adequate. As at the 2016 census, 162,017 people live in Macarthur and nearly 50,000 families. That has undoubtedly grown, and there are plans to grow the population even further.

In 2009 the New South Wales Government declared that Greater Macarthur would become a growth area that would see an additional 50,000 homes built in the region. The Figtree Hill development south of Campbelltown is surrounded by bushland and that will see 1,700 additional homes built. A bit further south, the Wilton New Town development is expected to grow to the size of Port Macquarie, with between 11,000 and 16,000 new dwellings planned for construction. For many residents, Appin Road is the only way in and out. If there was a bushfire south of Campbelltown today it is doubtful whether everyone could be evacuated in time. With new developments at Appin and Wilton and the Mount Gilead retirement village, it is potentially turning into a recipe for disaster next fire season. This call for papers will bring transparency to the work being done, if it is being done, to protect residents in this rapidly growing region. We must know whether the Government has considered the bushfire risk faced by these new suburbs. I urge members in this place to support this very confined and sensible call for papers.

The Hon. PENNY SHARPE (23:32): Labor supports this order for papers under Standing Order 52.

The Hon. TAYLOR MARTIN (23:32): The Government does not oppose the motion.

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

Motion agreed to.**GIG ECONOMY COMPANIES****Production of Documents: Order**

The Hon. DANIEL MOOKHEY: I move:

That private members' business item No. 1387 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. DANIEL MOOKHEY (23:33): I move:

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 1 November 2020 in the possession, custody or control of the Minister for Finance and Small Business; Minister for Customer Service, and Minister for Digital; the Department of Customer Service (Revenue NSW), relating to Revenue NSW investigations into gig economy companies since November 2020:

- (a) all documents relating to all investigations undertaken by Revenue NSW into the tax compliance of companies that are operating in the gig economy, or have operated in the gig economy including, but not limited to, the following entities:
 - (i) Deliveroo;
 - (ii) Foodora;
 - (iii) Uber and UberEats;
 - (iv) Menulog;
 - (v) Ola;
 - (vi) Didi;
 - (vii) DoorDash;
 - (viii) Hungry Panda;
 - (ix) Easi;
 - (x) Yello;
 - (xi) Mable;
 - (xii) Shebah;
 - (xiii) Freelancer;
 - (xiv) Airtasker;
 - (xv) Amazon; and
 - (xvi) HireUp;
- (b) all notices of assessments issued to any company operating in the gig economy, including, but not limited to:
 - (i) Deliveroo;
 - (ii) Foodora;
 - (iii) Uber and UberEats;
 - (iv) Menulog;
 - (v) Ola;
 - (vi) Didi;
 - (vii) DoorDash;
 - (viii) Hungry Panda;
 - (ix) Easi;
 - (x) Yello;
 - (xi) Mable;
 - (xii) Shebah;
 - (xiii) Freelancer;
 - (xiv) Airtasker;
 - (xv) Amazon; and
 - (xvi) HireUp.
- (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.

As always, I put on record my appreciation of the professional dealings I have had with the office of the Minister for Finance in relation to this order for papers under Standing Order 52. Whilst it is the case that that negotiation may not necessarily have resolved some of the outstanding disputes, it has at least resolved one issue, which we anticipate will lead to a Government amendment that the Opposition will not oppose. In respect of why the Opposition is undertaking this order for papers under Standing Order 52 [SO 52], it follows the revelation that Revenue NSW has issued a notice of assessment to Uber to the tune of \$82 million for unpaid payroll tax.

Years ago the Opposition said that this was an emerging issue that required serious vigilance. Opposition members are glad that, as a result of our advocacy, that triggered an element of action on behalf of Revenue NSW and, equally, Revenue NSW has pursued that with some diligence in order to issue that assessment. But, in respect of the first order, there are matters of reflection that could lead this House to conclude that the law could be better and the agency's enforcement of the law could be better. I will leave it there because I do not wish to skate too far beyond the scope of the motion, but I will say that an \$82 million revelation is huge when it comes to payroll tax compliance. I am sure the Minister for Finance and Small Business would agree with me on that.

Given that Revenue NSW collects circa \$200 million per year, it is significant for it to claim \$80 million; that would be \$20 million each year over the course of the four years in which they have made that claim. It raises a question about whether many of the other emerging companies in this space have similar circumstances. These were issues that were ventilated at the Select Committee on the impact of technological and other change on the future of work and workers in New South Wales hearing which took place on Monday. Again, as is always the case when we are questioning Revenue NSW, for valid reasons it has great reticence in providing certain answers because it is worried that it would be breaching the statutory secrecy provisions of the Taxation Administration Act.

As chair of that committee I did not force the issue, because I did not think that was the appropriate way to resolve a conflict as to whether or not a person's obligations under the Parliamentary Evidence Act have precedence over any obligation they may have under any other Act. It is not appropriate for chairs to have to rule on that. What is appropriate is for the House to engage the SO 52 power, to give Revenue NSW the comfort that it could provide this information to Parliament in a way which does not breach the law. Members may recall that there have been similar disputes to this previously; in fact, the finance Minister and I had quite a showdown over one of them very early on. But over the course of the last two years we have established that the SO 52 power has precedence over the statutory secrecy provisions of the Taxation Administration Act. That has been upheld in two separate arbiter's reports since; therefore, this is an appropriate action.

I pre-empt an argument that I am sure the Minister will make, that somehow this is scandalous to pursue. It is not, for what it is worth. As I said about an earlier order for papers under SO 52 that the House considered, we pursue this in both our accountability function and our legislative function, and to have access to information that is necessary for the House to have meaningful debates about what the future of payroll tax should look like in New South Wales, especially as it applies to these emerging technological platforms. For those reasons I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (23:37): I thank the member for his contribution and his acknowledgement of the fact that Revenue NSW is doing its job. It is a consistent refrain of his that he can never be sure that Revenue NSW is doing its job, despite the repeated assurances the Government has given him that it is doing its job. In respect of the Uber disclosure, it found \$82 million; clearly it was doing its job, wasn't it?

The Hon. Daniel Mookhey: As a result, perhaps, of our pressure.

The Hon. DAMIEN TUDEHOPE: We can fight all day, but I foreshadow this: I have other colleagues in this House who will give very strong speeches in relation to Standing Order 52.

The Hon. Penny Sharpe: Bring back the Fang.

The Hon. DAMIEN TUDEHOPE: Yes, that's what I thought I might do. The Government seeks to amend the motion to amend the time required for the compliance with the notice from 21 days to 28 days. Accordingly, I move:

That the question be amended by omitting "21 days" and inserting instead "28 days".

I will make another point, which I have made consistently, notwithstanding that those opposite have the numbers to do this, notwithstanding the virtue signalling about making sure Government is held to account, and notwithstanding when they were on this side and we were doing the same thing. I am sure the Leader of the Opposition recalls all the speeches. I have read them all. Her explanation will be, "I've changed. I've seen the light." I will not call it hypocrisy; I will see it as conversion.

There are significant resources attached to this. The last time we had a similar order there were 19 staff involved, 431 hours, 821 documents and 4,521 pages provided to the House. This will be a similar diversion. It is not only that which needs to be taken into account. There are significant work health and safety issues in relation to these issues which never seem to cross the mind of those who are the so-called advocates of safe and proper workplaces. It is what it is. The Government will not be opposing it. I seek to make the amendment which I have moved. I thank my friend for his cooperation in relation to at least discussing the scope of the audit.

The PRESIDENT: The Hon. Daniel Mookhey has moved a motion, to which the Hon. Damien Tudehope has moved an amendment. The question is that the amendment of the Hon. Damien Tudehope be agreed to.

Amendment agreed to.

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

Motion as amended agreed to.

INFRASTRUCTURE CONTRIBUTIONS

Production of Documents: Order

Mr DAVID SHOEBRIDGE: I move:

That private members' business item No. 1303 outside the order of precedence be considered in a short form format.

Motion agreed to.

Mr DAVID SHOEBRIDGE (23:42): I move:

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 1 January 2020 in the possession, custody or control of the Department of Planning, Industry and Environment or Treasury (including the NSW Productivity Commission), relating to proposed changes to infrastructure contributions:

- (a) all documents relating to all roundtables, briefings, consultations or advisory groups regarding infrastructure contributions and related proposed changes to the provisions of the Environmental Planning and Assessment Act 1979, including:
 - (i) all correspondence relating to all roundtables, briefings, consultations or advisory groups;
 - (ii) all documents provided to or used at all roundtables, briefings, consultations or advisory group meetings; and
 - (iii) all minutes regarding all roundtables, briefings, consultations or advisory group meetings.
- (b) all documents, including briefs, models and directions, relating to revenue projections or economic modelling on infrastructure contributions and any related proposed changes to the provisions of the Environmental Planning and Assessment Act 1979; 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.

This is an order for papers under Standing Order 52 [SO 52] seeking to get a series of documents in relation to the Government's proposed changes to infrastructure contributions under the Environmental Planning and Assessment Act. In particular it is looking to find the briefings that were provided as well as any documents, including briefs, models and directions, relating to revenue projections or economic modelling on infrastructure contributions. Mr President, you will be aware just how much anger there is in local government across New South Wales about these proposed changes. Councils across the State see this as a major attack upon their revenue and a revenue grab by the New South Wales Government.

The Greens, too, are very concerned about the direction of these proposed changes. We assume that the Government has done some detailed modelling upon what income is proposed to be obtained under these infrastructure contribution changes and what the impact will be both on the New South Wales Government budget and on local council budgets. We think that should now be seen and that we should get some daylight on that. I had some discussions with the Minister's office about this. The Minister's office indicated that it was intending to proactively release some of this material in the next little bit, and we welcome that. But there is a little bit of a trust deficit at the moment, not necessarily with that Minister's office, but between the Government and our party when it comes to the proactive release of documents by the Government. We look forward to the Minister's office proactively releasing the material before the 21 days expires. In any event, we believe that this order for papers under SO 52 is in the interests of, in particular, local governments across New South Wales. I commend the motion to the House.

The Hon. SHAYNE MALLARD (23:44): The Government does not object to the motion moved by Mr David Shoebridge but the member himself identified the redundancy in the SO52 order for papers. I should invite one of my colleagues to remind others of his views concerning orders for papers and the purpose of those orders. The Minister has committed to releasing various documents that have been requested. The Minister is well-regarded for his commitment to processes and will follow that through. As Mr David Shoebridge said, the Minister for Planning and Public Spaces has committed to providing the full array of draft policies and regulations and the underpinning analysis to enable stakeholders to examine them before proceeding with the bill. That was pretty much what was required by Portfolio Committee No 7 – Planning and Environment which inquired into the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021.

I am advised that the Minister's office informed the member only last week that those documents would be made public within the coming weeks. Although that may create an additional workload as departmental staff will

have to redo what they have already done, the Minister is not trying to hide anything as a result of this process. The Government encourages Opposition and crossbench members to think carefully before submitting orders for papers. A commitment has been made to provide the documents. The Minister has advised that he is developing regulations that will be provided before the legislation is enacted—as required through the committee process. The Standing Order 52 motion, which is redundant, refers to a lack of trust which is disappointing because this Minister is committed to transparency.

The Hon. PENNY SHARPE (23:46): I listened carefully to what the Hon. Shayne Mallard said. I acknowledge that some Ministers are aware of and deal with the seriousness of these matters which is important. We want all Ministers to do that. The scope of the documents that Mr David Shoebridge is looking at is broader than those that the Minister is committed to releasing. As such, we support the Standing Order 52 motion.

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

Motion agreed to.

Motions

OLYMPIC GAMES 2020

The Hon. TAYLOR MARTIN: I move:

That private members' business item No. 1363 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. TAYLOR MARTIN (23:48): I move:

- (1) That this House notes that:
 - (a) the 2020 Olympic Games took place in Tokyo from 23 July 2021 to 8 August 2021;
 - (b) of the 472 athletes that made up the Australian Olympic Team, 105 athletes were NSW Institute of Sport-supported athletes;
 - (c) these NSW Institute of Sport-supported athletes won four gold, three silver, and seven bronze medals at the Tokyo 2020 Olympics;
 - (d) the 2020 Paralympics took place in Tokyo from 24 August 2021 to 5 September 2021;
 - (e) of the 179 athletes that made up the Australian Paralympic Team, 44 athletes were NSW Institute of Sport-supported athletes; and
 - (f) these NSW Institute of Sport-supported Paralympic athletes won four gold, eight silver, and nine bronze medals at the Tokyo 2020 Paralympic Games.
- (2) That this House congratulates all Australian athletes that took part in the Tokyo 2020 Olympic and Paralympic Games.

After a longer than usual wait, as a result of the COVID-19 pandemic, the 2020 Olympic and Paralympic Games were held in Tokyo during July and August. The Olympic Games saw 11,656 athletes, including 472 from Australia, compete in 339 events across 33 sports and 50 disciplines. At the Paralympic Games, 4,403 athletes, including 179 from Australia, competed in 539 events across 22 sports. I congratulate the city of Tokyo and Japan on holding the games in an excellent manner during tough circumstances. Despite spectators being absent from the venues, both events were a spectacle and a huge success, as I am sure we all know having tuned in during lockdown.

In total 105 members of the Australian Olympic team and 44 members of the Paralympic team were supported by the NSW Institute of Sport. There are too many to name individually today, but I will highlight a few of them. Will Ryan from Coal Point in Lake Macquarie won gold with his teammate, Mathew Belcher, in the men's 470 sailing event. The men dominated the early races, winning three and finishing in the top five in the first nine races, which left them with an unassailable lead heading into the final race. Despite just needing to finish the race to receive the gold medal, the men still crossed the line first and won in style. Spencer Turrin from Dungog was part of the awesome foursome, who won gold in the men's coxless four rowing event. That was an event that Australia won in 1992 and 1996, so it was great to see the team back on top of the podium.

One of the highlights of the Olympics for many would have been the women's high jump, which saw Nicola McDermott from Tascott on the Central Coast locked in an intense battle for a medal. As the event progressed, Australians held their breath as Nicola equalled and then beat her own Australian record to jump into the silver medal. Speaking of Central Coast Olympians, Wamberal's own Charlie Hunter did us all proud on the track in the men's 800 metres. Newcastle resident Rheed McCracken won a silver medal in the men's T34 100-metre wheelchair sprint, just being beaten by the Tunisian athlete who broke a Paralympic record to win that race. This was Rheed's third silver medal in a row. Another athlete I highlight tonight is Lauren Parker from

Newcastle. Lauren's story to the Paralympics is quite incredible. She was a successful triathlete and ironwoman before a tragic training accident four years ago. Among her injuries was paraplegia, which forced her transition to paratriathlon. Lauren fought hard in the final leg but in the sprint to the finish line she was overtaken in the final second of the hour-long race and secured a silver medal.

The Kookaburras men's hockey team earned a silver medal in the heartbreaking final against Belgium. That was another event that gripped the people watching at home. The teams were tied at the end of regular time, which forced a shootout. It resulted in a silver medal for Australia. I acknowledge Matt Dawson, from the Hunter, who was a member of that team. I congratulate all the members of the Olympic and Paralympic teams. The Australian Olympic team was extremely successful, equalling our highest gold medal tally of 17 and our third best total medal tally with 46. Similarly, the Paralympic team was successful in achieving 21 gold medals and 80 medals in total. However, as is often said, it is not necessarily all about receiving a medal at the games. Simply making the Australian Olympic or Paralympic teams is a huge achievement in its own right. Every one of our athletes deserves to be proud. I commend the motion.

The Hon. JOHN GRAHAM (23:52): I lead for the Opposition in debate on this motion and thank the Hon. Taylor Martin for moving it. I think it is timely. I concur with everything that the member said. I think he spoke for the whole Chamber when he made detailed remarks about the Olympics, the athletes who competed and those who did especially well. It is hard to imagine an Olympics that was more important than the one we have just had. It came at an incredible moment, when the world was looking for hope. Right across lockdown in Australia, the Olympics beamed in at exactly the right moment. That had its pressures in Tokyo and in Japan. Obviously, the population over there were really worried about conducting the games. In the end, it was far more successful than I think we might have imagined. For the rest of the world that was watching it was a beacon of hope, especially in Australia and in New South Wales. We thank the athletes, the Australian Olympic authorities, the people of Tokyo and the sports administrators for the way in which they conducted the games. We look forward to future Olympics.

There are some things we could do to put ourselves in a better position, one of which is to stop placing restrictions on the playing of beach volleyball in some places. Most recently, Waverley Council considered whether it would restrict beach volleyball. Thankfully, it decided against that in June, and it has now increased the number of beach volleyball courts. Seeing our female beach volleyballers play was just fantastic. They did amazingly; I watched all the games. Councils should not restrict those athletes' ability to play in some of the most beautiful parts of Sydney. Beaches should be free to allow beach volleyball to be played. Breakdancing is going to be a sport at the next Olympics. The Department of Education should remove its ban on breakdancing. What I might describe as a very New South Wales rule will put our athletes in that sport at a total disadvantage at the next Olympics. The ban should be removed.

The Hon. NATALIE WARD (Minister for Sport, Multiculturalism, Seniors and Veterans) (23:55): I commend the honourable member for bringing the motion. I heartily support it and thank him for his great work. New South Wales has a strong history of presenting athletes to the world in the Olympic and Paralympic games. Since the NSW Institute of Sport—or NSWIS, as it is affectionately known—commenced operations in 1996, 133 NSWIS-supported athletes have won a total of 102 Olympic and 205 Paralympic medals. The Tokyo 2020 athletes are one of the finest cohorts to ever come from NSWIS. These athletes navigated a global pandemic, trained for 12 extra months and made New South Wales and all of Australia proud during July and August as they dominated the international competition. As the honourable member said, they gave us a beacon of hope at a time when we absolutely needed it.

This year, NSWIS-supported athletes won 14 Olympic medals and 21 Paralympic medals at the Tokyo 2020 games, including four gold medals at both the Olympics and Paralympics. Our NSWIS athletes provided us many moments to yell, cheer and cry over. Who could forget Nicola McDermott from the Central Coast breaking the Australian national record on the way to achieving a silver medal in the high jump and becoming the first Australian female high jumper to win a medal at the Olympics since 1964; or Jess Fox from Penrith, who had all of Australia behind her as she fell just short in the K1 canoe slalom, only to storm home in the women's C1 event to win gold.

Just as the high of the Olympics was fading, the Paralympics commenced, with our Paralympians given a golden stage to remind us all of what is possible when you put your mind to it and work hard. For me this can be seen through one of my favourite athletes, Madison de Rozario, who at the age of four years was diagnosed with a neurological disease that inflames the spinal cord and required her to use a wheelchair. Now, 23 years later, she has six Paralympic medals, including two golds and a bronze from the most recent games, in Tokyo. I was delighted to chat with her mum, who is incredibly proud. Daniel Michel is a Heathcote high school graduate who was born with spinal muscular atrophy, which means that he has limited strength and movement. In Tokyo, Daniel

won a bronze medal in boccia, becoming the first Australian to win a medal in boccia at the Paralympics since 1996.

All this is possible because of the New South Wales Government's investment in NSWIS and the sports sector in New South Wales. In 2021 the New South Wales Government will invest over \$17 million directly into NSWIS as part of more than \$400 million of funding included in the budget to support the sporting sector. As sports Minister I am delighted and proud that the New South Wales Government is investing in the next generation of athletes. We will look at breakdancing and other avenues. I look forward to seeing our New South Wales athletes go even further in Paris in 2024.

The Hon. SCOTT FARLOW (23:58): I commend the Hon. Taylor Martin and support this motion on the Olympics. I thank Japan and Tokyo in particular. Hosting the Olympics was no mean feat. As the Hon. John Graham said, the games were a beacon of hope to the world and particularly to Australia and New South Wales during lockdown. Victoria also went into lockdown during the Olympics. Our eyes were glued to the TV screens. These Olympics were bizarre; they were held with no crowds at all, except for the athletes watching. In particular I remember watching Nicole McDermott's high jumping and her looking at and drawing on the other athletes to cheer her on, as they were the only crowd she had.

It was surreal to watch that, to see the risks the Japanese Government took in hosting those games and to think of what would have happened if it were here. We saw how difficult it was to stage the Australian Open in Melbourne earlier this year. Japan has seen a change of prime minister subsequent to those games. I do not doubt that the games were fairly significant in that. So I thank the Japanese people in particular. With great sporting events for Australia, we all become very excited about the gold medals. For me, it was exciting to see the Boomers finally take home a bronze medal after so many years of disappointment—so many fourths when it came to it. To see Patty Mills and the team take away that bronze and treat it as though it were greater than any gold that could be won was amazing. It is wonderful that the Hon. Taylor Martin has recognised the games here today.

The PRESIDENT: According to sessional order, it being midnight proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

The PRESIDENT: I propose:

That this House do now adjourn.

UNPAID WORK

The Hon. ADAM SEARLE (00:00): The barriers between our homes and our workplaces are rapidly blurring. With technological developments, workers are now much more accessible to their employers after hours than ever before. There has been an intensification of work, which has been exacerbated by the COVID-19 pandemic. Working from home at more frequent rates, the onset of digital surveillance of employees, and increasing work insecurity across industries are significant contributors to the intensification of work. Working unpaid hours has also, unfortunately, become a common trait in our workforce, coming at a cost to both our workers and the wider economy. It is evident that our industrial relations system has not kept pace with the transformation in our working lives.

In 2015 the economics writer for *The Sydney Morning Herald*, Jessica Irvine, wrote that if workers spent only 10 minutes a day outside of work hours checking their emails, they would, in theory, earn the equivalent of an additional week of annual holidays. Even then, Australian workers performed significantly more work outside of work hours, often at home or during their commute, without additional remuneration or any form of recognition, such as additional leave entitlements.

Things have deteriorated in the past six years. A report in November 2019 from the Australia Institute's Centre for Future Work demonstrated that Australians were working almost five hours of unpaid work a week, which for a worker is more than six weeks of unpaid work a year. The report estimated that in 2019 some 2.4 billion hours of unpaid overtime was worked, which was worth a total of \$81.5 billion. The Australia Institute's report from November 2020 found that the situation had worsened in the following twelve months, with Australia's workforce not paid overtime of 2.9 billion hours a year—an annual average of 273 hours or seven weeks of unpaid overtime completed per year per worker. In 2020, unpaid overtime represented a collective income loss of \$98.6 billion for Australian workers, approximately three times the amount that the Government spent on JobSeeker. This time theft and wage theft is largely being driven by technology, reaching out from beyond the office into personal and family time, without recognition or recompense.

One answer that is being proposed by both workers and governments is the right to disconnect: a right for workers to not have work devices on or be expected to respond to them outside of the workplace or agreed work

hours. In Australia, the Australian Council of Trade Unions [ACTU] and Unions NSW have asserted that workers should have a right to disconnect. The ACTU working-from-home survey published in November 2020 demonstrated that 40 per cent of workers are working longer hours and 90 per cent are not being paid overtime or penalty rates. Unfortunately, the survey also reveals that 49 per cent of home workers are experiencing mental health issues and 48 per cent are having difficulty separating work and home life. It is essential that there is a way of reinforcing—or re-establishing—the distinction between work and non-work hours, as there is a significant risk to the mental health of workers, to say nothing of encroachment on personal and family time.

The notion of a right to disconnect is gaining traction around the world as well as here in Australia. The Police Association of Victoria recently secured the right to disconnect for an estimated 17,000 police officers through its enterprise bargaining agreement. It essentially prevents superiors contacting members of the police force outside of work hours with the exception of emergencies. For officers below a certain rank, there is an availability allowance for each hour they are required to be contactable when they are off duty. Globally, the movement for the right to disconnect has also been securing momentum.

In 2017 France became the first country to pass legislation giving workers the right to disconnect, requiring that companies with more than 50 employees must enact a charter enforcing that right. In 2018 legislation enshrining the right to digital disconnection was enacted in Spain. In January 2020 the European Union Parliament voted for a motion calling on the European Union Commission to put forward legislation permitting employees to digitally disconnect outside their work hours. In April 2020 a new code of practice came into effect in Ireland giving workers the right to disconnect. The Government there argued that it is essential that employees have a right to switch off after work hours. The Canadian Government is also examining a comparable policy.

In New South Wales there should be a legislated right to disconnect from work devices, and the obligation to respond to work communications, for set times outside work hours. This would, of course, be subject to the need for on-call arrangements or bona fide emergencies. Presently, what was once the occasional out-of-hours call or email has become a regular feature of almost all office/computer-based work and the encroachment on personal and family time has now reached such a stage that it is impacting the mental health of workers and their families, to say nothing of the billions of dollars of income of overtime that they should be paid but are not being paid which, of course, is impacting the economy as well.

POPULATION GROWTH

The Hon. ROD ROBERTS (00:05): Last week we learnt that our new Premier is a believer in a big Australia. I would be the first to agree with him that we are a big country in geographical size; however, our big country is mostly arid to semi-arid resulting in 85 per cent of Australians living within 50 kilometres of the coast. This geographical fact raises questions about sustainability and population. With population growth already putting pressure on the New South Wales housing market, as well as our education and healthcare systems, I am alarmed that the Premier is planning to increase the population of our State by two million over the next five years. That's 400,000 people every year.

In 2018 former Premier Berejiklian called for a halving of immigration into New South Wales to keep up with infrastructure demands. She went on to say that New South Wales needed a breather because immigration rates had gone through the roof. Strangely, in the same year Premier Perrottet said that merely adding more people is not a sustainable economic strategy and that excessively rapid growth puts downward pressure on wages and upward pressure on housing prices. If the Premier believed in 2018 that immigration needed to be reduced, why has he suddenly changed his mind? Although why should we be surprised? This Government is an expert in performing Olympic-worthy backflips—a comment that relates to an earlier debate.

Our school system is bursting at the seams. The Government's own documents state that we will run out of teachers in five years. A workforce strategy document from March 2020 stated that there will be a tightening availability of teachers in the public system until 2024 and that beyond 2026 there will be insufficient aggregate supply. Where will all these new Australians send their kids to school if there are no teachers to teach them? Furthermore, in April this year the New South Wales Auditor-General put out a report stating that in two years there will not be enough room in New South Wales classrooms for all students. The report blames poor planning by bureaucrats who failed to anticipate for future increases in student numbers. We could not make this stuff up. The incompetency of this Government is astounding.

Like our schools, our healthcare system is struggling, particularly in the growth areas of west and south-western Sydney. A chronic shortage of ambulance officers, for example, has meant that residents in Mount Druitt are waiting up to 50 per cent longer for an ambulance compared to other parts of Sydney. When a matter of minutes can mean the difference between life and death, that is simply unacceptable. Furthermore, even before COVID, emergency departments in New South Wales hospitals were struggling from overcrowding. Patients are waiting longer for care, with fewer receiving treatment within the recommended time and one in three spending

too long in the emergency department. The head of the Australian Medical Association, Dr McMullen, described the current state of our hospitals as like watching a car crash in slow motion.

Another major issue that the Premier seems not to have thought about is where all these people are going to live. House prices have risen in the three months to September 2021 by \$620 a day on average. With real wages stagnant, many Australians are finding themselves priced out of the housing market. As a result, people are finding themselves in the rental market for longer times than in the past. In April this year house rents reached record highs. It is simple mathematics. More people in the market means more demand which means increased prices.

Our regions are also in the middle of a housing affordability crisis with locals being locked out of the market by people leaving Sydney and moving to those regions. According to the chair of the Regional Housing Taskforce, Garry Fielding, dwelling prices in regional New South Wales have increased by 27 per cent over the past year and rental vacancy rates have halved to less than 1 per cent. It is clear that businesses in New South Wales are crying out for workers, and the reality is that Australians simply do not want to do the jobs that would usually be taken up by backpackers or international students. However, permanent migration is another story. If the Government is going to increase permanent migration rates it must first and foremost invest in public infrastructure and services to cater for the existing population before considering any further increases.

REGIONAL NEW SOUTH WALES

The Hon. NATASHA MACLAREN-JONES (00:10): As restrictions ease, with regional travel around the corner and Christmas fast approaching, now is the time to start getting organised for the holiday season. Following the past few months of lockdown across our State, the holidays will be the perfect time to venture from home and see what New South Wales has to offer. Regional New South Wales is Australia's most diverse regional economy. Our regions are rich in resources, maintain a strong workforce and house some of our nation's most successful businesses.

The Buy Regional website was created in October 2019 to support businesses and families in regional New South Wales struggling through the worst droughts in recorded history. The establishment of Buy Regional was to encourage Sydneysiders to buy their Christmas presents from regional businesses by providing a marketplace for regional products to be displayed. Two years later, the Buy Regional website continues to showcase a variety of regional businesses, selling a wide selection of gifts, from wines and produce to fashion and homewares. Not only is there something for everyone; the buyer also has the comfort of knowing they are getting their products directly from businesses while also supporting our country towns. In its two years, Buy Regional has continued to go from strength to strength, providing a different channel for regional businesses to sell their goods amidst fires, floods and the continued impacts of the COVID-19 pandemic.

With travel between Greater Sydney and the regions on the horizon, Buy Regional also includes a variety of accommodation options across regional New South Wales as well as unique tours and experiences on offer, including kayaking through Kangaroo Valley or having high tea with alpacas in Jilliby. Following months of lockdown, many of us are ready for some time away from home, itching to explore somewhere new. With regional travel opening to the fully-vaccinated in just under two weeks, it is the perfect time to visit a new town and participate in the many incredible experiences our regional communities have to offer. From wineries to waterfalls, our regions really do have everything.

The lockdown period has been especially tough for our regions, with many regional businesses relying on weekend travel from Sydney and interstate tourists. The recent announcements regarding Dine & Discover give the people of New South Wales the chance to make the most of the vouchers and visit a new part of our State. Not only has the use of Dine & Discover vouchers been extended until June 2022; the New South Wales Government also announced last week an additional two vouchers that will be made available in time for the holidays. A number of the tours and experiences on the Buy Regional website accept the Dine & Discover vouchers, enabling people to have a fun day out and try something new whilst also supporting our regions.

Building on the immense success of Buy Regional, the virtual marketplace has gone global, offering our regional businesses the chance to reach international consumers. New South Wales goods and services are highly sought after worldwide and the New South Wales Government wants to ensure that our businesses are well equipped to expand into offshore markets. The New South Wales Going Global Export Program, run by Investment NSW, supports eligible New South Wales businesses to expand into the international market. Businesses in the program have access to online workshops, coaching and support from experts and the opportunity to network with global businesses and entrepreneurs.

Macka's Australian Black Angus Beef, a family business starting in 1884 and spanning over five generations, was one of the 150 businesses that participated in the Going Global program from 2020 to 2021. Director of Macka's Australian Black Angus Beef Robert Mackenzie says the support from the Going Global

Export Program has helped their business to capture the international market by helping them find the right customers who are after their product. Thanks to the support they have received from the program and the continued support from the State and Federal governments, they have been able to grow their business to over 200 per cent in the past 10 years.

As our regions continue on the road to recovery, the Government last week announced a \$200 million recovery package that will create new jobs, boost tourism and focus on priority infrastructure projects. The package will ensure a strong recovery for regional New South Wales so that it not only recovers but also has the opportunity to grow. As part of the package, immediate financial support will be delivered for country shows to be held during this year and next. Country shows highlight the best of every regional community and offer a great chance to visit regional communities and support their businesses. Although our regions have seen a good harvest following much-needed rain, they are in a time of recovery following the past two years. The best thing we can all do is to show our support for the regions, go out in the communities and support our country shows.

VOLUNTARY ASSISTED DYING

Reverend the Hon. FRED NILE (00:15): I wish to focus my adjournment speech on life over death. I am very glad to see that the worst of the COVID-19 pandemic is behind us. Our freedoms, which should never be taken for granted, are being restored and economic recovery has begun. On a personal note, I look forward to seeing *Hamilton* with my wife and friends in a few weeks' time. Let it be known that the Christian Democratic Party will always support voluntary vaccination. I pray for the teachers, support staff, nurses, doctors, specialists, police, firemen and many others who have lost their jobs over the right to choose their own form of medical treatment. Family and faith should be at the centre of our lives. As such, I congratulate our new Premier, Dominic Perrottet, and his wife, Helen, on the announcement of their seventh child. After 40 years in politics, I can say that politics is hard on family life, especially having my four children and eight grandchildren. One should always make time for family. In one moment children are learning their first words and in the blink of an eye they are going on to university. Life is bittersweet.

Life has triumphed over death with the closing chapters of the pandemic. Yet, we have seen the return of darkness in the New South Wales Parliament with the reintroduction of the voluntary assisted dying—euthanasia—legislation by Mr Greenwich. To me it is weird and inappropriate that following one of our great efforts to save lives we are now being faced with a bill that seeks to end lives. I have always campaigned for palliative care options rather than euthanasia and I was so pleased that the most recent budget dramatically expanded the funding of palliative care providers. The Premier and the Leader of the Opposition have signalled their opposition to the bill because of its content and timing. I thank them both for their partisan agreement to oppose the bill. I pray that their colleagues will follow their leadership on the matter of life and death.

I thank the Liberal member for Riverstone, Kevin Conolly, for his numerous forays over the years into this debate. I also thank the Labor member for Prospect, Hugh McDermott, for his insightful article in yesterday's *Daily Telegraph* entitled "Good intentions are no guarantee of good outcomes". The people of New South Wales want assisted living, not assisted killing. It is not compassionate or merciful to kill people. It is compassionate and merciful to provide them with hope, support and life. I wonder if the supporters of that bill have asked the First Nations Australians for their view. I note that in an article entitled "Lethal injections: no way to build trust in Aboriginal communities" in *News Weekly*, Barbara and Norma Miller, who are of Aboriginal background, wrote:

Government-sponsored death is a disgrace and a tragedy for First Nations Peoples and our community-based culture.

The euthanasia bill is not progressive legislation, it is highly regressive. It is taking society back to a darker, more brutal past. In ancient Greece the old, sick and disabled were discarded and left to die. This changed when the teachings of Jesus Christ were introduced. Greeks began to care for the old, sick and disabled. People saw the care and love that was spreading and discarded the pagan teachings of might is right, and Christian society began to flourish in Greece where all life was valued. We do not want to go from a culture that is life-giving to a regressive culture that is death-building. Let us not cross this dark red line.

CORRECTIVE SERVICES SYSTEM

The Hon. TARA MORIARTY (00:19): As of August this year—the last time I put a question on notice about prison numbers—over 13,000 adult people were being held in custody across more than 34 correctional centres, transitional centres and court cell complexes in New South Wales. Of those in custody, 12,394 at that time were men and 874 were women. Furthermore, 3,413—almost one-third—of those in custody at that time were First Nations People. Those numbers have increased year on year since 2011 and it is just too high. On 11 June 2021 I was very pleased to have been appointed the shadow Minister for Corrections and Juvenile Justice by Labor Leader Chris Minns.

Over the past few months I have heard from many loved ones of people who have been through, or are currently dealing with, the justice and prison system. I have also heard from a number of people who have experienced the system themselves, either currently or who have just left it. Most of them understand why they or their loved ones came to be incarcerated, but when they spoke to me they indicated their desire and hope to get back to a normal life when they are released, away from criminal activities. I welcomed their contact. I very much appreciate hearing their personal stories. It is very helpful in forming a view about the portfolio.

A prison system is necessary as a form of punishment, deterrent, and protection for the community. There are people from whom the community needs protecting and some people who will not change but, for most, errors of judgement, bad decisions or wrong choices have led them to be incarcerated or in custody. Many of them want to get through it and to have an opportunity to turn their lives around. Rehabilitation must be at the heart of our Corrective Services system. When we reduce reoffending and the number of people in custody, we work to keep our communities safe. We can do this by making sure that Corrective Services is adequately resourced, supported and its facilities are well run.

I have been working to engage in the portfolio over the past four months—mostly during this lockdown period. Since August there has been an outbreak of COVID-19 in a number of correctional facilities around the State. The COVID-19 pandemic has been tough for everyone across our State, but it has also been a challenging time for those employed in correctional facilities and those in their custody. Last year, Corrective Services did a reasonable job to keep COVID-19 out of its facilities. The recent outbreak shows a different story. In a little over two months there have been hundreds of positive cases detected in correctional facilities across New South Wales. To date we still do not know how the virus was able to spread in the system, but it should not have been able to happen.

These are the most tightly controlled institutions in the State and at almost 18 months into this pandemic the systems set up to protect them should not have failed extremely vulnerable people in close confines. The spread should also have been minimised by Corrective Services and Justice Health administering vaccinations to inmates and staff much faster than they did. As I understand it, vaccines were only properly administered en masse after the outbreak. It is not good enough. In addition to the outbreak, I recently raised concerns about health care and treatment for people who are incarcerated and many people not getting the treatment they need in a timely manner. People who should be getting necessary support, especially mental health support, are unable to do so as needed.

Recently the Auditor-General released a report entitled *Access to health services in custody*. It revealed that in 2020 approximately 60,000 scheduled health appointments in prison clinics were not attended, while other priority patients were being forced to wait up to five days on average to receive treatment. The report went further to acknowledge that the demand for mental health services in prisons now exceeds capacity, with some patients held in environments not appropriate to their needs, and the waiting times for some mental health facilities blowing out to 100 days.

The Government has a responsibility to manage and care for those in custody. There is no excuse or reason for incarceration to be inhumane. Failing to do so has consequences for those in the system and the community. If we are serious about reducing recidivism and lowering the number of people that come into correctional facilities, we need to make sure we provide those in custody with the support they need to better their lives. I absolutely acknowledge that there are people who are a danger to society and will continue to be. I am absolutely not naive about the fact that there is a cohort of people who the community needs to be protected from, and who will not change their ways. But for many of the people in the system, who may be able to use the time they are required to serve for their wrong actions to develop themselves to be better contributors to society, every effort should be made to enable that. Thirteen thousand people is too many.

BALLINA JET BOAT RESCUE

The Hon. BEN FRANKLIN (00:24): I acknowledge a very special anniversary. Ballina Jet Boat Rescue is celebrating 50 years of service in the Northern Rivers community. Since 1971, the rescue service has provided reassurance to the local community that, should anyone find themselves in trouble on the water, help is only moments away. According to the local paper at the launch of the first rescue boat in 1971, it was "the most modern surfboat operating between Ballina and Newcastle". For a town with a population of approximately 11,000 people at the time, it was pretty impressive to have the only vessel of that calibre for about 600 kilometres. Today Ballina Jet Boat Rescue operates 24/7, 365 days a year. Day in, day out, a dedicated team of rescuers is on call.

Being near or out on the water is at the heart of the Ballina community, whether it be for work or leisure, and the jet boat rescue team plays a vital role in making sure those who are drawn to our waterways are kept safe and know that help is always available. When it first launched, the rescue boat was primarily put into service to assist boats that capsized on the Ballina bar. Prior to 1971, rescues were conducted by the Ballina Lighthouse and

Lismore Surf Life Saving Club with a small boat launched off the beach. The bar can be a very dangerous area where boats and crews often find themselves in trouble. To this day, the jet boat crew still undertake life-saving missions in this area.

Since 1971, rescues undertaken by Ballina Jet Boat Rescue have expanded to anything and everything. While it is based in Ballina, its work extends across the entire region including the Richmond Valley, Brunswick Heads and Evans Head. Captain Mark Puglisi has given many years of service to the organisation. Mark was inspired to join the jet boat rescue team after they saved his life as a teenager. At just 17, Mark and his father were out working on their trawler at night when his dad was involved in a serious accident and was badly injured. A couple of miles off the Ballina bar, the jet boat rescue team was soon there, bringing an ambulance crew with them to save their lives.

Once of these rescuers was Garry Meredith, a volunteer rescuer for over 40 years with the jet boat team, and someone for whom I have enormous personal respect and admiration. Garry is now the vice-president of the organisation he calls a second home. When he started as a rescue volunteer, the Westpac helicopter was just being introduced in the Ballina area and he worked for about seven years with that organisation. After this he joined the jet boat team full-time and has long been a steady hand at the wheel. Marking the fiftieth anniversary of the service this year is an enormous milestone.

Speaking about the achievements of Ballina Jet Boat Rescue, president Dave Carter said that it is great to save lives but that being a member of the team is also a lot of fun and a great place to meet friends. Having had the privilege to meet many of the jet boat rescue team, and having been out in one of its boats, I can attest to the wonderful sense of camaraderie and the feelings of being a family that are shared amongst members. Mark, Garry and Dave represent the best of rescuers that are all the jet boat team. They have been pioneers in our community and I know we all feel safer heading out on the water knowing they will be there if we need them.

It takes a special kind of individual to be a first responder and to rescue those in peril, and I deeply admire the selflessness that it takes to put the value of another's life above your own safety. These are the people that give untold hours to keeping others safe and sacrifice their own time to put others first. That is what each and every member of the Ballina Jet Boat Rescue team does. To have a service such as this in my own backyard makes me enormously proud to call the Northern Rivers home. It is an honour to recognise the fiftieth anniversary of this service here in the New South Wales Parliament. The Ballina Jet Boat Rescue deserves no less. I proudly take this opportunity to say a heartfelt thankyou to each and every member of the Ballina Jet Boat Rescue team over the past 50 years. They have continued to give, they have never wavered and our community will be forever grateful.

The PRESIDENT: The House now stands adjourned.

The House adjourned at 00:29 until Thursday 21 October 2021 at 10:00.