



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Thursday, 25 November 2021

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday, 25 November 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

WORKERS COMPENSATION AMENDMENT BILL 2021

Received

Bill received from the Legislative Assembly.

The PRESIDENT: According to the resolution of the House of 18 November 2021, as the message on the bill has been received from the Legislative Assembly, the bill now stands referred to Portfolio Committee No. 1 – Premier and Finance for inquiry and report.

Motions

AUSTRALIAN WAR WIDOWS

The Hon. SHAYNE MALLARD (10:03): On behalf of the Hon. Natasha Maclaren-Jones: I move:

- (1) That this House notes that:
 - (a) Australian War Widows was established in 1945 to provide support and protect the interests of Australian widows;
 - (b) Mrs Jessie Mary Vasey, widowed as a result of the Second World War founded the Australian War Widows; and
 - (c) over the years, the Australian War Widows has grown nationwide and has worked to gain a number of entitlements and concessions for its members.
- (2) That this House thanks National President and New South Wales State President, Rhondda Vanzella, OAM and her team for the incredible work they do to ensure there is a service to look after war widows in need.

Motion agreed to.

GRANDPARENTS DAY

The Hon. BEN FRANKLIN (10:04): I move:

- (1) That this House notes that:
 - (a) Grandparents Day was celebrated in New South Wales on 31 October 2021;
 - (b) NSW Grandparents Day celebrates the diversity of grandparent relationships across age groups, cultural backgrounds, and geographical locations; and
 - (c) Grandparents Day is dedicated to spending time with older loved ones to acknowledge their contributions and role in their family.
- (2) That this House acknowledges all local Grandparents Day recipients and grandparents across New South Wales.

Motion agreed to.

LOCAL GOVERNMENT ELECTIONS

The Hon. BEN FRANKLIN (10:04): I move:

- (1) That this House notes the New South Wales local government elections will be held on 4 December after the COVID-19 pandemic twice forced the postponement of the elections.
- (2) That this House acknowledges that local councils have now operated under a five-year term, providing an unprecedented level of service to their communities in challenging circumstances.
- (3) That this House thanks all local government councillors and council staff for the service they have given to their communities.

Motion agreed to.

CORRECTIVE SERVICES REMEMBRANCE DAY

The Hon. TARA MORIARTY (10:05): I move:

That this House notes that:

- (a) Corrective Services Remembrance Day is on Friday 26 November 2021;
- (b) Corrective Services Remembrance Day honours the lives of officers lost while keeping our community safe;
- (c) Correctional officers deserve recognition for the important work they do; and
- (d) Correctional officers work in challenging circumstances and we acknowledge their good work and commitment in protecting the community.

Motion agreed to.

*Documents***ANIMAL WELFARE ADVISORY COUNCIL****Production of Documents: Order**

The Hon. MARK BANASIAK (10:06): 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 Department of Planning, Industry and Environment, the Minister for Agriculture and Western New South Wales, or the Treasurer, and Minister for Energy and Environment, relating to the Animal Welfare Advisory Council:

- (a) all minutes from meetings of the current Animal Welfare Advisory Council;
- (b) all minutes from meetings of the previous Animal Welfare Advisory Council;
- (c) all correspondence relating to the election of new members to the Animal Welfare Advisory Council;
- (d) all documents relating to the Department of Primary Industries document entitled *NSW Animal Welfare Reform: Discussion Paper*, dated July 2021;
- (e) all documents relating to the document entitled *NSW Animal Welfare Reform: Issues Paper*, dated January 2020;
- (f) all documents relating to the Department of Primary Industries document entitled *NSW Animal Welfare Action Plan*, released May 2018; and
- (g) 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.

Motion agreed to.

WESTERN PARKLAND CITY AUTHORITY**Production of Documents: Order**

The Hon. DANIEL MOOKHEY (10:07): I seek leave to amend private members' business item No. 1555 outside the order of precedence by omitting paragraph (h).

Leave granted.

The Hon. DANIEL MOOKHEY: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created in the possession, custody or control of the Premier, Minister for Jobs, Tourism, Jobs and Western Sydney, Minister for Planning and Public Spaces, Department of Premier and Cabinet, Treasury, Public Service Commission of NSW or the Western Parkland City Authority relating to the Western Parkland City Authority (the Authority):

- (a) all agreements, however described, entered into by the Authority where an organisation has agreed to either establish a presence, or provide input into designing the Western Sydney Aerotropolis;
- (b) all documents produced or prepared for all Western Parkland City Authority board meetings since 1 August 2020;
- (c) all briefs, including attachments to briefs, sent to, signed by, drafted by, received by or approved by the Minister for Jobs, Tourism, Jobs and Western Sydney, since 1 August 2020 regarding any matter related to the Authority;
- (d) all documents concerning the replacement of Mr Sam Sangster as Chief Executive Officer of the Authority, and his subsequent resignation in September 2020;
- (e) all documents concerning the recruitment of the current Chief Executive Officer of the Authority;
- (f) all documents recording any complaints made about the current Chief Executive Officer of the Authority;
- (g) all documents regarding any investigation undertaken into complaints made about the current Chief Executive Officer of the Authority;
- (h) the full People Matter Employee Survey results for the Western Parkland City Authority for 2020 and 2021; and

- (i) 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.

Motion agreed to.

GIG ECONOMY

Production of Documents: Order

The Hon. DANIEL MOOKHEY (10:08): 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 April 2019 in the possession, custody or control of the Minister for Police and Emergency Services, NSW Police Force, Minister for Customer Service or the Department of Customer Service (Safework NSW) relating to the gig economy:

- (a) all documents which notify any agency of any incident involving the following companies:
- (i) Deliveroo;
 - (ii) Foodora;
 - (iii) Uber and/or UberEats;
 - (iv) Menulog;
 - (v) Ola;
 - (vi) Didi;
 - (vii) DoorDash;
 - (viii) Hungry Panda;
 - (ix) Easi;
 - (x) Yello;
 - (xi) Mable;
 - (xii) Shebah; and
 - (xiii) Amazon.
- (b) all documents concerning any investigation undertaken by the NSW Police Force into any traffic incident which involved the following companies:
- (i) Deliveroo;
 - (ii) Foodora;
 - (iii) Uber and/or UberEats;
 - (iv) Menulog;
 - (v) Ola;
 - (vi) Didi;
 - (vii) DoorDash;
 - (viii) Hungry Panda;
 - (ix) Easi;
 - (x) Yello;
 - (xi) Mable;
 - (xii) Shebah; and
 - (xiii) Amazon.
- (c) all warnings, infringement notices, improvement notices or prohibition orders issued to any of the following companies by Safework NSW:
- (i) Deliveroo;
 - (ii) Foodora;
 - (iii) Uber and/or UberEats;
 - (iv) Menulog;
 - (v) Ola;
 - (vi) Didi;
 - (vii) DoorDash;

- (viii) Hungry Panda;
 - (ix) Easi;
 - (x) Yello;
 - (xi) Mable;
 - (xii) Shebah;
 - (xiii) Amazon; 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.

Motion agreed to.

COAL MINE SUBSIDENCE COMPENSATION FUND

Production of Documents: Order

Ms ABIGAIL BOYD (10:09): I seek leave to amend private members' business item No. 1569 outside the order of precedence by omitting paragraph (a).

Leave granted.

Ms ABIGAIL BOYD: 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, created since 1 January 2017 in the possession, custody or control of the Minister for Better Regulation and Innovation, or the Department of Customer Service (Subsidence Advisory NSW) relating to the Coal Mine Subsidence Compensation Fund:

- (a) all submissions, representations, correspondence or communication in relation to the leviable contributions to the Coal Mine Subsidence Compensation Fund;
- (b) all documents, including file notes, meeting papers, briefing notes, minutes, and agendas, regarding any meeting about leviable contributions to the Coal Mine Subsidence Compensation Fund;
- (c) all documents relating to the approved procedures for the determination of claims under the Coal Mine Subsidence Compensation Act 2017, including all previous approved procedures and all documents relating to the amendment, revocation or replacement of the approved procedures;
- (d) all documents regarding the process for determining the contributions to the Coal Mine Subsidence Compensation Fund; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Motion agreed to.

Motions

GOLDEN JUBILEE BANGLA FILM FESTIVAL

The Hon. SHAOQUETT MOSELMANE (10:09): I move:

- (1) That this House notes that:
 - (a) on Tuesday 23 November 2021, the Consulate General of Bangladesh celebrated the Mujib Year and Golden Jubilee Bangla Film Festival 2021, the Consulate's first ever Bangla Festival in Sydney;
 - (b) the Consulate General of Bangladesh also celebrated Bangladesh's Golden Jubilee and Birth Centenary of the Father of the Nation of Bangladesh Bangabandhu Sheikh Mujibur Rahman; and
 - (c) present at the film festival celebration were Bangladeshi community leaders as well as other community representatives and a host of dignitaries including:
 - (i) the Hon. Shaoquett Moselmane, MLC;
 - (ii) the Consul General of Japan His Excellency KIYA Masahiko;
 - (iii) the Consul General of India His Excellency Mr Manish Gupta;
 - (iv) the Consul General of Indonesia, His Excellency Vedi Kurnia Buana and Consul Mr Abdul Nazar;
 - (v) the Consul General of Thailand Her Excellency Mrs Hataya Khusakul;
 - (vi) the Consul General of Austria and dean of the consular corps His Excellency Mr Karl Hartleb;
 - (vii) the Consul General of Poland Her Excellency Mrs Monika Konczyk; and
 - (viii) the Honorary Consul General of Nepal, His Excellency Deepak K Khadka.

- (2) That this House congratulates the Consul-General of the Peoples Republic of Bangladesh His Excellency Mr Khandker Masudul Alam and the Australian Bangladeshi community on the Golden Jubilee of Bangladesh and the Birth Centenary of the Father of the Nation.

Motion agreed to.

MS JAN PRIMROSE AND MR HAYDN WASHINGTON

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

- (1) That this House notes that:
- (a) on 6 November 2021, Ms Jan Primrose and Mr Haydn Washington were joint winners of the Nature Conservation Council's Dunphy award;
 - (b) the award is given annually to an individual who has demonstrated outstanding commitment to the conservation of the New South Wales environment, and courageously challenged government and non-government decision-makers, in honour of Myles Dunphy who campaigned for national parks and wilderness in New South Wales and his son Milo Dunphy who led the fight to preserve the Colong Caves and the Kanangra-Boyd wilderness;
 - (c) Ms Jan Primrose is the President of Protecting Your Suburban Environment Inc., founder of the Forest in Danger group, founding member of the Powerful Owl Coalition [POC], and is a respected local environmental advocate in Hornsby and campaigner for forest conservation;
 - (d) Ms Primrose was awarded for her work leading community driven campaigns to stop the loss of green space, tree canopy and native wildlife in Sydney which has resulted in several developments being modified or refused including campaigns against the Mirvac redevelopment of the former IBM site at West Pennant Hills and developments at Hornsby Park and Westleigh;
 - (e) Mr Haydn Washington is a lifelong environmental campaigner, activist and scholar who has worked as an officer for the CSIRO, as Nature Conservation Council director, and director of sustainability in local government and is currently environmental scientist and adjunct lecturer at the School of Biological and Environmental Sciences at NSW University; and
 - (f) Mr Washington was awarded for his work on many iconic environmental campaigns, including having the Wollemi wilderness declared a national park, the campaign to save the Daintree rainforest, and the campaign to protect the Gardens of Stone.
- (2) That this House congratulates Ms Jan Primrose and Mr Haydn Washington and thanks them for their dedication and commitment to protecting nature.

Motion agreed to.

AUSTRALIAN-KOREAN DIPLOMATIC RELATIONS SIXTIETH ANNIVERSARY

The Hon. SCOTT FARLOW (10:11): I move:

- (1) That this House notes that:
- (a) 2021 marks the 60th anniversary of Australia and the Republic of Korea diplomatic relations;
 - (b) as of the 2016 Census, 98,775 people who were born in the Republic of Korea live in Australia, of which 51,812 call New South Wales home, with 66,617 people in New South Wales identifying Korean ancestry;
 - (c) the vast majority of people in New South Wales who identify Korean ancestry in New South Wales reside in the City of Parramatta (11,770 people), Ryde City (5,811 people), Cumberland Council (5,272 people), Canada Bay City (3,772 people), Strathfield Council (3,682 people), Hornsby Shire (3,619 people), The Hills Shire (3,425 people), and Ku-ring-gai Council (3,337 people) Local Government Areas;
 - (d) the Republic of Korea is Australia's fourth largest trading partner, and one of New South Wales' largest trading partners; and
 - (e) the people of New South Wales and of Korea share a close bond underpinned by trade, security, shared interests, and strong personal links.
- (2) That this House recognises the dedication of Consul General Sanwoo Hong and his consular team in maintaining, strengthening and furthering the Republic of Korea's ties with New South Wales, particularly as we progress through the COVID-19 pandemic.

Motion agreed to.

Documents

NEW INTERCITY FLEET

Tabling of Documents Reported to be Not Privileged

The Hon. MARK BUTTIGIEG: I move:

- (1) That, in view of the report of the Independent Legal Arbiter, the Honourable Keith Mason, AC, QC, on the disputed claim of privilege on papers regarding the New Intercity Fleet, dated 18 November 2021, this House orders that all documents

considered by the Independent Legal Arbitrator not to be privileged be laid upon the table by the Clerk of the Parliaments excluding the following:

- (a) additional documents upon which privilege is no longer claimed, received on Friday 19 November 2021; and
 - (b) documents upon which privilege is no longer claimed and made public on Thursday 28 October 2021 and Wednesday 3 November 2021.
- (2) That, on tabling, the documents are authorised to be published.

Motion agreed to.

Motions

PARLIAMENTARY PROCUREMENT AND MODERN SLAVERY

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (10:12): I move:

That, commencing from the 2022-23 financial year, starting 1 July 2022:

- (1) The Department of Parliamentary Services of the Parliament of New South Wales must take reasonable steps to ensure goods and services procured by and for the Houses of Parliament are not the product of modern slavery.
- (2) The Chief Executive, Department of Parliamentary Services must, within 5 months of the end of each financial year, prepare a report (an annual report) that contains the following:
 - (a) a statement of the action taken by the Department of Parliamentary Services in relation to any issue raised by the Anti-slavery Commissioner during the year concerning the operations of the Department and identified by the Commissioner as being a significant issue; and
 - (b) a statement of steps taken to ensure goods and services procured by and for the Department during the year were not the product of modern slavery.
- (3) The annual report prepared under this resolution must be:
 - (a) presented to the Presiding Officer of each House of Parliament;
 - (b) tabled in each House of Parliament by the Presiding Officer within 14 sitting days of receipt of the annual report; and
 - (c) forwarded to the Anti-slavery Commissioner.
- (4) That this resolution have continuing effect until amended or rescinded.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. DAMIEN TUDEHOPE: I table the following papers:

- (1) Annual Reports (Departments) Act 1985—Reports for year ended 30 June 2021:
 - Department of Planning, Industry and Environment;
 - Department of Premier and Cabinet;
 - Department of Transport, incorporating Transport for NSW;
 - Ministry of Health;
 - Parliamentary Counsel's Office; and
 - Resilience NSW.
- (2) Annual Reports (Statutory Bodies) Act 1984—Reports for year ended 30 June 2021:
 - Biodiversity Conservation Trust;
 - Centennial Park and Moore Park Trust;
 - Greater Sydney Commission;
 - Health Care Complaints Commission;
 - Health Professional Councils Authority;
 - Hunter and Central Coast Development Corporation;
 - Infrastructure NSW;
 - Insurance and Care NSW, volumes 1 and 2;
 - Jenolan Caves Reserve Trust;

- Mental Health Commission of New South Wales;
 Natural Resources Commission;
 New South Wales Health Foundation;
 New South Wales Treasury Corporation;
 Environmental Trust;
 NSW Trains, volumes 1 and 2;
 Place Management NSW, incorporating Luna Park Reserve Trust;
 Royal Botanic Gardens and Domain Trust;
 SAS Trustee Corporation, incorporating report of SAS Trustee Corporation Pooled Fund;
 Sydney Metro;
 Sydney Olympic Park Authority;
 Sydney Trains, volumes 1 and 2;
 Trustees of the Parliamentary Contributory Superannuation Fund;
 Wentworth Park Sporting Complex Land Manager; and
 Western Sydney Parklands Trust.
- (3) Crimes (Administration of Sentences) Act 1999—Reports for year ended 30 June 2021:
 Serious Offenders Review Council; and
 State Parole Authority.
- (4) Environmental Planning and Assessment Act 1979—Report of Independent Planning Commission of New South Wales for year ended 30 June 2021.
- (5) Health Practitioner Regulation National Law (NSW)—Reports for year ended 30 June 2021:
 Australian Health Practitioner Regulation Agency and National Boards; and
 National Health Practitioner Ombudsman and Privacy Commissioner.
- (6) Health Services Act 1997—Report of the Administrator of the National Health Funding Pool for year ended 30 June 2021.
- (7) Mental Health Act 2007—Report of the NSW Mental Health Review Tribunal for year ended 30 June 2021.

I move:

That the reports be printed.

Motion agreed to.

Committees

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The Hon. TREVOR KHAN: I table report No. 4/57 of the Committee on the Independent Commission Against Corruption, entitled *Reputational impact on an individual being adversely named in the ICAC's investigations*, dated November 2021. I move:

That the report be printed.

Motion agreed to.

The Hon. TREVOR KHAN (10:13): I move:

That the House take note of the report.

Debate adjourned.

Documents

NEW INTERCITY FLEET

Tabling of Documents Reported to be Not Privileged

The CLERK: According to the resolution of the House this day, I table the documents considered not to be privileged by the Independent Legal Arbitrator, the Hon. Keith Mason, AC, QC, dated 18 November 2021, relating to the New Intercity Fleet, excluding the following:

- (a) additional documents upon which privilege is no longer claimed, received and made public on Friday 19 November 2021; and
- (b) documents upon which privilege is no longer claimed which were made public on Thursday 28 October 2021 and Wednesday 3 November 2021.

WESTERN LANDS LEASE CONVERSION PROGRAM

Correspondence

The CLERK: According to the resolution of the House of 18 November 2021, I table correspondence relating to an order for papers regarding the Western lands lease conversion program, received on 24 November 2021 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, stating that the Valuer General is not subject to the control and direction of the Minister and the Legislative Council should liaise directly with the Valuer General in relation to the resolution. This communication has now been sent.

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 (10:33): I move:

That, notwithstanding the conduct of business resolution of the House of Wednesday 24 November 2021, the order of private members' business for today be as follows:

- (1) Private members' business item No. 1418 standing in the name of Mr David Shoebridge relating to the Children and Young Persons (Care and Protection) Amendment (Family Is Culture Review) Bill.
- (2) Private members' business item No. 1487 standing in the name of the Hon. John Graham relating to the Government Grants Administration Bill 2021.
- (3) Private members' business item No. 1506 standing in the name of the Hon. Daniel Mookhey relating to the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021.
- (4) Private members' business item No. 1554 standing in the name of the Hon. Daniel Mookhey relating to an order for papers regarding the commencement of the Treasurer and the Minister for Transport and Roads.
- (5) Private members' business item No. 1580 standing in the name of Mr Justin Field relating to the 2019-20 bushfires and logging.
- (6) Private members' business item No. 1578 standing in the name of the Hon. Rose Jackson relating to the housing affordability emergency.
- (7) Private members' business item No. 1531 standing in the name of the Hon. Rose Jackson relating to the condemnation of the Melbourne protests.
- (8) Private members' business item No. 1558 standing in the name of the Hon. Emma Hurst relating to animal hoarding.
- (9) Private members' business item No. 1518 standing in the name of the Hon. Mark Pearson relating to wildlife care training for firefighters.
- (10) Private members' business item No. 1549 standing in the name of the Hon. John Graham relating to an order for papers regarding transport staffing matters.
- (11) Private members' business item No. 1575 standing in the name of Ms Cate Faehrmann relating to an order for papers regarding the Western Sydney Local Health District Maternity Services Resilience Assessment.
- (12) Private members' business item No. 1552 standing in the name of the Hon. Mark Banasiak relating to an order for papers regarding water allocations.

I indicate to the House that with respect to the items of business at paragraphs (4) to (12) in the motion, the members with carriage have given an undertaking that they will move that their motions be considered in the short form format.

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

Motion agreed to.

*Bills***CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT (FAMILY IS CULTURE REVIEW) BILL 2021****First Reading**

Bill introduced, and read a first time and ordered to be printed on motion by Mr David Shoebridge.

Second Reading Speech

Mr DAVID SHOEBRIDGE (10:36): I move:

That this bill be now read a second time.

Nearly 14 years ago candles were arranged to form a message on the lawn outside Parliament House in Canberra. They echoed the sentiment of then Prime Minister Kevin Rudd and millions of people across Australia as well. Those lights blazed a promise: Sorry, The First Step. Many people from across the political spectrum will agree that the Stolen Generations were some of the darkest chapters in our colonial history. But fewer people will be willing to acknowledge that, for many First Nations families, this painful colonial legacy is a continuing, living reality. For years I have been working with Aboriginal Elders, families, grandparents and communities, who are determined to keep families together, to raise their children on country and within culture. But the system is against them.

Despite all the empty promises from politicians and the tears shed for past Stolen Generations, Aboriginal children in this State today are 16 times more likely to be taken from their families than their non-Indigenous counterparts. Let us stop for a minute and reflect on that disparity. They are not twice or five times or 10 times as likely but 16 times as likely to be taken from their families. This is a continuing Stolen Generation and we must urgently work to change this. The disproportionate number of First Nations children taken from their families by State laws and institutions made and funded by this Parliament is creating a deep fracture in our society. First Nations families are subjected to laws, policies and practices that unquestionably, disproportionately and severely harm them—a harm that comes from the ongoing process of colonisation now more than two centuries long.

First Nations people are not involved or empowered in decisions that impact their lives. Instead they face an often hostile system that fails to understand them, their families and their culture. In 2016 the New South Wales Government commissioned the *Family is Culture* report to investigate this crisis. I commend the work of the then Minister Brad Hazzard in taking that step. The report was led by First Nations academic Professor Megan Davis, who was given unique access to the files and systems of the State protection system for some 1,144 Aboriginal and Torres Strait Islander children who were in out-of-home care between 1 July 2015 and 30 June 2016.

In October 2019 the *Family is Culture* report delivered 126 specific recommendations to reform the child protection system for First Nations children. That was in addition to well over a thousand recommendations relating to individual cases. However, the Government has stated it will not even begin to consider the systemic reforms—not one of the recommended legislative reforms—until 2024. This is too late. By then, countless more families will be irrevocably damaged by the system; another generation will be taken. That is plainly unconscionable. The trauma of family separation cannot be underestimated. The removal of First Nations children severs cultural, spiritual and family ties, and causes long-lasting trauma that continues for generations.

First Nations children removed from their families and placed in out-of-home care are more than 15 times as likely to be in Youth Justice supervision than those who are not, which dramatically increases their likelihood of adult incarceration. Having a criminal record is in turn a key driver of unemployment, poverty and substance abuse. Those are cycles of disadvantage and trauma that link back to child removals, sometimes going back generations. It is the very definition of intergenerational disadvantage and intergenerational trauma. Successive governments have made countless promises over decades, yet families are still being torn apart and deprived of their kin, their country and their culture. Our collective failure to stop that cycle of disadvantage is a stain on our nation.

It is a failure of this institution and one that ignores the painful scars we inflicted on past Stolen Generations. It is a failure of now, not of history. I am introducing the bill to enact the urgent legislative changes recommended by the Government's *Family is Culture* report. This bill is based on the fundamental principle that First Nations children belong with kin and on country, and that First Nations families and Elders know what is best for their families and must be empowered decision-makers when it comes to First Nations children. It is grounded in a belief in self-determination. The bill also legislates more robust mechanisms for transparency, oversight and accountability, and mandates more efforts to provide services and support for families to stay together.

I now turn to the detail of the bill. The Children and Young Persons (Care and Protection) Amendment (Family Is Culture Review) Bill 2021 implements recommendations of the *Family is Culture* report to amend a number of Acts of the New South Wales Parliament. The bill amends the law in three broad areas: the Children and Young Persons (Care and Protection) Act and regulation; the Adoption Act and regulation; and other related Acts including the Children's Guardian Act 2019, the Advocate for Children and Young People Act 2014, the Children (Protection and Parental Responsibility) Act 1997 and the Ombudsman Act 1974. Acknowledging the historical and ongoing harm of child removal, the bill amends section 9 of the care Act to:

... include the principle that it is to be presumed that removing an Aboriginal or Torres Strait Islander child or young person from his or her family causes harm.

If the system does not start with that fundamental understanding, it will continue to operate as it currently does, removing First Nations children at a grossly disproportionate rate and treating the removal of a child as a neutral act. It is not. The bill also inserts new section 93AA into the care Act to provide that the court must presume that the removal of a First Nations child causes harm, including the serious harm arising from disrupting the child or young person's connection to his or her culture, and that when giving reasons for a decision the court is required to explain how it has considered that presumption and the other principles in the Act applying to First Nations children and young people.

I recall approximately four years ago in an ongoing inquiry chaired by now President, the Hon. Matthew Mason-Cox, asking the President of the Children's Court to identify a judgement where that fundamental assumption of harm and trauma caused by the act of removal had been articulated in law. I invited him to table with the committee any judgement that he could identify. We are still waiting. I accept that there may be an implicit understanding among some members of the judiciary about that. But the law must be explicit and the acknowledgement of the harm caused by removal must be fundamental to any decision to remove a child. That presumption of harm must be the fundamental starting point in any court process considering removal.

I turn now to a fundamental guiding aim of the bill, which is implementing the right to self-determination. The lack of real self-determination for First Nations people in the child protection system is a key driver of systemic injustice and was cited by stakeholders to the *Family is Culture* report as a core contributor to the Aboriginal child protection crisis in New South Wales. Advocacy by Grandmothers Against Removals led to the 2015 development of the guiding principles for strengthening the participation of the local community in child protection decision-making. Those elements are vital for the exercise of the right to self-determination. Although the care Act references the Aboriginal and Torres Strait Islander Child Placement Principle, the *Family is Culture* report found it is routinely ignored.

The bill seeks to improve implementation of that principle, including by inserting new section 13 (1A) into the Act to more explicitly detail the elements of the principle that must be considered when making placement decisions for First Nations children and young people. The bill also inserts new sections 13A, 13B and 13C into the care Act to further improve implementation of the principle by mandating the provision of support services to prevent entries into care. That is a key reform that seeks to address the imbalance in the system whereby the vast majority of funding, resources and effort is placed in the out-of-home care system rather than in supporting families to stay together. In New South Wales the budget for child protection and out-of-home care is \$2.5 billion, but just \$164.2 million of that is invested in targeted early intervention services to support children, young people, families and communities experiencing or at risk of vulnerability. In comparison, \$1.4 billion funds out-of-home care and permanency programs—in other words, child removals. The *Family is Culture* report states:

... data shows that Aboriginal children are known to this system early, highlighting opportunities for early intervention, prevention and diversion away from care and protection.

The department has the data because it has been pooling it from multiple government sources to know where and when to intervene. The report also noted:

... the need for trauma-informed, dignity driven and culturally appropriate work before children enter care, and where they do enter care, to support restoration.

Families are often crying out for help for months and years before children are removed. I recall talking to one woman from around your area, Mr Deputy President, who was living in Tamworth and had to vacate her housing commission flat because it was infested by fleas. For months she had been seeking pest treatment. Because she could not continue to live there with her five kids because it was infested with fleas, she had moved into her car. She was living in her car and using the bathroom facilities and kitchen in her flea-infested flat. One morning, without any notice or response, she was woken in her car by child protection workers and police, and her kids were taken. They were taken on the basis of neglect. But the neglect was that she did not have anywhere safe to take her kids. She fought for years to get her kids back, and eventually she did. But imagine taking a woman's children because she did not have a safe home because it was infested with fleas. That is the lived reality. New

section 13A (4) mandates that the department must take active steps tailored to the circumstances of the individual child or young person and their family to reduce the need for children to be removed. Those steps include:

- (a) the provision of family support services that are—
 - (i) accessible, and
 - (ii) adequately resourced, and
 - (iii) culturally appropriate, and
 - (iv) so far as is practicable, designed and delivered by Aboriginal or Torres Strait Islander community controlled organisations

The Minister will also be accountable to that and required to table in Parliament a plan that sets out the steps taken to provide family support services as well as measures taken to promote self-determination and participation in decision-making. The bill also amends section 63 of the care Act to provide that if the secretary fails to give the Children's Court evidence of the action that has been taken to support a child or young person's family and of the alternatives to a care order that were considered before making an application to the court for a care order, the court may dismiss the order or discharge the child or young person from the care of the secretary or the Minister. That provision is about accountability and trying to change the culture of the department.

Another fundamental reform necessary to address self-determination is the empowerment of Aboriginal community controlled organisations. The Government has committed to transition all Aboriginal children in out-of-home care to Aboriginal community controlled organisations by 2022. That is a key recommendation of the *Family is Culture* report. However, we found out in budget estimates only a few weeks ago that just 20.6 per cent of First Nations children in out-of-home care are under the care of Aboriginal community controlled organisations, 24.7 per cent are with non-Aboriginal organisations and the remaining 54.5 per cent—the bulk of the children—are in case management or in the care of the Department of Communities and Justice.

That is why the bill enshrines a stronger mandate for Aboriginal community controlled organisations in the child protection system, including that the Children's Court must not make a final care order unless it expressly finds that the permanency plan has been approved by a recognised Aboriginal community controlled organisation. The court must provide the opportunity for a representative of the relevant community or an Aboriginal community controlled organisation with a relevant connection to the community to be heard, and there are regulation-making powers to ensure that work is appropriately remunerated. New section 93AA requires that the Children's Court set out how it has applied the Aboriginal child placement principles and the principle of self-determination in all of its reasoning in the system. Importantly, new section 13C holds the Minister accountable to table in Parliament a plan that sets out the actions taken to engage with First Nations people to negotiate and agree to the implementation of programs and strategies that promote self-determination.

Those changes are consistent with the recommendations in the *Family is Culture* report and will deliver substantial elements of self-determination in the system. They are achievable and meaningful, but they are not intended to be the end point of reform in this space. This is the first step on a journey towards self-determination, and much more needs to be done once the reforms are implemented. I recently stated in this place that children deserve the chance to learn from their mistakes and deserve the help that they need to overcome disadvantage. That was in regard to raising the age of criminal responsibility. I also believe, as do The Greens, that families deserve a second chance; they deserve the help they need to overcome disadvantage so that they can stay together. The bill gives them that; it gives families more support and more time.

The bill amends section 83 and inserts a new section 83A to extend the period of time in which restoration of an Aboriginal or Torres Strait Islander child or young person to his or her family may be effected before a final care order may be made. It extends it from a maximum of 24 months to a maximum of 48 months. Many mothers, grandmothers and advocates have contacted me to share their pain and grief at being separated from their children and grandchildren and not being able to maintain relationships through regular visits and contact, which the out-of-home care providers are failing to facilitate. That is a serious fault in the system, which we have sought to partly address through amendments to section 83 requiring that a permanency plan must include a cultural plan that explicitly states how it will support continuing contact with the child's Aboriginal or Torres Strait Islander family, community and culture. That plan must be approved by an Aboriginal community controlled organisation. Children have a right to know their families, to understand their identity and their culture, and that must be prioritised even if they are put into care.

I turn now to adoption, which has caused immense intergenerational trauma for First Nations people over many decades. The bill amends numerous provisions, including in the Adoption Act 2000, to ensure that Aboriginal children may not be adopted. Schedule 3 [4] amends the Adoption Act to provide that Torres Strait Islander children may not be adopted other than by cultural adoption under the care Act, and the reforms in Queensland have underpinned that aspect of the Act. Stakeholders have also raised concerns with me regarding

guardianship orders being used as an alternative to adoption for First Nations children, and I emphasise that the reforms contained in the bill are also intended to prevent the inappropriate use of guardianship orders. I also note concerns raised by stakeholders about the removal of babies from their mothers at birth in so-called high-risk birth alerts. While it falls outside the scope of the bill and was not expressly considered for legislative reform in the *Family is Culture* report, it remains a continuing source of deep hurt and trauma and I encourage the Minister to urgently review it.

The bill is the result of ongoing discussions and assistance from a variety of organisations, First Nations families and individuals. I acknowledge the work of the Jumbunna Institute for Indigenous Education and Research at the University of Technology Sydney, the work of the Aboriginal Legal Service care and protection team and the advocacy on *Family is Culture* by AbSec. The bill also addresses submissions we have received from the Association of Children's Welfare Agencies, the New South Wales Children's Guardian and Community Legal Centres NSW, as well as many individual submissions.

I recognise the long history of First Nations led advocacy and struggle that has informed this work, including campaigning by Grandmothers Against Removals and many others. Gomeroi and Biripi woman Auntie Helen Eason is one of the reasons I got involved in this work. Auntie Helen spent years fighting against the system to get her children back. She says this:

... there is no reason for our babies to be taken. Our babies aren't orphans.

...

We need to stop the pain and trauma of kids being taken from their families and growing up out of culture and away from their community ... It's a continuing stolen generation and it needs to stop.

I agree with Helen. Her mother, Auntie Hazel Collins, formed Grandmothers Against Removals to advocate for an end to child removals, and Helen continues that legacy of activism. The strength of those mothers and grandmothers is more powerful than any system, and we need to listen to and learn from them. More than that, we need to have the humility to transfer power to First Nations families, communities and organisations and provide them with tools, resources and funding to make their own decisions and care for their own families and communities. That is true of many issues relating to Aboriginal justice but perhaps nowhere so urgent or so important as in child protection.

There are too many people to give thanks to who have generously given their time to me, educated me and brought me along on their journey on this issue. However, I acknowledge the two women who first came to see me in 2014 to tell me what had happened to their families, kids and grandkids. They took me back to Gunnedah to meet with their community. I thank Auntie Hazel Collins and Auntie Veronica Saunders, two extraordinarily strong, principled and driven First Nations women.

I conclude by reminding all members in this House with responsibility for making laws in this State that for more than 60,000 years—at least 2,000 generations—First Nations families and extended kinship structures have been raising their children in culture and on country. There is a wisdom and strength in this that bureaucracies and child protection structures refuse to acknowledge. The bill acknowledges that wisdom and strength. It acknowledges the strength of First Nations Elders, families and communities and the powerful ties of kinship and country that kept First Nations children safe on this land—Gadigal land and all First Nations land—for 60,000 years before colonisation. The reforms will enshrine that respect, at least in part, in the laws of New South Wales. For decades governments have been promising to stop tearing First Nations families apart, and it is time to deliver on that promise. I commend the bill to the House.

Debate adjourned.

GOVERNMENT GRANTS ADMINISTRATION BILL 2021

Second Reading Debate

Debate resumed from 17 November 2021.

The Hon. MARK LATHAM (10:58): One Nation members support the Government Grants Administration Bill 2021 because we see it as a useful contribution to the campaign against pork-barrelling in New South Wales. In particular, the bill adopts recommendations to empower the Auditor-General to conduct "follow the dollar" performance audits for non-government entities, which One Nation very much welcomes. It should have been done years ago and seems a logical accountability mechanism to give taxpayers value for their dollar. People work hard to pay their taxes and fees to the New South Wales Government, and there is a high level of responsibility for the Government to ensure that the money is allocated on the basis of merit and need. I congratulate the Hon. John Graham on moving the bill and on contributing useful ideas about accountability processes and transparency through which we can end the pork-barrelling in New South Wales, which has reached

an industrial scale. I highlighted the 183 grants in Dubbo. There were 10 a month, or one every three days. Compare that with a place like Fairfield, where the Labor MP there tells me that they got four or five grants in that 18-month period.

The Hon. Damien Tudehope: How many local government areas is that?

The Hon. MARK LATHAM: How many local government areas in Fairfield? It is one of the largest local government areas in New South Wales. It is a community with a record number of non-English speaking background citizens and people from different parts of the world. It has record levels of youth unemployment and welfare dependency. Schools have had to accommodate the Government's madcap scheme of dumping 6,000 Syrian refugees when we were told they were going to be settled all over New South Wales. There is no part of New South Wales, as a product of State Government policy, that has had to make a bigger adjustment under difficult circumstances for low income, needy people, with less government support. That is the snapshot of Fairfield that the Minister is asking for.

The Hon. Shayne Mallard: That's not right.

The Hon. MARK LATHAM: The Hon. Shayne Mallard, who probably went to Fairfield in 1987 and has not been back—

The Hon. Shayne Mallard: I was there on Saturday, and I opened a swimming pool funded by the State.

The Hon. MARK LATHAM: You opened a swimming pool in Fairfield?

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Order! Comments are to be directed through the Chair. The Government Whip knows better. He will be called to order if he interjects again.

The Hon. MARK LATHAM: If you dump 6,000 Syrian refugees in Fairfield, you need to do a lot more than open a swimming pool. You need to do a lot in terms of English language skills, education, training and job creation. You need to do a lot more than this Government did in the lockdown period, where it basically said that Fairfield is locked down, it has a curfew and residents have to get tested to go to work. There were horrendous scenes of kilometre after kilometre of traffic jams. People were trying to get tested at 3.00 a.m. to go and perform their work functions. No area in New South Wales has a greater need than Fairfield. A lot of that goes to government policy; some of it goes to personal responsibility. There is a whole mix of issues and problems there. No part of New South Wales is more neglected in terms of need.

No-one in their right mind can look at the allocation of 183 grants for just about everything in Dubbo over an 18-month period and then look at the four or five grants in Fairfield—one of them might have been a swimming pool—and not see the obvious imbalance. It needs to be corrected. Money needs to be allocated on the basis of need and merit, regardless of the political complexion of the electorate. It is true that Fairfield, as a safe Labor seat, has suffered on both sides of the fence. It suffers as a safe Labor seat that the Liberal Party could not give two hoots about, and it suffered under the 16 years of Labor Government because that Government would have been allocating more money to marginal seats that mattered to its electoral fortunes. That is the basic truth of what has happened in Fairfield.

I hope I have filled in the Minister who asked the question about the Fairfield local government area. That is the situation, and none of it can be justified. When Federal member Chris Bowen was immigration Minister, he had a huge responsibility to improve English language skills in the area, and he did nothing. I am not saying the neglect is only from this Government; it comes from both major parties, as well as from the media. No-one from the media would live in or visit Fairfield. At election time, it is not a marginal seat, where the caravan goes around and has a look. It does not feature on the demographic breakdown of key seats. It becomes invisible. That is the basic problem that we have in matching up scarce taxpayer resources to the allocation of funding for a place with chronic and pressing needs. This bill goes some way to addressing that problem, and One Nation will be supporting it. I hope a future Labor government moves this bill again and gets it through both Houses.

The One Nation policy for overcoming the industrial-scale pork-barrelling in New South Wales is to establish an independent grants commission, chartered with need and merit in the allocation of funding, to work closely with the Office of the Auditor-General. That grants commission should be a final assessor and recommender of grants with a value greater than \$1 million and publish all benefit-cost ratios to ensure automatic evaluation reports. This is another failing of this Government. If you are pork-barrelling out of control, the last thing you want is evaluation reports about how the money is being used. Evaluation reports are the enemy of pork-barrelling because they go to the outcome on the ground—has this been an effective use of public money as opposed to an electoral, political use of public money? Every major spend should have an evaluation report.

I highlighted at budget estimates, in the critical area of Indigenous need, 129 distinct Indigenous expenditure programs in New South Wales. There was over \$1 billion in expenditure, but only 45 per cent of the

programs have an evaluation report. I am not saying that in Indigenous affairs there is pork-barrelling, but, if the Government is not doing it with Indigenous affairs, there is no evaluation report for the Stronger Communities grants. We are not going to see an evaluation report about the \$90 million spent on a couple of parks in Hornsby. We are not going to see evaluation reports about the Stronger Country Communities program. The key now in New South Wales is if you see "stronger communities" in the name of any funding program, you know it is really stronger pork-barrelling. Whether you are talking about the Stronger Communities grants in Hornsby fixed up between the new Treasurer and the outgoing Premier, or the matter that the Hon. John Graham has exposed about Stronger Country Communities, you know it is pork-barrelling. The idea that under Stronger Country Communities random backbenchers—not members of the Executive Government—could wander into electorates and be part of the decision-making process is most likely illegal and is most certainly wrong.

The fact that the grant recipients then receive a non-disclosure form saying they cannot talk to their local member of Parliament and cannot say they got the money is part of a political lock-up. The Government gives them the grant and tells them that they cannot talk to the non-government local MP and that they are locked into its system. It sends them the message that, if they talk about it, they probably will not get funding in the next round of grants. It is a defiance of free speech and personal liberty to have to sign a non-disclosure form just because you have received government money. It is not money that belongs to the Minister but money that belongs to the public. In part, it is their money. It is plainly wrong. I wonder, even when I talk about 183 grants in Dubbo, where the evidence is that the money is being allocated according to the best needs for Dubbo. Where is the evidence that country people want to be that dependent on government funding? If you do not do evaluation reports, you never find it.

One Nation's model is to have an independent grants commission with evaluation reports, and for it to publish recommendations against failing programs and be a cost-saving agency, which is a novelty for this Government. Has the Government heard of that? Has the Hon. Damien Tudehope heard of the novel idea of a cost-saving agency inside the Perrottet Government that makes independent evaluations and recommendations about the distribution of grants, evaluates them and, out of that evaluation, says whether it is a failing program that has not got the results or that the benefit for the public does not exceed the costs and it should be eliminated?

Under this Government, in the last budget, there were 145 distinct budget policy measures. They were all spending increases. Imagine 145 out of 145—what a batting average. The Government beat Bradman. One hundred per cent of them were expenditure increases. Under the new Treasurer, it will be 1,045. He is already at the abacus trying to fund the maiden speech of the Hon. Peter Poulos, which would have had Peter Walsh and Jim Carlton rolling in their graves to hear the fiscal extravagance. Is there anything that was not going to be proposed? There was an Indigenous federation square, a light rail under Botany Bay and the Maldon-Dombarton railway line, which a former Coalition government cancelled. Bruce Baird from the Greiner Government cancelled it in 1988. The one that I like is the light rail under Botany Bay. You would not want to see the cracks in the carriage, with little drops of water coming down. Let us get the existing trams, trolleys and trains to run before we go tunnelling under Botany Bay or embark on any other fiscal schemes that are written on the back of an envelope and that Matt Kean is funding on his abacus.

These are cultural practices inside the Government that are out of control. If I were the Hon. Peter Poulos and wanted to make a worthwhile public interest mark on this Parliament, I would not have come in here with a long list of profligate, extravagant projects that cost billions of dollars. I would have come in here with a long list of cost savings. That is what we need. That is the public service for New South Wales. You can only wonder where that tradition of fiscal responsibility and prudence has gone inside today's Liberal Party. Where have their cost savers gone? Where have the people interested in value for money and public sector efficiency gone? How have they completely disappeared? I know Ministers, like the finance Minister and perhaps the former Treasurer Dominic Perrottet in his day, would talk about these things, but we need more than talk.

Most clearly, the place to act, the place to start is pork-barrelling. The Nationals MPs say, "We're investing in country New South Wales." It can be heard in question time in the other place, for those who can bear that hour and a bit. It is not investment if the money is allocated solely for political reasons and never evaluated and if the people who are given the money are locked into non-disclosure agreements. We know the rort is on when random backbenchers are part of the decision-making process. That is not an investment. An investment allocates public money and gets a return in public benefit greater than the cost. That is what investment means. The Government is just throwing money at country New South Wales and hoping that it lands somewhere that incidentally might have a public benefit but which, most of all, has the electoral benefit of buying out those electorates. It is not public investment at all.

The number of programs running in the bush makes the point that, out of the poles and wires privatisation, an attempt was made to buy it: "The Nationals have changed. The party has become more woke and has moved away from traditional country values. How do we maintain our electoral base? We're going to have to buy it with

the proceeds of the poles and wires." I think that is the origin of the pork-barrelling. Even people in the city were denied access to the programs. One of the arguments I have heard is that the Stronger Country Communities program is only for the country. Why is that? Why is a place like Fairfield, with its pressing needs, excluded from being a stronger community under that program? Why is a place like Blacktown, Liverpool or Bankstown excluded? The socio-economic data, the welfare dependency, the unemployment, the school results, the struggle, the lack of opportunity, the lack of English-speaking skills—a big problem in many places—and the demographics show that if you have a funding program, it should not be quarantined only for the bush. Yes, there are many pressing needs in country New South Wales, but they also exist in the city in western Sydney.

The programs were constructed for what is obviously a political purpose. We are at the tipping point where it just cannot go on and where the Government, in its heart of hearts, must know that it is wrong. The Government knows it cannot load up continuous debt for New South Wales. We need cost saving and a return to fiscal prudence. So the answer, if you like, the low-hanging fruit, is to start with the pork-barrelling by abolishing programs like Stronger Country Communities, which have been constructed solely for political purposes and other programs that have been evaluated as not achieving a positive investment result. The budget should be brought closer to surplus and pork-barrelling eliminated.

This bill is a good start, but I believe the time has come for the stronger approach of an independent grants commission in New South Wales because pork-barrelling has got well and truly out of control. I have been in local, Federal and State politics long enough to know that around the table inevitably there will be discussions out of self-interest about how to get re-elected. There will be allocations of money at the margin for political reasons. We will never get rid of that in politics, but if that is quarantined or is a small percentage of the State budget, the public would think that is probably the price of democracy. It is not desirable, best practice or perfection but probably it is a cost of democracy. But when that small percentage grows, as it has under this Government, to 30 per cent, 40 per cent, or 50 per cent of grant allocations being made purely on political criteria, we know we have a massive problem and it is completely unsustainable.

I would say to the Liberals and The Nationals, is this really the sort of government, with its pork-barrelling and fiscal extravagance, that you ever wanted to run? What happened to the Liberal ideals of personal responsibility, entrepreneurialism, people making their own way in life and not relying on government welfare and grant dependency? Did the Liberals not always want to establish a more self-reliant, robust society where people make their own way, instead of people having to line up for grant allocations based on political criteria? The Nationals' great Australian legend is the farmer working the soil, making their own way and demanding that government get out of the way and not smother a place with politically motivated grants. The farmer says, "Get out of the way from stopping me doing land clearing. Get out of the way from stopping me from harvesting the water that flows across my property. Get out of the way with all these regulations that stop me from being an effective farmer."

The same goes for the mining sector and other resource industries. For example, in the uranium mining industry, is it not the traditional demand of The Nationals constituency that government get out of the way? The Government has moved so far away from that towards the other end of the pendulum. Now the request is that the cargo cult stand in the middle of the field or town square and wait for the money from the sky, for the Hon. Wes Fang to ride in as the grand adjudicator and drop money out of a helicopter, with other backbenchers or Parliamentary Secretaries such as the Hon. Ben Franklin standing there, waiting for the cargo-cultism of pork-barrelled grants to drop from the sky.

[A Government member interjected.]

Wes, I was disappointed to see you on the list of grant adjudicators in the electorate of Wagga Wagga. The member for Wagga Wagga, Joe McGirr—the great successor to Daryl Maguire —has won two elections. He is much needed in Wagga. Would you not think that of all places, Wagga is the place where the newly elected, clean, ethical MP Joe McGirr should be determining the grant allocation to his electorate? After the shameful, corrupt legacy of Daryl Maguire, would you not think that is the one place where they would not be running this scam of government backbenchers determining the grants? That says it all. The Government has moved so far away from its guiding principles that it has lost sight of what a Liberal-Nationals government should be doing. Quite frankly, in this Parliament the only economic rationalism comes from One Nation. For many, it is surprisingly so, but that is just the way it is. It is not hard because compared to some of the practices in this place, you have not got to be—

Mr David Shoebridge: Says the guy who gave his vote away because he got pork-barrelled for a car park. You gave your vote away because you got pork-barrelled for a car park.

The Hon. MARK LATHAM: There is no more pressing commuter need in western Sydney than those car parks. You should get out of Woollahra.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Earlier I put the Government Whip on a final warning. Mr David Shoebridge has joined the queue. The House has to get through the day. It is not the time for histrionics.

The Hon. MARK LATHAM: I have been accused of pork-barrelling. Let me give some background. After the last election I spoke to commuters and community representatives at Leppington and Edmondson Park, which were busy areas, particularly pre-COVID. In those areas, in the dark of a winter's night, women had to walk kilometres from Leppington train station through old country laneways to get to their cars, such was the paucity of car parking. I will be struck down if that is not a bigger, more pressing public need than a flying car research centre at Narromine or most of the grants that have been allocated to Dubbo.

For the many hundreds of people who use Leppington and Edmondson Park stations, you could not get a more pressing public need than a multistorey, well-lit, relatively safe and compact parking station right next to the station, to prevent women, in particular, having to walk kilometres in the middle of a winter's night through literally country laneways and past country properties to get to unlit streets and spots where they parked their cars earlier in the day. If Mr David Shoebridge got out of Woollahra and had a look at Leppington and Edmondson Park, he would join me in saying there was an absolutely pressing need and that that funding was allocated on merit. I was not invited to the opening of the Leppington car park last week. It was opened by Peter Sidgreaves, the member for Camden, who is as useful as pockets in your underpants. He got to open it, but I did the work to get it done.

The Hon. John Graham: What did he do to get it?

The Hon. MARK LATHAM: He did nothing. He just sat there looking at the ceiling of his office. He did absolutely nothing. I did the work; I spoke to the commuters. But, as ever in my public life, I do not ask for recognition, rewards or medals. As I go to sleep at night, my satisfaction is knowing how well I try to humbly serve the people of New South Wales. I will continue to raise the issue of grants.

The Hon. MICK VEITCH (11:18): The convention used to be that a Government member would be the first speaker after the mover of the motion.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): No, the convention is a member seeks the call. If a member does not seek the call, then I give it to the member who moved the second reading of the bill to speak in reply. The Hon. Mick Veitch has the call.

The Hon. MICK VEITCH: I am interested in the fact that Government members are hesitant to put their position. I know there will be a number of speakers to the debate on the Government Grants Administration Bill 2021, so I will not use my full allocation of time. An article in the March 2021 issue of *LSJ*, the journal of The Law Society of New South Wales, included telling remarks made by the former historian of the New South Wales Parliament, the respected and esteemed David Clune, about the insidious mess of pork-barrelling. The article states:

Governments are ... expected to honour their election commitments. However, this does not extend to improper politicisation and secretive allocations to supporters. Checks on pork barrelling are openness, observation of due process and procedures, and proper assessment on merit by the public service.

I contend that the objects of the bill introduced by the Hon. John Graham tick off the criteria put forward by Dr David Clune. He goes on to say:

The trust that the voters place in a government at an election should not be betrayed, particularly regarding the use of taxpayers' money. It is also a basic principle that a government has an obligation to govern for the whole community, not only those that voted for it.

The reason I wanted to put those quotes from Dr David Clune on the record is that we spent a bit of time in this House a couple of weeks ago discussing another motion from the Hon. Rod Roberts. The Hon. Mark Latham's contribution in that debate was such that it incited the Hon. Sam Faraway to come down from his office and make his own contribution. The Hon. John Graham has critiqued the Hon. Sam Faraway's contribution and I am certain he is probably going to talk about it a bit more in his reply speech. But one of the exchanges fascinated me. I quote from *Hansard*:

The Hon. SAM FARRAWAY: ... How is that pork-barrelling? Look at Mr David Shoebridge and The Greens seat of Ballina. Tamara Smith gets the same allocation through the Stronger Country Communities Fund as does Ms Saffin in the Labor-held next-door seat of Lismore, as does neighbouring MP Gurmeh Singh for The Nationals.

Mr David Shoebridge: But no say in how it is allocated.

The Hon. SAM FARRAWAY: It does not matter.

The Hon. Sam Faraway is incorrect. It does matter. The local member has been elected by the people in their electorate to represent them. That means the member gets a say. They should be consulted. They should be

advised. It is disrespectful to have the Hon. Ben Franklin dropping out of the sky with a bag full of chaff to throw around an electorate for Janelle Saffin or Tamara Smith without consultation. It is not about politics. It is about common decency—talk to the local member. They have been excluded from the Government's process. We cannot accept that it is okay to do that. The local member has not been included in the process, they have not been told about the process and then they have not been included in the announcement. That is just not right. This process that has been followed where the Hon. Taylor Martin drops into electorates with pockets full of cash and makes announcements without telling or involving the local member is just not respectful.

How is it that the former member for Upper Hunter—I will say no more about that—can drop himself into the electorate of Cessnock to make announcements about funding for projects and the local member is not advised? That is just not right. The local member is not advised about the money or the criteria. These are the people who have been elected by the voters in those electorates, and it is disrespectful to not include them in the process. I say to the honourable members in this place who have been involved in this practice—the Hon. Wes Fang, the Hon. Taylor Martin, the Hon. Ben Franklin—that they should just pick up the phone and talk to the local member. It is disrespectful not to. Above politics, it is the right thing to do. Instead of getting involved in the stuff that the Ministers are telling them to do, I urge members opposite to do the right thing. They should call the local member and tell them what is happening in their electorate. It is wrong not to.

This bill looks at putting in place a robust set of arrangements for the future allocation of government grants. That is what this is about. You only have to observe what has happened recently at the Independent Commission Against Corruption arising from allocations in the electorate of Wagga Wagga. The community expects that their funds will be allocated in a process that is above reproach. All of us in this place need to do better. The people out in the street want us to do better. They want the grants to be allocated in a process that is competitive, fair, open and transparent. This bill puts in place a framework—and I believe there are other suggestions about how we could make that an even more robust process. But we should, as members of Parliament, make sure that this bill gets up, to put in place an open and transparent process and to give the punters of New South Wales a degree of surety that nothing untoward is happening with their funds. We have to do that.

I will come back to the matter that was revealed in the documents produced under Standing Order 52 and that has been covered in the media yesterday and today. I read that and thought there is a political process that is going to take place around what has been discovered in the documents, but if you sit back as a member of Parliament who wants to do the right thing and you look at that process, it is not acceptable. No-one in this place can say that is acceptable. Those that were involved in the process, either by coercion or free will, have to check their conscience. It is not respectful to members of Parliament, particularly those in the lower House, to not include them in the process, to not ask for their input and to not advise them that there is a funding announcement in their electorate. I commend the bill to the House. We need a much more robust and transparent process.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (11:26): I move:

That this debate be now adjourned until Tuesday 22 February 2022.

Motion for adjournment of debate negatived.

The Hon. DAMIEN TUDEHOPE: The vote to not adjourn this debate has demonstrated the stunt that this is. The Government Grants Administration Bill 2021 today replicates the bill which was passed by this House yesterday as a further political stunt. But this is worse, because this is against a background where the Government has announced—

The Hon. Mark Latham: I am reading this one. I am voting on this one.

The Hon. DAMIEN TUDEHOPE: I will come to that. I will come to the Count of Campbelltown. The Count of Campbelltown, who prognosticates on all things in this House, who has a view on everything and will lecture us all, has the temerity not to turn up for a vote on a matter which is so important to him. Anyway, we will come back to the Count of Campbelltown.

The Hon. Mark Latham: Shouldn't I be a viscount? The Viscount of Campbelltown.

The Hon. DAMIEN TUDEHOPE: The viscount, in the colonial house with the woodland grey roof. We all know where the estate is. But the serious matter is that this issue is the subject of an ongoing inquiry by the Government at the moment. If members opposite were actually serious about getting a proper outcome on this issue, they would have waited for that review to have been completed and for the recommendations which will arise from it to be delivered to the Government for the purposes of consideration of how this goes forward.

Mr David Shoebridge: Physician, heal thyself.

The Hon. DAMIEN TUDEHOPE: That would have been the responsible position to take if you were not engaged in the stunt. If you were not engaged in the stunt, you would say, "Great idea. We need a review of

the grants process." The Premier has acknowledged that there is a need for a review—he has appointed Peter Achterstraat, I think it is, to conduct that review and to make recommendations to the Government.

The Hon. John Graham: Wrong. At least get the details right.

The Hon. DAMIEN TUDEHOPE: If you were not engaged in the stunt you would actually do it.

The Hon. John Graham: You are wrong again. Just get the details right. You don't even know.

The Hon. DAMIEN TUDEHOPE: If you were serious about this as an issue and wanting to come to a proper outcome—maybe something that even adopts the recommendations of the Viscount of Campbelltown—you might even wait for that review to take place before engaging in this process today. But, no, the Opposition wants the media story today. Members opposite want to be able to get out there today and be able to deliver the media story. But there is one thing that strikes me in relation to this debate today. The Government has identified what those opposite say is a process which they do not like—for goodness sake—because they say, "They didn't pick up the phone to me. They didn't include me in the process." They have not identified a single project which was not for the benefit of the community involved. Not one have they identified and said, "This project should not have been delivered."

The Hon. Courtney Houssos: Macleay Valley skydiving.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I call the Hon. Courtney Houssos to order for the first time. I could have called three other members to order, but I will call Hon. Courtney Houssos because she was slightly louder.

The Hon. Courtney Houssos: Where is my warning?

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Look, I am a very unfair and grumpy man.

The Hon. DAMIEN TUDEHOPE: I would have thought those opposite would have come into the Chamber and said, "There is a desperate need for this to occur, because we didn't really want the car park at Edmonton or Leppington. It shouldn't have been built." Of course they wanted them! Every other project which has been delivered falls into the same category; they are delivered for the benefit of the communities involved. If those opposite were absolutely serious that it is a flawed grants program, they would be saying, "These are the programs or outcomes which should not have been delivered because the communities didn't want them." They cannot do that, because the communities did want them. The communities wanted them because they delivered jobs outcomes. They improved the quality of life in every one of the communities where they were delivered. The focus of the Government is to improve the standard of living of people, wherever they are, and to make sure that it improves outcomes in terms of quality of life and opportunities for the creation of jobs.

Earlier there was criticism of a project in Dubbo on the basis that it is a startup opportunity. They are exactly the things we should be giving grant money to, because they provide for the future, for jobs and for the outcome of improving the standard of living for people in regional areas. For so long they have been neglected. The fact of the matter is that the Government is focused on delivering grants for the purpose of delivering outcomes for communities and creating job opportunities in regional New South Wales. That is what this is about. Members opposite want to say, "Because we weren't told, we don't want those programs delivered." If ever I have heard a feeble excuse for not wanting an outcome! They should be embracing the fact that the Government is spending money in those communities. There is, no doubt, a whole process behind this which is all about the stunt—

Mr David Shoebridge: Talking about stunts—

The Hon. Shayne Mallard: Point of order—

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Order! The Minister will resume his seat. The Hon. John Graham will resume his seat.

The Hon. SHAYNE MALLARD: Madam Deputy President, I recognise that you have just taken the chair, but I invite you to review the performance of the members earlier. The previous Chair asked them all not to interject and they continue to do so.

The Hon. Walt Secord: Tattletale!

The Hon. Shayne Mallard: You're lucky I don't sit in the chair anymore.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Order! The Hon. Walt Secord, we just want to get through this. The member will be heard in silence.

The Hon. Shayne Mallard: Point of order: Madam Deputy President, would you call the members to order collectively and allow the Minister to continue the delivery of his speech?

The Hon. Mark Latham: To the point of order: The honourable member has neglected to include himself in that list. Earlier he was called to order for interjecting on my contribution regarding the swimming pool in Fairfield that he claims to have opened.

The Hon. Shayne Mallard: Further to the point of order: I was not called to order. I was warned, and I learned my lesson at that point.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): I have heard enough. I ask all members to please settle down. I uphold the point of order. I ask all members to cease interjecting and allow the Minister to complete his contribution, and I ask the same for every member speaking on either side of this debate.

The Hon. DAMIEN TUDEHOPE: I understand that I excite those opposite because of the truth of what I am saying. It gets them excited because they get that I am telling them the absolute truth that stands behind this bill. The fatuous nature of the arguments in support of the bill in circumstances where they refused to allow for the recommendations of the review absolutely stares them in the face. They are embarrassed by their position. Where does this go? There is no argument that the Government does not want to spend money on roads, because they benefit all electorates, or about where we build schools and hospitals. All of that is for the benefit of the people of New South Wales.

There is no suggestion that the Government is not delivering infrastructure, jobs and economic opportunity across the State. The Government is delivering outcomes for the people of New South Wales. Let's focus on the real opportunities that are being delivered for regional, suburban and city areas. The Government is supporting every single business in this State through the programs it is delivering. Every single program that the Government is delivering is available to every small business across the State. Those are the sorts of things the Government has been spending money on regularly. But because a disaffected member was not told, because no-one picked up the phone to them—goodness gracious! Is this the level of sensibility in this place?

The Hon. Mick Veitch: It is rude.

The Hon. DAMIEN TUDEHOPE: Well, it might be rude.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): I ask the Minister to ignore the interjection and continue to direct his remarks through the Chair.

The Hon. DAMIEN TUDEHOPE: Assuming I agree with the Hon. Mick Veitch's observation that it is rude, that is still not a reason to support this bill. If the bill had any substance at all, it would identify programs or grants being made which are not for the benefit of the communities where they are being delivered. Those opposite should have supported the application for an adjournment. They did not support the application for an adjournment. It exposes them for what they are and the manner in which they have conducted their debate relating to this bill.

The Hon. John Graham: This has been going on for 10 years.

The Hon. DAMIEN TUDEHOPE: Let me give you a tip: It has been going on for a lot longer than that. I give members this example: When I was working for the member for Epping, we delivered the Lane Cove to Epping railway line.

The Hon. Scott Farlow: The Epping to Chatswood rail link.

The Hon. DAMIEN TUDEHOPE: That's it.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Minister, are you speaking to the bill?

The Hon. DAMIEN TUDEHOPE: Yes, I am. It is about the expenditure of money. The local member was not even invited to the opening of Epping station because it was only available to Labor Party members, who were coming to the opening of a railway station in the member's electorate, right opposite his electorate office.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Order! I respectfully ask the Minister to return to speaking to the Government Grants Administration Bill 2021.

The Hon. DAMIEN TUDEHOPE: The expenditure of money by governments has a long history of being focused on those members who are delivering the outcomes for the people who are in Government. It is not only in the past 10 years; it is the history of government. The Viscount of Campbelltown will come along and say, "I don't like this process because I can identify that there is no proper scrutiny in relation to it." If he was serious about that proposal—and I assume he is—he would have seen absolute merit in waiting for the review to be done,

because a government conducting the review may think about adopting some of the proposals that I am arguing for. So there is no credit in relation to that. But it goes further than that. The member is erudite in this place on every matter. But a matter about which he has very strong views, which are the same views he expressed today, was discussed in this House yesterday—yet he refused to turn up to vote in support of the values he holds.

The Hon. John Graham: Point of order—

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): The Minister will resume his seat.

The Hon. John Graham: I ask that the Minister be brought back to debate on this bill.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Certainly. I ask the Minister: Who is he referring to as the Viscount of Campbelltown?

The Hon. DAMIEN TUDEHOPE: The Hon. Mark Latham.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Please refer to members by their correct titles. It is inflaming the debate unnecessarily. I am trying to get the connection back to the bill. Speeding back to the bill would be helpful.

The Hon. DAMIEN TUDEHOPE: But it comes to the point about today. We want to know how he is going to vote today and whether he is going to turn up. He probably will turn up today to have a vote. But there is an issue he is passionate about and has a view about, and he expresses the view in every forum where he gets an opportunity, and yesterday was his opportunity.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): The Minister will resume his seat while I am speaking. I have asked him twice now to speak to the bill. Reflecting on actions of a member in relation to a different matter yesterday has continued for quite some time. Does the Minister have further comments in relation to the bill?

The Hon. DAMIEN TUDEHOPE: Absolutely.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Thank you.

The Hon. DAMIEN TUDEHOPE: But the point—

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): No. Please do not reflect on my decision. Please continue to talk about the bill.

The Hon. DAMIEN TUDEHOPE: I am not reflecting on your decision. It is an important notion about how people have their votes recorded.

Mr David Shoebridge: Point of order: Madam Deputy President, despite your warning, the Minister is now reflecting on your ruling and repeating the contribution. He is reflecting on your ruling.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): I uphold that point of order. I ask the Minister to tell me honestly whether he wishes to talk about this bill further or whether he has concluded his remarks.

The Hon. DAMIEN TUDEHOPE: I will conclude my remarks by saying that the actions of those opposite today, the taking of that point of order and the manner in which the members have contributed to this debate highlight the stunt this bill is. It is a bill maintained in circumstances where, on any view of it, there has been a significant move by the Government to conduct a review in relation to it. A proper assessment of this bill would have given the Government a proper opportunity to consider all the circumstances relating to how grants are being made and to review the recommendations of Peter Achterstraat, who is conducting that review. It does the other side no credit whatsoever to be ramming this bill through this House today in circumstances where those opposite are only doing so for some media story, which they want to be able to generate and which in fact is not predicated upon proper process and giving the Government a proper opportunity to consider the best possible framework for how we would consider this issue going into the future.

Mr DAVID SHOEBRIDGE (11:43): On behalf of The Greens I indicate that we will support the Government Grants Administration Bill and I thank the Hon. John Graham for introducing it. The objects of the bill are:

- (a) to provide for the administration of government grant schemes,
- (b) to enable the Auditor-General to conduct audits and report on whether government agencies and Ministers comply with the requirements of this Act,
- (c) to enable the Auditor-General to conduct "follow the dollar" audits and report on an entity that receives government money under a government grant scheme,

- (d) to establish a register of government grant schemes (the NSW grants register) that is freely available on the internet for inspection by the public—

not just members of the Coalition party room—

- (e) to require a review of this Act to be conducted within 12 months, including a review of the allocation of government money under government grant schemes to regional and metropolitan areas.

We know that we are here because, for the past 10 years, this Government has become increasingly arrogant in its use of public money. The scale of the pork-barrelling it has engaged in has grown year in, year out. It has come to a point where the public are genuinely revolted by what has happened. I note that the Minister in his response said, "Can you tell us some grants that have caused some concern? Name one." In fact, he invited that the bill be amended to add a schedule of appallingly pork-barrelled grants. We may take him up on that in the other place when it goes there. We may get together the appalling examples of pork-barrelling and include them as schedule 1, Government's list of shame. We will work on that over the summer break, bring it back and plonk it down in the other House. I thank the Minister for the idea. But I will give you one good example now. We all remember the terrible, shocking fires of 2019 and 2020, which caused devastation, real harm and hurt, around much of regional and rural New South Wales. People do not have homes. To this day, people are still living in caravans and tents. They have not had secure housing since then. The response the Government had—

The Hon. Damien Tudehope: So you're going to criticise the Government's clean-up program, are you?

Mr DAVID SHOEBRIDGE: You got your chance, Minister. The response the Government had was to work with the Federal Government to come up with about \$176 million in the emergency bushfire relief fund. People did not have homes. Shops had burnt down. Do you want an example of one of the projects the Government spent some of the money on—not its money, public money? Government members spent \$11,283,000 of the bushfire emergency relief fund on the Macleay Valley Skydiving Adventure Park, which is outside Kempsey. That area, thankfully, largely survived without being savagely hit by the fires. The centrepiece of this \$11 million grant of emergency funding is a bloody dam—a pond—that people can jump out of a plane over and scoot across when they land with their tandem parachutes. That is where the Government spent its pork-barrelled money. It was emergency relief funding. Who was there announcing it as this amazing thing of munificence? Minister Pavey. She said that that was the Government's response of emergency bushfire relief. Meanwhile, people did not have homes or anywhere to live. And you—

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Mr David Shoebridge will address his remarks through the chair.

Mr DAVID SHOEBRIDGE: Madam Deputy President, they did not have homes. That is where Government members are pork-barrelling the funds, because they thought that it was going to provide some narrow electoral advantage. A bunch of well-connected Nats in that area had been trying to get that project funded for the better part of a decade. They had been rejected by government departments and councils, but they kept pushing and pushing. They saw their chance with \$176 million of emergency bushfire relief funding, and they jumped at it, with the pork-barrelling of all times outside Kempsey. Think about what \$11 million could do for the community in and around Kempsey, where there is serious socioeconomic disadvantage. The \$11 million could have been focused on the community's good.

The opportunity cost of this revolting pork-barrelling is as offensive as the waste of public money. Think about what good \$11 million could have done in the heart of Kempsey, in assisting with domestic violence shelters, in building some secure housing for First Nations communities who do not have homes and live in grossly overcrowded accommodation, or in increasing primary health care. Instead it goes on a skydiving centre because a bunch of well-connected Nats, who had been rejected time after time, saw their chance and pork-barrelled emergency bushfire relief funding. It is a revolting use of public money and should never happen again.

If members want another example, go for a trip outside the outskirts of Wagga Wagga and they will find themselves a \$5.5 million convention centre in a clay target gun club, which again was rejected the first time it was put forward by bureaucrats. It did not meet the business case. But of course Daryl Maguire, the Liberal MP, was trying to get a neat little side deal and get a commission for selling the furniture into it. He had a commission to get some furniture sales into it, so he was trying to upsize the convention centre to increase the amount of furniture that was going in and increase his commission. They managed it through machinations inside Parliament. He was approaching the then Premier, who he was in a close personal relationship with, and working on every lever inside government to squeeze out \$5.5 million of public money for a clay target convention centre on the outskirts of Wagga Wagga that, on any fair view of it, would have failed not just the pub test but a basic decency test.

The Minister wanted examples. There are two. We will put the schedule together and we will add them to the bill when it goes downstairs. Twice now—after hearing from ICAC, key stakeholders and the Auditor-General,

and after forcing the truth out of the Government about the shredding, the lack of details and the lack of data—the Public Accountability Committee has put forward recommendations about how to fix this stuff. The Government has the temerity to say that there is no blueprint, that it is going to have some non-public investigation over summer and that we should not do anything. What did ICAC say to the Public Accountability Committee about the grants? It said:

Based on the Commission's information holdings, complaint handling experience and corruption prevention work, the following probity issues can arise in a grants scheme:

- absence of an open, public application process, so that the grant has the appearance of a direct negotiation between the recipient and government

What is the best example of that? The \$250 million of public money that was sluiced down to Coalition councils through the Stronger Communities Fund. Some \$90 million was handed over, over a three-day turnaround, between the Office of Local Government at the direction of the Premier and Hornsby council. This was \$90 million without even a business case. The general manager of Hornsby council—no criticism of him—gets a phone call one Monday afternoon, I think it was, and is asked, "Do you want \$90 million?" He says, "Yes. What is the paperwork?" They say, "Don't you worry about that. We will get it all sorted. Go and tell council they have got \$90 million." So he trots into council and says, "Do you want \$90 million?" The council says yes. Again, I make no criticism of the council.

But then the council says, "What do we have to do?" The answer is, "Don't you worry about that." The finance guy from the council says to the mayor and the general manager, "We should have some paperwork for \$90 million. What have we got?" They phone up the Office of Local Government, which says, "Don't you worry. We will send it all out to you tomorrow." Literally, within three days, this one deed comes down with two lines on it for \$90 million—no accountability, no business case, no nothing. Three days later, \$90 million is in the bank. Members want to know why we need open application process. That is it: That project was identified in secret between the member and the Premier with no public application process. The second thing that ICAC said was:

- no eligibility or selection criteria, which might include absence of an evaluation methodology and weightings, or criteria that are vague or highly subjective

Again, in that Stronger Country Communities Fund—I will not go through the history—even the few documents that were there were shredded and deleted, and the selection criteria was you became eligible if the Government decided to give you a grant. That was the selection criteria. I am not making that up. You became eligible once the Government decided to give you a grant. You could not make this stuff up. The next points that ICAC makes are:

- evaluation methodology that is incompatible with the stated eligibility and selection criteria
- misapplication of eligibility and selection criteria
- applicants missing out on funding despite being ranked above other applicants that were successful

I seek leave to have the balance of the eight reasons that ICAC gave incorporated in *Hansard*.

Leave granted.

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- eligibility and selection criteria that are so strict that they unreasonably or deliberately narrow the field of potential recipients to a very small number
 - a public official having an undisclosed conflict of interest, such as a personal relationship with a grant applicant
 - applicants receiving grants after originally being excluded on the basis of ineligibility
 - applicants receiving grants without having submitted an application, or after submitting a late application
 - applicants receiving more funding than is requested or required
 - applicants being funded to produce outcomes that are incompatible with their delivery and governance capabilities
 - funding being made to an entity outside the bounds of any accepted grants scheme, such as a grant that appears to be a one-off *ex gratia* payment
 - scheme conditions containing inadequate provisions requiring grant recipients to acquit the use of funds.
-

Mr DAVID SHOEBRIDGE: I finish with this: If not now, when? The reason the Government is trying to push this off to next year is so that it can put in place another round of multi-billion dollar public grants schemes and it can pork-barrel its way into the next election. It wants to funnel the money around wherever it can without rules and restrictions. It wants to buy the next election. But as Tamara Smith, the member for Ballina, said in a

public comment yesterday, the Hon. Ben Franklin tried to buy the people of Ballina, and turned up and gave grant after grant. But the people of Ballina are wise to this, and the people of New South Wales are wise to this.

People know when they have got a shyster government in town, trying to buy them with public money. They know when that is happening; they are alert to it. They want us to do better and they want us to pass this bill. It is just the first part of reforms. This is process reform. We need another set of reforms that go to criteria. But we commend this and we should do it today, because otherwise, come next year, there will be another open season on public money. The Coalition will be dipping their hands into the public coffers, dipping their hand into public money, showering it around like it is their own and trying to buy the people of New South Wales. It ends now.

The Hon. COURTNEY HOUSSOS (11:55): I make a contribution to debate on the excellent Government Grants Administration Bill 2021. I begin by paying tribute to the work that the Deputy Leader of the Opposition is putting into drafting and presenting a comprehensive response to the way that the Government has been allocating grants funding. He and I are the Labor members of the Public Accountability Committee. For over a year now we have been inquiring into the way that the Government has been allocating grants. Before I start my substantive remarks, I respond to the comments of the Leader of the House, who came in here and called this a stunt.

In his comments today the Leader of the House wanted us to wait another summer. We have been waiting 10 years—the entire time the Liberals and The Nationals have been in government—for them to update, to come up with a new approach or to implement any of the recommendations from the National Audit Office or the Auditor-General to improve the way government grants programs are run in this State. Instead of coming in here with a plan and responding to this substantive bill that will provide openness and transparency, they want us to wait another summer. Well, time is up. We have waited 10 years. We have waited during the terms of four Liberal premiers, two of which have been lost to ICAC and one of which has been lost over grants programs themselves, and they want us to wait another summer. Well, time is up. It is time for this House to vote on a comprehensive plan to establish fairness and transparency in the way that government grants are allocated in this State. I think it is important at the outset to make a distinction.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Order! The member will be heard in silence.

The Hon. COURTNEY HOUSSOS: The important distinction to make is between promises that a government takes to an election and grants programs that should be available for all members of the community to apply for. Promises that parties take to an election should be delivered because they are promises and commitments to the community. A grants program is one that everyone should have equal access to—every organisation, every community group and everyone that is eligible to apply. The first principle is that they should know about it. We are not making this up. You cannot make this stuff up. The reason we are presenting the bill today is off the back of what we have heard over months and months of hearings in the government grants inquiry.

I will start with the first fund that we investigated, which was the Stronger Communities Fund. There was a \$252 million round of funding—a quarter of a billion dollars of public funding—that was allocated with a flick of the pen in the Premier's office. That happened without a single application form being drafted by a council, off the back of secret phone calls and handshakes, to fund projects that had been shopped around for years. Some \$90 million of this \$252 million went to Hornsby council. The fund was supposed to be for councils that had been merged. The council was not even merged. We finally managed to get the application form that was attached, not because it was publicly available or available to the community but because this House had to exert its powers under the standing orders and compel the production of it from the bowels of the Government. We finally discovered that the application form had actually been pre-prepared by the Office of Local Government.

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

Announcements

RETIREMENT OF JULIE KIRCHNER, HANSARD SENIOR SUBEDITOR

The PRESIDENT (12:00): I inform members that Julie Kirchner, Senior Subeditor of Hansard, will be retiring at the end of 2021 after 30 years of service to New South Wales Parliament. Julie started her career as a parliamentary reporter in Hansard in 1992, and was promoted to subeditor in 2007 and senior subeditor in 2011. Julie acted as Deputy Editor from August 2013 until April 2014 and again from November 2016 until January 2018, overseeing all Hansard operations in the Legislative Council. During that time she developed a close working relationship with the Clerks, the Procedure Office and, indeed, many members. Julie has made a significant contribution to the success of Hansard during her time and has been a source of expert advice on

procedures for Hansard for many years. Please join me in congratulating Julie and wishing her all the best for a relaxing and happy retirement.

Members and officers stood in their places and applauded.

Questions Without Notice

COVID-19 AND SCHOOL CLOSURES

The Hon. PENNY SHARPE (12:01): Thank you, Mr President, and we wish Julie Kirchner well. My question without notice is directed to the Minister for Education and Early Childhood Learning. Given that there are schools with known COVID cases where the whole school has not been closed and others that have closed entirely, is the decision to close a school made exclusively by the department or can it be made by the local school?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:02): I thank the honourable member for her question. While I am on my feet, I also acknowledge Julie Kirchner. I wish her all the best and thank her for being one of the Hansard gurus who always make us sound far better and more articulate than we actually are in person.

The Hon. Mick Veitch: We read better than we sound.

The Hon. SARAH MITCHELL: Indeed. I certainly acknowledge that interjection. Sometimes I read *Hansard* and think, "I sound really smart." I am sure we all have those moments. It is a serious question. The reality is that we make decisions about school closures based on a matrix that we have coordinated with NSW Health. The member is right. In some instances, we have started to be able to move to only asking certain year groups to remain at home while contact tracing takes place, largely due to the fact that our school communities have done an incredible job when it comes to cohorting and keeping students separate. Obviously, for me as education Minister and, I am sure, on behalf of parents and school communities, anything we can do to minimise the disruption to our students due to COVID is a positive thing.

Based on the individual circumstances of the case and also, indeed, the cohorting that is in place in the school, if there is an opportunity to only ask a year group to cohort, we will do that. I think that is important because it is all about minimising the disruption. We have undertaken changes to minimise the disruption, including our rollout of rapid antigen testing for the same reason. Ultimately each case is assessed against that health matrix and is based on the individual circumstances. If a student, for instance, has only been in their year group, the cohorting has taken place and we believe that the close contact tracing has identified, or will identify, that it will only be that year group, that is when we are able to just ask certain year groups or a particular year group to remain at home. If cases are a bit more complex or if there are students across multiple year groups where there are cases, that is what we do. The decision is made by the Department of Education health and safety team based on that advice from NSW Health and the matrix that is in place.

SCHOOL ACHIEVEMENTS

The Hon. PETER POULOS (12:04): My question is addressed to the Minister for Education and Early Childhood Learning. Will the Minister update the House on some of the great things that have happened in the 2021 school year?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:04): I really like the opportunity to answer this, because obviously a lot of the conversations that we have had in this place have been about the disruptions and some of the challenges in education this year. I think it is a great opportunity to outline some of the examples that show how fantastic our education system is in New South Wales and some of the highlights that have certainly been brought to my attention. First, there have been some great policy initiatives: extending our free preschool program through into 2022, extending our COVID-19 tuition program also into 2022, our work on the NSW Teacher Supply Strategy, our regional and remote strategy, more schools accessing internet in our regional communities through our Regional Access Gap, and also our School Success Model setting those targets and making sure that each and every school each and every day is helping students to be their best.

I also call out a few specific examples of great things that have happened this year. Firstly, I congratulate Rebecca West, who was named in the top 10 as a finalist for the prestigious Global Teacher Prize and selected out of more than 8,000 nominations around the country. This is an incredible effort from Rebecca. I am very proud of her. It is such a great achievement and a wonderful example of how fantastic our New South Wales teachers are. Another amazing opportunity this year occurred for students at Winmalee Public School. They were able to take part in a Q&A with an International Space Station astronaut, Victor Glover. They were able to have a direct line to the start as they were given a once in a lifetime opportunity to speak to an astronaut on the International Space Station as he orbited 430 kilometres overhead. The 11 minute call was in the making after the school science

teacher, Alison Broderick, applied to NASA and Amateur Radio to be a part it, which is incredibly exciting and something that those students will remember for the rest of their lives.

I give a shout-out to a student from Epping Boys High School, Quifei Lai. He is also known as Frank. He was awarded the NSW International Student of the Year. Besides his continual amazing academic achievements, he also founded the school's first artists club. I give another shout-out to Nikisha Priest, who is a student at Morisset High School. She used her lockdown studies to take part in the Big Picture Education Australia program and released her first music single, which is something that I am sure the Hon. John Graham would wholeheartedly support. He might be able to get a music T-shirt for her one day.

The Hon. Mick Veitch: Sing us a song.

The Hon. SARAH MITCHELL: No, I know my limits. New South Wales students have been so resilient and innovative at a time that has been hard for them. I think it is worth calling out these students, who really do excel. I also mention our students at Walgett. They held a sewing bee to make face masks for their school community. If superheroes wear masks, then the kids at Walgett Community College high school and their peers from Collarenebri Central School are their local communities' superheros. I finish by expressing my gratitude for our teachers, support staff, principals, parents, carers and, most importantly, students, who have been so resilient this year. I am so proud of each and every one of them. Our education system has been able to support and deliver for our students, teachers, principals and the wider school community in 2021.

ROAD TOLLS

The Hon. JOHN GRAHAM (12:08): My question without notice is directed to the Minister for Finance and Small Business. What is the total amount in billions that the New South Wales Government estimates motorists will pay in tolls this financial year?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:08): I thank the member for his question. Tolls are obviously important. It drew my attention to this. There was a post yesterday and I think the Hon. Rose Jackson was involved.

The Hon. Penny Sharpe: I hope this is directly relevant.

The Hon. DAMIEN TUDEHOPE: It is about tolls. Lachlan Kennedy's reply to Rose Jackson's tweet says:

Shockingly... Perrottet gave a very different 50 day speech downstairs.

Re: the plan to toll the Harbour Bridge, I'm legit confused about where the ALP stands on it now. There were a few chances—

The Hon. Penny Sharpe: Point of order: I tried to warn the Minister across the table but he did not take my advice. My point of order is about direct relevance under Standing Order 65 (5).

The PRESIDENT: I was waiting for a member to raise that standing order because I do uphold the point of order. I am sure the Minister was about to directly answer the question.

The Hon. DAMIEN TUDEHOPE: Those opposite clearly have no policy, but we do. The New South Wales Government is committed to delivering the infrastructure our State requires. When we came to government we were left with a \$30 billion backlog, which members opposite know all about. Our public investment in infrastructure has been driving the State forward for the past 10 years. We are spending around \$25 billion on the State's road network. Make no mistake, road congestion—

The Hon. Trevor Khan: Point of order: I suspect this will be the last point of order I take for the year. Yesterday I made the observation that the Hon. Penny Sharpe was mirroring the performances of the Hon. Mike Gallacher. Today the Hon. John Graham is doing a pretty good impersonation of the Hon. Duncan Gay. I ask that they both be called to order.

The PRESIDENT: I thank the member for bringing that to my attention. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I thank the Hon. Trevor Khan for drawing that to your attention. Any congestion also takes up people's time away from their families. As Labor's Ryan Park has said, "Tolls are an important part of the funding mix when it comes to motorways." I ask the Hon. John Graham what his policy is in relation to tolls. What is his policy?

The Hon. John Graham: Point of order—

The PRESIDENT: Order! Government members will come to order.

The Hon. John Graham: My point of order is taken under Standing Order 65 (5). The Minister must be directly relevant. It is a simple question about the total amount paid in tolls this financial year.

The PRESIDENT: The Minister is being generally relevant but not directly relevant. Let us not have this degenerate into a tit for tat across the Chamber. It is the last sitting day of the year. Let us get to Christmas with a modicum of self-control. I uphold the point of order. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: Opposition members have been given the opportunity on numerous occasions to tell us what their policy is, but they cannot do it. The Government is giving people relief for the amount of money spent on tolls, whatever it is. We have delivered outcomes for motorists by allowing them to claim toll relief as part of the COVID relief packages. Let us talk about what the Government has done to assist motorists. The free registration program—

The Hon. Mark Buttigieg: Point of order: The Hon. John Graham has asked a simple question about the projected toll revenue. I ask that the Minister be brought back to the leave of the question.

The PRESIDENT: I uphold the point of order. If the Minister does not have the figure—

The Hon. DAMIEN TUDEHOPE: To the point of order—

The PRESIDENT: I am not accepting submissions on the point of order. I am ruling. If the Minister does not have a direct answer, I suggest he take the question on notice and resume his seat.

The Hon. DAMIEN TUDEHOPE: The answer is quite simple and the Opposition knows it. Where do people go for financial information if they want to know the projections in relation to revenue? They go to the budget papers— [*Time expired.*]

The Hon. JOHN GRAHAM (12:14): I ask a supplementary question. When the Minister referred in his answer to the amount of tolls as "whatever it is", what is it? What is the amount of tolls?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:14): That is the same question. My response is to do your own research and look at the budget papers. Members opposite come into this place day after day without wanting to do any work. The Hon. John Graham does not want to develop his own policies or do the work and look at the budget papers. What is the point? He comes into the Chamber asking for the dollar figure—

Mr David Shoebridge: Point of order: The Minister is not answering the question; he is debating the question. That is in breach of the standing orders.

The PRESIDENT: I think the Minister was about finalise his answer and resume his seat.

The Hon. DAMIEN TUDEHOPE: I am sure I am. I invited the member to ask me a question about tolls. I thank him for asking me the question because any question he asks about tolls exposes his own policy deficiencies. He wants to create a policy divide. He never acknowledges this Government's great contributions to road users of Sydney by delivering infrastructure, toll relief and better standards of living. Members opposite have no policy and they have not done their homework on this issue. They should go and look at the budget papers and then I will be happy to have the discussion.

The Hon. DANIEL MOOKHEY (12:16): I ask a second supplementary question. Will the Minister for Finance and Small Business elucidate that part of his answer when he said "refer to the budget papers"? Will the Minister confirm that the budget papers show that tolling revenue is increasing by more than 10 per cent next year? Does that mean that Sydneysiders will be paying billions more in tolls next year?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:17): The shadow Treasurer said that he has looked at the budget papers. Has he taken into account the relief that the Government has provided through grants? Has he taken into account the free registration that is offered to road users? Does he take any of that into account? What is the Opposition's policy on delivering infrastructure for the people of Sydney? What is its policy for delivering roads and relieving congestion, and how will it pay for that? We all know one thing: The Opposition has no policy—

The Hon. Daniel Mookhey: Point of order: The Minister must be directly relevant. The budget papers show that tolls are rising 5.7 per cent each year for the next four years. I am asking him to confirm whether Sydneysiders will be paying billions more next year and thereafter and would like him to be directly relevant to that question.

The PRESIDENT: The Minister is giving an excellent answer to another question. I suggest that he be directly relevant to the question asked.

The Hon. DAMIEN TUDEHOPE: The Government has a track record of providing relief for cost-of-living issues that affect the people of New South Wales. Relief measures are in place. This Government

delivers infrastructure and it delivers better quality of family life. Members opposite have no policies in that regard. Their only policy is to deliver greater taxes for the people of this State.

CAMPBELLTOWN KOALA COLONY

The Hon. MARK PEARSON (12:18): My question is directed to the Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, representing the Treasurer and Minister for Energy and Environment. Campbelltown's disease-free koala colony is the last koala colony in metropolitan Sydney. It is currently facing development by Lendlease and, without intervention, is set to become extinct in the next 20 years. Given Labor has promised a koala hospital at Campbelltown, will the Minister confirm whether the Government will support Campbelltown council to fund a koala hospital, and will he provide an update on the planned upper Georges River koala national park?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:19): This is a very specific question about proposed expenditure, and I will refer it to the environment Minister for a response to the honourable member as soon as possible.

MENTAL HEALTH SERVICES

The Hon. WES FANG (12:20): My question is addressed to the Minister for Mental Health, Regional Youth and Women. How has the New South Wales Government supported the mental health and wellbeing of the people of New South Wales during what has been an extremely challenging year?

The Hon. BRONNIE TAYLOR (Minister for Mental Health, Regional Youth and Women) (12:20): I thank the honourable member for his question. It certainly has been a challenging year in more ways than one, coming off the back of 2020 as well. It has been a huge challenge for the people of New South Wales, and the New South Wales Government has been with them at every step—particularly when it comes to supporting their mental health and wellbeing. This year the Government announced a record investment of \$2.6 billion in mental health that included a major \$109 million investment into 25 new Safeguards response teams, the largest single investment in child and adolescent mental health in New South Wales history. Those flying squads will be a real game changer, providing wraparound support for children, teenagers and, most importantly, their families outside of the clinical mental health system.

The Government also announced funding to expand Tresillian's regional parental support network, with six additional regional family day centres and five new mobile vans. It strengthened mental health service delivery in the regions, announcing \$36.4 million for 57 response and recovery specialists in rural and regional locations around the State. Those positions are on top of the Government's fantastic Rural Adversity Mental Health Program. The Government also took decisive action to support the post-pandemic recovery. It released a major \$130 million mental health recovery package, the largest since the pandemic began, building on nearly \$100 million in support already provided.

The Government is trying to address the issues in three key areas: supporting our young people and families, boosting system capacity to meet demand and supporting our communities to lead the recovery. The package will fund nearly 150,000 additional consultations and 55,000 additional appointments for young people at their local headspace centres. The Government wants to address the sharp rise in eating disorders and self-harm presentations, introduce community-led programs and events, free up more mental health beds and launch a statewide suicide prevention training program that will reach 275,000 people on the ground—including parents, high school teachers, sporting coaches and clubs, community leaders and youth workers. The Towards Zero Suicides initiatives really hit the road this year. They include 12 new community collaboratives across the State, 20 new Safe Havens and 15 new assertive suicide outreach teams.

On behalf of all members in this Chamber, I thank the entire mental health workforce for their incredible effort and delivery of services. I also thank the entire health workforce in New South Wales for all that they do. I love being back on the tools, and I want them to know I am available again any time. I am sure the Opposition will indulge me getting back out there on the tools. I also mention members opposite who worked with me and my team during the pandemic. I give a special shout-out to Jihad Dib, who was really fantastic in organising consultations with members opposite about mental health recovery. We thank and salute the health workforce of New South Wales.

MANDATORY VACCINATION EMPLOYMENT POLICY

The Hon. MARK LATHAM (12:23): My question is directed to the Minister for Finance and Small Business, the Earl of Epping, the Hon. Damien Tudehope. I refer the Minister to the joint announcement on 11 August by Craig Laundy and Chris Minns of the labour movement's industrial relations policy for sacking all

New South Wales workers who want to make their own health choices. How has the Government reacted to the promotion of mass sackings? What part has it played in the Minister's attempt to abolish section 19B of the New South Wales Workers Compensation Act 1987?

The Hon. John Graham: Can I give you some advice? I wouldn't sing on this one.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:24): I will not sing on this one. I thank the Viscount of Campbelltown, the Hon. Mark Latham, for his question. A really interesting thing arises out of this question. Last night there was a significant debate in the other place about the removal of a presumption in relation to workers compensation entitlements—not the removal of rights but the removal of a presumption. The modelling that has been done seems to indicate that this will have a significant impact on small businesses throughout New South Wales. But at the behest of the union movement, those opposite engaged in a vehement debate into the long hours of the night about the issue. That bill was not about removing a right to workers compensation; it was about removing a presumption in favour of workers compensation rights.

To the extent that the bill will have a significant impact when it hits this place, it will be a burden on those opposite that they did nothing to support small businesses throughout this State in terms of the increased premiums that will follow. The Opposition is absolutely craven to the demands of its union masters: "If Mark Morey picks up the phone, we jump." Those opposite have no ability to say what is good policy in this area. They will do what their union masters tell them to, without ever taking the impact on small businesses into account. The premise of the question is that when Craig Laundry stood with the Leader of the Opposition, the Leader of the Opposition was supportive of sacking workers. This is a party that stands up for workers' rights, and members opposite stood with Craig Laundry to support the sacking of workers.

The Hon. Rose Jackson: Hold on, weren't we supporting the mandatory vaccinations?

The Hon. DAMIEN TUDEHOPE: I am with you, but I take the view— [*Time expired.*]

The Hon. MARK LATHAM (12:27): I ask a supplementary question. Will the Minister elaborate on the comments he was making about Craig Laundry, the former Liberal Minister, devising Labor's policy for the mass sacking of workers?

Mr David Shoebridge: Bring your tin hat this time, and deny the science on vaccinations.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:27): I am a great proponent of vaccination. Every time I have been asked a question in this Chamber, I have advocated for people to become vaccinated. They absolutely should become vaccinated. But where are the circumstances where those opposite will take a stand in relation to sacking workers? The Labor Party says it will stand for policies that sack workers rather than try to make sure that there is a policy to manage that issue short of sackings, which was what the Leader of the Opposition was calling for. There is an opportunity for those opposite to develop a policy in circumstances where individual businesses have worked out their own work models to handle it. The difference is clear: When the unions call for the retention of a presumption that impacts on so many small businesses—

Mr David Shoebridge: Point of order: My point of order relates to Standing Order 92, anticipating debate on a bill that is not yet before the House, of which the Minister is in breach.

The Hon. Don Harwin: To the point of order: With the greatest of respect to Mr David Shoebridge, the point of order was not taken at the time the question was asked. Therefore, it could not possibly apply to the answer. It is a longstanding rule that, if there is a problem with a question, the point of order should be taken at the time the question is asked. In any case, this is about a matter that is no longer on the *Notice Paper*. It has been sent off to a committee to be looked at. The member is wrong on both counts.

The PRESIDENT: The Minister has the call.

The Hon. DAMIEN TUDEHOPE: This question exposes that the Opposition is absolutely craven to its union masters, but, when it comes to standing up for workers' rights, it is found wanting on its position in protecting the workers that it says it supports. The party of the workers in this State is the party that supplies jobs. It is the Perrottet-Toole Government that delivers jobs and is the party of the workers in New South Wales.

Mr DAVID SHOEBRIDGE (12:30): I ask a second supplementary question. Given the Minister is joining with anti-vax groups, does he support—

The Hon. Natalie Ward: Point of order: The honourable member should take a point of order in accordance with the sessional and standing orders and put it to you for your deliberation. He should not make arguments from the table. I urge you to ask that he do so. It is not a point of order.

The Hon. Don Harwin: To the point of order: What the honourable member was clearly doing, in the question that he was asking, was reflecting upon another member. That is out of order, and the question should be ruled out of order as well.

The PRESIDENT: I had not heard the full question, but the member was reflecting on the Minister and making imputations. If the member would like to finish the question, perhaps restarting it, I am quite willing to hear it.

Mr DAVID SHOEBRIDGE: Noting the Minister's contributions on employment, does he stand by his Government's own policy of mandatory vaccinations for health workers and teachers and the consequences of mandatory vaccination for employment?

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:32): I thank the member for his question. The answer is yes.

CLIMATE CHANGE

The Hon. ROSE JACKSON (12:32): My question without notice is directed to the Leader of the Government in his own capacity and representing the Minister for Energy and Environment. Given that the climate change adaptation strategy was due in September this year, will it be released before the end of the year?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:32): I struggle to see how that is relevant to the portfolios of Special Minister of State, public service, employee relations, Aboriginal affairs, arts or heritage. As Leader of the Government, I am proud to say that this Government and the very serious way that it is approaching the need to reach net zero emissions is—

The Hon. Rose Jackson: You could've voted for the bill.

The PRESIDENT: Order! The Minister has the call. I encourage Opposition members to take a moment and listen because I am sure some information is about to flow.

The Hon. DON HARWIN: The need to reach net zero emissions is right on top of where it needs to be. The Government in Australia is without doubt leading on the need for climate change action. I am sure the environment Minister is doing everything that is needed to make sure that remains the case. Since the honourable member has asked about a timing matter, I will be delighted to refer the question to the Minister. The timing is a matter for the Minister to respond to in due course.

COVID-19 AND ECONOMIC RECOVERY

The Hon. LOU AMATO (12:34): My question is addressed to the Minister for Finance and Small Business. How has the Government helped the people of New South Wales through the COVID-19 pandemic? What is ahead on the road to economic recovery?

The Hon. Mark Latham: Willie Nelson, *On The Road Again*.

The Hon. Penny Sharpe: *Highway To Hell*.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (12:34): *Highway To Hell!* It has been a wild ride for the great State of New South Wales, and even more so for the great Legislative Council. Two years ago the New South Wales public had never heard of COVID-19 and, in here, we still have not heard the Hon. John Graham's policy on harbour crossing tolls. The New South Wales Government has led a robust public health response against COVID-19, investing significantly in our hospitals, ensuring ICU capacity and delivering around \$9.9 billion in direct financial support for businesses impacted by restrictions during the Delta outbreak. This year we got a new President, the Hon. Daniel Mookhey got a promotion and his Mookhey wing of Parliament has grown. The Hon. Walt Secord got married and, unfortunately, this may be the last time we see Mr David Shoebridge, who is getting separated from us. We wish well the potential Senator Shoebridge.

The whole community has responded to achieve our vaccination targets, and the Hon. Rose Jackson has also received a great response to her increased social media presence, particularly around housing affordability, which is a key policy objective for this Government when the Treasurer gets around to reading the interim report. Our road map to recovery has plotted the way forward for businesses progressively opening safely. Thanks must also go to the staff here in the Chamber and the New South Wales Parliament for allowing us to work safely on behalf of the people of New South Wales.

The Government's COVID-19 Economic Recovery Strategy includes a range of stimulus programs to turbocharge the rebound into full economic recovery, but the only thing that is really turbocharged in this place is the Hon. Trevor Khan's beard. As we head into Christmas, it is time to put the road map into the glovebox, hit the

road again and stop talking about TAHE. Please stop talking about TAHE. I wish all honourable members and staff of the Chamber a Merry Christmas and safe holiday season. Before we go, and with apologies to Willie Nelson, I say:

On the road again
Just can't wait to get on the road again with John Graham
The Chamber I love is off on summer break

On the road again
I wish the Public Accountability Committee would get on the highway and go
But here in this Chamber we're the best of friends
Each insisting that the voters of New South Wales keep turning our way

On the road again
I just can't wait to get on the road again
But I look forward to seeing things here next year that I may never see again.

HIGHER SCHOOL CERTIFICATE STUDENT SUPPORT

Mr DAVID SHOEBRIDGE (12:38): My question is directed to the education Minister. We have all seen the difficulties faced by tens of thousands of students in south-western and western Sydney, of whom many have been sitting the HSC this year and faced months of severe lockdowns. Will the Minister explain to the House what measures are in place, through adjustments in scaling, that will overcome that disadvantage for this year's HSC students?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:38): I thank Senator Shoebridge—sorry, I mean Mr David Shoebridge—for his question. We wish him well in his future endeavours. It is an important question. The member is right about the impacts on students in south-western Sydney, particularly the year 12 cohort. As I think I have said in the House before, this year the New South Wales Education Standards Authority [NESA], which runs the HSC, has put in place special COVID provisions. As part of that, NESA will consider specifically students in south-western Sydney. Effectively, schools are able to put in applications. The guidelines include any student who has been impacted by learning from home for at least six weeks. Also, principals are able to put in applications for the entire school cohort to be considered if they are from the south-western Sydney area—those 12 local government areas [LGAs] that were known as "LGAs of concern".

I have been meeting regularly with principals, including high school principals, in south-western Sydney. They are all very grateful for those COVID provisions. They are also grateful that NESA will recognise the disruption to learning of students in the south-western Sydney and the fact that, arguably, they had the toughest time learning from home, given the restrictions they were under. As to how NESA will "work its magic", as I call it, in relation to those applications, I believe the applications were due last week—I am happy to check for the member and, if possible, provide him with an update on numbers. Obviously, every year the NESA technical specialists take into consideration applications under illness or misadventure provisions and find ways to apply special consideration to a students' marks. They will do that, and it will be reflected in the final outcome. I hope that answers the member's question. If the member wants anything more specific, he may well ask a supplementary question. I see that the member is on his feet. I will not pre-empt his question.

Mr DAVID SHOEBRIDGE (12:41): I ask a supplementary question. I thank the Minister for the high-level detail she gave in her answer. Will the Minister provide details about how adjustments will work in practice? For example, will adjustment increase with the length of lockdown? Do the adjustments reflect specific difficulties faced by a student who, for example, lives in a very crowded home and has enormous difficulty studying? What are the specifics?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:41): I thank the member for his question. The reality is we have asked principals to be involved because they know their students well. To pick up on what the member said, while all students were impacted—particularly those in south-western Sydney, as I said—every student has different circumstances. As the member said, some might have been living in large households or have had personal challenges. Some principals in that area told me that some students were working to keep their families in a positive place financially during that time. So there is a range of different complexities and nuances.

Principals are able to put that information in as part of the application process. I will take on notice the specifics of how the New South Wales Education Standards Authority [NESA] will apply its methodologies. As members would expect, it is quite technical and complex. However, the reassurance that I can give is that NESA does that in some way every year. Circumstances always arise where, for whatever reason, such as through illness or misadventure, a student may not be able to sit a particular exam and provisions need to be applied. NESA has good experts—technical experts, psychometricians et cetera—who are able to go through those processes. As I said, it is quite technical so I will take it on notice and get an answer from NESA as best I can for the member.

The Hon. COURTNEY HOUSSOS (12:43): I ask a second supplementary question. Will the Minister elucidate that part of her answer about the efforts that the New South Wales Education Standards Authority [NESA] is making? In the rollout of the review process, is NESA providing additional support and information to principals about how to get through the special consideration process? Is that being targeted to south-western Sydney?

Mr David Shoebridge: Are there additional resources for the schools?

The Hon. COURTNEY HOUSSOS: And are there additional resources for the schools to ensure that the kids who are disadvantaged during the learning-from-home period will have the same access to the special consideration provisions?

Mr David Shoebridge: A commitment was made in estimates.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:43): In relation to the second supplementary question, as I said, I do want to check the date that applications closed. It was 12 November—there you go. I thank my team. I am happy to take on notice what sort of applications were received. Certainly, in conversations I have had with the New South Wales Education Standards Authority, it has told me that it has started to receive those applications. As I said, I have had good feedback from the south-western Sydney principals with whom I have been meeting in relation to the matter. There is and has been plenty of support for our school communities, particularly for those in south-western Sydney, in managing all of the issues around COVID, including the HSC. I note that Mr David Shoebridge said that a commitment was made in estimates in relation to the issue. I will check whether that information has come back to the portfolio committee or provide it to the member who has asked the question to give extra clarity.

HIGHER SCHOOL CERTIFICATE AND ABORIGINAL STUDENTS

The Hon. SHAOQUETT MOSELMANE (12:44): My question is directed to the Leader of the Government and Aboriginal affairs Minister. Will the Minister guarantee that his Government, in its review of the Premier's Priorities, will not scrap its pledge to increase the proportion of Aboriginal students attaining their HSC by 50 per cent in 2023?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:45): Yes, I can, and I will tell you why. There are very significant obligations on the Government, regardless, under the National Agreement on Closing the Gap that apply to that specific area and, frankly, to 16 others. Regardless of where the Premier's Priorities land, the priority of the Premier and my priority, as Aboriginal affairs Minister, will be making sure that we make progress towards all 17 targets in the National Agreement on Closing the Gap, that we get it done and change the way we interact with Aboriginal community organisations so that there is better collaboration and so that community organisations take more of a lead in that area.

I pay personal tribute to the NSW Aboriginal Education Consultative Group, the AECG. In particular, I pay tribute to one of its outgoing leaders, the late Cindy Berwick, who died only a few weeks ago. She was magnificent. I am sure she worked with my colleague the Deputy Leader of the Government in her current and previous responsibilities. She was working with me on Closing the Gap, which is something she was particularly passionate about. I will always retain fond memories of Cindy. I will never forget how important it is to ensure that retention rates continue to rise.

Honestly, there are so many problems in so many portfolio areas, but without a doubt the key to meeting all 17 targets is doing the right thing, particularly with respect to educational, housing and employment outcomes for Aboriginal people. They are the key. A person who has a good home and goes to school will get a good education. If they get a good education, they will get a job. If they get a job, they will start to break the generational cycle that has made the gap too wide. That is my absolute commitment as Aboriginal affairs Minister. I will keep working towards education because I see it as one of the critical priority areas in making progress.

The Hon. SHAOQUETT MOSELMANE (12:48): I ask a supplementary question. I thank the Minister for his answer. Will the Minister elucidate his answer with regard to the Government's pledge or obligations about the proportion of Aboriginal girls who will be attaining their HSC? In other words, what proportion of the additional Aboriginal and Torres Strait Islander students expected to attain their HSC in 2023 are females? What is the Government doing to ensure that more females complete the HSC?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:48): More properly, that question should be directed to my colleague the Deputy Leader of the Government, who has carriage of those sorts of matters. I am

sure if the honourable member places the question on notice, the Hon. Sarah Mitchell will be delighted to obtain an answer for him.

The Hon. WALT SECORD (12:48): I ask a second supplementary question. Given that the Minister has provided a guarantee in answer to the question asked by the Hon. Shaoquett Moselmane, will the Minister elucidate his answer and give similar guarantees on the 16 other targets set out in the strategy?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:48): I do not have anything in particular to add to what I said before. What I said was I am not sure where the Premier's Priorities will land. I said that, regardless, I think it would be more appropriate to have a Premier's Priority holistically around all of the—

The Hon. Walt Secord: You are walking backwards.

The Hon. DON HARWIN: I am not walking back from anything. Honestly, that comment is just typical of the Hon. Walt Secord. What I am saying is that I think it would be more appropriate to have a more holistic Premier's Priority around the Closing the Gap agenda. Anyway, that is a matter for another day. The National Agreement on Closing the Gap is something that every Government in Australia has signed up for. The New South Wales Government is leading the effort and, in fact, is far ahead of every State Government in its progress towards achieving those targets.

SUMMER SPORTING, MULTICULTURAL AND CULTURAL EVENTS

The Hon. CATHERINE CUSACK (12:50): My question is addressed to the Minister for Sport, Multiculturalism, Seniors and Veterans. Will the Minister update the House on how the New South Wales Government is reopening New South Wales over summer through Sport, Multiculturalism and Seniors and Veterans events?

The Hon. NATALIE WARD (Minister for Sport, Multiculturalism, Seniors and Veterans) (12:50): I thank the honourable member for her question about these portfolio areas. Over the past few days I have reflected upon some of the achievements across my portfolios in 2021. However, I think we can all agree that it is time to put 2021 behind us. To paraphrase the great Michael Jordan, "New South Wales is back". With Western Australia partying like it is 1899, Queensland trying to charge people to take COVID tests, Victoria hardly being a summer travel location and other States only easing—

The PRESIDENT: I call the Hon. Penny Sharpe to order for the first time. The Minister has the call.

The Hon. NATALIE WARD: With Victoria hardly being a summer travel location and other States easing travel restrictions only a week before Christmas, New South Wales is the only place to be this summer. Just look at what we have coming up—the Matildas versus team United States of America, the A-League Men and A-League Women competitions, the Big Bash League, the National Basketball League and the Women's National Basketball League, the ATP Cup, the Sydney Tennis Classic, the Sydney to Hobart yacht race, the Ashes and the Women's Ashes cricket, the Sail Grand Prix and the AFL Women's. It is all happening here in New South Wales. That is just a snapshot of the sporting events, with many more competitions across the State at all levels, allowing families and communities to get together and support their friends, family and idols as we close out the year.

The PRESIDENT: Order! Members, we are almost there. Keep those seatbelts fastened. The Minister has the call.

The Hon. NATALIE WARD: I flag that at the end of my time, I will ask for an extension, just to get these matters on the record.

The PRESIDENT: The Minister has the call.

The Hon. NATALIE WARD: Of course, the experiences available in New South Wales in the coming months are not limited to sporting events. It is truly the most wonderful time of the year, with a range of multicultural festivals and holidays coming up. I am so glad that as a result of the world-leading vaccination rates in New South Wales, our communities can be together with their families this year to celebrate. In addition, we have the NSW Seniors' Christmas Concert on 16 December. This year the concert will be held at Tweed Heads and will enable our seniors to groove to a range of headline acts. Those headline acts include *Australian Idol* winner Casey Donovan, Nathan Foley of Hi-5 fame, and Lorenzo Rositano, the operatic tenor who was chosen to sing the Australian national anthem at the 2006 Turin Winter Olympic Games. To quote John Mayer, "a little bit of summer's what the whole year's all about". On that note, I encourage everyone in this Chamber and across New South Wales to throw out the COVID track pants and get out and enjoy everything that New South Wales has to offer over the next three months.

KATOOMBA TAXI AND RIDESHARE INDUSTRIES

The Hon. MARK BANASIAK (12:53): My question without notice is directed to the Hon. Sarah Mitchell, representing the Minister for Transport and Roads. Is the Minister aware of Transport for NSW partnering with private company GoGet to place cars at Katoomba railway station right next to taxi ranks? Is the Minister also aware that a director for Transport for NSW, Ms Brooke Knox, in a conversation with local taxi owners admitted that people in Transport for NSW wish to see if they can make money from this private partnership? Given that this action breaches the rank and hail protections under the Act, why is the Government determined to put the final nail in the coffin of the taxi industry—which has already suffered years of uncertainty and mismanagement because of changes made by this Government regarding Uber—by now cosyng up to private companies like rideshare operators and GoGet?

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (12:54): I thank the honourable member for his quite detailed question in relation to Katoomba. I note that he is asking the question largely in support of the taxi industry. Supporting the taxi industry is very important, particularly for regional communities, who rely heavily on taxi services. Indeed, our regional schools often will use taxis for their assisted transport programs. As education Minister, I am certainly very cognisant of that fact. As I said, the member has directed quite a detailed, specific question to the Minister for Transport and Roads. I am happy to take it on notice and come back to the member with an answer.

GOVERNMENT SECTOR DISABILITY TARGET

The Hon. PETER PRIMROSE (12:55): My question is directed to the Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts. Given the Premier's Priority of increasing the proportion of government sector employees with a disability to 5.6 per cent by 2025, and that this proportion has actually dropped to 2.5 per cent since 2014, will the Government take action to guarantee this target will remain a Premier's Priority until at least 2025 and, if so, what action will it take?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:55): I look forward to having a chat with the Premier about the Premier's Priorities later in the day and over the next couple of days, as I am sure will all the Ministers. All the Ministers will have news on what the Premier's Priorities will be. At the end of the day, the Premier's Priorities are the Premier's Priorities and it is his decision as to what they will be, not mine. Each Minister will have their own views. In terms of the matter the Hon. Peter Primrose raises about making sure that New South Wales has a public sector that, frankly, looks like the people of New South Wales, including our disabled people, I think that is very important. As the public service Minister, I have had many discussions with the Public Service Commission about the need to make sure it meets its disability targets. I have to say, it needs to do more. There is no doubt it needs to do more in terms of increasing the number of disabled people employed in the government sector. The Hon. Peter Primrose can rest assured that I will keep focusing on that as the public service Minister.

STATE ECONOMY

The Hon. PETER POULOS (12:57): My question is addressed to the Leader of the Government. Will the Leader of the Government update the House on what is the greatest threat to the prosperity of the State of New South Wales and what is the Government doing to counter this threat?

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (12:57): What is very clear to me is that during—

The Hon. Walt Secord: Point of order: This is clearly a ministerial statement and the Opposition seeks equal time in reply.

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

The Hon. Daniel Mookhey: Point of order: Questions have to relate to matters for which a Minister has responsibility. What is clear out of this year is that the Hon. Don Harwin is responsible for nothing and, therefore, he should not be allowed to answer any of these questions.

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

The Hon. DON HARWIN: Those opposite do not want to hear this, but after almost 23 years in this place and having studied our political history closely as a writer and a historian, I know that there have been only three periods in my lifetime when this State has really moved ahead. They are the periods when the Liberal Party together with the National Party has energised our State.

Let's face it: After the Sydney Olympics, this State went to sleep because Labor failed to deliver the infrastructure the people of New South Wales needed. It was the greatest threat to the State's quality of life because

that infrastructure is what our services depend upon. One thing is abundantly clear right now: Nothing has changed. The reckless approach of Labor this week, putting small business jobs at risk with its indifference to the threat of rising workers compensation, is a critical sign of the threat—

The PRESIDENT: Order! I know this is a politically charged theatre at the moment, with a politically charged Minister in question, but we are almost there. Just hold on tight. The Minister has the call.

The Hon. DON HARWIN: The reckless approach of Labor putting small business jobs at risk with its indifference to the threat of rising workers compensation is a critical sign of the threat the State faces should it return to power.

The Hon. Anthony D'Adam: Point of order—

The PRESIDENT: I hope this will be an entertaining point of order.

The Hon. Anthony D'Adam: It is not going to be entertaining. The Minister is reflecting on a matter that is before a committee, unreported to the House, and therefore is out of order.

The PRESIDENT: Will you give me some information about what the matter is?

The Hon. Anthony D'Adam: The workers compensation matter. It has been referred to a committee and therefore cannot be referred to in the House.

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

The Hon. DON HARWIN: Let's face it: Those opposite are going to squib it. If they cannot make the hard decisions now, they will not make them when they are in Government. Labor believes New South Wales can rest on its laurels. We will go right back to where we were 10 years ago. We need to keep the State moving. I will focus on my portfolio for a minute. If it was not for this Government, there would be no new cultural institutions in western Sydney. There would be no redistribution of arts and cultural funding to make sure that every community across the State is getting its fair share of arts and culture dollars, which is hugely important to the regional arts.

The PRESIDENT: I call the Hon. Walt Secord to order for the first time. I call the Hon. Courtney Houssos to order for the second time. I call the Hon. Rose Jackson to order for the first time. I call the Hon. Daniel Mookhey to order for the first time.

The Hon. DON HARWIN: There would not be 138 cultural infrastructure projects going on across New South Wales. That is what is at risk. [*Time expired.*]

The Hon. Damien Tudehope: Point of order: I have had the opportunity to participate in debate in the Legislative Assembly.

[*Opposition members interjected.*]

The PRESIDENT: Order! I am sure the Minister is about to tell us what his point of order is.

The Hon. Damien Tudehope: To those opposite I say: Please keep it up.

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

Supplementary Questions for Written Answers

COVID-19 SPECIAL CONSIDERATION PROGRAM

The Hon. COURTNEY HOUSSOS (13:03): My supplementary question for written answer is directed to the Minister for Education and Early Childhood Learning. Will the Minister be able to provide a list of schools that made an application for the 2021 COVID-19 Special Consideration Program, the status of their applications and whether it was a group application or an individual application?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. JOHN GRAHAM: I move:

That the House take note of answers to questions.

ROAD TOLLS

The Hon. JOHN GRAHAM (13:04): I take note of the answers from the Minister for Finance and Small Business. He did very well with *On the Road Again*; I would rate that a nine out of 10. But, on this occasion, his other answers let him down. He did not slide from a nine to a five. He was down from a nine to a zero because he simply would not answer the other question. He asked the Opposition to ask him about tolls yesterday, but when Opposition members did so, he simply would not answer. The reason is that no Minister in the Government wants to let pass their lips the billions of dollars that motorists are paying. No-one will say it in public. They slide away with the answers; no-one will say the number.

The Opposition knows how many billions are going to be paid, but no Minister in the Government will let that number pass their lips, because they know how inflammatory it will be for the drivers of Sydney and New South Wales. We know that there are now one million toll trips per day. We know that the projection for this financial year is \$2.3 billion. That is before COVID, so those numbers might get slightly knocked around. That is what motorists will pay in Sydney, the highest tolled city in the world, but the Minister will not say that. No Minister will say it. They will not let it pass their lips. I was most concerned with the argument that the Government made—and I discourage Government members from making it because it is flat-out not true—which is the idea that there are savings being made for drivers.

I will put it this simply: There is no Government in the history of this State that has charged drivers more across a whole range of measures. It is not just tolls. The figures are as follows. Take out CPI; there are no tricks here. These figures are in constant dollars and constant 2018-19 prices. When the Government came to power rego was \$1,908. It is now up to \$2,210. Driver's licence fees are up from \$187 to \$207; stamp duty, from \$687 to \$793; and tolls, from \$615 million to \$2.3 billion projected. That is four times as high. Every one of those—regos, licence fees, stamp duty and tolls—has never been as high. No Government has charged drivers more, let alone the tolls on all those measures. That is what the Opposition objects to. Tolls are four times as high; it is no wonder that no Minister will say that in public.

KATOOMBA TAXI AND RIDESHARE INDUSTRIES

The Hon. MARK BANASIAK (13:07): I take note of the question I asked of the Hon. Sarah Mitchell, representing the Minister for Transport and Roads. I pick up on her answer where she talked about seeing the importance of regional taxis, particularly for education. If she did honestly see the importance, she would not be supporting taking away those licences. She would not be supporting this reform. I will go to the substance of the question. Ms Brooke Knox, who is apparently the Director of Industry Engagement and Innovation Partnerships for Transport for NSW, called up Katoomba Taxis and said, "I've got this great idea. I'm going to put hire cars and GoGet cars right next to taxi ranks. We're going to do it. What do you think?" Apparently this is consultation and engagement with the taxi industry: "We're going to screw you over again. What do you reckon?" In response to that Katoomba Taxis asked her, "Why partner with private companies rather than taxi services?" Her response was:

I can only speak as an employee who came up with this idea and I'm not across the whole lay of the land and I'm trying to educate myself as I go.

Really? The Director of Industry Engagement and Innovation Partnerships is trying to educate herself as she goes on the lay of the land of an industry that she is essentially decimating with this stupid, moronic decision. The Minister clearly has some problems with this department, particularly around consultation. Clearly he has directors that are so detached from reality that they have no empathy or understanding of the people they are employed to serve. If the Minister is still here come the inevitable shuffle, I have a prime candidate who needs to be cleared out from the department: Ms Brooke Knox, supposed Director of Industry Engagement and Innovation Partnerships.

SCHOOL ACHIEVEMENTS

The Hon. PETER POULOS (13:09): Once again I am most excited to take note of the answer given by the Minister for Education and Early Childhood Learning to a question asking her to outline some of the great things that have happened in the 2021 school year. The Minister, from the very beginning of her answer, was able to reinforce and acknowledge the fantastic work and dedication of our teachers, support staff and students, who have been exceptionally resilient in what has proven to be an overwhelmingly challenging school year as a result of the pandemic. I think that the Minister's remarks would be echoed by all members in this Chamber.

A number of initiatives that have been undertaken by the Government, as the Minister acknowledged, include extending the Free Preschool program and the COVID-19 tuition program through to 2022. This news is most welcome to students and parents alike. There has been ongoing work on the Teacher Supply Strategy. More schools in our regional communities are accessing the internet through the Rural Access Gap program, which is

very pleasing to see. The School Success Model is setting targets and ensuring that every school across the State is helping our students to do their very best.

Some of the stand-outs this year are students who have accomplished amazing things. In particular the Minister recognised Rebecca West, who was named in the top 10 as a finalist for the highly prestigious Global Teacher Prize. Winnalee Public School, also acknowledged by the Minister, took part in a Q and A with the astronaut Victor Glover. There was particular recognition of a student from Epping Boys High School, Quee Fee Lay, who was named international student of the year. Nikisha Priest, a student from Morisset High School, took part in the Big Picture program and has since released her first music single, which a number of members may be interested in supporting. [*Time expired.*]

HIGHER SCHOOL CERTIFICATE AND ABORIGINAL STUDENTS

The Hon. SHAOQUETT MOSELMANE (13:12): I take note of the answer given by the Aboriginal affairs Minister and express Labor's support for Closing the Gap in every manner possible, including increasing the number of Aboriginal and Torres Strait Islander boys and girls attaining the HSC. Closing the Gap, empowering First Nations people and strengthening their resilience, is imperative. It speaks of a policy that fosters equality of opportunity for all Australians, no matter their background. I always say that education is the key to a successful future. It is one's passport to a decent life and a bright future.

Additional Aboriginal students attaining the HSC creates more community leaders who will assist their communities in all manner of areas, be it community, health, education or political participation. The cycle of poverty needs to be broken to help close the gap. Like many Australians, I want to assist, where possible, to lift our Aboriginal community to sit comfortably and equally with all communities in our multicultural society. In 2016 and 2017, 46 per cent of Aboriginal students attained the HSC, compared to 76 per cent of non-Aboriginal students. We should go beyond the target of 50 per cent for 2023. For now, it is imperative that the Government and Opposition and all members of the Parliament work together to ensure that we close the gap. It is time we do so.

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT WORKPLACE CULTURE

The Hon. MARK LATHAM (13:14): I take note of the answer to question No. 7722 to Minister Stokes in the portfolio of Planning and Public Spaces. I asked:

- (1) Which Department of Planning, Industry and Environment (DPIE) senior staff member posted on the DPIE workplace Facebook page that, "26th January is Invasion Day! Only wankers celebrate genocide"?
- (2) Why has this post remained on the page?
- (3) Does DPIE reflect the values of a non-political public service?

I received an answer that in many respects shows why the Government gets so many calls for documents under Standing Order 52. Minister Stokes answered:

I am advised:

For information regarding the Department of Planning, Industry and Environment's workplace culture, visit: <https://www.dpie.nsw.gov.au/about-us/our-dpie>.

That is not exactly a detailed answer to my question. It goes nowhere near the matter I have raised. The concern is that a senior DPIE manager posted on the staff Facebook page, "26th January is Invasion Day! Only wankers celebrate genocide." It is unacceptable in a non-political public service to have people describing Australia Day as a celebration of genocide. All that happened as a product of complaints by decent DPIE staff was pixelating out the "a" and "n" in "wankers". Despite staff complaints, the post has been allowed to stay on the Facebook page.

The post's continued presence demonstrates two things. The first is that Rob Stokes is so woke and weak that he is unwilling to take action in his own department to maintain decency and uphold what appears to be New South Wales Government policy, which is that we celebrate Australia Day, and not to describe it as a celebration of genocide but as a celebration of our great nation, which is not a perfect nation with a perfect history, but still Australia Day is worth celebrating. The second thing it demonstrates is the toxic nature of Jim Betts' legacy. Jim Betts, when he was the head of DPIE, saw this post and kept it there. We know from the exit letter Betts wrote that he was an agent for this hateful division and was the equivalent of a Greens Senate candidate. As the head of a department, he allowed this disgraceful statement to stay on the staff Facebook page.

The website material I was sent is full of references to inclusive culture. Where is the inclusiveness for people who work in DPIE and want to do their work rather than engage in politics? Where is the inclusiveness for people who work in DPIE and think that Australia Day is worth celebrating, that it is not a celebration of genocide, and that they are not "wankers", as described on their staff Facebook page, for believing there is something to

celebrate on 26 January? Where is the inclusiveness for them? I have received correspondence about the Betts legacy stating that people felt under siege in that department and that disagreeing with Betts was a ticket to being sacked and restricted their ability to do their job and to have their own thoughts on the political matters he raised. Rob Stokes should hang his head in shame. He should not be so weak and woke that he will not intervene in a matter of decency and government policy about Australia Day and get this thing off his Facebook page.

COVID-19 AND ECONOMIC RECOVERY

The Hon. LOU AMATO (13:17): I take note of the answer given by the Minister for Finance and Small Business to a question about getting the great State of New South Wales on the road to economic recovery again. As the Minister said, two years ago the New South Wales public had never heard of COVID-19. None of us had. The Minister reminded us of the Government's robust public health response against COVID-19, investing significantly in our hospitals and ensuring adequate ICU capacity. The Minister invited all of us to get on the road again. That can be taken literally. I hope that all members and their families get out on the road again and visit a corner of this great State of ours that they have not seen before or they have missed seeing over the last two years and cannot wait to get back and visit. I know I will.

The Minister's last song reference for the year also could also be taken symbolically to refer to getting us on the road again economically. I know that businesses are looking forward to the ring of the cash registers. Thanks to the stimulus measures in the New South Wales Government's Economic Recovery Strategy and the pent-up desire in so many people to shop until they drop—in stores and not just online—we can look forward to a roaring summer trading and holiday season. I look forward to 2022. I am certainly looking forward to getting more inspiration and entertainment from the extensive songbook of the Leader of the House, and perhaps the Minister should consider auditioning for the next season of *The Voice*. I wish a very merry Christmas and a happy and safe new year to everyone.

ROAD TOLLS

MANDATORY VACCINATION EMPLOYMENT POLICY

The Hon. MARK BUTTIGIEG (13:19): In participating in this take-note debate, I will zero in on a couple of answers from the Minister for Finance and Small Business. Firstly, on the tolls, which my colleague the Hon. John Graham has covered in some detail, the trouble that the Minister went to to avoid at all costs answering what was a very simple and straightforward question—which you would think a Minister of the Crown responsible for finance in this State would have some idea of—was very illustrative. That question was about the projected, predicted revenue stream from tolls, which I think the public has a right to know about considering that these are essentially public assets that have been given to the private sector. The public is now being charged hand over fist to travel on these roads every day at a mammoth cost to those people who have to use them to participate in the economy, participate in their workplace and travel to school. The idea that a private operator then gains billions of revenue income stream down the track, and the public is not even availed of what that amount is, says everything about this Government, which is clearly embarrassed by this policy of toll mania and transferring what are essentially publicly owned assets into private hands.

The other one I will zero in on is the question by the Hon. Mark Latham that related to the abolition of that part of the Workers Compensation Act that would have given an automatic presumption to workers contracting COVID at work. The Minister's response was, "Well why should they have a presumption? It is not about removing workers comp rights; it is about removing the presumption." The reason that it was in the Act in the first place is because it would be almost impossible at a practical level to prove that you got COVID at work.

Picture us today coming into this Parliament, or a person going onto a building site, participating in teaching at school or going into an office environment, and they contract COVID. The contact tracing is basically non-existent, people are not wearing masks anymore and the Government is actively asking us to participate in the economy, go back to work and forget about COVID—it is all over. Yet if someone contracts the disease they do not get a presumption that it was caught at work and they have to somehow prove, through that myriad of context that they have in their social interactions every day, that they got it at work. How on earth would the average person be able to do that without the assistance of detailed contact tracing and the Ministry of Health? We have heard that that is all over now. It is unconscionable that the Government would try to push through that bill to remove those presumptive rights, and when it gets to this place we will have a good debate about it and hopefully knock it over.

MENTAL HEALTH SERVICES

The Hon. WES FANG (13:23): I take note of the answer given today to the question that I asked the Minister for Mental Health, Regional Youth and Women. I commend the Minister in particular, during what has been a really tough year for us all, and the New South Wales Government for another year of supporting mental

health and wellbeing for the people of New South Wales. This year the New South Wales Government has really shown that it will not hesitate to go beyond its own sphere of responsibility if that is what it takes to get support to the people who need it. The recent \$130 million mental health recovery package is a shining example of that. It is a package that has received widespread support from the sector. It is ambitious, and I point out three areas in particular that show that this Government is willing to take on the challenge. There has been a \$14 million investment into the largest suicide prevention training program ever undertaken by any Government in Australia, possibly the world, with 275,000 people to be trained over the next 18 months. Parents, teachers, students, community groups and sporting clubs will all be offered training across the State under this program.

There is also \$35 million to boost the surge capacity of the mental health clinical workforce. New South Wales residents will be able to access privately practising psychologists, psychiatrists and other mental health professionals, with 60,000 additional psychiatry sessions and 85,000 additional psychology sessions fully funded by the Government. There is \$20 million to provide up to 55,000 additional services to young people through their local headspace centre over 18 months. This funding will enable masters and doctorate psychology, social work and occupational therapy students to undertake placements at centres and boost GP and clinical psychiatry appointments. These areas are usually covered by the Federal Government and not the State Government but mental health and suicide prevention is everyone's business and we are willing to do whatever it takes to get the job done.

We have all read recent reports of a rise in self-harm, particularly among our children. We continue to be mindful of these challenges we face ahead. Despite presiding over the most significant drop in suicide that we have seen in more than a decade, particularly in our regions, we are mindful that people are still hurting now after the significant hardship that we have all faced. That is why this Government takes the issue of suicide very seriously and remains focused on achieving its goals despite the hardships the community has faced. I commend the Minister for her tireless devotion to supporting the mental resilience of the people of New South Wales.

MENTAL HEALTH SERVICES

The Hon. CATHERINE CUSACK (13:26): I also take note of the Hon. Bronnie Taylor's answers to questions and echo the comments of the Hon. Wes Fang. In the final take-note debate of the year, I comment that I have really appreciated that Minister's engagement with the issues and her colleagues on both sides of the House and her willingness to listen to and learn from members on both sides of the House. I have seen that all through this period that she has had as Minister. Obviously in terms of the issues in mental health, suicide and those issues, we could not have a stronger and more qualified advocate. For me personally, as a female member of this place, I did not anticipate the level of passion and support she has for her female colleagues in this House.

As the Minister for Mental Health, Regional Youth and Women, that is incredibly important to all of us, and I speak in praise and gratitude to her for that. As female MPs we all have a special responsibility to each other as we push through what I believe is a transitional phase of ultimately achieving gender equity. I do not know when that is going to happen. That could be several years away. But we have a consciousness that this is a transition into a new norm and she is doing a magnificent job in terms of playing her role at this stage of that evolution. I listened carefully to the Hon. Wes Fang because I think they were heartfelt words and I was moved to add my own heartfelt words of praise to the Hon. Bronnie Taylor.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SCOTT FARLOW (13:28): The Hon. John Graham has invited me to implement a ratings system. He used a ratings system today when he gave Minister Tudehope's singing in the House a nine out of 10. The Hon. Lou Amato suggested that Minister Tudehope should audition for *The Voice*.

The Hon. John Graham: He did not give a number though. He should've given a number.

The Hon. SCOTT FARLOW: He should have given a number on what he thought. The honourable members could be the panel of Simon Cowell assessing Minister Tudehope's contributions to the debate. I note that when the Minister rose to sing *On The Road Again*, there were some interjections from the Hon. Penny Sharpe suggesting that maybe he should sing *Highway To Hell*. I am an AC/DC fan myself and I think that what we saw from the Government today was really the *Thunderstruck* performance and what we saw from the Opposition was a little bit of *It's a Long Way to the Top (If You Wanna Rock 'n' Roll)*.

But it was the final question time of the year and it is muck-up day, so I think we will give everybody a bit of a leave pass today. At the start of question time we heard, in the contribution on tolls from the Hon. Damien Tudehope, the Minister for Finance and Small Business, some suggestion of the Labor Party's tolling policy as well. He quoted a tweet from Lachlan Kennedy, who I know is an avid viewer of the Legislative Council's question time, in response to the Hon. Rose Jackson yesterday. I do not think the Minister got the

opportunity to put it on the record because I think, Mr President, you may have been very alert to the standing orders of this House. But the Minister wanted to lay Lachlan's tweet before the House, which was:

Re: the plan to toll the Harbour Bridge, I'm legit confused about where the ALP stands on it now. There were a few chances to rule out a new toll yesterday...

A screenshot of a transcript is also attached to the tweet. Of course, as the Minister outlined today, no policy has come forward from the Opposition. There are a lot of criticisms, but we all know that it comes to alternatives when putting yourself forward as an alternative Government. We had a wonderful array of answers and contributions in question time. The Hon. Wes Fang and the Hon. Catherine Cusack outlined the real concern and the real, heartfelt approach that the Hon. Bronnie Taylor takes when it comes to her portfolios, particularly mental health. As the chair of the NSW Parliamentary Friends of Mental Health, I can certainly attest to her heartfelt interest in that area and the work that she has done. We heard from the Hon. Natalie Ward about the great opportunities coming up in the summer season to be able to celebrate, whether it be through sport or festivals. On that note, Merry Christmas and Happy Hanukkah. We will see you all again next year.

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

Motion agreed to.

Deferred Answers

ICARE AND INJURED WORKER PAYMENTS

In reply to **the Hon. DANIEL MOOKHEY** (11 November 2021).

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

I am advised that the 53,000 injured workers to receive a total of \$38 million from icare as a proactive payment to remediate historical errors in the calculation of pre-injury average weekly earnings [PIAWE] are all covered by the Nominal Insurer, so none of them are workers covered by the Treasury Managed Fund.

At this stage, icare does not have sufficient data to support a similar proactive payment approach for the non-exempt injured workers covered by the Treasury Managed Fund. From the preliminary reviews carried out to date the percentage of identified underpayments from the Treasury Managed Fund is 0.4 per cent. As more claims are assessed and analysed by icare this percentage may change. icare will provide more information for Treasury Managed Fund workers as it comes to hand.

Police officers, paramedics and fire fighters are exempt from the operation of the 2012 and 2015 amendments to the Workers Compensation Act 1987 so that PIAWE does not apply to these employees if they are injured at work. As PIAWE does not apply they cannot be impacted by errors in PIAWE calculations and so are not part of the remediation program as they are not impacted by a PIAWE calculation.

ICARE AND INJURED WORKER PAYMENTS

In reply to **the Hon. WALT SECORD** (11 November 2021).

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

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INNER WEST LIGHT RAIL CLOSURE

In reply to **the Hon. PENNY SHARPE** (12 November 2021).

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

I am advised that Treasury is not aware of any proposal regarding free travel for those impacted by the Inner West Rail Closure.

*Written Answers to Supplementary Questions***HIGHER SCHOOL CERTIFICATE DISABILITY PROVISIONS**

In reply to **the Hon. WALT SECORD** (24 November 2021).

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning)—The Minister provided the following response:

This data regarding HSC disability provision applications is publicly available and can be accessed on the NESA website: <https://educationstandards.nsw.edu.au/wps/portal/nesa/11-12/hsc/disability-provisions/statistics>.

The PRESIDENT: I will now leave the chair. The House will resume at 2.30 p.m.

*Documents***E-CIGARETTES IN SCHOOLS****CONSTRUCT NSW****TEACHER SUPPLY STRATEGY****CROWN CEMETERIES****DISQUALIFICATIONS FROM GREYHOUND RACING****TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES ASSETS****WESTERN LANDS LEASE CONVERSION PROGRAM****ADAMINABY AERIAL SHOOTING OPERATIONS****Variation of Order**

The DEPUTY PRESIDENT (The Hon. Trevor Khan): According to sessional order I advise the House that the Clerk has received correspondence, dated 24 November 2021, from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, requesting that the scope of eight orders for papers be varied as follows:

- (1) E-cigarettes in schools, requesting that the due date be 16 December 2021.
- (2) Construct NSW, requesting that the due date be 15 December 2021.
- (3) Teacher Supply Strategy, requesting that the due date be 17 December 2021.
- (4) Cemeteries, requesting that the due date be 2 February 2022.
- (5) Disqualifications from greyhound racing, requesting that the due date be 15 December 2021.
- (6) Assets transferred to Transport Asset Holding Entity, requesting that the due date be 17 December 2021.
- (7) Western lands lease conversion program, requesting that the due date be 17 December 2021.
- (8) Aerial shooting operations, requesting that the due date be 16 December 2021.

I table the correspondence. I further inform the House that in relation to the following orders, the relevant members who moved the motions for the orders for papers agreed to the requests from the Department of Premier and Cabinet:

- (1) E-cigarettes in schools, that the due date be 16 December 2021.
- (2) Construct NSW, that the due date be 15 December 2021.
- (3) Teacher Supply Strategy, that the due date be 17 December 2021.
- (4) Disqualifications from greyhound racing, that the due date be 15 December 2021.
- (5) Aerial shooting operations, that the due date be 16 December 2021.

I further inform the House that in relation to the following orders, the relevant member who moved the motion for the orders for papers did not agree to the requests from the Department of Premier and Cabinet:

- (1) Assets transferred to Transport Asset Holding Entity, requesting that the due date be 17 December 2021.

I further inform the House that in relation to the following orders, the relevant members who moved the motions for the orders for papers and the Department of Premier and Cabinet agreed to the following:

- (1) Cemeteries, that the due date be 15 December 2021.
- (2) Western lands lease conversion program, that the due date be 15 December 2021.

The question is that the varied terms of the order for papers be agreed to.

Motion agreed to.

TABLING OF PAPERS

The Hon. SAM FARRAWAY: I table the following paper:

- (1) Motor Accident Injuries Act 2017—Report on the Statutory Review of the Motor Dealers and Repairers Act 2013, dated 22 September 2021.

I move:

That the report be printed.

Motion agreed to.

Private Members' Statements

WATER INFRASTRUCTURE

The Hon. ROD ROBERTS (14:33): New South Wales is awash with water. Towns in western parts of the State like Forbes are currently experiencing flooding. Rural communities like the town of Bedgerabong are preparing for weeks of isolation as the Lachlan River breaks its banks. What a difference 12 months makes. Wyangala Dam, which holds back the Lachlan River, was virtually empty at 10 per cent capacity in January last year. Lake Burrendong was sitting at 1.8 per cent at the same time. Both those dams are now full to the brim. For crop farmers the rain could not have come at a worse time with farmers preparing for harvest. As members know, harvest celebrations are some of the biggest nights of the year for rural communities, and a good place to be if members happen to be in the regions. But unfortunately they will be cancelled in a lot of places this year.

Worse still, they were expecting a bumper harvest this year after years of drought. Our farmers just cannot get a break. But that is the reality of our State: When it rains it pours and when the rain stops there is no guarantee it will start any time soon. That is why it is vitally important to invest in water infrastructure to capture the water when it does fall for the dry times that will inevitably come. In 2019 I spoke in support of the Government Water Supply (Critical Needs) Bill in this Chamber. At the time, towns in regional New South Wales were perilously close to running out of water. Dams that supplied regional centres like Dubbo, Orange and Tamworth were nearly bone dry. That bill was meant to fast-track the approval process for water infrastructure projects like raising the Wyangala Dam wall and the construction of new dams at Dungowan and Mole River.

What has been done since that bill was passed? Bugger-all. The way this Government is going we will be in the same situation we were in during the last drought, scrambling and panicking to shore up water supplies. The Wyangala Dam wall raising project is expected to increase the dam's capacity to hold an additional 650 gegalitres, which will increase capacity by 53 per cent. The proposed project will see the dam wall height raised, which will increase the full supply levels by 10 metres. That is the sort of project that the Government should invest in. Instead it prefers to spend taxpayers' money pork-barrelling marginal electorates or throwing buckets of cash at renewable energy projects. With more and more people moving to the regions, water security will only become increasingly important into the future. I once again urge the Government to make water security a top priority.

FRANCIS DE GROOT

The Hon. LOU AMATO (14:36): I inform the House of the fascinating story of Jack, Francis, Mick and the Sydney Harbour Bridge. On Saturday 19 March 1932 then Prime Minister Jack Lang was about to cut the ribbon to officially open the Sydney Harbour Bridge. A strange character in full military attire, on a horse called Mick he borrowed from a Pymble schoolgirl, charged, waving a cavalry sword. Before Jack Lang could officially cut the ribbon, Francis de Groot slashed the ribbon with his cavalry sword, which was awarded to him for his service on the Western Front with the British cavalry unit, the 15th Hussars, during the Great War. De Groot announced the bridge open and was subsequently pulled from his horse by the chief of the Commonwealth Police, W. J. MacKay, and promptly arrested. His cavalry sword was confiscated and he was detained at the small police station attached to the tollhouse of the now officially opened Sydney Harbour Bridge.

There was some initial confusion as to what charges de Groot should face, so he was sent to the Lunatic Reception House at Darlinghurst and charged with being insane and not under proper care. However, later that day he was examined by psychiatrist Dr Eric Hilliard, the medical superintendent of Parramatta Mental Hospital. Dr Hilliard found de Groot to be of sound mind. The diagnosis was not welcomed by the Commonwealth Police, so de Groot underwent further examinations the following day by Dr W. S. Dawson, Professor of Psychiatry at the University of Sydney, and Dr John Macpherson. Both doctors found de Groot to be completely sane. Francis de Groot appeared before Magistrate McDougall on Monday 21 March 1932 to face the charge of insanity.

Detective Superintendent MacKay, who arrested de Groot, argued that his actions were clearly those of an insane man. However, Dr Eric Hilliard gave convincing testimony that, based upon his examinations, de Groot was completely sane.

Magistrate McDougall, impressed with Dr Hilliard's evidence, ordered de Groot be immediately discharged from the Lunatic Reception House at Darlinghurst. Unhappy with de Groot's release, police subsequently charged de Groot with three new offences: maliciously damaging a ribbon that was the property of the New South Wales Government to the value of £2, behaving in an offensive manner in a public place and using threatening words to Inspector Stuart Robson in a public place. All charges were dropped except the second charge. Chief Magistrate John Laidlaw fined de Groot £5, with an additional £4 in court costs. De Groot sued for wrongful arrest, stating that no police officer had the right to arrest an officer of the Hussars. De Groot won an out-of-court settlement and his sword was returned. Francis de Groot returned to his native Ireland, where he died in April 1969. In 2004 the sword de Groot used to cut the Sydney Harbour Bridge ribbon was tracked down to a farmhouse in Ireland. The National Museum attempted to purchase the sword but was outbid by Paul Cave, the founder and chairman of BridgeClimb Sydney.

TEACHER TEMPORARY CONTRACTS

The Hon. ANTHONY D'ADAM (14:39): The Government has admitted that almost 40 per cent of New South Wales public schoolteachers are engaged on casual or temporary contracts. As we approach the end of term four, many of those teachers will not know where or if they have a job next year. That is an unacceptable way to treat the workforce. My father was a teacher, entering the profession at the end of the 1950s. For him, it was a secure profession that allowed him to make his way into the middle class. What likely now awaits those who choose teaching is years of uncertain employment in a succession of rolling temporary or casual engagements.

Eroding the permanency of the teaching profession is a result of a deliberate Government strategy designed to shift risk from the department onto its workforce. The department wants to treat its workers like they are just another factor of production, like they are widgets. It wants labour supplied as and when it needs it in just the right amount. The Government is no ordinary employer; it must have an eye for the broader consequences of its actions on society and the labour market. The teaching profession is a large occupational group in society. The department's decisions on employment practices have a significant effect because of its scale, compounding a wave of employment insecurity that now pervades the private labour market. Across the economy, secure jobs have been sacrificed in the name of flexibility. Through its own actions, the Government has endorsed that phenomenon.

Creating insecurity is also about power in the workplace. In combination with the Government's Local Schools, Local Decisions policy, the policy of eroding permanency has increased the power of principals to load up teachers with additional work demands, adding to the unattractiveness of teaching as a career. Temporary teachers who depend on a principal for ongoing work will be disinclined to push back against unreasonable demands. Many temporary teachers have worked in the same school for many years and have a reasonable expectation that work will continue. We know principals have the power to convert their temporary staff, so why is that power not being used to fix the problem?

The teaching workforce is predominantly female, and women bear a disproportionately high burden of caring work. Certainty means workers can manage the many competing demands of child care, school drop-offs and other caring responsibilities in a predictable way. How are teachers engaged on temporary and casual contracts expected to maintain those routines when they have no certainty about whether they will be working at the same school next year, or even next term? By shifting risk onto teachers, the Coalition has created a situation in which staff are worried about how they will manage their lives if their contracts are not renewed. Many teachers simply leave because they have no job security. Is it any surprise New South Wales has a teacher supply crisis? Insecure employment and low pay are driving teachers out of our schools. To quote the president of the NSW Teachers Federation, Angelo Gavrielatos:

It hardly makes for a good recruitment strategy (when you say) 'Come on over, get a pay cut and be engaged in a temporary capacity'.

CLIMATE CHANGE AND ANIMALS

The Hon. MARK PEARSON (14:42): One billion people will endure extreme heat stress by the end of this century. Right now our planet is on track to see a disastrous 2.4 degrees Celsius rise in temperature by the end of the century, even if countries meet their 2030 emissions goals. Putting aside the embarrassing fact our Federal Government did not even agree to the COP26 pledge, it is clear that we need to act now. In heralding increasing climate catastrophes, I make it clear: It is not just humans who will suffer, it is animals too.

Each year about 70 billion animals are farmed worldwide for food, the majority in factory farms. If one billion people will endure extreme heat stress by 2100, how many farmed animals will suffer the same fate?

Right now there are around 27 million cows and 71 million sheep across Australia, and millions of those animals already suffer and die from both extremes on the weather scale. As many as 15 million lambs freeze to death every year. When the long summer months roll around, millions more animals with nowhere to escape the blistering 45 degree heat are left to suffer in dry fields, barren of trees and shade. I have been to feedlots for cattle and sheep where the three stages of heat were consuming them to the point where they were putting their heads under each other's bodies to try to seek some relief from the scorching heat.

Australia's treatment of our iconic wildlife and ecosystems is an international embarrassment, made all the more appalling by the apathy of our Federal Government. The list of our eco-crimes is long: the commercial slaughter of millions of kangaroos and the legally sanctioned bludgeoning of joeys to death, our world-leading species extinction record, the bleaching of the Great Barrier Reef, and the continued logging of forests despite devastating bushfires and the koala habitat crisis. When I consider what we subject our farmed animals to in the name of a steak or a lamb chop, I would add a new crime to our laundry list: the raising of tens of millions of hard-hoofed mammals on a smouldering, dry continent that is increasingly prone to drought, floods and bushfires. Animal agriculture is a driving force of climate change, so the solution to the climate emergency for animals is in the problem itself. We must end environmentally devastating animal agriculture. With our global addiction to meat and dairy, killing wildlife and farmed animals alike and while leaving billions of animals and humans to suffer the effects of climate change, it has never been more important to move towards a water-friendly, wildlife-friendly and plant-based agriculture.

THE HON. DR BRIAN PEZZUTTI

The Hon. CATHERINE CUSACK (14:45): Last night Chief Executive of Northern NSW Local Health District, Mr Wayne Jones, hosted a farewell dinner to thank and pay tribute to two outgoing board members, the Chair, the Hon. Dr Brian Pezzutti, and Ms Deb Monaghan, who served with distinction as a board member. I was so sad to miss the dinner, due to the House being in session. By all accounts it was a wonderful event, bringing together our dedicated health leaders on the North Coast and Deputy Secretary of NSW Health, Susan Pierce, who travelled to Lismore to pay tribute to Brian and Deb on behalf of the entire department.

I spoke to Brian earlier today to ask how it went. In typical fashion, he spoke only of the guests, their achievements and their amazing careers and said nothing about himself. Brian exhibits the humbleness of truly remarkable Australians, like Sir John Carrick or former Governor Marie Bashir. I have known Brian for over 38 years, and he has never changed. He never forgets where he came from. He has been an extraordinary friend to me, and to have Brian's loyalty is an enormous privilege. I owe my place here to Brian Pezzutti, who has supported me uncritically for decades, since our time together on the Liberal State Executive. He has always championed women and has been an incredibly progressive freethinker on that and many other issues.

In his inaugural speech, Brian spoke of his beloved North Coast and his passion for better healthcare policy. One of his many accomplishments as a member here was chairing the landmark inquiry into mental health, which completely transformed resourcing, governance and service delivery in that sector. The issue of mental health has been elevated and continues to be one of the most important activities of Government. On philosophy, he said:

I find it an attractive liberalism that emphasizes mutual efforts, the right of all people to equality of opportunity, equality of access to programs—sometimes extensive—to make that right a reality; a form of liberalism that emphasizes our obligations to respond to needs while we pursue the creation of wealth and the enhancement of human potential. It is a philosophy that values liberty, which dedicates itself to the task of empowering human beings, a philosophy that emphasizes truth, tolerance and generosity. It has ideals that seek to promote empowering individuals.

Those words sum up who Brian Pezzutti is and what a privilege it is to know him. I do not have time to run through his many achievements, but I will mention a couple. He was in the Army Reserve from 1965, culminating in becoming a Brigadier Assistant Surgeon General for the Australian Defence Force from 2000 to 2004. He is one of our most important medical practitioners as an anaesthetist on the North Coast, and I think he has administered well over 10,000 anaesthetics. I congratulate Brian and thank him and his wife, Christine, for their service.

TRIBUTE TO TOM BROOKE

The Hon. MICK VEITCH (14:48): Gundagai is mourning the loss of a well-respected and much-loved resident with the passing of Tom Brooke. Tom passed away at Gundagai hospital on 3 November at the age of 93. He was predeceased by his loving wife, Mary. Tom is survived by his children and their partners, Ann and Mark, James and Luzia, Jane and David, and Michelle and Phil. He was the adored grandfather of Corinne, Michael, Katherine, Peter, Trudy, Jackson, Emily, Ollie, Bella, Helena, Jonathon, Sarah, Joshua, Luke and Jessica, as well as his seven great-grandchildren. Also left to mourn are Tom's adored sisters, Joyce, Catherine, Eileen and Wilva, and his brother, Fred, who were all a major part of his life.

Tom was born at the start of the Great Depression and learned very quickly how to survive in an environment where he had very little and when looking after the family and those in need was a priority. He realised at an early age that, to get along in life, you have to pitch in and support your parents, brothers and sisters to make do as best you can to achieve unity and be self-sufficient. This developed in Tom the importance of having strong family values, which he passed onto all of his beloved children, grandchildren and great-grandchildren.

Tom was a great family man, and he was very involved in the lives of his children and grandchildren. I am told he was a loving and devoted dad, pop and "old pop", and he took much pride in their lives and achievements. Tom joined the Australian Workers' Union and, once again accompanied by his older brother Keith, started a career as a shearer in local sheds around the Riverina, outback New South Wales, Queensland and Victoria. He got his first car—a black Holden FX—and it was always loaded up with dillybags, handpieces, combs and cutters, along with shearing mates Bernie Pollock; my uncle, Leon Morris; and Darcy and Jimmy Ballard, all sitting up with a hot longneck and smoking cork tips as they travelled around regional and outback New South Wales. His mind always stayed as sharp as a tack, and he could remember and tell you everything about those years. He was a great raconteur.

Tom was the epitome of a good bloke, and his warm and genuine nature made him many friends. He was one of nature's true gentlemen and will be missed by all who had the pleasure of knowing him. I spent many a time at the Gundagai RSL club, where Tom spent 20 years as an employee, being counselled rather wisely, receiving guidance and being regaled by yarns of yore. He was an outstanding individual, typical of the former shearers in Australia. He had a great sense of humour but, if ever I got something wrong, he was certainly there to tell me that I got it wrong in a very nice and pleasant manner. I am going to miss those yarns with Tom at the Gundagai RSL. He was a champion bloke. Vale, Tom Brooke.

THE GREENS COUNCILLORS

Mr DAVID SHOEBRIDGE (14:51): Today I thank the 58 local councillors from The Greens across 32 councils who are currently serving in local government in New South Wales. I thank them for their collective efforts for the residents that they serve, for the environment that they protect and for the councils that they insist on making stronger, more connected to the people and with greater levels of integrity. I cannot deal with all 58 of them now, but I mention a few for their outstanding service. Amanda Findley, the popularly elected Mayor of Shoalhaven City Council, has been an extraordinary local leader. She is the head of a terrific team of The Greens on Shoalhaven City Council, and she has led that council through fire and flood. All that time, she has been a voice for residents and nature and has stood up against developers and bulldozers. She has shown compassion, patience and principle on council meetings where, at times, a pro-developer majority have behaved appallingly. I commend her for her leadership and thank her for her service.

I thank Emma Heyde from Hornsby Shire Council. She is a terrific local councillor who never stops working and is always available to her community. She has played a leadership role in reducing plastic waste on council, protecting local bushland and championing community preschools. I thank her for her work. Phil Bradley, from the City of Parramatta, has been a consistent voice for council action on climate and pushing renewable energy with Parramatta council. He has been one of those few brave Parramatta councillors who has spoken out against the developer lobby and insisted on local residents getting a fair share and return from the development that has overwhelmed the Parramatta CBD.

Cathy Griff from Bega Valley Shire Council has led the charge on housing affordability. It is not just a Sydney issue, and Cathy gets that. She has led the charge there. She is also the councillor who took it to the council and managed to navigate the council through accepting that we are in a climate emergency and to start acting on it. I thank Katie Milne, the retiring and outstanding Mayor of Tweed Shire Council. She is retiring after 13 years on council, with five of those as mayor. Being the mayor in Tweed shire and standing up to the developer lobby and for nature is one hell of a job. She is highly respected in her community for her tenacity, her principles and her persistence. I thank her for her service.

I thank John Castellari from Snowy Monaro Regional Council. This is his first term, and he is calm, informed and builds consensus around environmental protection. When he is not on council, he is out riding around some of the most mountainous countryside that you can imagine. He knows his local area, he is passionate about it and he is committed to protecting it. I cannot thank them all, but I thank Carol Sparks, the Mayor of Glen Innes Severn Council; Dominic King from Bellingen Council; Dom Wykanak from Waverley Council; and Phillipa Veitch from Randwick Council. I thank them all for their service. Their communities owe a lot to them, and we are grateful, as ever.

SUICIDE PREVENTION

The Hon. WES FANG (14:54): For friends and family, the death of a loved one by suicide is not only heartbreaking and shocking; it can also create new challenges and make day-to-day tasks incredibly difficult. As an initiative by the New South Wales Government, jointly funded by the Commonwealth Government, the Murrumbidgee Local Health District will be provided with a comprehensive service to support people and communities bereaved and impacted by suicide, with specific focus on bereaved families, friends and colleagues, first responders who have attended a suicide, and members of the public who witness or discover a death by suicide. The service has been co-designed with people with lived experience of suicide and experts in the suicide bereavement field.

With around 135 people impacted by a single suicide, it is imperative that we are there for people in these painful weeks and months in ways that can really help, from providing counselling to helping them access financial assistance and guiding them through the coronial process. The initiative is complemented by the Safe Haven service and Suicide Prevention Outreach Teams across the State, including in Wagga Wagga and Griffith. Instead of struggling alone or heading to the local emergency department, anyone who is experiencing mental health distress can attend the Safe Haven service with no need for a referral. The free and confidential service is a place where people can informally chat to trained staff, have a cup of tea or coffee, play board games or puzzles, join an activity or just chill out in a quiet spot.

For those experiencing a crisis, the Suicide Prevention Outreach Teams, to be established in every local health district, will provide rapid mobile outreach to individuals in distress. The teams combine clinical expertise and lived experience of suicide and care for people at or near their homes, ensuring that they stay connected with their family, friends and other valuable support networks. For both individuals in need of support, as well as for the family and friends of a lost loved one, these services are absolutely vital. I am so proud of our mental health Minister, the Hon. Bronnie Taylor, who has helped drive these initiatives in New South Wales.

RETAIL WORKERS

The Hon. COURTNEY HOUSSOS (14:57): Tomorrow is Black Friday—the Friday after Thanksgiving that marks the start of the Christmas shopping season that is now synonymous with sales here in Australia. As shoppers are snapping up sales, we have to remember the workers behind the bargains. Our retail workers are essential workers, as we have seen throughout the pandemic. They have served on the front line, providing community access to groceries, medicine and other vital goods. They have taken on the risk, doing all they can to keep themselves, their families and their colleagues safe. Our retail workers deserve our thanks and our respect. The pressures of bagging a Black Friday bargain tomorrow is no excuse to abuse or harass retail workers, who will be doing their best.

This Black Friday, the union representing warehousing workers—the Shop, Distributive and Allied Employees Association [SDA]—is highlighting how the ease of the cheap prices of Amazon hides the reality of the multi-billion dollar profit-making company's appalling safety standards and working conditions. Amazon has made a massive profit during the pandemic, but it is well known around the world for its awful treatment of workers. Amnesty International Australia has found that, around the world, Amazon has fired workers for raising health and safety concerns during the pandemic, imposed harsh productivity quotas and conducted inappropriate monitoring of Amazon Flex drivers' private Facebook groups.

Online retail giants are using the fig leaf of "technology and innovation" as a way of exploiting workers and having disrespectful workplace cultures and, again, Amazon is showing the way. A recent report by UNI Global Union on Amazon worker surveillance entitled *The Amazon Panopticon: A Guide for Workers, Organizers & Policymakers* describes Amazon's pervasive digital surveillance program as "a grave threat to workplace democracy and workers' rights." As the SDA summarised it, "Amazon warehouse or delivery workers don't have to imagine living in the Matrix. Their work life is already controlled by the algorithm and closely monitored." That sounds scary enough, but it could get much worse. Amazon's surveillance is set to become even more pervasive. It has patents for technologies to further monitor workers' movements.

The report outlines plans to equip supervisors with an augmented reality headset to recognise faces, clothing or even gait. When the supervisor's gaze falls in a worker's direction, they will be fed real-time data about that worker. Another patent is for a potential bracelet-like device that can vibrate or in other ways alert workers that items have been processed in the correct manner. As a member of the inquiry into the impact of technological and other change on the future of work and workers in New South Wales, I visited the Amazon warehouse at Moorebank. I saw firsthand some of the surveillance measures in place. In Australia Amazon workers have been protected from the worst measures seen elsewhere around the globe. They are protected by strong work health and safety laws that guarantee worker and union rights, and by consistent SDA action.

DOWN SYNDROME PRENATAL SCREENING

The Hon. GREG DONNELLY (15:00): As honourable members would be aware, I have spoken in the House on previous occasions about the brutal and bloody discrimination faced by the unborn who have been diagnosed with Down syndrome or who may have Down syndrome. I stress the word "may". I draw the attention of members of this House and of the other place to a significant paper released in October by Down Syndrome Australia [DSA] entitled *"We all have a lot to learn": prenatal screening for Down syndrome – a discussion paper*. It is available on DSA's website and I strongly recommend that all MLAs and MLCs read it. The discussion paper, which is only 30 pages in length, is a page turner for all the wrong reasons. Time does not permit me to cover the discussion paper's content in detail. Shouting off every page are the screams for justice for the disabled unborn and their parents. It is nothing short of excruciating, reading page after page of the brutal treatment of pregnant women who are diagnosed as having or maybe having an unborn child with Down syndrome.

The discussion paper includes details of a survey undertaken by DSA of 320 parents of children with the condition. It found that almost half the families surveyed reported feeling pressured by healthcare providers to terminate their pregnancy. Further, 42 per cent of families said they had received negative information about Down syndrome and 45 per cent felt they did not receive appropriate support during pregnancy. In total, 90 per cent of pregnancies are terminated if Down syndrome is detected or potentially detected in the unborn. "The blood of the innocent cries out for justice" is an ancient statement, but it is as true today as it will be tomorrow and as it was when first made many millennia ago. As a society, we are enormously diminished by the way we think about, treat and ultimately dispose of the disabled unborn so cruelly. Tragically, at present nothing suggests that our society's heart-of-stone attitude towards the disabled unborn is softening. We must all do what we can to help change that as soon as possible.

Bills

GOVERNMENT GRANTS ADMINISTRATION BILL 2021

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. COURTNEY HOUSSOS (15:03): I continue my contribution to debate on the excellent Government Grants Administration Bill 2021, which was introduced by the Hon. John Graham and relates to Government grants and improving the way grants are administered. Earlier I was making the point that there is a clear difference between a Government grants program and Government election commitments. Clearly, whilst we need to make sure that pre-election promises made by a government are kept—as election commitments, they are very important—Government grants programs are entirely different. They are an opportunity for members of the public, individuals and community organisations to apply for public money to assist in their work. It is only fair that the entire grants process and allocation of grant money is fair and equitable. That is what the bill seeks to ensure. After 10 years in Government, this Liberal-Nationals Government has failed to do that. The most recent document provided by the Government was prepared by the last Labor Government in 2010, which took the recommendations of the Australian National Audit Office and sought to implement them in policy for grants programs across the State.

During the inquiry of the Public Accountability Committee which, as a member of that committee, the President would remember, a farcical situation arose when I was questioning the director of the Office of Local Government—a senior public servant in this State—who told me that the policy did not apply because that was a Department of Premier and Cabinet [DPC] circular. The bill will provide clarity for that public servant and for all public servants by applying those policies to all Government grants programs. The Opposition has introduced the bill as a result of some of the things that the committee uncovered in the grants inquiry. We learnt that \$90 million of public money out of the \$252 million—almost a quarter of a billion dollars—went to Hornsby Shire Council, which was not a merged council. That fund was supposed to provide assistance to merged councils. The money was provided to Hornsby Shire Council after a series of late-night, last-minute phone calls and an application form that was pre-prepared by the Government and sent to the council for approval. One of the key principles that is outlined in the DPC circular and will be implemented by the bill is that a fair, open and transparent process is needed whereby everybody who is entitled to apply for the funding should know about it and—a simple thing—that applications are assessed against the grants program criteria.

That can be contrasted with the experience of the City of Canterbury Bankstown council. I declare an interest because I live in the Canterbury Bankstown local government area. Its council is now the biggest council in the State. It is almost the size of Tasmania. The council was having challenges in merging the two large councils of Canterbury and Bankstown into one enormous council. It wrote to the Minister, asking, "Do you have any additional funds?" At the same time as \$90 million was secretly being squirrelled out the door to the unmerged

Hornsby council, Canterbury Bankstown council received a letter from the Minister saying, "Sorry, but there is no funding available for you." It is absolutely disgraceful that a Minister can justify lying to a council like that. There was money available. Clearly, funding was available and the council should have had access to that quarter of a billion dollars of funding. Instead, it was told nothing about it.

To get to the bottom of this issue, we went to some remarkable lengths. I pay tribute to the Hon. John Graham and also to the chair of the Public Accountability Committee, Mr David Shoebridge, for the way in which they have pursued the issue through Government. The committee got to the bottom of the approval of grants from that quarter of a billion dollars of public money. As the Hon. John Graham has said frequently, normally at the announcement of \$1,000 or \$5,000 or \$10,000, Government Ministers and MPs are clambering over themselves to present the cheque. For this quarter of a billion dollars of public money, it has taken months of inquiry to get to the bottom of who actually approved the grants and who claimed responsibility for saying that money would go towards the project. Through questioning Government staffers, which is not the normal modus operandi of upper House committees but was necessary because no-one in this Government would step forward to explain how a quarter of a billion dollars of public money was spent, the committee found out that the documents had been shredded. It was only through an elaborate reconstruction process that we could trace it back to the Premier's office.

My time is going to run out so I am going to move on to some of the more egregious examples. The Minister in his response asked for a single example of a community project that was not worthy of funding. I can give him at least one and that is the Macleay Valley Skydiving Adventure Park project, which had been shopped around for years. It had applied for other funding and been knocked back through more rigorous processes. But when \$177 million was on the table for bushfire relief—for emergency relief for people who were living in tents and caravans—as other States were spending this money to make evacuation centres more accessible or to upgrade the kitchens in community halls used as evacuation centres, this Liberal-Nationals Government decided to give \$11 million to a failed skydiving park project. There is already a skydiving park in Port Macquarie. There is already a skydiving park in Coffs Harbour. But instead of providing funds from the emergency bushfire relief package for genuine community-based projects, the Government snuck the money out the door. It is absolutely disgraceful and the first time in this State's history that we have seen the politicisation of emergency grants. It is absolutely disgraceful behaviour.

Out of that \$177 million, just \$2.5 million went to two Labor electorates—1 per cent of the entire funding—despite the fact that Blue Mountains suffered an economic loss of \$65 million and the Central Coast had a \$163 million hit to its economy. Yet the second-largest single grant, \$11 million of public money, went to a project that failed to get through other grants programs. I must address the comments of the Hon. Sam Faraway who came into this House several weeks ago and tried to defend the Stronger Country Communities Fund. Let me say that the only reason the Public Accountability Committee has not got to the Stronger Country Communities Fund in the grants inquiry before now is because we have been so bogged down with the outrageous examples of how this Government has allocated public money. We have just not quite got there yet.

But let me set the record straight on a couple of things. The Stronger Country Communities Fund is the first time that we have seen backbench Government members of Parliament as decision-makers, instead of locally elected members of Parliament. The Hon. Sam Faraway wanted to talk about Community Building Partnership funding interchangeably with the Stronger Communities funding. Let us be really clear: The Community Building Partnership is a great program that was actually implemented by the Labor Government. It is an opportunity for a small amount of money for local members of Parliament to give to small, locally based community projects. The Stronger Country Communities Fund bypasses local MPs and instead consults only with Government members of Parliament. This bill will allow Ministers to receive the assessments of the public service, to make decisions—as it should—and to use ministerial discretion in a public and open and accountable way.

But this Government has secretly consulted only with its own backbench—not with the Executive Government, not with the decision-makers. It has bypassed locally elected members of Parliament. As the Premier did in question time in the lower House today, the Minister has tried to make out that this is some kind of question about invitations. Yes, there is a question about extending invitations. But this is about decision-making and who is accountable for the expenditure of public funds. That responsibility is on Ministers, who should be able to justify it, but not to the exclusion of the locally elected member in the electorate. I will just briefly mention the Riverina Conservatorium of Music, which is a project that has been extensively canvassed in this House. It received a \$30 million grant—more than the rest of the 18 regional conservatoria across the rest of the State in one single grant. It took weeks of questioning in this House and in the grants inquiry to work out where that money had actually come from. Which grants program did this money come from? It is now being investigated by the Independent Commission Against Corruption.

There was the farcical situation where parts of the State that voted for the Labor Party were carved out of complimentary metropolitan and regional sporting and cultural grants programs. The cities of Wollongong and Newcastle were not eligible for either the metropolitan or the regional versions of the same program. This is absolutely farcical stuff. The Opposition could not make this up. That is why Labor has introduced this bill today. We are not opposed to grants funding programs. We believe that they do play an important role. But when we are dealing with public funds there must be a fair and proper process. It must be open and transparent. It must ensure that councils, volunteers, community organisations and not-for-profits, who spend months and—councils have told us—hundreds of thousands of dollars applying for grants, are treated in a fair and transparent way, that all the applications are judged against the same criteria and then a decision is made. This is not an unacceptable or an onerous imposition that Labor seeks to be imposed.

Indeed, the Auditor-General of New South Wales agrees with the Opposition. She told the grants inquiry that the Audit Office looks for the clear objectives of a fund, the criteria to be judged against, and oversight over the way the money is spent, including clear documentation of decisions. The Auditor-General also noted that New South Wales is the only jurisdiction in Australia not to have follow-the-money provisions. This bill will introduce "follow the dollar powers" to the Auditor-General because, when public money is being expended, integrity agencies should not be stopped from auditing its use once it flows out of Government. The Government should be accountable to the public, through auditing processes, including through the Auditor-General, to ensure that this money has been spent effectively and transparently.

We need integrity in our grant-making process. We need updates to our existing public service guidelines. We need to have a Ministerial Code of Conduct that restores faith in the way that our public funds are dispersed. We need a single grants register—a centralised, transparent and published register—where everybody can see the information, everybody has the opportunity to apply and everybody is on an even playing field. The broad support that this bill has, not only from our side of the Chamber but also from the crossbench, shows that this is not simply a partisan attack. This is a much better, open, fair and transparent way to administer Government grants programs, because things have got to change. I commend the bill to the House. I thank the shadow Minister for his work and I hope that members will support the bill.

The Hon. JOHN GRAHAM (15:17): In reply: I thank all members who have contributed to the debate. There have been a couple of discussions on these issues across the Chamber and they both have been very instructive. I think we have taken some steps forward in our understanding in the Chamber about these issues and the relative positions. That has been very helpful. I will make some initial remarks about those contributions. I want to thank each of the members who have contributed. Firstly, I thank the Hon. Mark Latham. His pursuit of the issue at Dubbo is a very important one—183 grants in Dubbo, four in Fairfield. That is, Fairfield gets the curfews, gets the lockdowns, gets the police choppers but it does not get the grants, and I think he is right to pursue that issue.

The member raises a concern about the sheer scale of the grants that are now rolling out the door in New South Wales, including the proportion of the Government machinery which is being devoted not to the ordinary administration of government but to grant-making in the administration of government. That is of concern. I also share his concern about the culture that brings to Government decisions and how that may potentially leak into decisions about major transport projects—where the land is bought, where the station ends up, where the motorway runs. If that culture extends from small community grants into the biggest investment decisions that a government could make—

The Hon. Mark Latham: It's Maguire-ism.

The Hon. JOHN GRAHAM: I acknowledge the interjection; I think there is a risk of that. That is very bad news for New South Wales, so I encourage the Hon. Mark Latham to keep pursuing those issues. I think his suggestion about the independent grants commission is well worth having a look at. I take it in the spirit of the set of members who have ideas in this space, and I acknowledge that this is a team effort. This is one attempt, but a number of members have been very active in this space. The collective efforts of this Chamber may well bear some fruit on this issue, and I think that will be a very good thing. The Hon. Mick Veitch was at his strongest, putting a simple view that this could be more respectful. There is a way to do this which is not rude, and that is a reflection to all members about a better way to arrange these affairs.

Mr David Shoebridge had the great benefit of having been asked by the Leader of the House to provide some examples; of course, Mr David Shoebridge never walks anywhere without an example or two up his sleeve, and he was able to rapidly answer that. I recognise his role as the Chair of the Public Accountability Committee and in initiating that grant review. Out of all of the members of the Public Accountability Committee—I will not name them, in case I get them into trouble—I definitely want to recognise his role. I also acknowledge my colleague the Hon. Courtney Houssos, who has pursued these issues diligently and chased down the Macleay Valley skydiving issue specifically. It was impossible to explain how that could be happening at the same time

that badly burnt communities in the Blue Mountains and the Central Coast got nothing. How could you explain that? That was where we were left.

The Hon. Courtney Houssos' point about the Community Building Partnership grants is crucial. The Opposition is not opposed to MPs being involved in the decision-making process. That should happen some of the time, but it has to be the local MP. It cannot be some fly-in fly-out arrangement; the Opposition does not accept that. It cannot be some politically convenient arrangement. It is either the Minister and the department, which is legitimate, or a local MP. That is the position the Opposition is taking in the House today. I will turn to the contributions of the Government on this issue. The Opposition was accused of a stunt, which was immediately followed by the unsuccessful stunt of trying to adjourn the bill, somewhat undermining the case. Look, secretly I am a fan of the Leader of the House and his singing.

The Hon. Damien Tudehope: Keep it a secret.

The Hon. JOHN GRAHAM: Is there a sealed section of *Hansard*? Secretly I am a fan, but today was hopeless. Honestly, for the Government to come into this Chamber and say there was an inquiry—there is no inquiry. There is a review. There is no inquiry. There is a review that the Government says is being conducted by Peter Achterstraat. That is dead wrong on both counts. There is no inquiry and it is not being conducted by Peter Achterstraat. It is being conducted by both him and the Department of Premier and Cabinet; they were tasked with it first. That is the official response from the Government on this position. Opposition members expect a bit more detail—a factual statement of what is going on here—if we are going to take it seriously and have any hope that it is going to make a difference. Based on the information that was put in front of the House today, it was impossible to have any hope that the Government will deal with this. That was honestly how I felt.

Get the facts right. Members are looking for the Government to step up here; all the parties have made that clear. We are looking for allies and people who are prepared to change the culture. There is a chance to change the culture with a new Premier and a new Government, and that is what we would like to hear from the Government. I will turn to some of the issues in the debate. The Opposition wants some sense of hope in this area. One of the problems is that some people in the public, some observers of politics, think that this is just how it happens and how it is. This bill is an attempt to give some hope. I spoke in my second reading speech about the elements of the bill and I will not repeat them, but I do want to tell the House about my three favourite bits, which I think might tip the scales. One is the public register of grants, both future grants and grants that have been awarded, that is transparent and in public. Being totally transparent removes many of the issues.

Secondly, Ministers are to sign. The Opposition's view is that Ministers should have a role. They should be able to overhaul departments. We are not taking some radical position against the Westminster tradition, but if a Minister cannot sign and date a decision—if a Minister wants to overhaul their department, they should do it in writing. If they cannot provide a reason and say it is in the public interest, here is a good rule: Don't do it. If those things are not true, just stop doing it. That is the principle, and I think that would help. A number of members have spoken about the "follow the dollar" powers.

There is a block to the Auditor-General doing their work. In the Opposition's view, if the Auditor General thinks there is a problem, she should be able to hunt it down outside Government to the organisations to which the grant is being given, constrained by the purpose of the grant. There are constraints on that. That works well in the Commonwealth, Victoria, Queensland, Western Australia and Tasmania. We need it here, given the scale of the grants. I describe those as my three favourite provisions in the bill. I do not accept that it has to be this way. I reject the idea that every Government has done this. I direct members to the May 2009 audit report where, under the former Labor Government, grants administration was audited. The finding on page 2 was as follows:

We found no significant difference in the funding of government and opposition electorates. However, more money was given to electorates that were safely held by the major parties. These seats received \$1.29 for every dollar given to marginal and independent seats with government marginals getting the least. Electorates also receive different levels of funding according to which region they are in.

That was the finding in May 2009 in an important audit report. When the review turns to examine it, I think they will recall that finding because the signature of the Auditor-General on that report was Peter Achterstraat's. That was the finding he made at the time. I do not want to lean heavily on that point. I am saying that we can do better across New South Wales. I am not saying there were no issues with former governments; I do not want to put that view. But I do want to put that finding on the record because I do not accept the idea that there is no way this can be better. It was better; it is now out of control. That is my honest view, but I do not want to lean heavily on that. All members have a responsibility to lift the standards and set out some principles, and that is what we are trying to do. Finally I turn to the observations members made about one specific fund, the Stronger Country Communities Fund round three, which received significant debate. I thank the Hon. Sam Faraway for raising those issues in the Chamber. He made a couple of passing observations in what I took to be quite a persuasive audition for a ministerial spot. He was doing very well.

The Hon. Mark Latham: He's got my vote.

The Hon. JOHN GRAHAM: He was firing away. He is attracting votes around the Chamber as we speak. But he made the mistake of overstepping the grounds, and that has produced a gentle response from the Opposition. There were a couple of questions in the Legislative Assembly and the collective press conference. There was a bill. We have been digging around in the Mookhey Looky room. It shows exactly what is going on with round three of the Stronger Country Communities Fund. First, it shows that 83 per cent of the funding went to Coalition electorates. It is a pork-barrelling fund like the rest of them. Second, it shows that the central mechanism being used here, which we absolutely object to, is that good local members, who are elected by their communities, are pushed to one side as National Party backbenchers or Ministers or Parliamentary Secretaries are flown in and flown out to decide grants for those electorates.

I know there is a bit of flying in and flying out in the mining industry, and it is a highly skilled industry, but you should not have to fly in and fly out to decide local grants. We just do not accept that. It is better to have the local member involved—the person who has been elected, who has an office in the main street and who people are likely to bump into at the shops, rather than someone who has been selected for political reasons. That is the position we are putting.

The second issue I place before the Chamber is this: Is this legal? What is Minister Adam Marshall's role within Executive Government to decide grants in Barwon? He is not the relevant Minister for the grants scheme. He is a decision-maker in the scheme for a neighbouring electorate. He has no administrative role as a member of the Executive. What is the role of Government backbenchers in the lower House for neighbouring electorates they have no connection to and no legal authority over? That is harder to answer in the lower House; members here have some responsibilities across New South Wales. Lower House backbenchers do not need passports to visit other electorates, but they should need at least some paperwork to make formal decisions about grants for those communities. What is their authority? What is the delegation that allows them to exercise that authority?

There is a delegation. This one has not been shredded. The delegation for this scheme is a single email, sent on Tuesday 29 October 2019, at 4.20 p.m., from the Deputy Premier's office to the Department of Premier and Cabinet. That is the legal authority for Minister Marshall to go visiting his nearby electorates. It is the legal authority for backbenchers of the lower House to go to their neighbouring electorates and decide who gets money. We have a serious question mark over whether that is legal at all. That is a matter we will pursue elsewhere.

In summary, we think this is a rolled-gold rort. These Government members were briefed only a day before the scheme was launched. They were offered letters and releases. The email to each of these members read, "Please find attached two shell media releases, a spreadsheet with details on successful projects in the LGAs and letters to each recipient. These letters are being provided to you to distribute and will allow you to deliver the great news to councils and community groups." That was the letter to Minister Marshall and Government backbenchers in the lower House as they went about the job of announcing grants they had decided for someone else's community. That decision-making role is really the flaw here.

My colleague the Hon. Courtney Houssos was right when she said that the announcement is rude. The decision-making point is absolutely wrong. It should not have happened. We want it ruled out altogether. Finally, I will take up the Leader of the House's invitation on the question of examples of our concerns. He came to this debate uninformed about the concerns of members.

The Hon. Damien Tudehope: That's outrageous.

The Hon. JOHN GRAHAM: I will put that more gently. He asked us for examples of grants we are unhappy about. Put aside the skydiving and 95 per cent of the Stronger Country Communities funding going to Coalition electorates. We object to the bushfire-hit communities of the Blue Mountains and the Central Coast getting nothing out of these grants schemes, at the same time as outlaw motorcycle gangs in Lake Macquarie used the same funds as an ATM. That is what was going on. The Minister would not respond to my interjections about the Australian Clay Target Association. He was probably right not to do that. He would not clarify whether he was backing the grant to the association. The Riverina Conservatorium of Music got more money than all the other regional conservatoria put together. It is the opportunity cost that is the killer here.

The grant to Hornsby Quarry was \$90 million, which is greater than all the parkland grants across Sydney. One grant for a small suburban park was so big that the council said that it would have to pave the park in gold to spend it. Recall the surf and turf scandals about oyster and beef producers, some of whom were being favoured, some of whom were being put out of business, as the Government picked winners. We are concerned about Wollongong and Newcastle falling into grants black holes, where they cannot qualify for any scheme. Of course, we are concerned about the Premier's office having shredded documents and deleted key backups, which we have raised once or twice. Those are the concerns. In the parlance of 2021, those are just the case studies. We have

further concerns, but they are the ones we have placed in front of the House today in response to the invitation to provide some examples to the Leader of the House.

But we do put this bill in front of the House in the spirit of hope, in an attempt, along with other members who have had other proposals, which I encourage them to bring forward, to try to lift the standards here. Let us do that together. There has been broad support on this, but we would love to have the Government on board. The Minister has indicated the Government's position today. We hope that the Government reverses that position, given where the Premier has been on this issue, and backs the bill in the lower House. We can actually put this into law. This will be a very strong step in this place. There are others we should take, but this is a very good start.

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

The House divided.

Ayes24
Noes17
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.

Third Reading

The Hon. JOHN GRAHAM: I move:

That this bill be now read a third time.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. DAMIEN TUDEHOPE: I table the following papers:

- (1) Annual Reports (Departments) Act 1985—Reports for year ended 30 June 2021:
 - Fire and Rescue NSW
 - New South Wales Crime Commission
 - NSW Rural Fire Service
 - NSW State Emergency Service
 - NSW Police Force
- (2) Annual Reports (Statutory Bodies) Act 1984—Reports for year ended 30 June 2021:
 - Essential Energy
 - Forestry Corporation
 - Hunter Water Corporation

Landcom

NSW Education Standards Authority

Parramatta Park Trust

Port Authority of New South Wales

State Transit Authority of New South Wales

Sydney Water Corporation

Water NSW

Zoological Parks Board of New South Wales, trading as Taronga Conservation Society Australia

- (3) Report of Department of Education entitled *Parliamentary Committee inquiry into measurement and outcome-based funding in New South Wales schools: Progress report as at June 2021*.
- (4) Report of Department of Education entitled *Progress Report: Improving outcomes for students with disability 2021*.

I move:

That the reports be printed.

Motion agreed to.

THE HON. BRAD HAZZARD

Correspondence

The CLERK: According to the resolution of the House of Thursday 18 November 2021, I table correspondence relating to a further order for papers regarding the classification of the Hon. Brad Hazzard, MP, as a casual contact, received 25 November 2021 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 and lawfully required to be provided.

HAWKINS AND RUMKER COAL EXPLORATION AREAS

Correspondence

The CLERK: According to the resolution of the House of Thursday 11 November 2021, I table correspondence relating to an order for papers regarding the Hawkins and Rumker coal exploration sites, received 25 November 2021 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 and lawfully required to be provided.

WESTERN SYDNEY AIRPORT RAIL LINKS

Return to Order

The CLERK: According to the resolution of the House of Wednesday 20 October 2021, I table additional documents relating to an order for papers regarding the proposed Western Sydney Airport Metro, received 25 November 2021 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

The CLERK: I table a return identifying those of the additional documents received 25 November 2021 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

Bills

FISCAL RESPONSIBILITY AMENDMENT (PRIVATISATION RESTRICTIONS) BILL 2021

Second Reading Debate

Debate resumed from 18 November 2021.

Ms ABIGAIL BOYD (15:49): On behalf of The Greens, I support the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021. I thank the Hon. Daniel Mookhey for introducing the bill. It is no secret in this place that The Greens are not big fans of privatisation. We believe that privatisation has continuously failed society. It has led to huge profits for big corporations but less reliable services and increased costs for the rest of us. We end up with privatisation undermining the right to essential services. The selling off of all our public assets, deregulation, outsourcing services and the multitude of ways in which this Government has privatised assets and

services under names other than privatisation and then declared them not to be privatised has become a little ridiculous.

We saw an example of that yesterday at a rally, which I attended, for the Rail, Tram, and Bus Union against further bus privatisations. I remember having an absurd conversation with Minister Constance when he was the transport Minister about whether or not what was happening to those bus services was actually privatisation. He was telling me that it was "franchising". I was reading out dictionary definitions and all sorts of things to explain that this "franchising" was in fact a privatisation of an essential service because we no longer had control of it in the same way. We were not selling our buses, but we were not going to end up holding them as assets either. We were going to let the old buses retire and then we were going to rely on the corporate sector to lease the State the rights to use the new electric buses being rolled out.

A transaction that ends up with the Government having fewer assets because it has done a deal with the corporate sector is privatisation, whatever the name the Government calls it. This kind of selling of public assets, deregulation or outsourcing of services has not only increased economic inequality in our State, it has also reduced our flexibility as a Parliament to withstand shocks and to plan for the future in a way that benefits the people rather than the profits of private corporations. As we have seen many times, particularly with energy, assets are frequently sold below their true value. The sell-off is ordinarily followed by higher prices and charges. Profits boom, which is great for the corporate sector, but the people always end up with downgraded services at far higher cost. As part of the picture of this privatisation away from publicly run services, we have also seen, particularly in the transport sector, the deliberate exclusion of unionised workforces. It is no secret that The Greens are not big fans of privatisation and it is in that spirit that we lend our support to the privatisation restrictions bill.

The bill requires at least an inquiry to be held to show transparency, so the Parliament would be able to decide whether the assets of the public should be sold off. I have noticed a really disturbing narrative creeping into this place over the past couple of years. Every time the Government gives or allocates funding to a service or an institution or announces that it is paying for a project, the Ministers and Government members in this place tell members of the public that they should be grateful for this money being spent in their communities. But, of course, it is not the Government's money to give and never has been. In the same way, the assets of this State, which we rely on for centuries to come, are not the property of this Government to sell off whenever it chooses. If any further assets are to be privatised, they should be brought before this Parliament for proper scrutiny. It should not just be done by Government under some mistaken idea of an election mandate. I flag that The Greens will move an amendment to the bill to close a loophole in proposed new section 8A (4) (b), which states:

Nothing in this section prevents a sale, disposal or lease ...

(b) that results in the state owned asset remaining in public ownership or control.

The State-owned asset definition only refers to particular government-owned entities. It looks like there is a loophole under the existing provisions, where the Government could in fact sell an asset from one of those listed entities to a newly created government entity and then sell it on to the private sector. To tighten that loophole and ensure that that does not happen, we propose a very short amendment that we will move at the Committee stage. With that, and given how much chatter is happening across the table, I conclude that The Greens wholeheartedly support the bill.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (15:55): The Government will not be supporting the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021. I will not move a motion to adjourn this debate. The bill is a very flawed piece of legislation, but the primary reason the Government is opposing it is there is a process, as the Hon. Daniel Mookhey knows, for the approval of legislation. The Government is given an opportunity to consider a bill and then comes back and tells the House it opposes or supports it. We normally like to go through that process and at least have the opportunity to consider legislation and form views as to why we oppose or support it. But we have not been afforded that opportunity. It would be inappropriate to pre-empt a position of the Cabinet and Government in indicating a substantive position.

Further, given that asset recycling provides a strategic benefit to the operations of Government, we will not be rushed into its consideration of the bill. I make the comment that we have heard a lot of discussion about double-A, triple-A and the like. The Hon. John Graham, on behalf of the Opposition, made a big fuss about the ratings agency S&P downgrading the State to double-A plus. Never did the Opposition allude to the fact that in coming to that conclusion, and in downgrading Victoria below New South Wales because of the former's substantial borrowings pattern, the ratings agency said it did not downgrade the New South Wales economy further because of its borrowings due to this Government's strong asset recycling program.

The Hon. Daniel Mookhey: Further.

The Hon. DAMIEN TUDEHOPE: Potentially further, like Victoria, which does not have an asset recycling approach. Because of our approach to debt, the building of infrastructure and delivering outcomes for the State, which is predicated on an asset recycling basis, the ratings agency was not nearly as severe as it might have been. The Opposition ought to take that on board and acknowledge the role of the ratings agency in assessing the strength of the New South Wales economy. The Government, as I said, has not had a proper opportunity to assess the content of the bill and the implications of the amendment to the bill. Any feedback received will be carefully considered and work will be done to prepare a full response for the Government's consideration. A thorough consultation process must be undertaken for the Government to ensure that all aspects of the bill have been properly considered before a final decision is made.

Asset recycling is a key initiative to support infrastructure spending, fiscal repair and balance sheet reform. Any asset considered for a potential asset recycling transaction is subject to rigorous assessment and governance oversight to ensure that the transaction will proceed only should there be overwhelming economic and social evidence that it is in the best interests of the people of New South Wales. In addition to rigorous Government scrutiny, any potential transfer of a State-owned corporation is subject to parliamentary scrutiny, as those assets require enabling legislation that must be passed by both Houses of Parliament. The Hon. Daniel Mookhey knows that. There is a certain redundancy in the bill because it fails to acknowledge that an oversight function is conferred on Parliament by the enabling legislation. I had an early involvement in the Act of Parliament for the sale of the electricity generation assets. Legislation was involved, so Parliament had a role to play in oversight. We took that sale to an election. The extent to which the bill is justified, on the basis of giving Parliament oversight, is flawed.

The Hon. Daniel Mookhey: As opposed to WestConnex. You never brought forward legislation for WestConnex.

The Hon. DAMIEN TUDEHOPE: Let me come to WestConnex. The sale of the WestConnex project generated \$20.4 billion of proceeds in total—\$9.26 billion in 2018 and \$11.1 billion in 2021. That represents a successful and prudent process on the Government's part. The sale of WestConnex is part of the Government's prudent, long-term strategy to bolster the State's finances, while also supporting the New South Wales economy by investing in job-creating projects that will drive the State's COVID economic recovery. The proceeds from the electricity networks, Land and Property Information and ports transactions have contributed to the establishment of the Restart NSW Fund, which has funded roads, rail, water, recreation, health, education and housing assets. The Snowy Hydro transaction, with the Commonwealth-generated \$4.2 billion, seeded the Snowy Hydro Legacy Fund. That fund invests in productive infrastructure to support regional economic development. The bill requires consultation with senior Government officials to formally consider the Government's position. For all those reasons, namely, the strength of our asset recycling program and the failure to have proper consideration of what is proposed, the Government does not support the bill.

The Hon. MARK LATHAM (16:02): One Nation also does not support the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021 because it is full of loopholes. In fact, upon close examination, it could be a dangerous bill for the future of New South Wales. We need to ask the Labor Party—the party that sold the Commonwealth Bank, Qantas and umpteen agencies in Canberra and New South Wales—if it comes to this debate with clean hands. It now says that it has a relatively short list of assets never to be sold without the full consent of both Houses of Parliament. The old rule in politics is to look closely at what has not been said to get the full meaning of what the political party is trying to say. A whole range of assets that could be sold have been left off the list. I was reminded of that just last Friday when we were at Government House for the presentation of our magnificent Presiding Officer to Her Excellency the Governor—sans the Government Whip, who was supposed to deliver the reply but was sent to the aerotropolis to nod. But if we look at the footage of Scott Morrison, the Hon. Shayne Mallard was not nodding at all.

The Hon. Shayne Mallard: I was not happy with it.

The Hon. MARK LATHAM: I acknowledge that interjection. He was not happy with the comments of the Prime Minister lending some form of sympathy to the Melbourne protesters, a point I am sure the Hon. Rose Jackson will take up in her contribution. He will not be invited again because he could not do the nodding. It is not so hard a political skill to nod, is it? But I did notice on that esteemed occasion that Government House is a building of historical significance. Under the last Labor Government, Labor cleared the Governor out, priming Government House for sale on the real estate market.

Reverend the Hon. Fred Nile: Shame!

The Hon. Natasha Maclaren-Jones: Shame!

The Hon. MARK LATHAM: Members are calling out "shame". Looking at the bill, Government House is not on the list. As we left the gathering, having enjoyed the hospitality and the noble occasion of the President's

presentation, I noticed on the ground not far from where the Hon. Daniel Mookhey had exited a little business card that on one side said, "Obeid developments" and on the other side said, "Macca makeovers". I am wondering what sort of real estate ambitions the shadow Treasurer has about Government House. Will he too clear the Governor out and prime the site for a real estate sale? In his dazzling, magnificent attire today, I can imagine him whacking a stake in the ground to sell Government House. He is dressed for success today. I point out to the Chamber that sometimes the things that are not on the list tell us the real intention. Are we seeing today the de facto unveiling of Labor's secret privatisation agenda?

The Hon. Daniel Mookhey: Government House?

The Hon. MARK LATHAM: Well, you got close last time, priming it for sale. The business card was clear: "Obeid developments" on one side and "Macca makeovers" on the other. That is a real concern, not just for monarchists but also for traditionalists around New South Wales. As I was enjoying the hospitality of the wonderful National Party, none of whose members are in the Chamber—they are probably up on the twelfth floor in their magnificent parlour for the occasion of John Barilaro's farewell—I looked out upon the magnificent vista of the botanic gardens. The Hon. Sam Farraway has just entered the Chamber, having been in the magnificent National Party accommodation on level 12—which one day will look great with the One Nation banner, as we colonise that site.

As I looked out across the vista of the botanic gardens and the harbour further in the distance, I noticed the State Library of New South Wales in front of me. That building also is not on the list. Why would the shadow Treasurer not prohibit the sale of the State Library of New South Wales? We know his agenda. He is desperately looking for room to expand the Have a Looky Mookhey library. So the plan and the funding ideal is obviously to sell the State Library of New South Wales, which has been left out of the bill, and lease it back for the expansion—

The Hon. Daniel Mookhey: To pay for my Standing Order 52 requests?

The Hon. MARK LATHAM: I acknowledge that interjection. I am onto him. I am onto him big time. He would expand the Mookhey library because we are running out of space in the Clerk's office. It is more crowded than a three-storey walk-up flat in Fairfield.

The Hon. Daniel Mookhey: Bigger than the branch books for the Fairfield branch, that's true.

The Hon. MARK LATHAM: He wants to add the Fairfield branch books of the Labor Party. What, signed off by Joe Tripodi? He has the trifecta: Obeid, Macdonald and Tripodi in his real estate ambitions. It is getting worse. I reiterate to the shadow Treasurer the old adage that when you are in a hole, stop digging. He has clearly exposed the agenda. Another asset that is not included in the bill is this building. It is a fair question for a Presiding Officer: How do we fund the enormous expense of bollards, frosted doors, Hibbs, the Speaker's courtyard or Elizabeth Broderick, which are multimillion-dollar expenses? I would not be surprised if a future Labor Government through this secret privatisation agenda put the old hospital building—our Parliament House building—up for sale. The list goes on: schools, TAFE, hospitals, the harbour bridge. The member says it is not true but if he is only going to stop the sale of the toll side of it, what about the asset?

Old Jack Lang would be rolling in his grave to hear that Labor is not preserving the harbour bridge asset, the Metro or rail. The Transport Asset Holding Entity [TAHE] is mentioned but we cannot sell TAHE. The provision for that should be to unravel it; but, no, the Opposition wants to freeze it. There are many contradictions in the bill because great State assets like Taronga Zoo across the harbour and Dubbo zoo have not been included. If they are so important to Labor, why are they not listed in the bill? We have truly uncovered the secret privatisation agenda of the future Minns-Graham-Mookhey Government. The bill is inadequate and goes against economic sense. From the party that sold the Commonwealth Bank and Qantas and which, under Carr and Egan and Iemma and Costa, began the electricity privatisation in New South Wales, the bill is a stunt. But when we drill into it, it is also a dangerous proposition because many assets could be sold. The Parliament is entitled to ask why Labor has not protected those assets.

The Hon. ROSE JACKSON (16:09): I support the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021 introduced by my colleague the Hon. Daniel Mookhey, the shadow Treasurer. It is an excellent piece of legislation. I start by responding to the comments of the finance Minister about why the Government is not supporting this sensible proposition. He first suggested that the Government was not afforded the opportunity to consider the bill, but it was moved last week. The Government has had at least two Cabinet meetings since that time and regularly gives the Opposition mere days—24 hours, 36 hours—to consider legislation. I can think of two bills in the past week—the parklands bill about drilling under Callan Park and the Stronger Communities bill, because Henskens stuffed up the Children's Guardian regulation power—where Opposition members had to conduct shadow Cabinet by email because legislation was dropped on us.

The idea that the Government has not had adequate time to consider the bill is completely preposterous. It is also a relatively simple proposition. It is a process for how the Government would manage the sale of State-owned corporations if that was what it wanted to do, so it is not that complicated. The fact that those opposite could not get their heads around it in a week does not instil a lot of confidence in the economic management of the State under this Government. The Hon. Mark Latham's point as to why One Nation will be opposing the bill is, quite honestly, preposterous.

The Labor team quite annoyingly bang on all the time in this Chamber about how bad privatisation is. I suspect the Government is sick of always hearing me and my colleagues outlining what a disastrous economic plan privatisation is. The preposterous suggestion that the bill reveals our secret plan to privatise the Parliament or privatise Government House with some bonkers, made-up business card is ludicrous. If members do not support privatisation then they should vote for the bill; if they do support privatisation then they should not vote for the bill. Fair enough, I get that. But the idea that there is some secret agenda here is ridiculous when it is really obvious what the Opposition is doing. In a way, I wish the bill was not necessary. I would prefer that governments were up-front with the people: "We are going to an election and we will sell this or do this." That is fine and it is clear, but the bill is necessary because we have seen one of the most massive breaches of trust with the community in recent years.

In the lead-up to the last election and coming off the back of their obsession with privatisation over the past few governments, those opposite started to get a whiff that the community were getting jack of this and were sick of seeing their revenue-generating assets sold. Former Premier Gladys Berejiklian was directly asked by David Speers in a debate in the context of the upcoming election, "What is going on with privatisation? What is next?" She explicitly ruled it out. No more—that was the commitment the Premier gave in the lead-up to the last election, and what did we see after the election was finished? That was completely out the window. Buses, WestConnex, social housing—you name it, the sell-off continues. The bill is necessary in circumstances where that breach of trust has occurred.

I was going to list all the things the Government has sold, as I have done before in my many speeches against privatisation in this Chamber, but I will not do that because everyone is tired and it is the last sitting day. I merely say that, from my point of view, the critical part of the bill is the inquiry, because the touted benefits of privatisation are so often illusory. That is not just something that I am saying; that is coming from people like Rod Sims. He ain't no Labor radical. He is the Chair of the Australian Competition and Consumer Commission, a pretty dry economist by anyone's reckoning, and he has been really clear in recent years that the privatisation agenda that we have seen from governments like this Government is bad for the economy and bad for productivity. Those are not my words; those are his words. When we know that the benefits of privatisation are always oversold and never delivered on, and when senior economists are raising serious questions about the robustness of this economic model, we should have a full inquiry before any such action is undertaken by this Parliament.

We also know that the public loses out as a consequence of privatisation. I will not list all of the examples, but the most recent one is the light rail operator. It was revealed in recent weeks that the light rail operator put profit over customer safety. That is what happens when private profit is prioritised over public good. Those opposite refuse to call it privatisation, of course. I will keep calling it privatisation, but they prefer "asset recycling"—what weasel words; what political speak. When the Government is selling State-owned assets to the private market, those opposite can call it whatever they want, but the outcome is stripping away revenue-generating assets from the State and transferring them into private ownership. The benefits of that capital injection always go overseas. The Government takes the money and then puts the jobs and investment offshore. We lose out in the short term because the Government sends the capital overseas, and then we lose out in the long term because we do not have the revenue-generating asset.

I am specifically concerned about Sydney Water and Hunter Water. Since the Government has sold off so many other utilities and State-owned assets, Sydney Water is being absolutely pumped and primed for dividends. Sydney Water's dividends were almost \$1 billion in recent years. Whilst those opposite have said on previous occasions that they have no plans to sell Sydney Water, you cannot believe a word they say because that is what the Premier said about privatisation before the last election. It is pretty clear to me when I look at the management of Sydney Water and the way it is currently being run that it is absolutely being primed for privatisation.

It is being primed for sale, and that would be an absolute disaster for the people of New South Wales. In other countries that have privatised water utilities, they have been purchased by multinational organisations like Coca-Cola and it has subsequently become illegal for people to do things like collect rainwater in buckets because that undercuts the profit of the private water operator. That is not made up; that is the actual experience of other countries that have privatised their water utilities. The fact that Sydney Water is being run in a way that is priming it for privatisation is of real concern and speaks to the need for this legislation.

The finance Minister mentioned that it was poor economic management to support a bill like this because privatisation was necessary to ensure the State's triple-A credit rating, and an anti-privatisation agenda would imperil that triple-A credit rating. I think the Treasurer talking in the newspaper about racking up more debt is probably a bigger threat to the Government's triple-A credit rating than a parliamentary process to establish the economic benefits of privatisation. This is a great bill and a smart process. The genuine concerns about the privatisation of Sydney Water speak to the need for this legislation right now. I reiterate: Labor members could not be clearer that we do not support privatisation of essential State-owned assets. That is the choice that the people of New South Wales face now and will face at the next election. Those who want more privatisation should vote Liberal or vote Nationals. Those who do not want privatisation should vote Labor. That is clearly why the bill has been introduced.

The Hon. MARK BUTTIGIEG (16:19): It will not come as a surprise to my colleagues in this place that I want to contribute to debate on the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021, having been an employee for many years of one of the entities that was sold. I congratulate my colleague the Hon. Daniel Mookhey for bringing this very important and timely piece of legislation to the House. It is reasonable and straightforward. It is simply saying that you require the approval of both Houses of Parliament before you sell a public asset. It is not a revolutionary concept. I do not think the idea that you would ask your representatives to filter major asset sales before they are sold is controversial. The fact that the Government will not go near this and will not support it tells you everything you need to know.

Privatisation has been a big issue. I am disappointed with my colleague the Hon. Mark Latham for putting a humorous bent on this. I thought he would have called it out instead of saying that we are going to sell Government House, the library and all the rest of it. It was a humorous anecdote, but I would have hoped that he would have used his economics background to explain to the Chamber why you do not sell natural monopolies. It was humorous and I enjoyed it. The Government has absolutely sold out the people of New South Wales. We have seen a myriad of assets sold over the last 10 years or so. It results in a reduction of the State's asset base and value. It results in a reduction of service provision, as you transfer that asset into a private operator's hand, usually with monopoly control. Increased prices usually occur as a result of that monopoly power. Just as importantly, there is a loss of economic control on behalf of the public because they no longer control an asset that provides key services like water, electricity and toll roads.

Like my colleague the Hon. Rose Jackson, I am not going to read out the whole list, but I will read out some of the generic, emblematic headlines: desalination plants, ports, electricity generation, electricity supply networks, toll roads, water assets and land registries, just to name a few. There has been \$93.4 billion of public assets sold. These assets used to be owned by the people of New South Wales for the provision of those services for their benefit. As I said, you can understand, at a philosophical level, if you are a true liberal and you believe in the free market and competition, that what you do is you get out of markets where the private sector does it better. That is where there is ease of entry and exit into markets, where there are no barriers and where it is subject to competitive markets. This is just a con. Selling off natural monopolies where there are barriers to entry, where there is no natural competition and letting the private sector benefit from that monopoly control is simply perpetrating a financial fraud on the people of New South Wales. That is why it should be put through the filter of this piece of legislation, which says that your representatives in both Houses are going to run an eye over this before we go down that path again.

I will run through some examples, in an economic sense, to show what a fraud it has been. If we take the electricity assets that were sold in 2015, people may recall at the time that it was called a lease. A 99-year lease is effectively a sale. My colleague Reverend the Hon. Fred Nile was instrumental in some of those job protections at the time, which took some of the sting out of it. I acknowledge that. At the end of the day, the assets are gone. They have been sold. Endeavour Energy, Transgrid and Ausgrid have all been sold. That is pretty much all of the eastern seaboard part of New South Wales' electricity distribution assets. Essential Energy is still in public hands because a deal was done with The Nationals. Those other three distributors grossed about \$30 billion worth of asset sales between them, but that is a gross figure. After retiring debt, the Government actually got a small fraction of that, but let us just look at the headline amount.

At the time, those assets were returning about \$2.7 billion back to the New South Wales taxpayer in dividends and tax equivalents, which those distributors had to pay to the Federal Government. We are talking about almost \$3 billion on \$30 billion. Over 10 years, with that forgone revenue stream, you could have paid off the asset. We are six years through that 10-year period. In four years' time, had we kept those assets, we would have paid for the money that the State got. I am talking about the gross amount, not the net debt. On top of that, not only have we lost the asset that we could have paid off in 10 years' time, but electricity prices have gone through the roof. There is a simple reason for that: The public have lost control of the power to keep a lid on prices because they no longer own the asset that distributes the electricity.

The generation and the retail was also sold off, which then became quasi-oligopolies. There are three or four firms in the generation market and the retail market that have got that locked up, and they are gouging the prices out of the consumers. The network asset that sends the electricity down the wires is owned by a couple of superannuation funds that are constantly having to get rid of staff because the regulator keeps telling them that they have to reduce their network charges. When I came into this Parliament a couple of years ago, the count was about 5,000 jobs that we had lost in the electricity distribution industry in New South Wales. What sort of a deal is this? There was a \$30 billion sale—which is almost gone in forgone revenue, six years into the 10-year period—prices have gone through the roof and we have got rid of 5,000 jobs. That is supposed to be a good deal. The companies that have now got the assets are laughing because they are getting the money that the public used to have by virtue of ownership of those assets.

Let us look at the toll road example as well, which is another massive fraud and transfer of wealth from public hands into the private sector for monopoly gain. Again, these are assets that have got natural barriers to entry. You cannot just knock up a toll road overnight. The Government should do the right thing by owning them on behalf of the public and controlling the cost. The cost of the M4 was about \$4.5 billion. Part of that was publicly funded through public-private partnerships [PPPs]. The revenue stream from the M4 over the life of the contract is \$27 billion. That is some seven times the value of the cost. What the Government has done is got a chunk of public money and helped the private sector by giving it a toll road and saying, "Here you go. Here is your toll road. You can take \$27 billion over the life of the contract."

The average person—the tradie, the doctor, the nurse or the teacher—travelling on those toll roads is going to pay hand over fist for the next 20 to 30 years. The poor old New South Wales taxpayers get treated like mugs by this Government and have to hand over their assets for the benefit of the private operator so it can make a killing. This reminds me of the movie *The Sting*, with Paul Newman and Robert Redford. It is a bit more sophisticated in the way it is sold, with things like asset recycling and public-private partnerships, but, when you boil it down, it is a sting.

The Hon. Mark Latham: Great movie.

The Hon. MARK BUTTIGIEG: Great movie. It is a similar story with the M8 and the M5. Again, the cost was some \$4.5 billion, partly funded by public money through public-private partnerships. The revenue stream is \$18 billion over the contract period. It is not quite as bad as the M4, but it is still five times the value. Members can see a pattern here. A chunk of public assets is given over to the private sector for a song. Sometimes those relationships can be quite cosy. The Government gets a great revenue stream down the track and, to boot, it makes the public pay for it in higher costs for the services that they should have been controlling and that the Government, on behalf of the public as owner of the assets, should have put a price on. This bill is important because we have had enough of the fraud and the sell-offs. When the Government makes such a momentous decision to transfer public wealth into private hands, it should always go through both Houses of Parliament.

I make a final point. This is how the whole asset recycling con is dressed up: The Government sells the asset, transfers it to the private sector. Sure, it might not be a great deal—we end up with higher electricity prices and huge tolls—but we are getting this great infrastructure, right? What is the money being put into? It is being put into trains that do not run because they are made overseas with cracks in them. The Government is exporting jobs and using taxpayers' money not only by taking it out of their hands and giving it to a private monopoly, but also by then investing it to create jobs overseas instead of in New South Wales. We are getting trains that do not fit tracks and are too wide for tunnels. It is absolutely outrageous. We have ferries that are riddled with asbestos and will not fit under bridges. And the Government tells us that the New South Wales public—the taxpaying public—should not have a say through its Parliament? The Government wants to say that it is in the gift of the Premier and Treasurer to decide. The fraud is up, the trick is up, and this bill should be supported because the people of New South Wales deserve to have carriage over their own assets and their own destiny of service provision.

The Hon. DANIEL MOOKHEY (16:31): In reply: I thank all members who contributed to debate on the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021: The Minister for Finance and Small Business, the Hon. Damien Tudehope, the Hon. Mark Latham, the Hon. Rose Jackson and the Hon. Mark Buttigieg. The finance Minister commented that the Government is not in a position to support the bill because the Government has not had time to consider it. I will be clear. I do not believe him. The bill has sat on the table for five days, which is the standard practice, as the Hon. Rose Jackson made clear. It is more than the standard practice required for both sides of the House to reach a position on any bill or any proposal.

Furthermore, I refuse to believe that this Government is so inefficient that it cannot reach a position on proposed legislation. Therefore, I suspect it has another motive that was undeclared, which is an intent to sell more of the State's public assets. Part of the reason I treat with great scepticism the comments made by the Hon. Damien Tudehope in this debate is that, while he is here providing an anodyne description of the

Government's response to propositions, since the Opposition introduced the bill the Treasurer has been advancing in public debate the proposition that he is indeed looking to sell even more assets.

Earlier this week, after interviewing the Treasurer, *The Daily Telegraph* reported that he intends to look at asset sales. In fact, his strategy around "budget repair", as he put it, is more debt and asset sales. That is how he intends to turn around the State's budget. The fact that the finance Minister made no such reference to those interviews is telling in itself. We can conclude one of two things: that the finance Minister is at loggerheads with the Treasurer on this agenda, which is an open suggestion that we could lead, or alternatively he is in on the ruse. That is the only other conclusion that I can reach. It is unsurprising because, as the Hon. Mark Buttigieg and the Hon. Rose Jackson made clear during debate, since it came to power this Government has sold \$93 billion of public assets.

That is egregious but most egregious is that a minimum of \$11 billion has been sold in this term of Government despite the clear-as-day promise made by the Government at the last election that there would be no further asset sales. The Government has broken its promise. The Opposition has introduced the Fiscal Responsibility Amendment (Privatisation Restrictions) Bill 2021 to Perrottet-proof and protect the State's assets, to ensure that a Premier without a mandate who is facing a budget that is collapsing is not going to rush to auction off the State's remaining assets before the people of New South Wales can render a verdict on the Government's broken promise from the last election and on the Government's future intentions.

In the absence of a mandate, the minimum that the Parliament should do is prescribe requirements that will compel the Government to at least come to the Parliament and seek a vote in both Houses if it wishes to carry out its not-so-secret plan to sell more of the State's assets. What is worse, as I made clear in my contribution to the second reading debate, is that the other issue the Government still confronts is the vast difference between the road and rail infrastructure it promised the people of New South Wales it would build and what it can afford to build. That funding gap is getting larger as projects blow out and costs go up.

The Hon. Mark Buttigieg referred to the other aspect of this debate, which is not what the Government has sold but how it has used the money. The fact is billions of dollars from the previous sales, especially from the sale of the State's poles and wires, have been squandered on projects that have come in at twice the projected costs, and rising. The CBD and South East Light Rail is a classic example in that genre. That is why we on this side of the House are worried. If the Government intends to keep those promises, about which I say there is a big question mark, it will have to break its promise not to privatise more assets.

The truth is there are three big projects that the Government has no idea how to pay for: a minimum of \$3 billion for stage two of the Parramatta Light Rail, of which only \$50 million is allocated in the budget; the Northern Beaches link; and the Sydney Metro West. At successive elections, the Government promised those three big projects to the people of New South Wales without having a plan to pay for them. That is what will cause the privatisations. It is telling that only a few weeks ago the former transport Minister appeared at the Australian Financial Review [AFR] Infrastructure Summit, where he said the way in which the Government intends to get those projects built is to consider selling off the State's remaining poles and wires. He said that as a former Minister. It is remarkable that he would go so far.

The one thing I would say, which is something I am yet to accuse the former transport Minister of, is at least he was honest to the audience of the Australian Financial Review [AFR] Infrastructure Summit. He might not be honest to the people of New South Wales, but he certainly was to the AFR Infrastructure Summit. When the former transport Minister is barracking for more asset sales and the Treasurer says asset sales, his recipe for fiscal recovery is privatisation and more debt, especially when the Government has no mandate, the Opposition says this bill has to pass.

That brings me to the comments made in debate on the bill by my good friend the Hon. Mark Latham, who has certainly made a specialty of identifying certain theories, exposing them on the floor of the House and, it seems, building a political movement based on exposing conspiracies. No conspiracy will go untreated or unexamined by the Hon. Mark Latham in this place. This time he says that he has unveiled the secret conspiracy for Labor to sell Government House, the State Library of New South Wales, Taronga Zoo and the New South Wales Parliament. As tempted as I am to engage in the specifics, I will only say a couple of things.

The Hon. Mark Latham can rest assured that the Labor Party will not sell Government House. In fact, when it comes to Government House, for centuries the Labor Party has been on the side of the emancipists in battle with the exclusivists who have always wanted to preserve Government House for the preserve of the landed gentry and the noble rich. In fact, for centuries Labor has campaigned to make that a public building to ensure the public has access to it. Rest assured, Labor will not sell New South Wales Government House—neither the one in Macquarie Street nor the one in Parramatta. When it comes to the State Library, as tempted as I am to claim it for myself as part of the Mookhey Wing, which I constantly am promised but it never gets funded, I assure members it will

remain in public ownership. I think it is a great pride of Sydney that we reserve the best views in the city for our elephants and our giraffes. Long may they continue to gaze over the harbour from Taronga Zoo under public ownership. But the serious point here—

The Hon. Mark Latham: Why is it not in the bill?

The Hon. DANIEL MOOKHEY: The Hon. Mark Latham interjects, "Why is it not in the bill?" Let me explain why the Opposition has not felt the need to specifically include Government House, the State Library, Taronga Zoo, Western Plains Zoo at Dubbo or the two Houses of Parliament itself in this bill. It is because the bill covers State assets in which the New South Wales Government retains an equity interest. Those assets are the State-owned corporations and every other vehicle that the Government in the last 10 years has created to mimic a State-owned corporation, especially those that cover our road assets in order to evade being public assets. That is the real logic behind this bill. The Government has an equity interest in all the assets that are listed in the schedule to the bill. That is why the bill covers those specifically.

With respect to the road assets, I cannot help but remind the House that the Government put ownership of the road assets in a proprietary limited company in order to evade all the requirements of the State Owned Corporations Act. The Minister says that when it comes to privatisation, that will face a parliamentary vote. But not when it came to the \$20 billion WestConnex because the Government created this legal contrivance in order to evade freedom of information laws, parliamentary scrutiny and the requirement of a vote. I was racking my brain to recall the specific instance in which either this House or the lower House had the opportunity to vote on the privatisation of WestConnex. I checked the minutes of proceedings of both Houses to see whether or not I missed that vote.

As it turns out, there was never such a vote—\$20 billion of assets sold without having to answer to Parliament. As the finance Minister is fond of saying, "Past performance is an indicator of future performance". When it comes to road assets—be it the Western Harbour Tunnel, the Sydney Harbour Tunnel or the Sydney Harbour Bridge—past performance is an indicator of future performance, which is why the Opposition says those assets should be protected in this bill, and they are. I look forward to the vote. I look forward to the bill passing this House. I look forward to the Government supporting it in the other House, and I look forward to my invitation to Government House where this bill will be signed in a building that is in public ownership and that will remain in public ownership for centuries to come.

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

The House divided.

Ayes 17
Noes 17
Majority..... 0

AYES

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

NOES

Amato	Faraway (teller)	Martin
Banasiak	Franklin	Mitchell
Borsak	Harwin	Nile
Cusack	Latham	Poulos
Fang	Maclaren-Jones	Roberts
Farlow	Mallard (teller)	

PAIRS

Graham	Ward
Searle	Tudehope
Secord	Taylor

The PRESIDENT: There being 17 ayes and 17 noes, the Chair has the casting vote. Putting my personal views to the side, the Chair should vote for further discussion where this is possible. As a result, I cast my vote with the ayes to allow further debate.

Motion agreed to.

The Hon. DANIEL MOOKHEY: I move:

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

Motion negatived.

In Committee

The CHAIR (The Hon. Trevor Khan): There being no objection, the Committee will deal with the bill as a whole. There is one amendment, The Greens amendment No. 1 on sheet c2021-247A.

Ms ABIGAIL BOYD (16:56): I move The Greens amendment No. 1 on sheet c2021-247A:

No. 1 **State owned assets**

Page 4, Schedule 1, proposed section 8A(6). Insert after line 6—

(q) another government-owned entity.

I talked about the reason for this amendment in my contribution to the second reading debate. It is simply plugging what appears to be a loophole in the bill. The amendment adds to the end of proposed section 8A (6) the words "another government-owned entity". At the moment, there is only a bunch of listed entities. I understand the rationale for including that list; it is a list of the entities that currently own public assets, and we want to capture them. However, earlier in the provisions there is a statement that if the Government was to transfer one of those State assets to another government-owned entity, that would not be caught by the Act, which makes sense. However, it creates a loophole where the Government could make a transfer, as an intermediate step, to a newly formed government-owned entity that is not caught under proposed section 8A (6). The result of that would be that the Government could sell it on and avoid the provisions of this most excellent bill. That is why The Greens have proposed this amendment. I understand that the Hon. Daniel Mookhey has accepted my pedantry on this point and agreed that it is indeed worthwhile to close that loophole.

The Hon. MARK LATHAM (16:58): I very much welcome The Greens' amendment. I am impressed that they listened to my persuasive rhetoric about the loophole—the whole series of loopholes. The debate was very revealing in that clearly Labor's policy is still to clear the Governor out of Government House. The honourable member in his dazzling attire could easily be imagined whacking a "for sale" sign into the ground there. He was sizing it up last Friday. The shadow Minister for housing looked at it as a refuge. She had a tape measure out and was taking all the dimensions of Government House. It is part of Labor's secret privatisation agenda. The party that sold the Commonwealth Bank, the party that sold Qantas, the party that initiated—

The Hon. Tara Moriarty: You were in the party then.

The Hon. MARK LATHAM: I was not going to argue with Paul Keating and I do not think that the Hon. Tara Moriarty would either—and the party that initiated electricity privatisation in New South Wales through Carr and Egan, and Iemma and Costa, clearly still has a privatisation agenda. So One Nation very much welcomes this amendment moved by Ms Abigail Boyd to add to page 4 "(q) another government-owned entity". Our contribution to the debate has been to expose the shameful Labor secret privatisation agenda, wrapped up in all sorts of ambitions about expanding the Mookhey library next door and wrapped up in the real estate at Government House and all the other assets I mentioned that were not part of the original Labor bill.

I think that at the next shadow ministry meeting, the next caucus meeting of the Labor Party, a lot of Labor MPs will be asking the shadow Treasurer why he did not place a subsection (q) in this bill to cover off the privatisation agenda. I feel very sorry for all the Labor caucus members who would have accepted him at face value that he had no secret agenda. They too have been conned, just like the rest of us in the Parliament. The second reading debate and an examination of this bill clearly showed that there was a loophole or scope for Labor's secret privatisation agenda. One Nation supports the amendment moved to close that off. In that capacity, once the amendment is carried, we will be in a position to support the bill.

Mr DAVID SHOEBRIDGE (17:01): Ms Abigail Boyd's amendment may have come about as a result of the debate but, in which case, she has a prescience that I do not quite understand, having circulated the amendment at midday yesterday. I think that Ms Abigail Boyd's amendment came because she read the bill, formed an independent view, saw a loophole and shut it on behalf of The Greens. I am grateful for her work. We support the amendment.

The Hon. DANIEL MOOKHEY (17:01): Is the Government going to speak?

The Hon. Don Harwin: No. We will just watch the unfolding chaos.

The Hon. DANIEL MOOKHEY: Great. I welcome The Greens amendment as an additional form of protection that has been added to this bill, where the protection is so sorely needed, dare I say. I pay tribute to Ms Abigail Boyd for the diligence with which she inspected the bill and then also dovetailed it with the lived experience of this Government which, if it is not in a position to sell an equity interest, will just asset strip the corporation and move it to another organisation and sell that off. That is a reasonable scenario. On that basis I very much welcome the support of the amendment. I also take this opportunity to reiterate, again, for the benefit of the Hon. Mark Latham, that if he were worried about Labor's secret plan to sell Government House he should not be. Labor is not selling Government House. But, if he does not trust me, at least this amendment will come to the rescue.

The CHAIR (The Hon. Trevor Khan): Ms Abigail Boyd has moved The Greens amendment No. 1 on sheet c2021-247A. The question is that the amendment be agreed to.

Amendment agreed to.

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

Motion agreed to.

The Hon. DANIEL MOOKHEY: I move:

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

Motion agreed to.

Adoption of Report

The Hon. DANIEL MOOKHEY: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. DANIEL MOOKHEY: I move:

That this bill be now read a third time.

The House divided.

Ayes21
Noes 14
Majority..... 7

AYES

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

Field
Graham
Houssos
Hurst
Jackson
Latham
Mookhey

Moselmane
Pearson
Primrose
Roberts
Searle
Sharpe
Shoebridge

NOES

Amato
Cusack
Fang
Farlow
Farraway (teller)

Franklin
Harwin
Khan
Maclaren-Jones
Mallard (teller)

Martin
Mitchell
Nile
Poulos

PAIRS

Moriarty
Secord

Ward
Taylor

PAIRS

Veitch

Tudehope

Motion agreed to.*Documents***TREASURER AND MINISTER FOR TRANSPORT AND ROADS BRIEFING NOTES****Production of Documents: Order****The Hon. DANIEL MOOKHEY:** I move:

That private members' business item No. 1554 outside the order of precedence be considered in a short form format.

Motion agreed to.**The Hon. DANIEL MOOKHEY (17:15):** 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 or modified between 15 September 2021 and 13 October 2021 in the possession, custody or control of the Treasurer, the Minister for Transport and Roads, Treasury, Transport for NSW, or the Department of Transport relating to the commencement of the Treasurer and the Minister for Transport and Roads:

- (a) all briefings, notes and reports prepared for the Treasurer, the Hon. Matt Kean, MP, on the commencement of his role as Treasurer, including all briefings, notes and reports prepared by any State-owned corporation or public finance corporation (icare or TCorp);
- (b) all briefings, notes and reports prepared for the Minister for Transport and Roads, the Hon. Rob Stokes, MP, on the commencement of his role as Minister for Transport and Roads, including all briefings, notes and reports prepared by any State-owned corporation; 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 that relates to the incoming briefs for the Treasurer and the Minister for Transport and Roads. I will not detain the House too much on this matter. I make four main points about it. The first is that there was a change of Treasurer and of transport Minister. It took place when the Government changed on 4 October. Secondly, as a result of that, both of them would have been handed briefs about the issues to do with them and their portfolios. The third point is that a like call for papers under Standing Order 52 was made with respect to the Premier's brief, which revealed some very interesting information about the state of the Government, especially when it comes to election commitments and those that have been retained.

There is the precedent that documents like this can be produced to the House without breaching any element of Cabinet confidentiality or Cabinet information. Indeed, the fact that the Department of Premier and Cabinet was capable of complying with a like order, almost word for word, suggests very strongly that the Government is in a position to comply and produce this information to the House. None of this is covered by Cabinet confidentiality clauses or requirements. Furthermore, it is really important that the House has an opportunity to access this information, for two reasons. We are in the midst of one of the biggest economic shocks the State has experienced in its history. We as a House are entitled to be able to judge precisely the Treasurer's actions in response, relative to the advice he has received from the Treasury, and to see the extent to which the two align. Furthermore, we are entitled to see as a House what other risks the State confronts, be they budget, fiscal, economic or from State-owned corporations. Those are the reasons why it is important that such information is adduced.

The transport Minister was appointed circa 11, 12 or 13 October—sometime around then. Since that time a light rail system has cracked and had to be shut down, ferries that are not waterproof have sailed on our seas and in our harbour and a myriad of issues to do with the Transport Asset Holding Entity. Therefore, if that is what we know has gone wrong in the slightly more than a month that the transport Minister has been in office, I am really interested to see what else the transport department is warning could go wrong.

These documents are prepared by the public service, usually after general elections. It is always the case that one is prepared for the Government and one is prepared for the Opposition, should it take power. There are practices and precedents in both this Parliament and other parliaments around the country, and the national Parliament, in which such evidence is produced under freedom of information laws or to the parliaments after calls for papers. Therefore, it is sensible that we seek to exercise our power to compel this for no reason other than to ensure that the further deliberations of this House, when it comes to such important matters as the economy and the transport department, are assisted by ensuring that everybody is on an equal information basis. There is an accountability aspect to this call for papers but there is equally another important reason we have this power, and

why we are choosing to exercise it, which is to make sure that we legislate with the best available information. I commend the motion to the House.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (17:19): The Government does not support the order for papers. It has been a longstanding practice that the Treasurer will prepare an incoming brief for every incoming Treasurer. The brief provides the history of the department, information concerning the department's leadership and what the policy objectives are. In addition, it contains the current state of affairs and outlines a policy position that the Treasurer should take. This means that the incoming Treasurer's brief contains Cabinet-in-confidence material. That is because, as I mentioned before, it provides a policy position that the Treasurer should take to Cabinet.

Further, the brief contains summaries of important upcoming Cabinet decisions, which the incoming Treasurer will need to get his head around in order to get up to speed on what is happening. Additionally, the document contains the previous Treasurer's positions on a range of issues that he has taken to Cabinet and are pending a decision. Those opposite know that the concept of Cabinet in confidence exists so as to protect the deliberations of Cabinet and, in particular, the position that a Minister takes to Cabinet. The House should remember that it was those opposite who argued this position in *Egan v Chadwick* when they were in government and the Court of Appeal agreed. In *Egan v Chadwick* the majority in the court confirmed:

The Cabinet is the cornerstone of responsible government in New South Wales, and its documents are essential for its operation.

The most important part is this:

That means their immunity from production is complete. The Legislative Council could not compel their production without subverting the doctrine of responsible government, a doctrine on which the Legislative Council also relies to justify its rights to call for documents. It follows that Cabinet documents can never be produced until released by Cabinet.

Let us circle back. The incoming Treasurer's brief contains upcoming Cabinet decisions, the previous Treasurer's position in Cabinet and a recommended position for the Treasurer to take to Cabinet. This means, in simple terms, that it is Cabinet in the purest sense. Perhaps the Hon. Daniel Mookhey is seeking these as an exercise in learning how to formulate good government policy, now that he is shadow Treasurer. We cannot criticise him for doing that. But, as argued in the *Egan v Chadwick* case, the court found that this House has no right to compel the production of Cabinet documents. Therefore, instead of drafting these requests, I respectfully suggest that the honourable member exercise his considerable talents in other directions, rather than asking something of the Government that it cannot do.

The Hon. DANIEL MOOKHEY (17:22): In reply: I appreciate the comments of the Minister. It is by far the most polite refusal and rejection of my position that has been mounted by any Government Minister whatsoever. Nevertheless I do not think the House should be persuaded by it. I will make the final point that, should the House compel the production of the papers and should they be, in fact, produced, there is a reasonable chance the Treasurer would read them then.

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

The House divided.

Ayes21
Noes 13
Majority.....8

AYES

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

NOES

Amato	Harwin	Martin
Cusack	Khan	Mitchell
Farlow	Maclaren-Jones	Nile
Farraway (teller)	Mallard (teller)	Poulos

Franklin

NOES

	PAIRS	
Houssos		Ward
Secord		Taylor
Veitch		Tudehope

Motion agreed to.

Committees

SELECT COMMITTEE ON PUPPY FARMING IN NEW SOUTH WALES

Membership

The PRESIDENT: I inform the House that the Clerk has received the following nominations for membership of the Select Committee on Puppy Farming in New South Wales:

Government:	Mr Amato
	Ms Cusack
	Mr Franklin
Opposition:	Mr Searle
	Mr Veitch
Crossbench:	Mr Banasiak

As stated in the resolution of the House establishing the committee, Ms Emma Hurst and Ms Abigail Boyd are crossbench members of the committee. The Hon. Mick Veitch is Chair. Ms Emma Hurst is Deputy Chair.

Motions

NATIVE FOREST MANAGEMENT

Mr JUSTIN FIELD: I move:

That private members' business item No. 1580 outside the order of precedence be considered in a short form format.

Motion agreed to.

Mr JUSTIN FIELD (17:34): I move:

- (1) That this House notes that despite the devastation of the 2019-20 bushfires in New South Wales forests, ongoing community concerns of the impact of native forest logging post-fires, public disputes between Forestry Corporation and the NSW Environment Protection Authority over the adequacy of the Coastal Integrated Forestry Operation Approvals to ensure the sustainability of continued logging, and questions about industry viability due to wood supply impacts from the fires—the Government has kept secret a Natural Resources Commission report that it commissioned to provide certainty to the community and industries over these issues.
- (2) This House condemns the Ministers responsible for failing to release and respond to the Natural Resources Commission report commissioned to provide advice on Coastal Integrated Forestry Operation Approvals operations post the 2019-20 bushfires in a timely fashion, or to address the ongoing concerns of the community and industry about the future of our forests.

This morning *The Guardian* published the executive summary of the Natural Resources Commission [NRC] report entitled *Final Report: Advice on the Coastal IFOA operations post-2019-20 wildfires*. I acknowledge the fantastic journalism of Peter Hannam and Lisa Cox. Following the publication of that article, I published the remainder of the document on my website, which the Government has fought to keep secret for almost six months. It is a document that this House has called for multiple times under Standing Order 52, but the Government has refused to provide it. The contents cannot be described as anything other than shocking and unequivocal in their implications for the future of our native forests and the timber industry in New South Wales. The report tells us what anyone who lived through the 2019-20 fires instinctively knows: that the fires changed everything and business as usual for the logging of native forests in New South Wales is simply not possible nor acceptable.

The only fair analysis of the report's findings is that the ongoing logging of native forests is environmentally and economically unsustainable, and we need a plan to transition out of native forest logging in New South Wales. This expert scientific report from the Government's independent natural resources adviser, the NRC, calls for a three-year moratorium on logging of native forests in three areas of extreme risk around Narooma,

Nowra and Taree. It calls for substantial logging restrictions in a further six high-risk regions, including all of the South Coast of New South Wales, and additional controls across most of the North Coast. Forestry Corporation has active logging coupes today in areas identified as extreme and high risk. The NRC has warned of "serious and irreversible" harm to the environment of continued logging in those areas. The report makes clear that with or without those additional controls there will be a significant long-term impact on available timber supply out to 2070, especially on the South Coast.

I can understand why some members of the Government did not want the report made public. It demands urgent action, which the Government has been unwilling to consider. It is another example, like the koala wars, of the ongoing fights between the Liberals and Nationals over natural resource management within the New South Wales Government, which end up in political stalemate and policy inaction. That inaction risks "serious and irreversible" harm. It prolongs the uncertainty for an industry the report acknowledges was already precarious before the fires. That industry is now entirely unviable. It is simply unacceptable that the Government has not responded to the report. I acknowledge the individual who made the decision to give the report to the media in the public interest. It is courageous and warranted. I hope it will force the Government to act. I accept that there are instances where Cabinet secrecy is appropriate, and where complex and contested issues require careful consideration of the facts in a holistic way without the argy-bargy of public debate. But that cannot justify an absolute right to keep important expert scientific evidence secret indefinitely.

The fires started over two years ago. Forestry Corporation was issued stop work orders over breaches of post-fire rules over 15 months ago and prosecutions are on foot today. The report was first flagged as needed 12 months ago, but logging continued when the report process went silent. The report was supposed to be the solution to disputes between the NSW Environment Protection Authority and Forestry Corporation, but when it did not say what some Government members wanted it to say, they buried it. When I gave notice of the motion I did not know that I would have read the document by the time I contributed to debate. The motion calls on the House to condemn the Ministers who kept it secret, but I recognise that condemnation serves no purpose for the communities and the industry when the report calls for such urgent action. Therefore, I seek leave to amend paragraph (2) as follows—

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): Mr Justin Field cannot amend his motion after it has been moved. Another member will have to move the amendment on his behalf.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (17:39): The Government will not be supporting the motion. The Government treats Cabinet confidentiality seriously. I refer honourable members to the website of the Department of Premier and Cabinet, which highlights that it is essential that the confidentiality of Cabinet documents, including draft Cabinet documents, is maintained to enable full and frank discussions to be had prior to Cabinet making its decisions. Collective ministerial responsibility is at the core of Cabinet decisions, and the unauthorised or premature disclosure of Cabinet documents undermines that collective ministerial responsibility. The Integrated Forestry Operations Approvals rule set was a decision of Cabinet in 2018. Just because the Government announced the Natural Resources Commission was doing some work on post-fire impacts, it does not follow that the report should automatically be in the public domain. Cabinet in confidence is not an ambit claim. They are well established conventions, and they must be protected for the proper functioning of the Executive Government.

The Hon. MARK LATHAM (17:41): One Nation also opposes the motion, in some part because it is outdated. The member is seeking an amendment to paragraph (2), but paragraph (1) refers to a secret Natural Resources Commission report that the member himself has pointed out is no longer secret. It has been published by *The Guardian* website, so the first part of the motion is redundant. The report is no longer secret, and the member needed someone to move an amendment to clear up paragraph (2). It is no longer much of a motion, is it? Without knowing the details and not being a frequent reader of *The Guardian* website, I must confess—

Mr Justin Field: You should give it a crack.

The Hon. MARK LATHAM: I will give plenty of things a crack, but I will not engage with the likes of Peter Hannam, who is a fake news merchant and is totally unreliable as a journalist. I will go to reliable sources of information. I have seen his reporting and it is fake news; there is no doubt about that. I will go to reliable sources of information first and foremost, and I will look at fabrications further down the list. The main concern here is that Mr Justin Field constantly moves motions trying to destroy the timber industry and timber jobs in New South Wales. That is the problem with single-lens politics, where one looks at things through just one dimension. I can proudly say that One Nation always defends jobs, but it also supports environmental policies where no jobs are at stake. That balance should be struck, particularly coming out of the COVID period and into economic recovery. It is harsh and cruel to be part of a campaign to throw timber workers on the scrap heap based on a report that is no longer secret being put up on a left-wing website by a fake news journalist.

Whatever the report is saying and however reliable it might be, the great fraud on the people of New South Wales is all the predictions that those bushfires we are talking about from two summers ago were supposed to become a permanent feature. Do members remember that talk in New South Wales? When the horrific bushfires swept through the east coast of Australia and particularly New South Wales, the propagandists—including some of the honourable members opposite—were constantly saying this is a permanent feature and will happen every summer. The last summer we had was barely a summer at all; it was as mild as. By looking at the spring that we have not had—

The Hon. Penny Sharpe: La Niña, that's why. It's not going to last forever.

The Hon. MARK LATHAM: Those opposite say it is climate change, but those things are seasonal. La Niña and El Niño are regular features of the weather so we cannot ascribe those things to climate change, yet that attempt is being made. Plenty of members on the Opposition side of the Chamber said that the bushfires are permanent; they will happen summer after summer after summer. Clearly, that has not happened. The timber industry is trying to get back on its feet. The last summer in New South Wales was very mild, and the coming one looks like it will also be mild and bushfire free—touch wood, of course. The motion should be rejected. It is mild and wet.

The Hon. PENNY SHARPE (17:44): Yes, this season. The fires are coming back. Let us look at what the motion actually says. Paragraph (1) of the motion talks about an ongoing dispute between Forestry Corporation and the NSW Environment Protection Authority over the way in which the Coastal Integrated Forestry Operations Approvals are operating, particularly post-bushfires. I was here for the debate in 2018 when that was hard fought for and when the Hon. Niall Blair said that would fix those issues. I will seek to amend it in a moment to be clear that members are not condemning the Minister. We are just asking the Government to respond to the Natural Resources Commission report. How those opposite choose to respond to that is entirely up to them. This is not a controversial motion and is in line with the Opposition's attempts to get information about this.

We cannot downplay, in the way that the Hon. Mark Latham has, the impact of the bushfires across this State and think that somehow they will never happen again. All the science tells us that we will have fires again and that they are getting more intense. I urge the Hon. Mark Latham to talk to the various fire experts who have spoken at great length about what that is going to be like. They are probably not the people that he likes to listen to, but I am pretty interested in what firefighters have to say about their experience and what the science says. I move:

That the question be amended by omitting paragraph (2) and inserting instead:

- (2) That this House calls on the Government to urgently respond to the National Resources Commission's final report on Coastal Integrated Forestry Operations Approvals operations post 2019-20 wildfires.

Mr JUSTIN FIELD (17:46): In reply: I thank members for their contributions. I might give the Hon. Mark Latham a copy of the report. If he cares about the timber industry then he needs to understand the risks that it faces based on the evidence provided to the Natural Resources Commission—the Government's own independent natural resource adviser—and its analysis of the impact on the ground and identification of the wood supply risks to that industry. It is not just a matter of leaving it alone and thinking it will regrow and then the industry can get back on its feet. That is what this report is all about.

There needs to be a reaction from the Government—whether it is about sustaining our forests and the species that rely on them for the future, with the ecosystem services and benefits that we get from them, or whether it is about ensuring there is a timber supply for the future and thinking about where it will come from if not from those forests. The report points to a catastrophic risk to the natural environment and to the timber industry, and it warrants the consideration of all members of this place in a serious way. Calling it fake news because the Hon. Mark Latham thinks that will play well on Sky after dark is absurd. It does a disservice to the people of New South Wales, including the people that some members purport to represent.

To the Government's contribution to this debate: Clearly I am frustrated, having been involved in this discussion and having seen Forestry Corporation's contractors deliberately flout the rules that were put in place after the bushfires. Having seen the disputes that played out between the Environment Protection Authority and Forestry Corporation and then the Government coming up with this as a fix, and having seen Forestry Corporation decide to start logging again anyway when the whole thing went quiet—clearly I am frustrated by that. But I recognise that this report now offers an opportunity for us to move forward with this evidence on the table and to respond in a way that addresses the concerns that are deeply felt in the community, not just for the future of their forests but also for the industries in their communities.

With this evidence now on the table and out there in the public realm, it is unacceptable that those opposite say it is Cabinet in confidence and they will make decisions in their own good time. This was urgent 18 months ago; it is certainly urgent now. I call on all members to support the amended motion. I support the amendment

because now is the time for action for our forests, for our timber industry and for our communities. This is not something that goes away without an active response by Government.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): Mr Justin Field has moved a motion, to which the Hon. Penny Sharpe has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the motion as amended be agreed to.

Motion as amended agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ROSE JACKSON: I move:

That private members' business item No. 1578 be postponed to the next sitting day on which private members' business takes precedence.

Motion agreed to.

Motions

MELBOURNE PROTESTS

The Hon. ROSE JACKSON: I move:

That private members' business item No. 1531 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. ROSE JACKSON (17:51): I move:

- (1) That this House condemns, in the strongest terms, protests in Melbourne earlier this week that used gallows and death threats, Nazi symbols and other offensive imagery.
- (2) That this House condemns the Victorian members of Parliament who stood alongside such protests in which participants said they wanted to see the Victorian Premier "dance on the end of a rope".
- (3) That this House calls on the New South Wales Premier, the Parliament of New South Wales and the Prime Minister to condemn these protests and the Victorian members of Parliament who participated in them and expresses its support for peaceful protest and the right of the members of the Victorian Parliament to be safe from threats of violence.
- (4) That this House supports the right of people to protest but makes clear that this does not include death threats and threats of sexual violence against members of Parliament, staff or others.

I was motivated to move this motion after the scenes that we saw in the Victorian Parliament in recent weeks. As fellow parliamentarians in New South Wales, looking at what occurred there should concern us. It should concern all Australians who are committed to our democratic society that scenes like that would occur and not be condemned in the way that we would expect them to. I remind members of what actually happened. There were protests against the lockdowns and vaccination mandates in Victoria. So far, that is completely legitimate. In a democracy like ours, there is a place for people to express their serious displeasure with decisions of government. It is something that I have participated in myself and have no problem with. I have a problem when those rallies involve death threats. Crowds were chanting, "Hang Daniel Andrews." Another quote from protesters was, "I am looking forward to the day where I get to see you dance on the end of a rope," referring to the Premier of Victoria.

People turned up to the protests with punching bags in the form of the Victorian Premier. They took gallows and nooses to the protests. They made repeated threats of violence against the Premier and against members of Parliament, who have reported death threats and threats of sexual violence against them, their families and their staff. There is a line between legitimate democratic protest and unacceptable threats and incitement to violence, and that line has been crossed in Victoria. It is the place of the New South Wales Parliament to call it out. If there were protests in New South Wales against the Liberal-Nationals Government where people made those kinds of threats against our Premier and our health Minister and brought along gallows and nooses, I would condemn them. It is not about politics or Labor or Liberal—whatever party one is in. One is either for the free expression of speech without threats of violence or one is not.

If protests occurred here and Labor members attended and stood alongside protesters who said those things and failed to call them out, I would condemn my colleagues. That has not happened in New South Wales because, unlike the Victorian Opposition, the New South Wales Opposition has tried to engage constructively with the management of the pandemic. Nonetheless, these protests occurred in Victoria. They were attended by a number

of members of the shadow Cabinet in the Victorian Parliament, who encouraged colleagues to "engage with the crowd". This is the same crowd that is literally calling for Daniel Andrews and members of his Government to be hanged. The correct response is not to engage with them but to condemn them. We heard from the Prime Minister that he understands there is no place for violence in a democratic system, but—and there is always a but—he could understand the frustration and that people were upset with governments "telling Australians what to do". Governments have been telling us to stay at home and get vaccinated because that is how we can keep ourselves and our communities safe. It is something that politicians from all sides of Parliament can completely understand and should support.

Mr Morrison later shared a video of his comments about the protest on his Facebook page, where he edited out his condemnation of the threats of violence. He put a video out where he said he understood the frustration, but he edited out the bits where he condemned the violence. This is a concerning trend. We have seen in the United States, which is another democratic country, where this can lead. It led to literal riots within their version of our Houses of Parliament, the Capitol Building. We have to condemn this. People can protest and have their voices heard, but they cannot make death threats or threats of sexual violence against politicians and others. If they do, we will unequivocally condemn it.

The Hon. MARK LATHAM (17:56): This motion reveals the true priorities of the Hon. Rose Jackson. She had two items on the agenda. One of them was about housing affordability in New South Wales, and she is the shadow housing Minister. She has junked that and instead chosen to debate something that happened in Victoria. I know that she missed out on the seat of Auburn and that this Chamber is not her first choice, but it sounds like she is a frustrated Victorian parliamentarian. She would love to be a part of the Andrews Government. I am happy to donate a one-way ticket to Victoria if she wants that. This is not a motion that is relevant to New South Wales.

Of course we condemn violence and threats of violence against any parliamentarian in any part of the world. The reality is that, in the Victorian protests—as in most protests—there are always a few people who spoil it for the majority. That is always the case. Why are we eating up the time of this Parliament with a Victorian motion that has been dealt with extensively not only in the Victorian political system but also in the Australian Parliament? Why has it come to the New South Wales upper House when this member could have moved a motion about housing affordability? I am reading from the *Notice Paper*. That is what she has junked. She does not care about people who are homeless or missing out on housing in New South Wales.

She has junked a motion saying that there is a housing emergency in New South Wales. She has junked a motion saying that we should accept the recommendations from the Regional Housing Taskforce and that we should abolish no-fault eviction. I was going to move an amendment saying that we should also have stamp duty reform. This was a chance for the New South Wales Parliament to move substantial policy to help home owners and renters in New South Wales. Instead, because of the honourable member's addiction to student union politics and because she cannot resist the temptation to get into the skirmish and things that happened in another State, she has junked her commitment as the shadow housing Minister to do something about housing in New South Wales and chosen to make a political statement about Victoria. The train has basically left the platform. This was dealt with a week ago. The Hon. Shayne Mallard refused to nod behind the Prime Minister. That was his silent protest about it. It has been done to death.

The student union politician opposite cannot resist this. It is as if she is still in the back halls of the University of Sydney dealing with irrelevant nonsense, reflecting on things happening on the other side of the world or in a different part of the Commonwealth. The shame here is that Labor has not got a shadow housing Minister who is interested in housing. This is a shadow housing Minister who does not want to talk about housing affordability in our State, but is instead talking about something that will get no coverage or publicity and has no relevance at all. We all saw the protest in Victoria. We know what went wrong. Would it not be better if we were trying to help people in our State as we have been elected to do? Taxpayers are funding the salary of this member who does not want to talk about housing in New South Wales.

The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (17:59): I could not possibly repeat the comments that the Hon. Mark Latham made when reflecting on another honourable member or making an imputation of motives. Apart from that, I could not disagree with anything he said. It was excellent. I will not take the opportunity to take a swipe at the Hon. Rose Jackson, if I can put it gently like that. We are the Parliament of New South Wales, as the Hon. Mark Latham said, and we have better things that we should be talking about. As a member of this House, I have always resisted the idea that we should spend a large portion of private members' day debating motions about international affairs. In my early time in this place we spent a large amount of time in formal business voting on motions about international relations matters. I cannot help but be reminded of a student union, as the Hon. Mark Latham said, or in particular the Australian Union of Students, as it was in my day, or the

National Union of Students as it is now. Today is the last private members' day of the year. Let us hope that next year we are doing what we can to focus on the needs of the people of New South Wales.

The Hon. MARK BUTTIGIEG (18:01): I address some of the points made by those opposite. Every member of this Chamber has a right to contribute in whatever way they see fit. If we are talking about wasting time, I have seen some ridiculous, trivial and idiotic matters brought to this House. If members want to talk about using up time—

The Hon. Wes Fang: Bus services!

The Hon. MARK BUTTIGIEG: The Hon. Wes Fang interjected with, "Bus services!" Clearly, members opposite do not care about bus services in the Eastern Suburbs.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): Minister Harwin will come to order.

The Hon. MARK BUTTIGIEG: For a member to have the temerity to say that a private member does not have the right to call out vile, disgusting behaviour says a lot about what they stand for. Every member has the right to raise anything. It is more than valid for a member to come to this place and call out vile behaviour. They have right to do it. Members might want to know that the reason the honourable shadow Minister has postponed her motion on social housing is that apparently there are amendments that she wants to work through in a thoughtful way. That is what we do on this side of the House. For members to have a go at another member for calling out bad behaviour is reprehensible. They are the ones who should be ashamed, not us.

The Hon. ANTHONY D'ADAM (18:02): I just have to catch my breath. I raced down because I was so appalled by the contributions of the Hon. Mark Latham and the Hon. Don Harwin in debate on the motion. We make the political culture. We help set the framework in this democracy. If we are prepared to sit back and let the kinds of events and behaviour that have occurred in Victoria go uncommented on, then we bring shame on this House.

The Hon. Mark Latham: What about you screaming at Natasha?

The Hon. ANTHONY D'ADAM: You've had your turn.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): Order! Both members will come to order and consider the time. This is the final sitting day of the House. Let us get this done.

The Hon. ANTHONY D'ADAM: The Hon. Mark Latham has always been an apologist for those kinds of groups and dark forces in our society that threaten our democracy. We must take a firm position against those kinds of things. We must stand up, say it is wrong and condemn it unequivocally in the strongest possible terms. The contributions that I heard today were disgraceful. I am appalled at the positions that were adopted in this debate by the Government member and the Hon. Mark Latham.

The Hon. ROSE JACKSON (18:04): In reply: I emphasise that I do not consider discussion on the motion to be abstract. In other countries members of Parliament have been killed. Recently, this House sent a letter to our colleagues in the House of Commons about the death of another of its members. It was not the first member that had been stabbed by a violent extremist. A Labour member and a Conservative member have been killed in knife crimes in the United Kingdom. My colleague the Hon. Anthony D'Adam is right. These things matter. We are taking only 15 minutes to send a message that no-one can make violent threats and death threats against members of Parliament.

I do not think that is a waste of time or abstract. I am asking nothing more than the House pass a motion. I understand from contributions from Government members that the Government is supporting, not opposing, the motion, but the member launched a personal attack on me because I happen to move a motion calling for the condemnation of violence. It is absolutely ridiculous. If members opposite condemn the violence, they should say, "We condemn the violence." The member should not accuse me of wasting time. He should not say it is an abstract issue and does not matter to the Opposition. It does matter to us. It matters critically to the kind of democracy that we live in.

The choice of the Hon. Mark Latham and the Hon. Don Harwin to have a go at me just because I moved a motion saying, "Hey, our friends, brothers, sisters and colleagues in the Victorian Parliament are really copping it right now and that is not acceptable to us, so we want to send a message about that," as though somehow that is an outrageous proposition, is quite alarming. As I said, this motion is not about politics. I was not trying to make it a Labor issue or a Liberal issue. I have tried to be absolutely clear. If members of the New South Wales Liberal-Nationals Government were being targeted in the same way by protests here, given support by members here, I could not be stronger in my condemnation of that.

This is not about party politics. This is about everyone sending a message that the behaviour is unacceptable. Taking 16 minutes of members' time on private members' day to send that message is an entirely appropriate thing to do. Members on the other side of the House can mock me, joke about me, say whatever they like about me. I do not mind; it does not bother me. It rolls right off my back, but it shows the character of those opposite that that is how they choose to engage in debate when I am simply saying we should treat people with a bit of respect.

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

Motion agreed to.

ANIMAL HOARDING

The Hon. EMMA HURST: I move:

That private members' business item No. 1558 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. EMMA HURST (18:07): I seek leave to amend private members' business item No. 1558 outside the order of precedence for today of which I have given notice by omitting paragraph (2) and inserting instead:

- (2) That this House calls on the Government to review laws with regard to recognising animal hoarding as a standalone offence and allowing a greater capacity for courts to order counselling and psychological assessment, while also ensuring that the animals involved can be protected.

Leave granted.

The Hon. EMMA HURST: Accordingly, I move:

- (1) That this House notes that:
 - (a) animal hoarding describes a situation where a person has a large number of animals in their care and fails to provide them with minimum standards of care including nutrition, sanitation and veterinary treatment, often leading to injury, disease or death of the animals;
 - (b) animal hoarding is often associated with mental health concerns;
 - (c) despite this recognised link to mental health, people who are charged with animal hoarding are often charged for animal cruelty offences under the Prevention of Cruelty to Animals Act 1979, and face large fines or jail time;
 - (d) research shows that the recidivism rate for animal hoarders is very high, with a nearly 100 per cent of animal hoarders reoffending; and
 - (e) punishing animal hoarders under standard animal cruelty offences is failing to protect animals against future harm, and is also failing to recognise the complexity and association with mental health for the offender.
- (2) That this House calls on the Government to review laws with regard to recognising animal hoarding as a standalone offence and allowing a greater capacity for courts to order counselling and psychological assessment, while also ensuring that the animals involved can be protected.

Animal hoarding refers to situations where a person has a large number of animals but fails to provide them with adequate care and fails to recognise how the animals are suffering because of that lack of care. According to the RSPCA, an estimated 20,000 animals are being kept in hoarding conditions in New South Wales and approximately 200 hoarding cases are uncovered in a single year. Hoarded animals are often not desexed and breed indiscriminately, further increasing the number of animals in the person's care. Often the hoarder and the animals live in squalid conditions. The animals are often cramped together in small spaces, without adequate care, vet treatment, food, exercise or socialisation, creating risk of disease, illness and even death.

As a former psychologist, I know that animal hoarding is often associated with complex mental health concerns. Hoarding is recognised by the American Psychiatric Association as a psychiatric disorder. Psychiatrist and animal hoarding specialist Professor John Snowden says there are different types of animal hoarders. Animal rescue hoarders often falsely believe they are the only people who can care for the animals. Overwhelmed caregiver hoarders have often accidentally become hoarders in a desperate attempt to care for lost or abandoned animals. Without appropriate treatment and support, hoarders repeat the same cycle of behaviour. Studies have found that animal hoarding has an almost 100 per cent recidivism rate.

Animal hoarding cases are difficult for the courts and enforcement agencies alike. Authorities have reported to me that magistrates struggle to decide appropriate sentencing, given the complexity of these cases and the narrow sentencing options in the Protection of Cruelty to Animals Act. I have heard that the authorities also struggle to know how to deal with these cases, given they have to weigh up the risk to the animals involved while also considering aspects such as potential suicidality of the animal hoarder in some circumstances. This is

particularly problematic for inspectors, who are often not trained to deal with coexisting social welfare issues that coincide with animal cruelty.

Taking hoarders to court can also be expensive and time consuming. In 2009 it was reported that animal hoarding was costing the RSPCA up to \$1 million a year, with 15 per cent of their enforcement budget invested in fighting legal challenges with accused hoarders. Just yesterday I read an incredibly sad story about the RSPCA seizing 56 Great Danes from the home of a dog hoarder. The RSPCA stated that it had spent nearly \$1.4 million in vet and food bills since seizing the animals in January, and that 21 of the 56 dogs were in such poor condition that they had to be euthanised. Currently the only option for enforcement agencies is to charge hoarders with standalone animal cruelty offences under the Prevention of Cruelty to Animals Act, such as cruelty, aggravated cruelty, or failure to provide an animal with food, drink or shelter. This is problematic because we know that fining animal hoarders or sending them to jail is not going to act as a deterrent, and it goes nowhere towards helping them or addressing the underlying concerns.

That is why there is a 100 per cent recidivism rate and why I am calling on the Government to work with the Animal Justice Party on the issue. It is clear our current approach is not working. We need a legislative solution that allows animal hoarders to undergo mental health assessment and treatment, while also ensuring that enforcement agencies can intervene swiftly to remove animals from the person's care and that the hoarder does not acquire more animals. I want to be very clear that there is a big difference between someone who is diagnosed with a hoarding condition and someone like a puppy farmer. Both may have large quantities of animals in their care and both may be failing to provide the basic needs of those animals. But the puppy farmer is simply using and abusing those animals for profit, whereas animal hoarders are often of the false belief that they are actually helping the animals and are often experiencing other complex mental health concerns. It is important for any legislative changes to recognise and be mindful of this critical difference. I encourage all members to support this motion.

The Hon. SHAYNE MALLARD (18:12): The Government will not oppose this motion. From my perspective as a former councillor, I am aware of the issue of hoarding in general and animal hoarding in particular, and how it often relates to mental health issues. I will put a few things on the record around the current tools available to deal with the issue. The reasons for animal hoarding are complex and, as we have heard, often the outcomes can be very sad. The Government has already considered the issue of animal hoarding. As the House would be well aware, the New South Wales Government is undertaking a review of animal welfare reform. Animal hoarding can result in poor animal welfare outcomes. Hoarding can often involve a large number of animals not being provided with adequate care.

I advise that under the Prevention of Cruelty to Animals Act, or POCTA Act, neglect of animals in hoarding situations may constitute, depending on the facts of the case, an offence of failure to provide food, drink or shelter. In more severe cases, it may be considered an animal cruelty offence. I am further advised that, under the POCTA Act, courts can make certain orders to prevent a convicted person from purchasing, acquiring, possessing, keeping, controlling or influencing the care of animals. But as we know, the New South Wales Government is modernising animal welfare policy and legislation in New South Wales in consultation with the community. From 3 August 2021 to 17 September 2021 the New South Wales Government sought community feedback on the *Animal Welfare Reform Discussion Paper*, which set out proposed changes to animal welfare laws.

I am advised that the discussion paper already proposes that the new laws relating to minimum care requirements would capture the neglect of animals in hoarding situations. Cases that result in a more severe impact to the animal could be considered a cruelty offence. The discussion paper also proposes to enable courts to apply disqualification orders where a case has been dealt with using the provisions of the Mental Health and Cognitive Impairment Forensic Provisions Act 2020. I am advised that the changes would also apply to serious animal cruelty offences under the Crimes Act 1900. Importantly, it would provide courts with the flexibility to deal with hoarding cases sensitively for both human wellbeing and animal welfare. Courts would no longer have to choose between using mental health treatment provisions or continuing criminal prosecution to be able to issue a court order to protect animals. I share, as I think all members here would, the community's expectations for animal welfare. That issue concerns us all. The Government has sought and received public consultation on the Animal Welfare Action Plan, which will be implemented. The Government does not oppose this motion. It has great empathy with the issues, indeed.

The Hon. MICK VEITCH (18:15): I speak briefly on this matter on behalf of the Opposition. Labor will support the motion as amended. The contribution from the Hon. Shayne Mallard was quite illuminating about what the Government is doing on this issue. On the basis of the information before the House, the Opposition will support the motion.

The Hon. MARK LATHAM (18:15): One Nation is opposed to this motion on the basis that it is riddled with contradictions. First the Animal Justice Party says we cannot do enough to look after animals, but now, under

this motion, apparently we can have too many animals and be classified as an animal hoarder. The motion, in part, says that the penalties are too soft for those who starve animals, are cruel to them and leave them dehydrated in the practice of animal hoarding. But then the motion also says that those people are mentally ill and they should get off the hook. One Nation's position is, if someone is cruel to an animal—if they starve an animal, if they cannot feed and water the animal and leave them starving, dehydrated and dying—they should not get off the hook in the court system just because they say they have anxiety. It is the animals who have got the anxiety; they are the ones who are worried because they cannot get a feed.

People who are cruel to animals should not be able to get off the hook in the court system because they say they have borderline personality disorder or animal hoarding syndrome. This motion provides an automatic "get out of jail free" card for people who are cruel to animals. I think it demonstrates that, with their single lens focus, the Animal Justice Party has run out of worthwhile, consistent things to bring to the Chamber that would be a worthwhile expression of public policy by the Legislative Council. That is the problem with single-issue parties—eventually they run into a cul-de-sac and they have nothing worthwhile to say.

This motion is riddled with contradictions. We hear all this stuff from the Animal Justice Party—everything from one cannot knock a squid on the head and eat it, to stuff about masturbating turkeys and all those things that wreck our Christmas lunch. This motion should have been at least consistent; it is not. It is an abomination of inconsistency, a jumble of poorly thought-through propositions. At the end of the day, if someone is cruel to an animal, there should be no excuses, no alibis, no nonsense like animal hoarding syndrome. Do something about those people. If the Animal Justice Party cared about the animals it would do something about it instead of making up this rubbish.

Ms CATE FAEHRMANN (18:17): I speak on behalf of The Greens in support of the motion. I thank the Hon. Emma Hurst for doing the research into animal hoarding and for bringing it before the House. One of the reasons The Greens support the motion is that it provides for counselling and psychological assessment of people who are hoarding and mistreating animals as a clear result of a mental health issue, as the Hon. Emma Hurst explained. We provide that support for a wide range of conditions when people get into trouble with the law. Surely we should try to ensure that people who hoard animals do not reoffend. If they are given a jail term or receive a fine for animal hoarding, they will just go and do it again.

This is an issue that clearly needs addressing. I think it is great that it is being discussed in the Chamber. Often there are issues that are swept under the carpet or are slightly too uncomfortable to deal with; it is great that it is before the House and we are talking about it. The Greens absolutely support this. It is sensible, compassionate and will hopefully reduce quite a shocking thing that happens in our society. We have to make sure our laws can address it. I support the motion.

The Hon. EMMA HURST (18:20): In reply: I thank the members who spoke to this motion: the Hon. Shayne Mallard, the Hon. Mick Veitch, the Hon. Mark Latham and Ms Cate Faehrmann. The Hon. Mark Latham talked about contradictions. Interestingly we were tweeting to each other this morning and the Hon. Mark Latham said that the Animal Justice Party does not care about people, yet there is a motion right in front of us that talks about compassion towards people and he has a problem with it. This motion does not suggest removing any of the current penalties. It does not suggest reducing any of the penalties. All it suggests is adding counselling to the toolkit for magistrates. The motion talks about caring for both people and animals. When we are talking about a 100 per cent recidivism rate, the only way we can care about animals is by treating the underlying cause. We do not have to pick between animals and people; we can care about both. That is what the motion does. I encourage all members to support the motion.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. SHAYNE MALLARD: On behalf of the Hon. Mark Pearson: I move:

That private members' business No. 1518 outside the order of precedence be postponed until the next sitting day.

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

That private members' business item No. 1549 outside the order of precedence be postponed until a later hour.

Motion agreed to.

*Documents***WESTERN SYDNEY LOCAL HEALTH DISTRICT MATERNITY SERVICES RESILIENCE ASSESSMENT****Production of Documents: Order**

Ms CATE FAEHRMANN: I move:

That private members' business item No. 1575 outside the order of precedence be considered in a short form format.

Motion agreed to.

Ms CATE FAEHRMANN (18:26): I move:

That, under Standing Order 52, there be laid upon the table of the House within seven days of the date of passing of this resolution the following documents in the possession, custody or control of the Ministry of Health or the Minister for Health and Medical Research relating to the Western Sydney Local Health District Maternity Services Resilience Assessment:

- (a) the Western Sydney Local Health District Maternity Services Resilience Assessment, led by the Clinical Excellence Commission and the NSW Ministry of Health, received by the Western Sydney Local Health District on 6 November 2020; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

I will be brief because this is a very simple request for one document: an assessment by the Clinical Excellence Commission and the NSW Ministry of Health. The title of the report is *Western Sydney Local Health District Maternity Services Resilience Assessment*. Essentially it is an assessment of the very tragic deaths of six babies at Blacktown hospital. I know every member is unfortunately aware of how tragic they were. The issue is very important for the public to know so they can have confidence in the system at Blacktown hospital. That is what this call for papers is for. It is just one document so that the assessment can be made public, to reassure the public the changes have been made and that things are a lot better at Blacktown hospital, and especially so that mums-to-be can have faith that things are better and those parents who unfortunately lost babies can have some closure regarding what the assessment contains. I commend the motion to the House.

The Hon. SHAYNE MALLARD (18:28): I respond on behalf of the Government and will put some facts on the record; perhaps the member might respond. The Government opposes the motion. The senior clinical adviser of obstetrics in the NSW Ministry of Health and the Clinical Excellence Commission were commissioned by the chief executive of the Western Sydney Local Health District to undertake a resilience assessment of the maternity services across the local health district. The resilience assessment of maternity services focused on three sites within the local health district: the Auburn, Blacktown and Westmead hospitals. Due to the sensitive nature of the information in this document, it is not an appropriate document to be subject to a Standing Order 52. I am informed that, due to the member's particular interest in the report, the Government offered to provide her with key extracts from the report and, should that be inadequate, the remaining elements of the report. Given that this reasonable compromise from the Government has not been accepted and the order for papers has been pursued, the Government opposes the motion.

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

Motion agreed to.**WATER ALLOCATIONS****Production of Documents: Order**

The Hon. MARK BANASIAK: I move:

That private members' business item No. 1552 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. MARK BANASIAK (18:30): I seek leave to amend private members' business item No. 1552 outside the order of precedence by:

- (1) Omitting "21 days" and inserting instead "60 days".
- (2) Omitting paragraph (b).
- (3) Omitting paragraph (c).
- (4) Omitting paragraph (g).

Leave granted.

The Hon. MARK BANASIAK: I move:

That, under standing order 52, there be laid upon the table of the House within 60 days of the date of passing of this resolution the following documents created since 1 July 2018 in the possession, custody or control of the Department of Planning, Industry and Environment, Water NSW, or the Minister for Water, Property and Housing, relating to water allocations:

- (a) all documents relating to the Barmah-Millewa Environmental Water Allowance;
- (b) any document which records estimated losses upstream of the South Australian border;
- (c) any document which records estimated evaporation upstream of the South Australia border;
- (d) all documents relating to the carrying over of unused water allocation; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The fortune of southern New South Wales' Riverina, which is Australia's rice bowl, is reliant on water allocation announcements from the New South Wales Government. When water allocations are high and crops are in the ground or being harvested, towns such as Leeton and Deniliquin are humming. A rice crop is the difference between hundreds of jobs on farms and in the rice mills. These jobs form the economic anchor of these towns. Deniliquin is home to SunRice's largest and most sophisticated mill, one of the largest rice mills in the world. At its peak operations, it employed 250 people. In a town like Deniliquin, this is a significant number of jobs. These jobs are at the mercy of water allocation announcements of the New South Wales Government.

The process for determining allocations has been shrouded in secrecy. Farmers and the community have had enough. They want transparency. This motion for an order under Standing Order 52 takes a step down that path. During the three long years of the drought, Murray River general security irrigators had no water. New South Wales' Murray general security allocations were 0 per cent in the 2018-19 water year and 3 per cent in the 2019-20 water year. At the end of the 2020-21 water year, they received an allocation of 50 per cent, but it was too late for irrigators to use the water. Lifelong, multi-generational dairy and rice farmers went bankrupt and moved to the city.

The drought finally broke in 2020. We have had nearly two years of solid rainfall. The headwater dams of Dartmouth and Hume sit at 85 per cent and 98 per cent full today. But, amazingly, as recently as September, Murray River farmers were on only 30 per cent water allocation. Even as the Hume Dam was spilling in August and September, farmers had an extraordinary low allocation. There is a huge amount of speculation surrounding why this is the case. Transparency is needed to dispel that speculation. Farmers have sought answers by writing to the New South Wales Government, but the New South Wales Government has refused to answer their questions.

Our farmers are demanding to know how water allocation decisions are made because their livelihoods are directly impacted. Water allocation decisions made late in the season mean that all-important windows for summer crops are missed, farm business planning is impacted and, along the supply chain, people lose their jobs. That is why the Shooters, Fishers and Farmers Party has taken the lead to fight for farmers in getting transparency around water allocation. The documents requested in the motion seek answers to the mystery of low water allocations. If the Government were transparent and published this information online, we would not need to do this. Before I finish, I thank the Minister's office for acting with maturity and negotiating elements of this motion. In particular, I thank the Minister's staff and Mr Angus Mackie. If Mr Mackie is watching at home, I thank him for his good work. I commend the motion to the House.

The Hon. SHAYNE MALLARD (18:34): The Government does not oppose this motion.

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

Motion agreed to.

TRANSPORT FOR NSW ACTION AGAINST MR THOMAS WOOD

Production of Documents: Order

The Hon. JOHN GRAHAM: I move:

That private members' business item No. 1549 outside the order of precedence be considered in a short form format.

Motion agreed to.

The Hon. JOHN GRAHAM (18:35): I seek leave to amend private members' business item No. 1549 outside the order of precedence by:

- (1) Omitting "Minister for Police and Emergency Services" and "or the NSW Police Force" in the opening paragraph.
- (2) Omitting "transport staffing matters" and inserting instead "action taken against Mr Thomas Wood by Transport for NSW" in the opening paragraph.

- (3) Omitting paragraph (e).
- (4) Omitting paragraph (g).

Leave granted.

The Hon. JOHN GRAHAM: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Transport and Roads, Transport for NSW or Sydney Trains relating to action taken against Mr Thomas Wood by Transport for NSW:

- (a) all documents, created since 1 January 2016, relating to Mr Dennis James Pietrobon, excluding any document relating to the NSW Police Force investigation;
- (b) all briefing notes, talking points, diary appointments and correspondence, created since 1 January 2016, relating Mr Dennis James Pietrobon, excluding any document relating to the NSW Police Force investigation;
- (c) the request for information from the NSW Police Force to Transport for NSW, or the Department of Transport, relating to Mr Dennis James Pietrobon, and the response;
- (d) all documents relating to all complaints or investigations of Mr Dennis James Pietrobon since the commencement of his employment in Transport for NSW, including records relating to the cost of all investigations;
- (e) all documents, created since 1 January 2019, relating to the termination of Mr Thomas Wood's employment by Transport for NSW;
- (f) all documents relating to disciplinary action taken against those involved in the dismissal of Thomas Wood, including the terms of reference and findings;
- (g) all documents relating the appointment of the current Transport for NSW Chief People Officer; 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.

Firstly, I thank Government members for their rapid consideration of the issue. This has avoided technical objections, but I do not think that it will avoid the Government's objection overall. However, it allows us to move through the motion in a smooth way. As a result, I will speak briefly to the motion. I move the motion on behalf of the shadow Minister for Transport. It relates to a complex case and what was described as an unusual case. Transport for NSW has been ordered to pay more than \$300,000 in damages to a manager who has been dismissed. The suggestion in some quarters is that the manager has helped police in the course of that investigation but has been sacked regardless. The manager was dismissed for serious and wilful misconduct. The judge overseeing the case said that it was difficult to see that the records provided to police would ever have been provided without the manager coming forward. The shadow Minister for Transport has called for an explanation. These papers will be helpful in seeking answers. Therefore we move this motion today.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (18:37): The Government does not support the order being sought. This order for papers is in relation to a high-profile NSW Police Force investigation into a brutal and tragic death, which was only recently before the Supreme Court of New South Wales. The accused in the matter was charged by the police force with the offence and committed suicide in custody shortly afterwards. It is hard to understand how a review of the documents relating to him from as far back as 2016 is a productive use of anyone's time. It is in relation to a matter that has been the subject of much conjecture and publicity. We are loath to see this continue for a political benefit to those opposite.

The Supreme Court decision was handed down less than a fortnight ago and is still well within the appeal period. Justice Schmidt made final orders relating to the termination of Mr Wood. As part of its decision, the court also made factual findings in relation to Transport for NSW. Those opposite would be interested to know that Transport had already taken steps to commence its own review of this matter. This review is intended to supplement Transport's conduct management review, which is already well progressed. Transport for NSW does not intend to shy away from the decision of the court and will take all positive and constructive steps to apply the decision to ensure the best possible outcome. This order for papers will do nothing to serve the decision of the court or Transport in its review. For that reason, we will not waste any more time on dealing with this matter and will say simply that the order is opposed.

The Hon. JOHN GRAHAM (18:39): In reply: I thank the Minister for that response.

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

Motion agreed to.

*Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS**

The Hon. DAMIEN TUDEHOPE: I move:

That standing and sessional orders be suspended to allow Government business order of the day No. 1 relating to consideration of the Legislative Assembly's message concerning the Crimes Legislation Amendment Bill 2021 to be called on forthwith.

Motion agreed to.

*Bills***CRIMES LEGISLATION AMENDMENT BILL 2021****In Committee****Consideration of the Legislative Assembly amendments.***Schedule of amendments referred to in message of 24 November 2021***No. 1 Commencement**

Page 2, line 5. Omit all words on the line. Insert instead—

- (1) This Act commences on the date of assent to this Act except as provided by subsection (2).
- (2) Schedule 1.1[2] commences on the day that is 6 months after the date of assent or an earlier day or days to be fixed by proclamation.

No. 2 Bestiality or animal crush material

Page 3, Schedule 1.1. Insert after line 6—

[2] Section 547E

Insert after section 547D—

547E Bestiality or animal crush material

- (1) A person who produces or disseminates bestiality or animal crush material is guilty of an offence.
Maximum penalty—The greater of the following—
 - (a) the maximum penalty for an offence against section 530(1), or
 - (b) imprisonment for 5 years.
- (2) A person who possesses bestiality or animal crush material is guilty of an offence. Maximum penalty—Imprisonment for 3 years.
- (3) Each of the following are defences in proceedings for an offence against this section—
 - (a) the defendant did not know, and could not reasonably be expected to have known, that the material the defendant produced, disseminated or possessed was bestiality or animal crush material,
 - (b) the conduct engaged in by the defendant—
 - (i) was of public benefit, and
 - (ii) did not extend beyond what was of public benefit,
 - (c) the defendant was, at the time of the offence, a law enforcement officer acting in the course of the defendant's duties and the conduct of the defendant was reasonable in the circumstances for the purpose of performing the duty,
 - (d) the material concerned was classified, whether before or after the commission of the alleged offence, under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth, other than as refused classification (RC),
 - (e) the conduct engaged in by the defendant was necessary for or of assistance in conducting scientific, medical or educational research approved, authorised or otherwise permitted under a law of the State or of another State, a Territory or the Commonwealth,
 - (f) for an offence involving possession of bestiality or animal crush material, but without limiting the defences above—the material came into the defendant's possession unsolicited and the defendant, as soon as the defendant became aware of its nature, took reasonable steps to get rid of it.
- (4) Conduct is of public benefit for subsection (3)(b) only if the conduct is necessary for or of assistance in—

- (a) enforcing or administering a law of the State or of another State, a Territory or the Commonwealth, or
 - (b) monitoring compliance with, or investigating a contravention of, a law of the State, or of another State, a Territory or the Commonwealth, or
 - (c) the administration of justice.
- (5) The question of whether a person's conduct is of public benefit is a question of fact and the person's motives for engaging in the conduct are irrelevant.

- (6) In this section—

bestiality or animal crush material means material that—

- (a) depicts or describes—
 - (i) bestiality, or
 - (ii) an animal being crushed, burned, drowned, suffocated, impaled or otherwise killed or subjected to serious injury, and
- (b) is material that a reasonable person would regard in all the circumstances as being intended or apparently intended to—
 - (i) excite or gratify a sexual interest, or
 - (ii) excite or gratify a sadistic or other perverted interest in violence or cruelty.

data includes—

- (a) information in any form, or
- (b) a program or part of a program.

disseminate bestiality or animal crush material, includes—

- (a) send, supply, exhibit, transmit or communicate the material to another person, or
- (b) make the material available for access by another person, or
- (c) enter into an agreement or arrangement to do so.

material includes a film, printed matter, data or other thing of any kind, including a computer image or another depiction.

possess bestiality or animal crush material includes, in relation to material in the form of data, being in possession or control of data, within the meaning of section 308F(2).

produce bestiality or animal crush material includes—

- (a) film, photograph, print or otherwise make bestiality or animal crush material, or
- (b) alter or manipulate an image for the purpose of making bestiality or animal crush material, or
- (c) enter into an agreement or arrangement to do so.

The Hon. DAMIEN TUDEHOPE (Minister for Finance and Small Business) (18:41): I move:

That, having considered the Legislative Assembly's message of 24 November 2021, the Committee does not insist on its amendment No. 1 disagreed to by the Legislative Assembly and agrees to amendments Nos 1 and 2 proposed by the Legislative Assembly in the bill.

The Government strongly supports the intent of the amendment that was proposed by the Animal Justice Party in this House to address the atrocious behaviour of producing or disseminating bestiality or animal crush material. As the Attorney General outlined in the other place, the Government has, with the concurrence of the Animal Justice Party, made three key changes to the original drafting to improve the efficacy of the reform. First, the Government's amendment will create two separate offences—producing or disseminating bestiality or animal crush material, and possession of such material. Second, the Government's amendment will provide a maximum penalty of either five years' imprisonment or the maximum penalty under section 530 of the Crimes Act 1900 for the offence of producing or disseminating bestiality or animal crush material.

The 10-year maximum penalty originally proposed would have meant that a person in possession of material which depicts animal abuse would have faced a penalty double that available for a person who actually engaged in that abuse. The Government's amendment will provide a maximum penalty of three years for the possession of such material. Third, the Government's amendment will replace one of the proposed defences, which

had been modelled on existing defences in the child abuse material provisions of the Crimes Act 1900, with drafting more suited to the animal welfare context. I commend the amendments to the Committee.

The Hon. EMMA HURST (18:43): The Animal Justice Party supports these amendments. Members will recall that last week the Animal Justice Party passed amendments to ban the possession, production and dissemination of animal crush and bestiality videos. This was a shocking gap in our law which urgently needed to be corrected. Since that amendment passed, I have been working with the Attorney General and his team, and we have reached a compromise which is before this Committee today. This amendment is largely identical to the Animal Justice Party amendment, with a few tweaks. The key difference is that it splits the offence into two provisions.

The first relates to the production and dissemination of animal crush and bestiality material—the more serious offence—which has a maximum penalty of five years' imprisonment or the maximum penalty for serious animal cruelty, whichever is higher. The second relates to the possession of these materials, which has a maximum penalty of three years. These new offences will not commence for six months after the date of assent, or an earlier day to be fixed by proclamation. This is to allow the NSW Police Force and other relevant agencies sufficient time to be briefed on the new provisions and prepare to enforce them. I am pleased that today we are finally ending this shocking gap in our laws and banning bestiality and animal crush videos. Most people in the community are horrified to know that this was not already illegal. This has been a major oversight for too long and we are finally fixing it today. I urge everyone to support the amendments.

The Hon. PENNY SHARPE (18:44): The Labor Opposition supports this compromise that has been reached, and we thank the Hon. Emma Hurst for her work in this area. The Animal Justice Party is really changing the way in which Parliament looks at our laws and the way in which we deal with animals. The ability to put together the link between child abuse and this kind of material has been really important, so we are very happy to support the amendments.

The CHAIR (The Hon. Trevor Khan): The question is that the Committee does not insist on its amendment No. 1 disagreed to by the Legislative Assembly and agrees to amendments Nos 1 and 2 proposed by the Legislative Assembly in the bill.

Motion agreed to.

The CHAIR (The Hon. Trevor Khan): Before I call the Minister, I thank all members for the courtesy shown to me in the chair during this year. I hope I have returned that courtesy to all members. I think it has been a very efficient period in the operation of the Committee of the Whole and I hope that continues in the future.

The Hon. DAMIEN TUDEHOPE: For my part, I acknowledge your role in relation to the conduct of Committees. Without you, I do not know how we would have got through some of the Committee periods that we have had to deal with. I think it goes without saying. I move:

That the Chair do now leave the chair and report that the Legislative Council does not insist on its amendment No. 1 disagreed to by the Legislative Assembly and has agreed to amendments Nos 1 and 2 proposed by the Legislative Assembly in the bill.

Motion agreed to.

Adoption of Report

The Hon. DAMIEN TUDEHOPE: I move:

That the report be adopted.

Motion agreed to.

Messages

The Hon. DAMIEN TUDEHOPE: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

Special Adjournment

SPECIAL ADJOURNMENT

The Hon. DAMIEN TUDEHOPE: I move:

That this House at its rising today do adjourn until Tuesday 22 February 2022 at 2.30 p.m. unless the President or, if the President is unable to act on account of illness or other cause, the Deputy President, prior to that date, by communication addressed to each member of the House, fixes an alternative day or hour of meeting.

Motion agreed to.*Motions***SEASONAL FELICITATIONS****The Hon. DON HARWIN (Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts) (18:49):**

That this House note its thanks to the members and staff of the Parliament and wishes seasonal felicitations to all.

Around this time last year in my speech of thanks I borrowed from Dickens' *A Tale of Two Cities*. I observed that "It was the best of times; it was the worst of times", and said that 2020 was a year of challenges. This year started in the hope that the worst had passed; however, it was not to be. But our State survived and is now swiftly returning to business as usual. The arts are back, audiences have returned and we can all look forward to a magnificent summer of great exhibitions and performances to excite and delight those who are looking for that during the festive season.

I commence with thanks on behalf of Government members to all of the occupants of the chair this year. There has been an unusually long list. I start, of course, with my great friend and former colleague the Hon. John Ajaka and President the Hon. Matthew Mason Cox. The Hon. Trevor Khan has been serving in the role of Deputy President since 2015 when I was President, and I congratulate him on a very distinguished term. I thank the Hon. Rod Roberts as Assistant President. We had one or two sharp moments, but I think his training in the NSW Police Force has served him extremely well and he is doing a great job in the chair. I congratulate him.

Then there are all the Temporary Chairs of Committees: Ms Abigail Boyd; the Hon. Catherine Cusack, who is doing very well in that role as well; the Hon. Shayne Mallard; the Hon. Taylor Martin; and the Hon. Courtney Houssos, who also served during the time of President Ajaka. As Liberal leader I extend my thanks to all my Liberal Party colleagues in the Chamber for their support, camaraderie and hard work during this most challenging of years. I give my personal thanks to my Nationals colleagues as well. I think our partnership is in great shape right now, and that is very important for our State. I am fortunate to have the Leader of the House, the Hon. Damien Tudehope, as a colleague. It is not what we thought. I had always thought that he would be a great member for Epping.

The Hon. Mark Buttigieg: Was!

The Hon. DON HARWIN: Yes, indeed he was. I put that badly. He was a great member for Epping, but this Chamber is a better place for having him in the role he is in. He is doing a great job. I also extend thanks to Sam Tedeschi for his assistance with the business of the House and in particular for the way he always acts with good humour even in testing times. I have known Sam since he cut a swathe through student politics at the University of Wollongong. He was, I have to say, quite devastatingly effective. But I will not bore the House with that at this stage. It is another story for another time.

When I first became a Minister in this place, I was the only Liberal Minister. Now there are three with the addition of the Hon. Damien Tudehope and the Hon. Natalie Ward. I am very pleased to have three Liberal Ministers in the Chamber. It helps us build on the effective contributions being made by our Nationals Ministers, the Deputy Leader of the Government and the now Deputy Leader of The Nationals, both of whom I work with extremely well. We are so lucky to have a good ministerial team in the Chamber who all work well together. I extend my thanks to the Government Whip, the Hon. Shayne Mallard, and I welcome him to his new role. I also thank the Deputy Government Whip, the Hon. Sam Farraway. I recall that earlier in the year the Hon. Natasha Maclaren-Jones served as Whip as well with great distinction. I spent eight years as Whip and know how thankless the job can be. This afternoon the two Opposition Whips and I crossed swords; nevertheless I know it is a tough job. I sat in the seat for eight years. Fortunately, I got out of it eventually.

I thank each and every member of the House for their passion, their professionalism and the contributions they make despite what I have had to say. The Chamber is extraordinarily privileged to have David Blunt as its Clerk and Steven Reynolds as its Deputy Clerk. They are assisted by extremely good Clerks at the table and a wonderful department of Legislative Council staff, including my great favourite, the wonderful Kate Cadell. I also extend the thanks of Government members to the audiovisual team, Hansard and the Procedure Office. They have the admiration of the whole House for their work. I acknowledge the rest of the Department of Parliamentary Services staff led by the excellent Mark Webb. What a year they have had in managing the safety and compliance of this building and all the challenges that has presented! They have kept us COVID safe this year on top of all the great work that they do every year, and that means an enormous amount.

As of the end of last week members of the House asked 724 questions without notice and 3,927 questions on notice in 2021. The Legislative Council passed 49 bills, including 42 Government bills and seven private

members' bills. I am advised there had been 388 amendments moved. That has climbed since then, of course. Additionally, 126 amendments were agreed to. Outside the Chamber the Legislative Council has held 145 committee hearings, which has been quite incredible in a year when we have had a significant lockdown. All members of the House working on the committees and, of course, the Legislative Council committee staff are doing incredible work. Honestly, committees have always added to the lustre of our Chamber. But more importantly than that they make an important contribution to the public policy of our State. I note that committee work is not done yet because there are plenty of hearings scheduled between now and Christmas.

I also give a massive thanks, if I may, to my staff at the community engagement division of the Department of Premier and Cabinet, particularly my deputy secretary. I also thank the employee relations branch at the Public Service Commission and mention State cultural institutions, the State Archives and Records Authority of New South Wales and the National Art School. We have made it through the most challenging of times and I believe we have done such good work this year. We are going to do some incredible things for the State and the people of the State during 2022. Finally, I give my deepest thanks to the people who support my work in my ministerial office. They are wonderful people and I am very fortunate to have them on my side.

Every now and then I have used this debate to make a few other brief points. I hope honourable members will indulge me just a little longer. One of the highlights this year that had its genesis in this Chamber was the report into gay and transgender hate crimes, tabled in May. The work of the Standing Committee on Social Issues resulted in the recent joint announcement from the Premier and me of the judicial inquiry into some of the darkest times in our recent history. Justice has been a long time coming and it is to the credit of committee members and those who have worked so hard for so long that that inquiry is now a reality. During his first question time, the Premier said in the other place:

LGBTI members of our community have suffered grave injustices that were not acceptable in the past and they are not acceptable now. Where there is still work to be done to address these injustices, we will do it.

We have made a start with this commission of inquiry and we will have more to say about that soon. I am honoured to be serving in the Government led by Dominic Perrottet. Members may also remember that in my contribution to seasonal felicitations seven years ago in this House I confirmed on record that I was gay. It came as a surprise to virtually no-one, as I had been quite open about it with my family, friends and in the workplace for over 20 years. But it was important for me as President of this Chamber to send a message, particularly to young LGBTIQ people, many of whom face all sorts of challenges while growing up. The fact is that it does get better. It is also appropriate to note that in this Chamber both the Leader of the Government and the Leader of the Opposition are same-sex attracted.

Seven years ago the media ran a story following my comments. Seven years later I can say that after about six months barely anyone had noticed. It does not seem to even be news anymore, and I call that progress. Much is said of the importance of bringing your whole self to work. Elected office is a fairly robust occupation. Nevertheless, I have found Parliament to be a good place to work. I am grateful that I can bring my whole self to work and that I am surrounded by a happy office of staff who can also bring their whole selves to work. I think that is important. I wish all members in the Chamber and all of the staff a merry Christmas.

The Hon. PENNY SHARPE (19:02): On behalf of the Opposition, I express our seasonal felicitations and thank those who have kept our great democracy working in New South Wales. Like 2020, 2021 has put the community through a series of great trials. We have had a difficult couple of years. Starting with bushfires, floods, a pandemic with a series of lockdowns and an economic recession, the adversity of the past few years pushed the people of New South Wales to their limits. They also displayed the extraordinary resilience we hold as a community. Too many people have lost their lives and as we give thanks today our thoughts and good wishes are with those who will have an empty place where one of their loved ones should be sitting during this festive season.

I also thank public servants and frontline workers across the State, particularly our public health teams. They could not stay home, they worked to keep us safe and for that we owe them a great debt. Never before has our community needed the skills of our public health experts more than in the past two years. They have worked hard, saved lives and performed daily miracles to keep us as safe as possible. I hope they get the rest they so richly deserve this summer. Those of us in this place have been fortunate. We have not faced losing our businesses, being worried about putting food on the table or being able to pay our rent or mortgages. We have been able to work flexibly, with IT that works most of the time. For most of us, lockdown was not done alone. Thankfully, none in this place have succumbed to the COVID virus that has hurt so many. For that we have much to be grateful for.

This year has also brought a substantial change to the leadership of this State. The New South Wales Government is now led by a new Premier, the Hon. Dominic Perrottet, and a new Deputy Premier, the Hon. Paul Toole in the other place. In this place, the Hon. Bronnie Taylor was elected as the first female deputy of The

Nationals, an important first we should acknowledge. I acknowledge and thank the former Leader of the Opposition, Jodi McKay, and former Deputy Leader, Yasmin Catley, who are strong Labor women of integrity. I acknowledge the election of Labor's new leadership team in Chris Minns and Prue Car, who are doing two of the toughest jobs in New South Wales politics. They are both ready to take Labor to the next election and hopefully into government. It is a great privilege to take on those roles, and none of us take that for granted.

This year I was also honoured to become the first woman in the Legislative Council's history to lead the Opposition. I thank my predecessor, the Hon. Adam Searle, for the guidance and support he provided to me in this role and his work to make this House function as it is intended—as a House of review. I also thank the rest of the Labor team, who support each other in the important work that we do. On this side of the House we know that when we walk into this Chamber we have each other's backs. I thank my friend the Deputy Leader of the Opposition, the Hon. John Graham, for his calm, wise counsel as well as the Opposition Whips, the Hon. Mark Buttigieg and the Hon. Anthony D'Adam, for their work keeping us all in line.

I extend my thanks to the rest of my Labor colleagues for their crucial work during this difficult year. Despite the sittings of this Parliament being delayed and cancelled, they have utilised every opportunity that arose to hold the Government to account, uncover the truth and advocate on behalf of the people of New South Wales. The committee load has been extremely high for everyone, and online committee work has presented a challenge. I thank everyone for their tenacity and patience. I also thank the Opposition's question time committee—yes, we have one—led by the Hon. Walt Secord and his staff, including Sachin Saxena, who has since left us to redirect his talents elsewhere. More recently, the already long-suffering Gabriel Sassoon has quickly come up to speed after his baptism of fire dealing with us in the past three weeks.

I acknowledge and thank the staff of the Opposition Whips' office, particularly Cara Punch and Ciahn Pertzel, for their tireless, dedicated and flexible work to ensure we all have the information we need when we need it. I acknowledge my staffer, Peta Waller-Bryant. She puts up with me and makes everything we do better. On this side of the House we farewell Ellyse Harding, who is leaving us to work in the office of the Leader of the Opposition in the other place. I especially acknowledge her role in curating and interrogating the Mookhey wing of Standing Order 52 returns. Yes, she is spreading her skills widely. I thank and acknowledge the Government for its work and occasional cooperation, particularly the Leader of the Government, the Deputy Leader of the Government, the Leader of the House and the Whips. The Government may not have the numbers in this place, but those members defend the Government's agenda and accept their fate on Standing Order 52 motions mostly with resigned good humour. I also extend that thanks to Sam Tedeschi, who has perhaps become the true master of this House.

It has been a big year for the Legislative Council. We sat for 37 days, one-third of which were in the past three weeks. That is 372 hours and 21 minutes of sitting time. We have dealt with 669 notices of motion, with 446 private members' business items resolved—we dealt with over 120 of those in the past three weeks alone—164 motions under Standing Order 52 agreed to and 54 bills passed. I think that with the Hon. Daniel Mookhey's excellent privatisation bill, the House has passed 11 private members' bills. I thank the two Presidents who have presided over the House this year, the Hon. John Ajaka and the Hon. Matthew Mason-Cox. Firm and fair, they have presided over this most eclectic mix of humans thrown together by our great democracy with humour. I also thank Deputy President Trevor Khan who, although usually cranky—and not just towards the Opposition!—has made many a complex Committee stage bearable.

I thank the Assistant President, the Hon. Rod Roberts, for his job keeping us all in line. I acknowledge and thank the crossbench members of this place: Shooters, Fishers and Farmers Party members the Hon. Robert Borsak and the Hon. Mark Banasiak; Animal Justice Party members the Hon. Emma Hurst and the Hon. Mark Pearson; Pauline Hanson's One Nation members the Hon. Mark Latham and the Hon. Rod Roberts; The Greens members Mr David Shoebidge, Ms Abigail Boyd and Ms Cate Faehrmann; Reverend the Hon. Fred Nile; and Independent Mr Justin Field. I thank them for their collaboration, passion and vigorous debate. We may not agree on many things, but we have been able to work together in the public interest, which can only ever be a good thing. I also extend my deep gratitude to all of the members' staff who keep us all knowing what we are doing, where we are going and supporting us all so well.

I extend that gratitude to the staff of the Parliament, without whom we simply could not do the job that we are asked to do. Thank you to Clerk David Blunt and his office, Deputy Clerk Steven Reynolds, Susan Want and Kate Cadell. The work that they have done this year to return the Legislative Council to sitting in a COVID-safe way has been exemplary. Thank you for your patience, diligence, discretion and forbearance when we constantly push the envelope of the powers of the Legislative Council and establish yet another select committee.

I acknowledge and thank Usher of the Black Rod Janelle Moore, the Legislative Council Procedure Office led by Beverley Duffy, committee staff led by Stephen Frappell, our wonderful attendants and the staff of Hansard. Particularly to the committee staff and Hansard, we acknowledge the immense pressure that you have been under

with what we have asked you to do. Despite the lack of resources available to them, they do exemplary work. Thank you for your service to all of us.

I acknowledge the staff who have finished their time working for the Legislative Council this year. Sam Griffith, Director of Committees, has gone to the Legislative Assembly. Sarah Dunn, the Principal Council Officer, will leave in December. As we acknowledged most gratefully today, Julie Kirchner, Senior Subeditor of Hansard, is retiring after 30 years. With the stories she could tell, I hope she is writing a book. I extend my thanks to the rest of the parliamentary staff as well: to the library for keeping us in the know, to catering for keeping us fed and watered, to the communications, engagement and education team for getting the people of New South Wales more interested in what we do here, to IT services for keeping us connected, to the cleaners for keeping us safe from COVID and for all of the work that they do, to the special constables and security for keeping us safe from everything else, to the staff conducting rapid antigen testing for making an unenjoyable process so much better, to property management services and facilities, and particularly to Peter Smith—who has moved my office four times in the past 12 months—and to all of the other parliamentary staff who make our lives better in this place: Thank you.

Finally, as the newest Leader of the Opposition, I will give a couple of awards for the year. Depending on how this goes, it may become an annual tradition—we will see. The most eloquent poetry recitation goes to the Hon. Mark Pearson. The most impressive beard may have gone to Sam Tedeschi if it had survived to this point. Instead, of course, it goes to the Hon. Trevor Khan, aka Bad Santa. The most interesting private members' statements award goes to the Hon. Lou Amato, known informally as Dr Lou on this side of the House. The most creative point of order taken goes to the Hon. Walt Secord. The award for adherence to the numbering of the standing orders goes to the Hon. Natalie Ward. I look forward to her learning them over the summer break. For the most problematic number of Red Bulls ingested, congratulations to the Hon. Wes Fang. For services to singing, congratulations to the Leader of the House, the Hon. Damien Tudehope. The last award goes to my colleague for the most supplementary questions for written answers and, I suspect, the most contributions to take-note debates—the Hon. Courtney Houssos. May we all take this time to rest, reflect and recover from a challenging 2021 and look forward hopefully to a better 2022. Be safe, be kind and let us do it all again in February.

The Hon. SARAH MITCHELL (Minister for Education and Early Childhood Learning) (19:12): It is an honour to offer Christmas felicitations on behalf of The Nationals, acknowledging that "felicitations" is the favourite word of my colleague the Hon. Bronnie Taylor. She says it as many times as possible during the last week of sitting every year. I had a look back at my speech from last year, and I was saying that most of us were ready to see the end of 2020 and that it was a really tough year. Is hindsight not a wonderful thing? Little did we know the fun that was in store for 2021, but we have made it to the end of another parliamentary year. I am sure we are all excited to have the opportunity to get home to see our families, particularly after the past three weeks of being here. I am hoping that I can make it home—I acknowledge that Gunnedah, where I live, is experiencing quite a bit of flooding. My family and home are okay, but a lot of our community residents' homes and properties are impacted. We are obviously thinking of them, particularly with more rain to come.

I start with the most important people, and that is our families—not just for those of us who are MPs but also for our staff and the parliamentary staff. These jobs are great, but with the amount of time that we spend in this place—whether we are sitting, in committees or out in communities—we all collectively spend a lot of time away from our families. It is important to acknowledge the sacrifice that they all make for us to do this job. That applies equally to MPs, to our staff and to the parliamentary staff. I thank my husband and my girls Belle and Tilly for everything that they do to support me.

I also thank the very important people that keep this place running. I always start with Kate Cadell, because we all know she really runs the Legislative Council, but also David Blunt as the Clerk. I thank him every year, and every year he deserves it more. I have written "the Stevens" here—Beverley, Susan, Janelle and all of your teams—thank you so much for everything that you do. I thank the attendants and the committee staff. I said earlier today and it definitely deserves repetition: Thank you to Hansard for everything that they do to make us sound fantastic. Sorry for the long hours and sorry for making your jobs harder with the interjections in this Chamber. I think that is what those opposite meant to say when Penny spoke.

The Hon. Mick Veitch: Sorry, Sarah.

The Hon. SARAH MITCHELL: That is okay. I see what you did there, and I like it. To Department of Parliamentary Services staff; to Mark Webb; to the cleaners, who always do a fabulous job but particularly this year; to the cafeteria staff and catering, who keep us fed and most importantly caffeinated during all of our long night sittings; and also to the Health staff whom the Hon. Penny Sharpe mentioned, the men and women downstairs who have been working diligently to ensure that we can sit safely—we certainly appreciate everything that they do to support us.

To you, Mr President, and to your predecessor, the Hon. John Ajaka, thank you for the work that you do in the Chamber. Thank you to the other Presiding Officers, to the Deputy President and that beard, to the Assistant President and to the Temporary Chairs of Committees. I was a Temporary Chair when I was first elected. Duncan Gay asked me and I said to him, "Yes, sure, happy to do that". My next questions were, "What is it? What do I have to do?" I know what it is like and I know it can be really hard when you are in the chair, so thank you to everybody who has taken that role on this year.

Of course, 2021 has seen change in both the Liberal Party and The Nationals. I congratulate Dominic Perrottet as our new Premier. I also thank my colleagues in the Liberal Party in this place: Don as Leader of the Government and Damien for all the work that he does as Leader of the House. Congratulations to Natalie on her elevation this year to the ministry. I acknowledge Sam Tedeschi, who along with Kate Cadell, as Penny said, probably could run this place without the rest of us even being here.

The Nationals are very excited to see our new leader, Paul Toole, as the Deputy Premier. We are looking forward to seeing what The Nationals achieve under his leadership. A big thankyou and congratulations to the Hon. Bronnie Taylor, the first ever female Deputy Leader of The Nationals, which is a really wonderful achievement. As your friend, I am so proud of you. You are doing an amazing job, and it is great to watch you achieve so many wonderful things. To Trev, to Ben, to Sam and to Wes, it is fair to say we have all had a year of different challenges and there have certainly been ups and downs. But we are a team and we get along, and there has been a lot of hard work. All of those guys in their own different roles, whether it is as duty MLCs or in parliamentary committees, have literally worked their hearts out for the people of regional New South Wales this year. That deserves to be acknowledged. I thank their staff, who I know work tirelessly to support them. To Trevor particularly, as the Deputy President: Thank you for your wise counsel and your intellect. I know it is appreciated by many in this place, including me.

I take a moment to thank the crossbench members for our interactions throughout this year. I think it is important for our democracy that we have great representation in Parliament from people who are passionate about what they believe in and for the platforms that they get elected on. It is certainly something that I respect, so I thank and acknowledge them as well. I also acknowledge my staff. It obviously has been a hard year for everybody. I would argue that of all the portfolios, Education has been among the most full-on. My team literally worked around the clock during the learning-from-home period, so I hope the House will indulge me mentioning them all by name. Particularly this year, that is very important. I thank my chief of staff, Dave Cross. I thank Mike Fairbairn, Daniela Jozic, Sally-Anne Gilliam, Sally Taylor, Cam Dunger, Shannon Hall, Jess Neale, Taylor Denny, Annie Hazelton and Eliza Cabassi, who is the person who comes to the Chamber with all the folders, so she should have the best arms out of anybody in Parliament House. Thank you to all of our department liaison officers as well.

I also mention that my chief of staff, Dave Cross, became a father for the first time this year with his wife, Georgie. Interestingly, his gorgeous little baby girl, Clementine Cross, came a little early. She came on a Tuesday or a Wednesday and Dave and I spoke and I said, "Failing something amazing or unprecedented happening, go and have a bit of paternity leave; it will be fine." Two days later the Premier resigned, and I think the day after that the Deputy Premier resigned. It was a little busy for his first week of fatherhood, but she is just an absolute gem. We wish them all the best as they enjoy their beautiful new baby, beautiful Clementine.

In line with previous years, I am going to give some statistics. I am being a little selfish because I am only talking about the questions that the Government has been asked. This year we have had 1,594 questions on notice in the Legislative Council, 726 questions in the Legislative Assembly, 186 questions without notice and 28 supplementary questions for written answer. It has been quite a year. I cannot rattle off the statistics without acknowledging the Opposition and the crossbench, as none of this would be possible without them. If the Hon. Courtney Houssos sees any of my staff, she can feel free to buy them a drink or a coffee in appreciation for all of the work that they do for her. As I said, it is all part of a great democracy.

I also acknowledge the Hon. Penny Sharpe, the Leader of the Opposition, and the Hon. John Graham, the Deputy Leader of the Opposition. I thank them both for keeping me on my toes. I thank them also for still being in opposition. Despite the hardships and the ups and downs, as with every year, it has been a pleasure to serve. I speak on behalf of all of The Nationals when I say that it is an incredible privilege for us to be here each and every day representing our regional communities. We do it with pride and with passion. We know what an honour and a privilege it is to represent regional New South Wales. I hope everybody leaves this place tonight able to spend quality time over the break with their family and those they love. We will be back and ready to do it all again next year. I wish everybody a Merry Christmas and a prosperous 2022.

Mr DAVID SHOEBRIDGE (19:20): I speak on behalf of The Greens to wish everybody a happy and safe holiday season, particularly on behalf of my colleagues Ms Cate Faehrmann and Ms Abigail Boyd. It has been a great pleasure working with them this year and sharing what is a fairly impossible workload at times,

bouncing bills between us and choosing who will go on the next committee. With all of the troubles and the stresses we have, the three of us have formed a much stronger and positive team.

It has also been a year where collectively we have faced an enormous number of stressors. It has been two years of fire, flood and plague. It has been like biblical times, and it has thrown a huge amount of stress on the institution, particularly this year. We all join together in thanking Kate Cadell and the Clerk for the collective work that they have done, as well as Steven Reynolds and Stephen Frappell. They have done a huge amount of work to keep the place running under all of the stressors. During the period of deep lockdown, the committee team lifted its workload incredibly and stepped up to keep this place running as pretty much the only place where we could hold the Government to account. On behalf of The Greens, I thank the Clerk and the committee staff. It has been a phenomenal effort, and they did the Legislative Council proud by continuing democracy in a tough time. I thank all of the attendants and the procedure team. My office apologises for the late arrival of every motion—

Ms Cate Faehrmann: And every amendment.

Mr DAVID SHOEBRIDGE: —and the rushing in of late amendments. Again, we are always grateful for the good grace of the attendants and the procedure team in dealing with delinquent MPs. In that regard, I talk about Standing Order 52 motions. We are not the worst offenders, but we are in the class of offenders. We heard the numbers and the statistics on those motions. I think there was more than 160 this year. That has put a huge amount of work onto the Legislative Council staff.

The Hon. Damien Tudehope: What about the Government?

Mr DAVID SHOEBRIDGE: Our sympathy extends only so far. As a general rule, if you are responding to calls for papers, you are doing less evil. I thank the Legislative Council staff for their work in dealing with orders for papers. I remember four years ago, when we got a motion moved under Standing Order 52 through, confetti fell from the roof, there was champagne and we got a front page on *The Sydney Morning Herald*. We did 162 of them this year. Again, I mention that this was a year when, with COVID, it was not just the attendants, the procedure team, the Clerks and the committee staff but also the Department of Parliamentary Services that went above and beyond. I cannot imagine the hours that they spent trying to do everything they could to keep this place safe and keep democracy running.

As always, I am sure the Hansard staff want felicitations to end. They will end soon, we promise. I thank the Hansard staff for the integrity with which they record our deliberations, and the way in which they improve our deliberations, but also for the sheer amount of time that they have spent dealing with our committees and our long sittings. We get exhausted but, when we rise at 12 o'clock and go home, Hansard spends hours afterwards pulling it together. I thank the Hansard staff for all the work they do.

The special constables have amazingly good grace. They keep letting us in, and I am grateful for that. As a Greens MP, I always appreciate getting past security. They do it with amazingly good grace, and they are here in their 12-hour shifts keeping us safe. We thank them for their work. We really appreciate the catering team. It feels like the institution extends well beyond this Chamber when we are down there in the cafe. They are all a part of the team, and they are always polite when The Greens members turn up and ask for their almond or soy chai latte. They always smile sweetly, and they never say what they are thinking, so I thank the catering staff.

There was a period of a couple of weeks towards the end of lockdown when the cleaners were not around. I do not know if anybody else has noticed the rapidity with which this place falls into disorder without the cleaners. They do so much important work cleaning our offices and keeping the bathrooms running. In the past few months, they have been constantly walking around and cleaning surfaces, so I say thank you to all of them. They do not get paid enough, and they should all be on staff. They should all be permanent and we should lift the rights for the cleaning staff. It is another year where the IT staff have really stepped up. I thank them very much. I particularly thank my staff and team, who share the work. When you see me doing good stuff here, it is Kym Chapple or Alison Martin who are doing the heavy lifting and the heavy work in my office. I am grateful for their intelligence and extremely high level of work. I thank Nicky Grieve and Olivia Barlow as well. We have many disagreements in the Chamber, don't we, Bronnie?

The Hon. Bronnie Taylor: We had one big one, but that was about it.

Mr DAVID SHOEBRIDGE: And we work our way through it. I congratulate the new Leader of the Opposition, the Hon. Penny Sharpe. She and the Hon. John Graham are reliable colleagues to work with and they stick to their word, which is critically important in this place. I extend that to some of my crossbench colleagues as well. Working with members of the Animal Justice Party, I know they stick to their word, they are honest with their principles and, for that reason, we consider them colleagues in the Chamber. Again, we disagree on most things with the Shooters, Fishers and Farmers Party, but there is a cabal of transparency in this place. I will join a cabal of transparency to have transparency against the Government on orders for papers, on committees and on

shining a light into the dark recesses of a Coalition government every day of the week. Finally, Mr President, we appreciate your calm manner and your clear rulings. We particularly appreciated some further debate earlier today. We wish you well in the new year. If 2021 was the year of Zoom, Microsoft Teams and COVID, let us make 2022 the year of in real life. It is the year of IRL.

The Hon. ROBERT BORSAK (19:27): I speak on behalf of the Shooters, Fishers and Farmers Party to record our felicitations and talk about what has been a very hard year. It is the second year in a row of COVID, although it is a different year and a different variation on the theme. We were here this time last year thinking, "You beauty, we're out of it all. Off we go to Christmas." I got out to the bush and travelled around a bit. The next thing we knew, in May and June, it was on again and we were locked down for three months. We have turned up again and done a hell of a lot of work, especially in this place. We have done a lot of good work. We have carried on the changes that we built on after the 2019 election. With the cooperation from the crossbench and the Opposition—and all people concerned—we have ended up with a pretty good place that is functioning a lot better than it was when I first got here.

I know that I have been coming and going since 1995, when John Tingle was first elected. Mr David Shoebridge talked about winning the lottery and getting a Standing Order 52 motion through. Back then, even getting a bill that you could debate on only happened if you won the chook raffle. Now we have a chook raffle every day—we have 160 chook raffles. I would like to thank all the parliamentary staff for all their hard work and support during the year, especially the Clerk's office. The Clerk has been particularly helpful to me and very tolerant of me. Thank you very much. I am not always the easiest character to get along with. I also thank Hansard for making me look good on paper. That is fantastic. Quite often I trip over my words or someone trips me over. I also thank the ever professional committees team, who have done so much work in support. I think we have stretched almost to the limit what the committees team can do for us in this place. I have sat down and thought about how many committees I am on actively, including the select committees. I think I am on three or four committees. For some of those, some members may have noticed I have not turned up.

Mr David Shoebridge: Yes, we have.

The Hon. ROBERT BORSAK: You have noticed, yes. It is not that I do not want to be there. It is a matter of focus. Where can I do the best work and what can I possibly do? So I thank the committees team. This year was yet another year affected by COVID—the Delta variant this time. As we move towards a more normal life, out of lockdown and into a busy Christmas with family and friends, hopefully we will see the back of lockdowns, restrictions, mask wearing and health orders that have been controlling our lives, our movements, and our family and friends for far too long. Hopefully, this will be the end of it.

It has been another year of interesting advancements for the Shooters, Fishers and Farmers Party. We have worked very hard and tirelessly, especially in this place. Some strange allegiances have appeared in this place. David alluded to those. For example, us and the Animal Justice Party. It is a bit of a shudder I am sure for them, and for me at times. Being called Machiavellian by Ms Hurst's colleague was interesting. It is unusual for a politician to be Machiavellian if you are a member of the Animal Justice Party but not if you are a member of the Shooters, Fishers and Farmers Party.

In 2019 in this House, in cooperation with the crossbench, we drove forward the excellent initiatives that we helped create regarding new sessional orders. We hope to see those orders largely converted to the full status of standing orders, as they have shown themselves largely to have improved the processes and functions of the Legislative Council and to have contributed significantly to holding the Government to account. As a party, we look forward to the next 12 months and the run-up to the 2023 full election, but even before that we look forward to the potential for by-elections next year. That will be interesting.

Certainly, what comes to mind this year was the retirement of our previous President, the Hon. John Ajaka, who was a very fair President and a good friend of mine, and the election of his replacement the Hon. Matthew Mason-Cox, who is doing an excellent job. We saw that today in his very fair ruling in relation to having more debate. We can always have more debate. What I loved about the process for electing the new President was the way that this House, despite poor legal advice regarding who should be President, asserted its sovereignty and elected the person it decided was the most suitable. That is very important to me. At times the process was messy and certainly exciting. In the end, the right of the House was asserted. That can only ever be the right outcome because the House is its own master. I give special mention to the following honourable members: the Hon. Damien Tudehope—I do not know how you put up with me, mate, but there you go; the Hon. Don Harwin—see, he is looking at me the same way.

The Hon. John Graham: You got the look!

The Hon. ROBERT BORSAK: I got the look. He did not know it was going to happen. I caught him unawares. The Hon. Adam Searle is not here. He disappeared on me. The Hon. Penny Sharpe, you are doing a great job of leadership. I hope you continue in that role for as long as you want it.

The Hon. Penny Sharpe: March 2023.

The Hon. ROBERT BORSAK: March 2023. The Hon. John Graham, the whisperer, turns up in my office, whispering in my ear.

The Hon. Bronnie Taylor: A new bromance now!

The Hon. ROBERT BORSAK: It is not exactly a romance; it is more of a question-and-answer session. The Hon. Mark Latham is ever present in his leadership-of-the-right role. I am a happy follower on most things. The Hon. Rod Roberts is a really good guy. That man will go places. Thank you very much, Mr David Shoebridge and your Greens colleagues. You people have been really good and very professional in your approach to how we get things done in this place. In the work that we have done for this House and for its citizens of New South Wales, we have all worked together each in our own way and for our own purposes. Although we do not agree on everything—sometimes on not very much—the nature of this place is that somehow we find a way to get the business done.

I give a shout-out to our members in the other place—Phil Donato, Roy Butler and Helen Dalton—all of whom keenly represent their electorates and are an integral part of the Shooters, Fishers and Farmers team, which is now growing in the Legislative Assembly. We look forward to campaigning in lower House electorates ahead of the next election and, if rural and regional constituents think we are good enough to be elected, we look forward to representing them in the other place. Our members are easily as good as, if not better than, any and all of the other members representing the diverse electorates of New South Wales. To all of you, thank you very much for the cooperation, the opposition, the arguments, the sledging and at times the good-natured work environment that being a member of the Legislative Council brings. The Hon. John Graham is laughing.

The Hon. John Graham: I'm paying the sledging.

The Hon. ROBERT BORSAK: We get plenty of that in this place. In particular, I would like to thank my partner in crime, the Hon. Mark Banasiak, for his hard work, devotion and tolerance of me. I did not think you would get this far, but you have and you have further to go. Quite often I am a cranky old bastard who does not want to listen to advice and I am often critical of the way things get done in our office. But they do get done, and they get done properly. I say a big thankyou to Senada Bjelic, Holli Thomas, Stephen Larsson and the redoubtable Robert Despotoski, who always seems to know a political solution to problems that arise for us and who generally knows where most of the bodies are buried in this place. Merry Christmas to you all. Have a safe and happy family holiday. I look forward to seeing you all next year, at least those of you who want to come back. Put your game face on because we do not take any prisoners when it comes to politics in New South Wales.

The Hon. EMMA HURST (19:36): On behalf of the Animal Justice Party, I add our support and thanks, and wish everyone a safe and happy holiday season. In previous years' felicitations we have all spoken about the difficulties we have had over the years. Again, I stand here and say the same: 2021 has been an unbelievably tough year. My condolences go out to all who have lost a friend, family member or loved one to the pandemic. The impact of the Delta strain outbreak and lockdowns on everyone in New South Wales continues to be immense, but we have made it to where we are now in large part due to the dedicated work of our healthcare staff across New South Wales. I cannot thank enough the doctors, nurses, paramedics, allied health staff, cleaners and all those who have been working tirelessly in our hospitals, pharmacies and GP offices not only to treat the sick but also to keep the rest of us healthy and safe.

Although this year has been unbelievably hard for all of us, I have drawn inspiration from the fact that here in Parliament we have succeeded in securing groundbreaking changes for animals. New South Wales now has some of the toughest penalties in the country for animal abuse. The use of cetaceans for entertainment has been effectively ended. We have stopped strata schemes from being able to impose blanket bans on having animals. We have mandatory animal bans for people convicted of serious animal cruelty offences. This House has passed legislation to ban convenience killing in pounds, and just moments ago we banned bestiality and crush videos in New South Wales. That is only some of the life-changing work we have been doing. It has been the silver lining of an otherwise challenging year.

With regard to our work here in Parliament, I extend a special thanks to those who have ensured that, despite all the curve balls 2021 has thrown at us, we have all retained a sense of safety and normalcy. Not only have the IT staff continued to support us in working from home; they have also successfully brought parliamentary sittings online and launched e-petitions in the Legislative Council. The cleaning staff, by cleaning doorhandles, banisters and lifts, have kept Parliament and everyone in it safe and healthy. The medical staff have worked

tirelessly to supply countless rapid antigen tests to members and staff each and every morning. I give special thanks to the people working on level four. I cannot imagine what it is like to spend hours in that car park doing test after test. Also, thank you to the catering and cafe staff, who obviously keep us awake and functioning, no matter what hour it is.

I pass on my thanks to the Parliamentary Counsel staff, who have gone above and beyond in drafting bills for my office this year. To the library staff, the Hansard staff, the Black Rod, the committee staff, the Chamber staff and the Clerks, thank you for providing expert advice to me and our team at the Animal Justice Party. We are very fortunate to have such incredible, hardworking people around us to make sure that our work as MPs is effective.

I thank my own team: Ms Tess Vickery, Ms Rosie Rayns and Ms Louise Callaway, who we were very sad to lose from our office this year. The rest of my team have been with me since I started here and I am very grateful for all the work that they continue to do. I also thank the Hon. Mark Pearson's team, Ms Angela Pollard and Ms Elena Wewer; the Animal Justice Party NSW staff, Ms Louise Ward, Ms Kandy Lambert and Ms Aniqua Mannan; and all the volunteers who support us behind the scenes.

I give my thanks again to the crossbench, to the Opposition and to the Government. There have been instances in this House where we have been able to work with each one of those parties. It has been fantastic to be able to work on a variety of things with every party in this place. On behalf of the Animal Justice Party, I wish everybody a safe and happy holiday break. After these long sitting weeks, the opportunity to rest and spend time with family and friends is much deserved. I look forward to returning next year to continue our important work.

The Hon. MARK LATHAM (19:40): For the Hon. Rod Roberts and me, our first thanks are to the people of New South Wales who have given us the honour and privilege to serve them in this Parliament. There is nothing quite like parliamentary service. It is a chance to lose yourself in a cause bigger than yourself and, in the fullness of that, it is the meaning of a satisfying life. We never lose sight of that and every moment we are here we are grateful for the opportunity in itself. We are also grateful for the kindness and the cooperation we have found around this building. There is a focus on the workplace around Australia, but I think this is a very fine workplace. Some wonderful people look after us in every respect. In the way of politics, we have made some friends and alliances around the Chamber, mostly unexpected—I will not embarrass them and end their political careers by listing names! It is a very fine Chamber, in a very fine building, with some wonderful people who keep us going every day.

My most particular thanks go to my colleague the Hon. Rod Roberts. I could not find a better person, a better colleague, to work with. It is a delight that I have found him and he has found me. We go all right together in our little operation, I think. Rod has built an excellent reputation around this Chamber in so many different respects. He is much appreciated. I thank staff in our office: James, Edwin, Gary and Emma, who have been there this month. I thank Nella Hall—vote 1 Nella Hall in Strathfield. She is out campaigning and could not be with us this month. She is a great person. I thank all our staff. We are lucky to have them working so hard to keep our little operation going.

Around the building, you have to enjoy parliamentary life. I try to enjoy a joke and a bit of humour as often as I can. There was a reminder of the nature of this building yesterday—which is not as intense and ferocious as other places I have been. Yesterday was a day of great socialising, with some of the lower House members heading out of the Parliament with their valedictories. I snuck into two little sub-factions of other parties. Again, I will not end their particular destiny in politics by naming them. With one of them I found the best sausage sandwich I have had in a long while. With another little sub-faction grouping I found the best prawn pizza I have had in a long while. The great thing was, as I took out associate membership of both groupings, they had the same agenda—which, in the way of politics, was to bag other people. The great delight was that they were bagging the same people. Anyway, that's politics, isn't it?

The Hon. Rose Jackson: Name them.

The Hon. MARK LATHAM: No. No names; no pack drill. I thank you, in particular, Mr President, for your collaboration and kindness. We never got that many invitations to the presidential suite. But we are back in there, having a look around—having a Daniel Mookhey have a lookee—through your operation. Have you got enough pictures of the Queen hanging there? That is one of the burning questions. Your meticulous knowledge, seemingly, of every step that any member of the royal family has ever taken in that presidential area is starting to shape up as an historical guide, like a Twister board, where every step will be mapped out. Your detail to the history, traditions and glory of this Parliament is appreciated. Under your guidance, we will have a great set of bicentennial celebrations, I am sure.

I thank the Clerks and all their wonderful staff, who do an amazing job. I thank the committee secretariat staff, who are superb in every respect. I thank the attendants, who are always so kind and helpful. I thank the security guards—they even let One Nation in as well as The Greens, so that is always a good sign. I thank the food and beverages staff and the great Vanessa. I am reliably informed from The Legislature estimates that the new genuine Koori cuisine of platypus and koala is well on track for next year. We are looking forward to that. I thank all the cleaners, all the COVID Hibbs staff—

The Hon. Bronnie Taylor: No, not the platypus.

The Hon. MARK LATHAM: Well, we have to have genuine Koori cuisine, surely—so One Nation is pushing hard on that. It has been a year of change, COVID and conflict. I know there will be tut-tutting around about some of the biffos, and we blame the Hon. Damien Tudehope, of course, for bringing these bad habits to our Chamber. I have been asked on behalf of my friend and colleague the Hon. Robert Borsak to refer to the day when the Hon. Natasha Maclaren-Jones stormed the chair, and the cacophony of noise and the uprising—how good was it? I walked out of here thinking, "I never thought I would see anything like that." I walked out of here saying to people, "If they keep that up, I'll be here as long as Fred." If politics is in your blood and you like your blood to surge, that was a day to remember and a day to celebrate. I know we probably will not see it again. Even Fang v Mallard was pretty good too, wasn't it? An unexpected featherweight fight, but still good to see.

These things keep you going in politics and we should always find the less intense, funnier side of some of these activities, because in politics if you cannot have your serious debate as well as be friends at the end of it then you probably should give it away. It has been a year of change. We started the year with the major party leaders being Berejiklian, Barilaro, McKay—all gone. We have a different President, a different Leader of the Opposition, a different Deputy Leader of the Opposition and the great Shoe is headed to the Senate. It is a time of amazing change and it just makes the point that the only parties of stability here are One Nation and the Shooters, Fishers and Farmers. Who would have thought? Reliable, solid, dependable, methodical—it is a political miracle, isn't it? But this is the landscape now of the new New South Wales politics.

I thank everyone else who I might have missed, but who were mentioned by other speakers. These end-of-year debates give them due recognition. I refer to Hansard, of course—they are so fantastic. Due recognition to all the people who make this a very fine workplace. It is not true in other parliaments in other parts of the country. I look forward to coming here each and every day. Some of the hours are a bit dusty, of course, and maybe the Standing Orders Review Committee can sort that out in the new year.

I thank my family, who have always given me 100 per cent support, love and encouragement. Some of it has gone off the rails but, mostly, it is a force for good. I hope I live up to their expectations. I say to each and every member: Have a great Christmas and a great New Year. Rest up—we will need it because next year is, effectively, an election year, so it is on for young and old. Hug your loved ones and never hesitate to tell them how much you love them. All the best.

Reverend the Hon. FRED NILE (19:48): I will take just a minute to wish everybody a happy and blessed Christmas as you celebrate the birth of our Saviour Jesus Christ. May God bless you, your families and your staff. Amen.

The PRESIDENT (19:48): I thank all honourable members for your kind words and for the goodwill you have shown towards me as your President these past six months. Your expression of confidence in me through my unexpected election on 4 May was not only deeply humbling but also bestowed upon me the honour, privilege and duty to serve this House as your impartial and independent President. On this, honourable members, you can always rely. At the outset, I again wish to thank my predecessor, former President the Hon. John Ajaka, for his stewardship over the preceding six years. John was an outstanding President and a good friend who will be greatly missed by all. The Parliament has been greatly enriched by his contribution.

This year we have all been confronted by the continuing threat of the COVID-19 pandemic, which has greatly changed the way we live as well as the operations of this place. The response of this Parliament to that challenge has been exemplary. We led the way through a consensus-driven approach which saw the introduction of historic hybrid sittings of this House protected by innovative, groundbreaking COVID-safe plans—perhaps too many for some. We became used to rapid antigen tests each morning, keeping our distance and masking up—routines we look forward to abandoning as soon as we possibly can.

During these difficult times I have been most impressed by the dedication and resilience of all those who work in this special place: the cleaners and security staff, who arrive at dawn and work through the day and night to protect us; the friendly catering staff, for whom nothing is too much trouble; Hansard and the Chamber attendants, who make us all look so good; and our line managers and senior leadership team, who ensure this place works as seamlessly and efficiently as humanly possible. Each in their own way honours their vocation to

serve this great democratic institution, just like every honourable member of this place. We are deeply indebted to them all and thank them for their selfless service.

It would be remiss of me not to single out one totemic initiative, a partnership forged between our catering staff and OzHarvest to provide meals for the homeless and vulnerable and those isolated in quarantine during the COVID-19 lockdowns. Honourable members can be proud of the fact that the Parliament's catering staff have cooked over 175,000 meals since April 2020 and continue to cook over 1,000 meals a week for distribution by OzHarvest to vulnerable individuals and families. It is an initiative that I wish to continue and hope to expand upon next year as Parliament's small contribution as a good neighbour to those in desperate need of care and support. I give very special thanks to all those involved in this wonderful initiative. This year has also seen the establishment of the Bicentenary Steering Committee. I am pleased to report that plans are well advanced for what promises to be a seminal celebration of 200 years of democracy in 2023 and 2024. There will be more on that next year, too.

Since becoming the President, I have gained a deeper appreciation of the host of people without whose support and goodwill this great institution would surely flounder. It is a long list, but bear with me. I begin with the respective political leadership of this Chamber, as diverse a group as any. I salute the lover of the arts, the Leader of the Government; the erudite, educative and unflappable Deputy Leader of the Government; and the big-hearted, "no-one gets left behind" Leader of the Opposition, ably supported by her soulful, toe-tapping deputy, who is, dare I say, sometimes eclipsed by the musically gifted Leader of the House. Long may the entertainment continue.

I salute all the members of the crossbench, each of whom is naturally the first among equals, tie or no tie. Their passion for those they represent on the myriad of issues upon which they rise in combat in this place is matched only by their collective passion for Executive accountability under Standing Order 52. The Mookhey library has never seen it so good. I thank the party Whips for organising the troops and for all the thankless, behind-the-scenes organisation and negotiation which is integral to the smooth running of this place. In particular, their contribution to the development of the Parliament's COVID-safe plan ensured that we could continue to sit even when the Google maps of all but one of the Government members maliciously sent them to the wrong location. You simply cannot trust technology in this day and age.

That brings me to the Deputy President, the Hon. Trevor Khan, whose valour and grace under fire is almost as greatly respected in this place as his mastery of the chair. In those early turbulent days as President, he always had my back, along with the "take no prisoners" Assistant President, the Hon. Rod Roberts. I thank them both for their magnificent support; it is deeply appreciated. Similarly, I wish to thank each of the current Temporary Chairs, the Hon. Catherine Cusack and Ms Abigail Boyd. They have settled into the role very quickly and are doing a very impressive job. Thanks also to the former Temporary Chairs, the Hon. Shayne Mallard, the Hon. Courtney Houssos and the Hon. Taylor Martin, who have all gone on to greater things.

I give a special thankyou to the Clerk of the Parliaments, Mr David Blunt, whose dignity and composure under the most testing of conditions is testament not only to his depth of character but also to his singular devotion to all that is worthy in this place. David is ably supported by his fearless deputy, Steven Reynolds, and the irrepressible Kate Cadell, who we all know really runs this place. Their collective counsel and support is greatly valued by all members. In a similar vein, I thank the Usher of the Black Rod, Jenelle Moore, who meticulously organised our recent presentation to the Governor and has also been pivotal in preparations for the bicentenary celebration of the Legislative Council. I thank our dedicated Procedure and Chamber support teams, who form an essential and valued part of this House and who are integral to the smooth running of Parliament as a whole.

This naturally brings me to my fellow Presiding Officer, the Speaker, the Hon. Jonathan O'Dea, who continues to impress me with his dedication and his grasp of the infinite detail that permeates this place. I thank him for his patience, good humour and goodwill and also extend my appreciation to his team, led by my old friend Paul Blanch, along with the Clerks in the other place. I wish to particularly thank the Executive Manager of the Department of Parliamentary Services, Mark Webb, for his personal leadership and counsel. The outbreak of COVID-19 inside this Parliament tested us all, but it was the dedication and commitment of Mark and his team that protected and guided us through relatively unscathed. We must remember that.

I thank my chief of staff, Andrew O'Sullivan, who makes it all happen and keeps it all together behind the scenes. Andrew is the unassuming bloke with the beard, whom I have known since our days at university law school. He is an outstanding human being who is trusted and respected by all who have the pleasure of dealing with him. I thank the rest of my team: my deputy chief of staff, Marie Mirza; Jane Worden; Dylan Whitelaw; Norm Lipson; and my drivers, Barry Heyder and Craig Brown. I deeply appreciate their abiding loyalty and support. I also thank Jenny Walker, who meticulously cleans my suite every day, and the ever-smiling Mai Lee, who looks after the President's dining room. If you have had the pleasure to be there, you will no doubt know her

very well by the end of the night. I also thank Gary Chan, who supplies me with much-needed coffee and loads of perfectly formed bananas.

I now quickly turn to my beautiful family, Wendy, Lachlan, Clare, Sam and Rachel, who naturally form the bedrock of my life and, serendipitously, are a direct measure of my time in this place. My fifteen-year-old daughter, Rachel, was a newborn baby when I gave my inaugural speech in this place, and I was truly blessed to have them all present at our recent visit to Government House. Rachel thought question time was a bit like school; go figure. But how time flies. Finally, I wish each and every member of this House a richly deserved, merry and peaceful Christmas. I trust the opportunity to be with your family and friends at this special time of year will revitalise and refresh you so that upon our return next year we can continue our noble quest together to make this great State an even better place for those we are so privileged to represent.

The question is that the motion be agreed to.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. DON HARWIN: I move:

That this House do now adjourn.

AUSTRALIAN WAR WIDOWS

The Hon. NATASHA MACLAREN-JONES (19:57): I quote:

We all belong to each other. We all need each other. It is in serving each other and in sacrificing for our common good that we are finding our true life.

That is the motto of the Australian War Widows, an exceptional organisation that works to ensure each and every one of their members is supported in every way possible. The Australian War Widows, formerly the War Widows Guild of Australia, was established on 22 November 1945 by Jessie Mary Vasey, widow of Major General George Vasey, who was killed during World War II. The organisation stemmed from humble beginnings, where members learnt weaving and handicrafts to increase their pensions. Over the years they expanded to every State and now work alongside governments on matters concerning war widows.

Most recently, the Australian War Widows welcomed the Australian Government's formal establishment of the Royal Commission into Defence and Veteran Suicide, after raising a number of key points and making a submission, both of which contributed to the scope of the commission's inquiry. With the inquiry underway, many members of the Australian War Widows will step forward to contribute, sharing their personal experiences, which for many will be incredibly difficult. The organisation has assured its members that it will be there to support them through every step of the inquiry.

This year we celebrate 75 years of the Australian War Widows being in New South Wales. The New South Wales team is certainly a team to celebrate. It has worked tirelessly over the years to ensure that families of those who have made the ultimate sacrifice for our nation are supported and have a voice. Most recently, I note their incredible work during the New South Wales COVID-19 lockdown period, during which the Australian War Widows team in New South Wales was there to support its members through the difficulties faced as a result of the Delta outbreak. Only two months into the lockdown, the New South Wales team had made over 900 phone calls to its members, checking in on their wellbeing. By the end of the lockdown period, each member in lockdown had been contacted. The Australian War Widows' services were open to anyone who needed extra support during this time.

Also during the New South Wales lockdown period, the Australian War Widows team developed the AWW NSW Digital Health and Wellbeing Program, which is an easy-to-use online platform to help their members remain active and virtually connected to their community. As part of the digital health program, the team ran yoga classes, modified dance sessions and interactive singing lessons. The classes were done in real time so that members could enjoy the activities alongside other members, giving them the opportunity to have fun while in lockdown. Since 2001 the New South Wales team has operated a peer telephone service, known as the Friendship Line. The line operates thanks to the work of women of all ages who volunteer their time to regularly call members to check in on them. The volunteers are there as an understanding, listening ear to help combat social isolation. In addition to making the regular check-up calls, they make contact with their members for birthdays as well as contacting those who are going through difficult times, such as going to hospital or impacted by fires, floods or drought.

I congratulate the team members on their 75 years and thank them for the remarkable work they have done and continue to do for their community. I look forward to seeing their future achievements. Recently, Australian War Widows opened their doors to accept a wider range of members to ensure they can support as many people as possible who are connected to defence services. The Australian War Widows have expanded their criteria to include all women and families related to veterans. This expansion will see the organisation pass on the legacy of war widows and welcome a new generation of women and families who need the wonderful support this organisation has to offer.

The founder, Jessie Vasey, was also the creator of the kookaburra symbol, which is still proudly used today. The kookaburra symbol represents the Australian heritage of the organisation. Jessie Vasey believed that the kookaburra, with its cheery nature and strong will to protect its young, symbolised exactly what the organisation is all about. Even though the work done by Australian War Widows has continued to develop over the years, the kookaburra remains a fitting symbol for the organisation. Finally, I thank the Australian War Widows president, Rhondda Vanzella, OAM, for the wonderful work she has done not only in her current role but also in her seven years as a member and five years as the New South Wales State president and chair. The work she has done and continues to do for Australian War Widows ensures that integral support is available to our war widows, their families and our veteran community.

ANIMAL JUSTICE PARTY

The Hon. ROBERT BORSAK (20:02): We are a very odd mob here on the crossbench. There is no denying it. It is important that we are, because the diversity represented in this Chamber should rightly reflect the diversity outside of it. Thomas Jefferson said, "Difference of opinion leads to inquiry, and inquiry leads to truth." It is vitally important that there are differing opinions in this Chamber, but I will not accept the outright insolence the Shooters, Fishers and Farmers [SFF] Party has copped from the Animal Justice Party [AJP] in recent times. We are diametrically opposed; there is no question of that. The SSF places greater value on a human's life than on that of an animal, and we are not ashamed to say it.

Hunters are not extremists or criminals. We are put through the most rigorous checks before we can obtain a firearms licence. Once we have obtained that licence, we must live like saints to keep it. We are the subject of regular police checks. If one foot is put wrong, our personal property is seized and we are then subjected to protracted internal reviews that extend well past their statutory time frame. Being a licensed hunter or shooter means that one is the highest calibre of citizen in New South Wales. Can the same be said of the AJP members in this place?

We should not be subjected to the outright rude and ill-considered bloviating delivered in this Chamber by the Hon. Mark Pearson of the AJP. He has perfected the art of speaking for as long as the occasion warrants and saying nothing. We are asked to consider many issues in this place that may not be natural to many of us. I, for one, can live without speeches on turkey masturbation, bestiality, dog and cat consumption, and the consistent argument that animals should have the same rights as humans. Parties like the AJP confuse animal rights with conservation efforts, which is directly at odds with my purpose in this place.

Animal rights ideology is often born among the smog and concrete of an urban setting, detached completely from the natural world. It does not take a genius to work out that if we placed the same values and rights on animals as we did on humans, then our prisons would be full of animals. What the animal rights agenda pays little heed to is respecting cultural diversity and human rights. Many indigenous cultures depend on the killing and eating of animals for survival. My culture is a Viking culture. That is in my DNA. That is what I am, who I am, and I am bloody proud of it. A great friend of mine and world-renowned zoologist, Professor Grahame Webb, wrote in his book *Wildlife Conservation: In the Belly of the Beast*:

The survival and good health of many indigenous peoples depend on killing and eating animals. That this type of relationship should be considered philosophically unenlightened, or unworthy of adoption by modern society, leaves some gaping holes in the degree to which animal rights philosophies can or ever will truly underpin an improved relationship between nature and the people.

Rights given to animals in this State equals rights taken away from our farmers, hunters, fishers and those who live in rural regions. They are directly abusing over 30 per cent of the population. The Hon. Lou Amato gave a fantastic speech in this place in response to the AJP's verbal attack on hunters. I commend the honourable member for it. Thank you, Mr Amato. Hitler indeed was an animal rights activist and vegan—probably the first. He put dogs, wolves, eagles and pigs higher up the hierarchy than Jews, Poles, gypsies, homosexuals and many others, who of course were destined for extinction. I think we can all join the dots there.

The animal rights ideology is dangerous, totalitarian, extreme and undemocratic. We should not be told how to live our lives by a party that wields such dangerous and egocentric ideology. It is terrifying that there is a place for them in this Parliament. My culture and the culture of many are attacked continually in this place. It was unjustified verbal abuse, with absolutely no basis in fact. It was fiction—in reality, black fiction. It lacked any

awareness of the existence of other cultures, other opinions and other ideologies, which are all of equal value in this place. Hundreds of thousands of followers of our party eagerly await your reply, Mr Pearson, or your next verbal diarrhoea apologies for your diatribe. One cannot buy this sort of entertainment.

FIRE PROTECTION INDUSTRY

The Hon. MARK BUTTIGIEG (20:06): Under the Liberal and Nationals Government, our State has been falling behind in ensuring that our building and construction industry is sufficiently regulated. It is evident that the fire protection industry is not adequately regulated, which poses a risk to all of our residents. Currently in New South Wales there is no licence or qualification required to undertake the regular inspecting and testing of crucial fire protection systems. The lack of an effective licensing regime poses a momentous risk to the community, as ineffective or non-functioning fire protection systems can cause catastrophic harm. NSW Labor listened to the fire protection industry experts and workers and analysed the lack of regulations. Prior to the last election, we committed to creating a fire protection inspection and testing licence. Unfortunately, the Government has continued to ignore the urgent warnings from fire industry experts and has failed to improve regulation, leaving our residents at risk.

Currently a licence is required for the installation and modification of fire protection systems. A comprehensive qualification is needed to gain this licence. However, there is no licence or qualification required to inspect and test fire protection systems, which is outrageous. Training experts reiterate that knowledge of the whole system is essential. Individuals completing this work should have to undertake a qualification where they are able to accumulate a well-developed knowledge of the technicalities of the systems, in addition to acquiring the appropriate competencies and experience. States such as Queensland and Victoria recognised the acute risks posed to their residents and improved their regulations. Nationally, industry experts warn that New South Wales is in a terrible position in regard to the inspecting and testing of systems, which include sprinklers, hydrants and hoses. No licence or qualification is required; anyone can undertake the work.

New South Wales has one-third of our nation's population. We should not be behind in making the essential regulations that protect the lives of our residents. Individuals without the essential knowledge from educational institutions and who have not completed the appropriate tradesperson training should not be carrying out this crucial work. This does not mean that good workers currently in the industry should be out of work. In Victoria, when it recognised the need to strengthen the regulations, a process was implemented where work history could be evaluated by the regulator, who granted a transitional registration period for training and recognised prior learning or apprenticeships.

Theo Samartzopoulos, State secretary of the Plumbing Trades Employees Union, and the union's members have been tirelessly calling for our State to step up, like other States have, and create this licence to protect our residents. These workers have seen firsthand that crucial work is not being done correctly, stating that they constantly see systems that fail vital tests, as the systems have not been inspected and tested correctly because unqualified individuals lack the skills to identify failures in protection systems.

There is a heightened risk in New South Wales due to the significant cladding problem in our State. Well-functioning and correctly tested fire protection systems are our first line of defence to protect lives. This was demonstrated in 2015 when combustible cladding caused a fire in the Lacrosse Docklands building in Melbourne. The fire brigade said that the building's sprinkler system operated beyond its design capability. Otherwise the fire would have been much worse. Lives were saved, as the building was serviced by qualified fire protection workers. In 2000, tragically 15 people were killed in the Childers Palace Backpacker Hostel fire. The coronial inquest findings demonstrated that there were no working fire alarms and stated:

The loss of life could have been significantly reduced by an operating smoke alarm system or the installation of an automatic fire sprinkler system.

Catastrophic incidents should be a reminder to the Government as to why it is vital to take this issue seriously. The best method to mitigate safety risks and hazards in high-risk industries where poorly performed work can have life-or-death consequences is to guarantee that the people undertaking the work are highly qualified and trained workers. A fire protection inspection and testing licence needs to be established in our State.

HUNTER COMMUNITY ENVIRONMENT CENTRE

Mr JUSTIN FIELD (20:12): I put on the record my concerns about a recent incident in Newcastle. On Friday 19 November New South Wales police raided the Hunter Community Environment Centre in Parry Street, Newcastle. The Hunter Community Environment Centre is an information, resource and advocacy centre where some paid staff but mostly volunteers work together with people in the community to advocate for and campaign on environmental issues that impact the people of the Hunter.

At the moment the work that they are doing is largely centred around air quality issues that have been caused by substantial mining, coalmining in particular, and the transport and export of coal. This issue has been well ventilated in the community and is a matter of concern. Even the Government has recognised this concern and is working on it. The centre is also advocating for the protection of habitat for the squirrel glider. Also, it is working on creating awareness and advocating on concerns around the petroleum exploration permit 11, or PEP11, offshore oil and gas proposals off the Hunter and Sydney coast. Labor and Coalition members in both State and Federal parliaments have raised concerns about this matter. This is the type of work that is done by the centre.

Last week New South Wales police raided the centre and conducted an extensive search of the office. They took away a trailer load of equipment, resources and materials, including computers and cameras, much of which had been donated. Why? Police have said the raid was in relation to the recent Blockade Australia protests at the Port of Newcastle. I am reliably informed that the Hunter Community Environment Centre had nothing to do with those blockades. The New South Wales police have formed Strike Force Tuohy just in the last month to actively work towards—and this is coming from the police—preventing and disrupting illegal climate protests in Newcastle and the Hunter. In announcing the strike force, Assistant Commissioner Peter McKenna said that environmental activists could face up to 25 years in prison for their actions.

A person I know who works closely with the Hunter Community Environment Centre posted a tweet of which I think we should all consider the implications. In the Land and Environment Court this week Whitehaven Coal was fined \$200,000 for effectively stealing about a billion litres of unlicensed water from farmers, landholders and our river systems in the north-west of the State during the peak of the drought. It received a \$200,000 fine for what the Natural Resources Access Regulator—the regulator of water in New South Wales and a government agency—said was valued at about \$370,000. Georgina Woods, who works with the Hunter Community Environment Centre, made this comment:

Hold up a coal train for a couple of hours: a year in prison.

One of the protesters was sentenced to a year in prison just this week. She also said:

Steal a billion litres of water during the worst drought on record: measly fine that is less than you made on the water market.

We are seeing an effort by governments to go after people who are advocating and conducting nonviolent, direct action in the interest of the environment and the community as a whole. Just this week—and it is timely—a report was released by the Human Rights Law Centre, Greenpeace and the Environmental Defenders Office entitled *Global Warning: the threat to climate defenders in Australia*. It said:

In recent years state and federal governments in Australia have introduced a suite of regulatory measures designed to restrict climate activism. Climate defenders are routinely receiving disproportionate and excessive penalties and bail conditions which restrict their freedom of association and assembly. The peak government climate communication body has been stripped of funding and charities who facilitate climate activism have been threatened with deregistration.

It goes on. We are seeing the most authoritative scientists in the world and peak global bodies pointing to the need for us to stop mining and exporting fossil fuels. We are seeing young people putting their bodies on the line through peaceful, direct action in the interests of humanity and our future. That police are threatening 25-year jail terms and task forces are being established, when climate criminals are getting away scot-free, is an absolute disgrace.

WESTERN SYDNEY CITY DEAL

The Hon. SHAYNE MALLARD (20:17): On Saturday I represented the Minister for Jobs, Investment, Tourism and Western Sydney, the Hon. Stuart Ayres, in my capacity as Parliamentary Secretary for Infrastructure and the Aerotropolis, at the opening of the new 55-metre wave pool at Aquatopia in the Fairfield local government area. Supported by the Western Parkland City Liveability Program, the new wave pool is a part of a \$210 million commitment from all three levels of government to make the Western Parkland City one of the most attractive, vibrant and livable places in Australia.

Initially the New South Wales and Federal governments each committed \$60 million and the councils involved contributed \$30 million to the program, a total of \$150 million. The Western Parkland Councils were so excited by the project that they have since committed an additional \$60 million—on which I congratulate them—bringing the total funding for the program to \$210 million. This is an example of what can be achieved when the three levels of government work together to deliver for residents. The Federal and State governments' commitment of funding to the Western Parkland City Liveability Program provided the investment security, the guarantee, needed for councils to contribute more.

The residents of western Sydney are the beneficiaries of this approach, benefiting from projects like the upgrade of 2.35 kilometre walking tracks and lookouts in Knapsack Reserve in the lower Blue Mountains near

Glenbrook; a new cricket facility, built in partnership with Cricket NSW, in Camden; and the Campbelltown Billabong Parklands, a landmark swimming lagoon at Apex Park in Bradbury. The livability program is just one part of the Western Sydney City Deal between the Federal Government, the New South Wales Government and eight western Sydney local government areas. The eight local government areas that are party to the deal are Blue Mountains City Council, Camden Council, Campbelltown City Council, Fairfield City Council, Hawkesbury City Council, Liverpool City Council, Penrith City Council and Wollondilly Shire Council. Members may recognise that four of these councils—Fairfield, Liverpool, Campbelltown and parts of Penrith—were areas of concern during the Delta wave lockdown.

The residents of those communities did it tough. They shouldered a heavy burden during the pandemic to help get our whole State through it. That is why I am proud to be the Parliamentary Secretary for Infrastructure and the Aerotropolis in a government that is helping make those resilient communities some of the most vibrant places to live in Australia. As an aside, I will say that whilst I was opening the pool with Mayor Frank Carbone and other council members, they made it very clear that they did not want pity or the label put upon them by the media and some politicians that somehow they were hard done by. They are a resilient community that just wants to bounce back into economic growth and lifestyle.

Members on this side of the House know that people in western Sydney have done it tough for decades. Too many governments in the past have neglected western Sydney, promising infrastructure and investment that never eventuated. As a boy growing up in Penrith I know about government neglect all too well. The Perrottet Government, like past Liberal-Nationals governments, will not forget the people of western Sydney as we build together. The City Deal is a commitment between all three levels of government to deliver funding and infrastructure for western Sydney across three policy areas that cover connectivity, jobs for the future, skills and education, livability and environment, planning and housing, and implementation and governance. Delivering these projects will help western Sydney not only return to business as usual; it will come out of COVID-19 better than ever.

We are building the Sydney Metro – Western Sydney Airport line to connect western Sydney to the employment and investment opportunities in the aerotropolis and the Nancy-Bird Walton airport. It will be supported by rapid bus services between metropolitan centres like Penrith, Liverpool and Campbelltown to the aerotropolis and the airport. In the twenty-first century, physical connection is not the only way we can bring people together and improve lifestyles. That is why the New South Wales Government has also committed to the Western Parkland City Digital Action Plan and the Smart Western City Program, providing the digital infrastructure and smart technology to unlock cutting-edge jobs and amenities. These include jobs like advanced manufacturing and aeronautics supported by amenities like smart rubbish collection and smart parking facilities, keeping western Sydney beautiful and accessible.

We are establishing the TAFE Skills Exchange near the Nancy-Bird Walton airport, the STEM Multiversity in the Bradfield City Centre at the aerotropolis and a new public high school with an aerospace and aviation focus educating the engineers, pilots and scientists who will take us to the next frontier. There are so many more exciting projects under the City Deal that are transforming the Western Parkland City into one of Australia's premier destinations that I would like to talk about. I note the debate on seasonal felicitations has passed, but I conclude by saying Merry Christmas and thank you to all staff, including my private staff, our colleagues on both sides of the House and the crossbench. And Merry Christmas to you, Mr President, and your staff.

PHYSICAL AND SOCIAL INFRASTRUCTURE

The Hon. PETER PRIMROSE (20:22): Over the past two years we routinely read about how our State was going to "construct" its way out of the unprecedented social and economic turmoil of COVID. The construction sector in New South Wales is given almost exclusive prominence in these economic announcements, while other workers who perform equally important jobs that keep our communities running are often sidelined. Construction jobs are vitally important to our economy and our community. Leaving aside the ongoing input issues of access to skilled workers and restrictions on wood, steel and cement, my only point is that our society needs to build physical and social infrastructure. Making our communities work requires both and each one is valuable. After all, a hospital without the appropriate staff cannot really be said to be a hospital. A school without teachers cannot really be said to be a school.

The largest and fastest growing employing sector in New South Wales is often not spoken about in this government's economic and employment commentaries. This sector comprises the people in our communities who work in the healthcare and social assistance industry. The former Treasurer and now Premier obviously has not been keeping up on the research because he still wants to make the claim that construction provides "the biggest economic bang for buck". I urge the Government to go to the latest economic research on employment multipliers and productivity, which clearly shows that the sector that provides the biggest economic bang for buck

involves workers in the healthcare and social assistance sector. It is our teachers, early childhood educators, disability support workers, nurses, social workers, aged-care workers, paramedics, allied health professionals, counsellors, cleaners, health administration workers, Indigenous health workers, midwives, and assistants in nursing—to name only some of the jobs that fall under this industry—that provide the biggest economic bang for buck.

There is scope for State governments to have plans for workers in health care and social assistance. They are already involved in the provision and funding of aged care, disability support and early childhood education and care. There is a lot of scope for the New South Wales Government to develop innovative policies that support early childhood education and care, disability support and aged-care sectors and the people who do those jobs. It makes good social sense, but it also makes good economic sense because it creates jobs that in turn create other jobs in a greater proportion than other sectors. Given the numerous inquiries into early childhood, the recent royal commission into aged care, and now the disability royal commission, State and Federal governments clearly need to do things differently. The introduction to volume two of the final report by the aged-care royal commission stated:

Issues identified as problems or failures may be the inescapable results of government policy decisions and under-funding ... Persisting with poor policy, in ignorance of its effect or in the face of clear evidence of its failure, is another matter.

The report goes on to say:

We are encouraged that the Australian and State and Territory Governments, under the 2020–25 National Health Reform Agreement, have agreed to better coordination ... This is new language at a national level. But language change alone is not enough. We need to see this aspirational language implemented. We need to see better service provision.

I see no such new language in New South Wales and no plan or policies for people who work in aged care, disability support or early childhood education and care sectors. I believe that we need to care our way out of COVID and the unprecedented social and economic chaos of the past two years. I worry that those opposite do not.

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 20:26 until Tuesday 22 February 2022 at 14:30.