



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Tuesday 29 March 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday 29 March 2022

The PRESIDENT (The Hon. Matthew Ryan Mason-Cox) took the chair at 14:30.

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.

Visitors

VISITORS

The PRESIDENT: I welcome into my gallery guests of the Hon. Christopher Dennis Rath, who is being sworn in as a member of the Legislative Council. They are his partner, Patrick; his parents, Terry and Lorena Rath; his nonna, Giuseppina Panozzo; and his zia, Bruna Specogna. I welcome one and all. We are very pleased to have you here on this auspicious occasion.

Members

OATH OF ALLEGIANCE

The PRESIDENT: At a joint sitting held on 24 March 2022 Christopher Dennis Rath was elected to fill the vacant seat in the Legislative Council caused by the resignation of the Hon. Donald Thomas Harwin.

Mr Christopher Dennis Rath took the oath of allegiance and signed the Roll of the House.

Announcements

PARLIAMENTARY CATERING AND OZHARVEST

The PRESIDENT (14:33): I bring to the attention of members the wonderful initiative between OzHarvest and Parliamentary Catering. Today a function was held prior to the start of business of the House. The wonderful OzHarvest team and its founder and CEO, Ronni Kahn, met with our catering team in the kitchen to thank them for the magnificent partnership that has produced precisely 182,245 meals during COVID for some of the most vulnerable people in our community. I want members to be aware of that. I recognise particularly our Executive Chef Mrs Vanessa Harcourt and her team, who at the time put this together with OzHarvest, and thank them for a magnificent job. This is helping so many people and bringing a bit of Parliament into the community, which is a wonderful thing.

Committees

SELECT COMMITTEE ON THE STATUS OF WATER TRADING IN NEW SOUTH WALES

Establishment and Membership

The Hon. ROBERT BORSAK (14:35): I seek leave to amend private members' business item No. 1681 outside the order of precedence for today of which I have given notice by omitting "Ms Sharpe" and inserting instead "Ms Jackson".

Leave granted.

The Hon. ROBERT BORSAK: Accordingly, I move:

- (1) That a select committee be established to inquire into and report on the status of water trading in New South Wales, and in particular:
 - (a) the origins of the water trading market, its purpose, regulation and abuse;
 - (b) market practices and effects, including playing the market, cornering the market and fixing the market;
 - (c) the effectiveness of water registration and disclosure in New South Wales;
 - (d) the effects of water trading on the economy, communities and the environment; and
 - (e) any other related matter.
- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of eight members comprising:
 - (a) three Government members, being Mr Amato, Mr Poulos and Mr Fang;
 - (b) three Opposition members, being Mr Buttigieg, Ms Jackson and Mr Veitch; and

- (c) two crossbench members, being Mr Borsak and Ms Faehrmann.
- (3) That the Chair of the committee be Mr Borsak and the Deputy Chair be Ms Faehrmann.
- (4) That, unless the committee decides otherwise:
 - (a) submissions to inquiries are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration;
 - (b) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement;
 - (c) the sequence of questions to be asked at hearings is to alternate between government, opposition and crossbench members, in order determined by the committee, with equal time allocated to each;
 - (d) transcripts of evidence taken at public hearings are to be published;
 - (e) supplementary questions are to be lodged with the committee clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness; and
 - (f) answers to questions on notice and supplementary questions are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration.
- (5) That the committee report by 30 November 2022.

Motion agreed to.

STANDING COMMITTEE ON LAW AND JUSTICE

Extension of Reporting Date

The Hon. WES FANG: I move:

That the reporting date of the inquiry into the Road Transport Amendment (Medicinal Cannabis - Exemptions from Offences) Bill 2021 by the Standing Committee on Law and Justice be extended to Thursday 11 August 2022.

Motion agreed to.

Visitors

VISITORS

The PRESIDENT: I welcome to the President's gallery Mr Rod Barton, a member of the Victorian Legislative Council.

Documents

ANIMAL WELFARE REFORM – ISSUES PAPER

Production of Documents: Order Amended

The Hon. ROBERT BORSAK (14:37): I move:

That the resolution of the House of Wednesday 23 February 2022, under Standing Order 52, relating to the New South Wales Animal Welfare Reform Issues Paper be amended as follows:

- (a) omit "Department of Agriculture and Western Sydney" and insert instead "Minister for Agriculture, and Minister for Western New South Wales"; and
- (b) omit "within 21 days" and insert instead "within 7 days".

Motion agreed to.

Budget

BUDGET ESTIMATES 2021-2022 TIMETABLE

The Hon. JOHN GRAHAM (14:38): I seek leave to amend private members' business item No. 1734 outside the order of precedence as follows:

- (1) Insert before paragraph 1:
 - (1) That this House notes that:
 - (a) on Wednesday 23 February 2023, the House adopted a schedule of additional budget estimates hearings for 2021-2022 over 13 working days from Monday 28 February 2022 to Wednesday 16 March 2022;

- (b) the following three hearings were unable to be conducted as scheduled by the relevant committees due to the impact of flooding in northern New South Wales and the unavailability of Ministers and other witnesses:

Day One: Monday 28 February 2022

PC 5 Emergency Services and Resilience

Day Eight: Wednesday 9 March 2022

PC 5 Deputy Premier, Regional NSW, Police

Day Nine: Thursday 10 March 2022

PC 1 Premier

- (2) That in view of the inability of Portfolio Committee No. 1 – Premier and Finance and Portfolio Committee No. 5 - Regional NSW and Stronger Communities to conduct these hearings, the committees be authorised to undertake the hearings as follows under the same arrangements as originally agreed to by the House on Wednesday 23 February 2023:

Day Fourteen: Monday 4 April 2022

PC 5 Deputy Premier, Regional NSW, Police

Day Fifteen: Wednesday 6 April 2022

PC 5 Emergency Services and Resilience

Day Sixteen: Thursday 21 April 2022

PC 1 Premier.

- (2) Insert after paragraph (e):

- (4) That it be an instruction to Legislative Council Portfolio Committee No. 6 – Transport that it not undertake the inquiry into matters arising from the shut-down of Sydney Trains on Monday 21 February 2022, referred by the House to the committee on 16 March 2022.

Leave granted.

The Hon. JOHN GRAHAM: Accordingly, I move:

- (1) That this House notes that:

- (a) on Wednesday 23 February 2023, the House adopted a schedule of additional budget estimates hearings for 2021-2022 over 13 working days from Monday 28 February 2022 to Wednesday 16 March 2022; and
- (b) the following three hearings were unable to be conducted as scheduled by the relevant committees due to the impact of flooding in northern New South Wales and the unavailability of Ministers and other witnesses:

Day One: Monday 28 February 2022

PC 5 Emergency Services and Resilience

Day Eight: Wednesday 9 March 2022

PC 5 Deputy Premier, Regional NSW, Police

Day Nine: Thursday 10 March 2022

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- (2) That in view of the inability of Portfolio Committee No. 1 – Premier and Finance, and Portfolio Committee No. 5 – Regional NSW and Stronger Communities to conduct these hearings, the committees be authorised to undertake the hearings as follows under the same arrangements as originally agreed to by the House on Wednesday 23 February 2023:

Day Fourteen: Monday 4 April 2022

PC 5 Deputy Premier, Regional NSW, Police

Day Fifteen: Wednesday 6 April 2022

PC 5 Emergency Services and Resilience

Day Sixteen: Thursday 21 April 2022

PC 1 Premier.

- (3) That further to the resolution of the House of 23 February 2022 in relation to the schedule of additional Budget Estimates hearings 2021-2022, the Portfolio Committees be authorised to hold further additional estimates hearings for 2021-2022 up until 31 May 2022 at a time to be determined by the committees in consultation with the relevant witnesses, and that for the purposes of any further hearings:

- (a) the committees must hear evidence in public;
- (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure;
- (c) witnesses, including Ministers, may not make an opening statement before the committee commences questions;
- (d) members may lodge supplementary questions with the committee clerk by 5.00 p.m. within two business days following receipt of the hearing transcript; and

- (e) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
- (4) That it be an instruction to Legislative Council Portfolio Committee No. 6 – Transport that it not undertake the inquiry into matters arising from the shut-down of Sydney Trains on Monday 21 February 2022, referred by the House to the committee on 16 March 2022.

Motion agreed to.

Motions

ASH BARTY RETIREMENT

The Hon. ROSE JACKSON (14:41): I seek leave to amend private members' business item No. 1735 outside the order of precedence by omitting in paragraph (2) (a) "the 2018 US Open" and inserting instead "the 2019 French Open".

Leave granted.

The Hon. ROSE JACKSON: Accordingly, I move:

- (1) That this House notes the announcement of the retirement of world number one tennis player and all round Australian champion Ashleigh Barty.
- (2) That this House acknowledges Ash Barty's astounding tennis career, including:
 - (a) three grand slam championships: the 2019 French Open, the 2021 Wimbledon Championships and the 2022 Australian Open;
 - (b) 15 singles titles and 12 doubles titles on the WTA Tour;
 - (c) an Olympic medallist in the mixed doubles in the 2021 Tokyo Olympics; and
 - (d) 120 weeks ranked world number one on the WTA Tour.
- (3) That this House acknowledges Ash Barty was also a professional cricketer with the Brisbane Heat and made an outstanding contribution to Australian sport, culture and society as the very model of a down to earth hero and leader.
- (4) That this House expresses its deepest appreciation and thanks to Ash Barty for being such an outstanding sporting champion and Australian.

Motion agreed to.

Committees

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. WES FANG: I table the report of the Legislation Review Committee entitled *Legislation Review Digest No. 41/57*, dated 29 March 2022. I move:

That the report be printed.

Motion agreed to.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. SCOTT FARLOW: I table report No. 57 of the Selection of Bills Committee, dated 29 March 2022. I move:

That the report be printed.

Motion agreed to.

The Hon. SCOTT FARLOW: According to paragraph 4 (1) of the resolution establishing the Selection of Bills Committee, I move:

That the following bills not be referred to a standing committee for inquiry and report this day:

- (a) Abortion Law Reform (Sex Selection Prohibition) Amendment Bill 2021;
- (b) Greater Cities Commission Bill 2022;
- (c) Mining and Petroleum Legislation Amendment Bill 2022;
- (d) Biodiversity Conservation Amendment (Kangaroo Protection) Bill 2022;
- (e) Electoral Amendment (Voting Age) Bill 2022;

- (f) Home Building Amendment (Medical Gas Licensing) Bill 2022;
- (g) State Revenue and Fines Legislation Amendment (Miscellaneous) Bill 2022; and
- (h) Residential Tenancies Amendment (Tenant Protections and Flood Response) Bill 2022.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE

Reports

The CLERK: According to standing order, I announce receipt of report No. 12 of the Public Accountability Committee entitled *NSW Government's management of the COVID-19 pandemic*, dated March 2022, together with transcripts of evidence, tabled documents, submissions, correspondence and answers to questions on notice and supplementary questions, received out of session and authorised to be printed on 25 March 2022.

Mr DAVID SHOEBRIDGE (14:44): I move:

That the House take note of the report.

I will speak very briefly to this report. The report itself is in the form of a budget estimates report, outlining the hearings and the subject matters of the hearing. From the outset there was significant controversy in the establishment of this inquiry. The Government resisted it publicly, with media attacks on the temerity of the upper House to insist upon oversight during the COVID-19 pandemic. There was also both institutional and political resistance by key government officials, including the Minister or the Chief Health Officer, to appear before the inquiry. If members think back to that time, now some two years ago, when we kicked off this inquiry, they will recall the extreme level of concern in the community about the potential impact of COVID-19. We can reflect upon how destructive that approach by the Government was: shutting down the Parliament, refusing to cooperate with the committee and refusing any kind of parliamentary oversight while the Executive was exercising extraordinary powers. Many of those powers had been given to the Executive during some pretty extraordinary sessions of the Parliament.

I am grateful that we ultimately had a cooperative committee. It has had a series of hearings over two years. At some points it was the only way to achieve public accountability of the Executive's response to the pandemic. I place on the record my enormous gratitude to the Clerks, the secretariat and the staff, who worked with us to establish a new form of parliamentary oversight. They sometimes worked with untested technology, having the first mix of live and online hearings. Over the course of the last two years, we worked with the IT staff and secretariat to reach the position where we could have fully online hearings with the chair, the secretariat, members and witnesses all online. Those hearings at different times had significant public interest. Those hearings at different times highlighted the hubris of the Government. There were occasions when the health Minister acted poorly during those hearings and refused to allow the Chief Health Officer to answer questions and share her experience with the committee and, through the committee, with the people of New South Wales, who were demanding answers.

I will say that as the committee continued we did get improved cooperation from the health Minister. He made himself available for further hearings and that is a sign of some maturity in the relationship between the Executive and the Parliament. What I urge this House to take away from the report and from that exercise over the past two years, as we bring to an end the COVID-19 oversight hearing, is that parliamentary oversight and scrutiny cannot be put in the deep freeze during a crisis. In fact, during a crisis is when we need to step up our work to hold the Executive to account, not so as to divert resources from critical public health or other emergency responses but to ensure those responses as best as possible are measured, are addressing the urgent needs of the population and are ultimately held to some kind of democratic accountability. I am proud of the work we have done in this space. I am proud of the work of this Chamber in supporting the Public Accountability Committee in its work. I commend the report to the House.

Debate adjourned.

Documents

MR LUKE MOORE

Further Return to Order

The CLERK: According to the resolution of the House of Wednesday 23 March 2022, I table documents relating to a further order for papers regarding the arrest, charging and detention of Mr Luke Moore on 25 February 2021, received on Monday 28 March 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

SYDNEY METRO – WESTERN SYDNEY AIRPORT PROJECT**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 24 March 2021, I table additional documents relating to an order for papers regarding the Sydney Metro Western Sydney Airport project, received on Monday 28 March 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Monday 28 March 2022 which are considered to be privileged and should not be made public or tabled. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

GIG ECONOMY**Dispute of Claim of Privilege**

The PRESIDENT: I inform the House that on 23 March 2022 the Clerk received from the Hon. Daniel Mookhey a written dispute as to the validity of a claim of privilege on documents lodged with the Clerk on 22 December 2021 relating to Revenue NSW investigations into the gig economy—further order. Pursuant to standing orders, a retired Supreme Court judge, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbiter to evaluate and report as to the validity of the claim of privilege. The Clerk has released the disputed documents to Mr Mason for evaluation and report.

WESTERN LANDS LEASE CONVERSION PROGRAM**Dispute of Claim of Privilege**

The PRESIDENT: I inform the House that on 28 March 2022 the Clerk received from Mr David Shoebridge a written dispute as to the validity of a claim of privilege on documents lodged with the Clerk on 16 March 2022 relating to the western lands lease conversion program. Pursuant to standing orders, a retired Supreme Court judge, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbiter to evaluate and report as to the validity of the claim of privilege. The Clerk has released the disputed documents to Mr Mason for evaluation and report.

*Committees***PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE****Membership**

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Chris Rath in place of the Hon. Don Harwin, resigned.

PORTFOLIO COMMITTEE NO. 2 - HEALTH**Membership**

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Chris Rath in place of the Hon. Shayne Mallard.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT**Membership**

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following changes to the membership of the committee:

The Hon. Chris Rath in place of the Hon. Don Harwin, resigned.

The Hon. Shayne Mallard in place of the Hon. Scott Farlow.

PRIVILEGES COMMITTEE**Membership**

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Shayne Mallard in place of the Hon. Scott Barrett.

PROCEDURE COMMITTEE

Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Natasha Maclaren-Jones in place of the Hon. Shayne Mallard.

REGULATION COMMITTEE

Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Taylor Martin in place of the Hon. Lou Amato.

SELECT COMMITTEE ON THE GOVERNMENT'S MANAGEMENT OF THE POWERHOUSE MUSEUM AND OTHER MUSEUMS AND CULTURAL PROJECTS IN NEW SOUTH WALES

Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Chris Rath in place of the Hon. Don Harwin, resigned.

SELECTION OF BILLS COMMITTEE

Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Peter Poulos in place of the Hon. Natasha Maclaren-Jones.

STANDING COMMITTEE ON LAW AND JUSTICE

Chair and Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following change to the membership of the committee:

The Hon. Chris Rath in place of the Hon. Scott Farlow.

I inform the House that the Leader of the Government nominated the Hon. Chris Rath as Chair of the Standing Committee on Law and Justice.

STANDING COMMITTEE ON SOCIAL ISSUES

Chair and Membership

The PRESIDENT: I inform the House that this day the Clerk received advice from the Leader of the Government advising of the following changes to the membership of the committee:

The Hon. Scott Farlow in place of the Hon. Taylor Martin.

The Hon. Chris Rath in place of the Hon. Don Harwin, resigned.

I inform the House that the Leader of the Government nominated the Hon. Scott Barrett as Chair of the Standing Committee on Social Issues.

SELECT COMMITTEE ON THE RESPONSE TO MAJOR FLOODING ACROSS NEW SOUTH WALES IN 2022

Membership

The PRESIDENT: I inform the House that the Clerk has received the following nominations for membership of the committee:

Government: The Hon. Scott Barrett
 The Hon. Catherine Cusack

*Business of the House***RESTORATION OF BUSINESS**

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (15:25): I move:

That the Workers Compensation Amendment Bill be restored to the *Notice Paper* and the first reading and printing be set down as an order of the day for a later hour of the sitting.

Due to an extraordinary decision of members opposite, the bill has not been restored to the *Notice Paper*, which contradicts the normal convention of the House to return a bill after a committee inquiry. In fact, the restoration of business motion is necessary because of that decision. I will make a number of points on this, but I will be brief. The extraordinary decision not to restore the bill to the *Notice Paper* is a direct attack on this Parliament. The decision of those opposite contravenes the normal practice of the House and implies that we do not agree to this Parliament debating a Government bill—that is the function of the Parliament. Effectively, those opposite are saying, "We decide what this Parliament can debate, not the Government and not the members of the House."

A majority of committee members in that particular committee have made a decision that the bill not proceed and, accordingly, they have decided that this Parliament should not have a voice in relation to the bill. That is an extraordinary attack on the Parliament's right to debate the terms of a bill that has been passed by the other place. A bill debated and passed in the other House comes to this House, is referred to an inquiry, comes back to this House with a report which says that it should no longer be considered by the House. Those members who rely on that recommendation seek to deprive the House of a voice on the bill for their own ideological purposes. On any view, it is a disgrace not to allow debate on the bill.

Those members have an opportunity to approve the motion to restore the bill to the *Notice Paper*, but they retain their position and they oppose the motion. The shame continues in respect of their abrogation of their responsibility to democracy in the manner in which they have dealt with the bill. If the Government is to be deprived of the opportunity to debate the bill because of a majority decision of the House, it should be clear to all members that there will be ramifications for other bills that may come before the House. Members can adopt an ideological position on the substance of the bill, but the place to have that position is in debate on the bill. For a party like The Greens to state in this Chamber that they do not want the bill to be debated in the House because its members might take a different view from others is such a betrayal of everything The Greens have postulated in this place.

One member of The Greens is proposing to leave this House shortly and the tag we will attach to him is that he is an enemy of democracy. That is the way we will brand and tag him as he leaves. I want him to say in his valedictory speech, "One of my last contributions to this place is to try to deny debate on a Government bill." That is the tag he will take with him when he leaves. I want him to make sure that he takes that tag to his Facebook page and social media outlets to tell everyone, "I am earmarked from this day forward as an enemy of democracy." That is what the decision not to allow the restoration of the bill to the House means.

I have been a member of a subcommittee of the Procedure Committee when unanimously it was agreed that when bills are returned to the House, having been considered by a subcommittee of this House, they will automatically be restored to the *Notice Paper*. The inconsistency of that resolution of the subcommittee of the Procedure Committee and what has occurred in this House goes to underpin the hypocrisy of those who have opposed the restoration of the bill. They have an opportunity of remedying that by agreeing to the restoration of the bill right now. They can do it right now. I am sure the Hon. Daniel Mookhey will jump to his feet and say, "We agree to the restoration of the bill"—

The Hon. Natalie Ward: Allow debate.

The Hon. DAMIEN TUDEHOPE: —"to allow debate on the substance of the bill in this place." He will bear the consequences of it if he does not because he will share the ignominy of The Greens member who wants to head to the Senate with a tag attached to him. The Hon. Daniel Mookhey will bear the same tag. On any version, it is clear that the House should be the determinant of the fate of bills, not a committee of the House and a majority of that committee making a determination that a bill should not proceed. Such a recommendation is designed to thwart the proper process of this place. It is designed to thwart a bill that has been passed in the other House. It was democratically debated and voted on by members of the other House and came to this House, and members of a committee of this House decided that it should not proceed—without any debate in this House. Such a position is absolutely untenable for the purposes of saying to the people of New South Wales that this is a democratic institution. I urge members opposite to reconsider their position on this motion.

The Hon. DANIEL MOOKHEY (15:33): When the Crown was in fear of revolution in Europe in the 1840s, our democracy responded magnificently. When imperial Japan marched south and sent a submarine to our

city, this House rose to the challenge. When we had to stare down fascism in World War II, our democracy survived. In recent times, as we have responded to the threats of terrorism and managed to respond to a global pandemic, our democracy performed magnificently. That is why I have confidence that our democracy will survive an objection to this motion proceeding by formal business that I made and was joined by Mr David Shoebridge.

Unlike the Leader of the Government, I have confidence that our democracy can withstand the Opposition saying that we should debate the restoration of this bill to the *Notice Paper*. I welcome the debate that we are now having as to whether or not this item should be restored. I thoroughly enjoyed the Leader of the Government starting this parliamentary week by gaslighting the people of New South Wales on multiple levels. What better way to start the week than to have the Leader of the Government in such fine form. I look forward to him continuing with his Oscar-winning performance in 25 minutes when it is time for questions without notice. I know what it is like to feel the rhetorical force of effectively a Government member performing like some of the events we saw last night in Los Angeles—to be effectively whacked in the face with a *Notice Paper*.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I direct the Hon. Daniel Mookhey to confine his remarks to the leave of the motion.

The Hon. DANIEL MOOKHEY: On behalf of the Opposition I strongly believe it is appropriate that we consider whether or not this House we should restore this item of business to the *Notice Paper*. A matter as important as this should not have been trafficked through formal business, which is for matters that are not controversial. Formal business is a procedure of this House to allow matters that are likely to attract unanimous support or reflect the emergence of consensus to proceed without otherwise occupying the time of the House. This is not one of those matters. This is a highly contentious matter. This is an attempt by the Government amid a pandemic to remove a vital protection that was promised by this Parliament to tens of thousands of workers across this State. The least we owe them is a proper debate about whether or not the committee's findings should be accepted.

I also do not intend to speak long on this matter, but let me deal with some of the matters raised. To the extent to which the Leader of the Government says that this is unprecedented, I remind him of three facts: Firstly, only in this term of Parliament, as a result of the hard work of the Opposition and crossbench parties—and I pay particular respect to the Hon. Adam Searle—did we build a bills inquiry system that allows us to refer bills for further scrutiny before they come to the House to inform all members as to their position. But in us establishing that system we also gave those committees power to decide whether or not bills should proceed.

When Portfolio Committee No. 1 received the referral of this bill, it did its job, under the magnificent chairmanship of the Hon. Tara Moriarty. The committee returned a report to the House on the very first bills inquiry, stating that the bill should not proceed. The reason we are having this argument is because this is the first time a committee has come back to the House and said, "The bill should not proceed." No other committee has reached that conclusion. I say that Portfolio Committee No. 1 was correct to reach that view. I strongly encourage all members to read the report, but in case they have not I will paraphrase it. Portfolio Committee No. 1 concluded that the entire bill was invented on fiction. Its case was mounted by Government members, including the Leader of the Government, on a lie.

The Hon. Damien Tudehope: Point of order: In many respects the Hon. Daniel Mookhey is now straying from—

The Hon. Mark Buttigieg: No, he's not.

The Hon. DANIEL MOOKHEY: No more than you.

The Hon. Damien Tudehope: Just hear me out. These are all debating points relating to the bill. If the Hon. Daniel Mookhey wants to debate the bill, that is one matter. If he says that there is a process of the House whereby we must comply with a direction from the committee that the bill does not proceed, then he should argue that there is a standing order that allows for that to occur, which must be adhered to. The substance of the bill is now what the Hon. Daniel Mookhey is debating because that is the ideological predisposition of members of the committee who supported the report wanted to argue. That is the subject of proper debate in the House, not debate on this motion.

Mr David Shoebridge: To the point of order—

The Hon. Adam Searle: To the point of order: The Leader of the Government is entirely misconceived in what he just said. The Hon. Daniel Mookhey was developing his argument about why this matter should not proceed in the way that has been proposed by the Government. Given that is the issue before the House, the Hon. Daniel Mookhey's comments were entirely in order.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I note that Mr David Shoebridge agrees with the Hon. Adam Searle. I accept that the Hon. Daniel Mookhey was setting up his position on the motion. He will continue but come back to the substance of the motion that is before the House.

The Hon. DANIEL MOOKHEY: The reason why the committee recommended to the House that the debate should not proceed was that the factual basis upon which the bill was presented was incorrect, and that was proven through the committee's inquiry processes. To be fair to the Government, its own agencies came back and established through the inquiry process that the factual basis by which the Government made its claims about the bill were incorrect. On that basis, the committee recommended to the House that the debate on the bill should not proceed. That is why the Opposition supports the views of the committee when it comes to that matter.

I will move to my next point, which is the furphy that the Leader of the Government introduced, both in his substantive motion and his point of order, which is that somehow committees do not have the power to make such recommendations. That is nonsense. The committee has made its recommendation and members of the House are doing their duty, which is to debate its recommendation and reach a concluded view. When it comes to this matter, regardless of the outcome of this debate, let me assure the Leader of the Government that members on this side of the House are happy to debate the bill at any point because it is nonsense. If we have to debate it on Thursday or today, then fine.

The Hon. Damien Tudehope: Then let's do it.

The Hon. Natalie Ward: Restore it then.

The Hon. DANIEL MOOKHEY: The committee position is a solid one. Given the committee has said that a government bill should not proceed, the onus is on the Government to persuade members of the House otherwise. That is the position that the Opposition is adopting. It is not our fault that this is the first time the Government finds itself in this position, and it is not our fault that it finds itself in a position where the bill that it tried to sneak through last year in the dead of night to remove this presumption has been held up by the House. The House has acquitted its responsibility to this bill well. Members have scrutinised it and referred it to a committee.

The committee has made a finding, and the House now has the opportunity to either act on the committee's finding or proceed to the debate. Regardless of what the House chooses, let there be no doubt that when it comes to this essential protection, Labor members stand with those workers who have sacrificed so much and we stand with those businesses that have done their level best to support it as well. On that basis we support the view of the committee that the House should not be occupying itself any further when it comes to this bill, which was formulated on the basis of a lie, was presented publicly as an ambush and would have the substantive effect of stripping thousands of workers of essential protection—

The Hon. Damien Tudehope: Again, this is debate on the substance of the bill, not in relation to—

The Hon. DANIEL MOOKHEY: —in a manner that would not lead to a single cent of premiums reductions. The Opposition rejects the bill.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! I will hear the Minister's point of order.

The Hon. Daniel Mookhey: I have finished anyway.

Mr David Shoebridge: It was not a point of order; it was just disruptive behaviour.

The Hon. Daniel Mookhey: It was disruptive, but I have finished now.

Mr DAVID SHOEBRIDGE (15:42): On behalf of The Greens I make a contribution to debate on the motion. I am glad that we are able to speak to it and that the Government did not sneak it through without debate by way of formal motion, as it tried to do. The Government has said suddenly that it wants a debate. It actually tried to sneak through the motion on formal business knowing full well that there could be no debate on formal business.

The Minister has a narrative about how having this debate now rather than sneaking it through on formal business is somehow a terrible attack on democracy. Quite the opposite; we are only having this debate because Opposition and crossbench members did not agree to having yet another dark of night attack on workers compensation rights by this Government. Let me be clear: The Greens support the committee's resolution. The House resolved to refer the bill and the provisions of the Workers Compensation Act to a committee. I am proud to be a member of the party that proposed to put the bill on the statute book. Greens amendments were put in to protect frontline workers who were protecting us during the pandemic, and who continue to do so.

At the core of the debate is whether or not we are going to facilitate the Government's attack on frontline workers and take away their rights to protection under workers compensation. The Greens will not do that at any point. We will not do it without debate through a sneaky formal motion and we will not do it in this debate. We will not facilitate this Government's attack on frontline workers. They are there for us and we are here for them right now. The committee also found that the entire Government case was based on a bald-faced lie by this and other Ministers. I will read a comment from the committee:

The Minister in his second reading speech argued that if section 19B is not repealed, the cost to the workers compensation scheme will be—

The Hon. Shayne Mallard: Point of order: This goes to the points of order that were made by the Minister. We are debating the restoration of this legislation to the *Notice Paper*. We are not debating the content of the report nor the legislation, just whether the bill should be put back on the *Notice Paper*. We should have that debate when it is on the *Notice Paper*.

Mr DAVID SHOEBRIDGE: To the point of order: The motion is about whether the bill should be restored. The committee report has recommended that the House rejects it. The rationale behind that recommendation is clearly relevant to whether or not members agree to the restoration. It can be rejected through this motion or it can be rejected at the second reading stage. It is clearly relevant to the debate.

The DEPUTY PRESIDENT (The Hon. Wes Fang): In this instance Mr David Shoebridge, like the Hon. Daniel Mookhey, is setting up his arguments about his position on the motion. He will come to the motion at hand so that we can conclude the debate.

Mr DAVID SHOEBRIDGE: To return to the bald-faced lie that the Government was putting out in its argument in support of the bill, the committee found:

The Minister in his second reading speech argued that if section 19B is not repealed, the cost to the workers compensation scheme will be \$638 million, resulting in an average premium increase for small businesses of \$950 a year from \$3,579 to \$4,535. Quite simply, the evidence before the committee does not support these figures.

The Hon. Natalie Ward: Point of order—

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! I will hear the point of order.

The Hon. Natalie Ward: My point of order is that members of the House have the committee report, which they are able to read should they wish to. Mr David Shoebridge is—

Mr DAVID SHOEBRIDGE: That is not a point of order.

The Hon. Natalie Ward: You're not in the chair.

[*Government and Opposition members interjected.*]

The Hon. Natalie Ward: My point of order is that Mr David Shoebridge is straying well beyond what is appropriate in the debate. He is wasting the time of the House. Members can read the report; it is available to them. We do not need him to lecture us on the contents of the report. We would like to get to the substance of the debate, which is whether to restore the bill to the *Notice Paper* so that members who are not on the committee and who have a view can have the opportunity to do their job, which is to debate the substance of the motion.

Mr DAVID SHOEBRIDGE: To the point of order: The member is cavilling with your ruling. I was midway through reading that quote and the first time a point of order was taken by a Government member you ruled against them. Then, as I was trying to complete the quote, ignoring your previous ruling another Government member made another unworthy point of order, without any reference to the standing orders. The standing orders permit the reading out of reasonable extracts. Reading that quote was clearly well within the standing orders. There was no reference to a standing order from the Hon. Natalie Ward, whose point of order was directly cavilling with your ruling and challenging your authority in the chair—midway through the same quote.

The Hon. Natalie Ward: To the point of order: Mr David Shoebridge seems to have confused his role as a member of the House to being in the chair. Saying that I have made an unworthy point of order is not—

The Hon. Walt Secord: What's your point of order?

Mr DAVID SHOEBRIDGE: I am supporting the Chair.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! The points of order will be heard in silence.

The Hon. Natalie Ward: It is inappropriate for a member to cast the aspersion that a point of order is unworthy when he is not in the chair. He should confine his remarks to debate on the motion, which is that

members of this House would like the opportunity to restore the bill to the *Notice Paper* and do their jobs, which is to debate it.

The Hon. Damien Tudehope: To the point of order: By way of elucidation, the circumstances of the debate are—and you ought to take this into account in my submission, Mr Deputy President—that this is a debate about whether—

Mr DAVID SHOEBRIDGE: You lost this five minutes ago. It was the exact same quote.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Minister will be heard in silence as he is taking a point of order.

The Hon. Damien Tudehope: This is a debate about whether the direction of a committee of the House that says that a bill should not proceed should bind the House where there is no standing order. The member should address whether there is any basis upon which a recommendation by a committee binds the House not to restore a bill to the *Notice Paper*. That is what should be debated, not the substance of the bill or those matters that underpin the bill. It is a short debate. I ask that the member to point to the standing order that says that a bill will not be restored to the House and that will be the end of it. If not, let us restore the bill.

The Hon. Daniel Mookhey: To the point of order: I do not know how to treat the Hon. Damien Tudehope's contribution because I do not know what it is about. Minister Ward should identify the standing order she is alleging the member is breaching. To be clear: we have well-established practices and precedents that committee reports can be referred to when debating matters that relate to the committee's recommendation. The motion before the House is to restore the bill to the *Notice Paper*. Unlike the way in which Minister Tudehope described it, it is in order for members to debate matters that were raised in the committee report, even if they are somewhat contrary to the Government's position or, in fact, embarrasses it greatly.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I am satisfied that Mr David Shoebridge is establishing his reasons for his objection to the bill being restored to the *Notice Paper*. I ask Mr David Shoebridge to return to substance of the motion so that we can conclude the debate.

Mr DAVID SHOEBRIDGE: I will endeavour to read the same quote onto the record for the third time. The committee found, in its damning findings, that this Government's bill is based on a lie:

The Minister in his second reading speech argued that if section 19B is not repealed, the cost to the workers compensation scheme will be \$638 million, resulting in an average premium increase for small businesses of \$950 a year from \$3,579 to \$4,535. Quite simply, the evidence before the committee does not support these figures.

You lied. Your Government lied.

The Hon. Damien Tudehope: You withdraw that.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Yes.

Mr DAVID SHOEBRIDGE: I withdraw that.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I hope that Mr David Shoebridge understands that I have given him wide latitude.

Mr DAVID SHOEBRIDGE: I have just been trying to read the quote.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Yes. However, you knew that final sentence would be inflammatory. I ask that the member not make those comments.

Mr DAVID SHOEBRIDGE: I withdraw it. The Government bald-face lied. It never had any of those numbers. It originally had a figure saying the workers compensation scheme would cost \$6 billion. Then at the end of last year it was \$638 million. Heaven knows what figure it will make up on Thursday if the bill is restored. It will bring forward another invented figure. We have belled the cat in the inquiry. The inquiry recommended:

... that the Legislative Council reject the Workers Compensation Amendment Bill 2021.

When the committee report was tabled, the Government could have moved under sessional orders, "On tabling of a report ... a motion may be moved without notice 'That the bill be restored to the *Notice Paper*.'" It did not. It was asleep. The report was tabled in February. It was tabled weeks ago, but the Government was asleep or forgot or did not think it had the numbers. Now they want to have the debate. Members on this side of the House we will always stand on the side of frontline workers. We will not agree with the lies and the attacks against their rights. We will do what we can at each point to resist this unworthy attack, based on the lie against frontline workers.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (15:53): In reply: I have heard nothing from members opposite that would convince anyone, including a kindergarten child, that there is any substance in denying—

[Opposition members interjected.]

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! The Minister will be heard in silence.

The Hon. DAMIEN TUDEHOPE: Members opposite had an opportunity to refer to the standing order, which says that there is provision—

The Hon. Daniel Mookhey: Standing Order 144. Have you read it?

The DEPUTY PRESIDENT (The Hon. Wes Fang): I have not yet called anyone to order in this role.

[Members interjected.]

The Hon. Natalie Ward: Point of order: The arrangement in this House is that when the Deputy President is in the chair and is making a ruling, members should listen in silence. It is disrespectful for members to quibble with that ruling—while you are speaking. They continue to interject and run a commentary before you have given a ruling. I ask that you call members opposite to order and restore to the House some semblance of the courtesy for which it should be known.

The Hon. Daniel Mookhey: To the point of order—

The DEPUTY PRESIDENT (The Hon. Wes Fang): I do not need to hear anything further. I uphold the point of order. The Minister will be heard in silence.

The Hon. DAMIEN TUDEHOPE: I conclude by saying that in order to protect democracy we ought to have a debate on the bill and I recommend the motion to the House.

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

Motion agreed to.

Bills

TATTOO PARLOURS AMENDMENT (STATUTORY REVIEW) BILL 2021

Second Reading Speech

The Hon. PETER POULOS (15:57): On behalf of the Hon. Sarah Mitchell: I move:

That this bill be now read a second time.

The Tattoo Parlours Amendment (Statutory Review) Bill 2021 amends the Tattoo Parlours Act 2012 to improve the efficiency and effectiveness of the tattoo industry regulation in New South Wales. The bill will strengthen the regulatory framework for the tattoo industry, which was introduced to curb infiltration of the industry by organised criminal groups. Since the current Act commenced in 2012, gang and organised criminal activity in the tattoo industry has reduced. However, there is still more work to be done. The bill addresses specific issues identified by peak industry bodies, tattoo business owners, tattooists and the joint regulators, NSW Fair Trading, and the NSW Police Force.

The amendments will ensure that the Act remains fit for purpose, prevents criminal infiltration of the industry, increases transparency around licensing application procedures and enhances opportunities for businesses to flourish. To that end, the bill makes six significant amendments to the current tattoo licensing scheme in New South Wales. Firstly, the bill changes the name of the Tattoo Parlours Act 2012 to the Tattoo Industry Act 2012 and the names of the Tattoo Parlours Regulation 2013 to the Tattoo Industry Regulation 2013. The industry is made up of small businesses and professional artists who provide a growing and now mainstream service to the community. Modernising the language of the Act reflects the professionalism of the industry. Secondly, the bill will make the Commissioner of Police the sole authority responsible for regulating the tattoo industry under the Tattoo Industry Act 2012. In this manner, government will be made easy, as the commissioner will be the only authority with which the public and industry must deal under this Act, instead of the current situation where both Fair Trading NSW and the NSW Police Force have responsibilities.

The third significant amendment in this bill provides that the regulation may prescribe criminal organisations to be excluded from applying for any form of licence under the Act. This amendment seeks to rectify an issue identified with the existing provisions. Currently, criminal organisations declared by the Supreme Court under the Crimes (Criminal Organisations Control) Act 2012 may not apply for a licence. However, the Supreme Court has not made a declaration of a criminal organisation to date. This provision in the Act is therefore not

achieving the intended purpose of excluding outlaw motorcycle gangs and other criminal groups from participating in the tattoo industry.

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

Leave granted.

Therefore, this bill will enable the regulation to prescribe criminal groups or gangs, based on the advice of the Commissioner, to disqualify their members from applying for a licence under the Act.

The fourth major amendment will prohibit the advertising of a body art tattooing business or body art tattooing procedures without an appropriate licence. This will help to uphold the law that only licensed businesses and tattooists can carry on the business of tattooing. It addresses stakeholder concerns that "backyard tattooing" or those who are conducting tattoo procedures without a licence or permit undermines legitimate industry professionals and poses a risk to the public.

This bill provides essential enforcement powers to authorised officers to investigate and prosecute offences within this section, under the new Division 2A "*Power to obtain information or records in relation to advertising offence*", sections 31A, 31B and 31C.

These sections provide that a person must give information upon request by an authorised officer for the purpose of investigating a suspected advertising offence. These powers are necessary enforcement measures so that the regulator can properly investigate possible breaches. A similar mechanism is found in the Security Industry Act 1997, Part 3B relating to powers to obtain information and records.

The fifth major amendment is that licence applications, renewals and restorations will be subject to clear disqualifying offences. If the applicant has, within 10 years before the application being made, been convicted of a disqualifying offence, they will be considered unsuitable for a licence or permit under the Act.

These disqualifying offences will be prescribed in the regulation following consultation and will include serious offences such as those linked with organised criminal activity and violence.

Including these disqualifying offences will ensure that applicants of licences or visiting tattooist permits will know "up front", what types of criminal history are grounds for refusal. The intent is that the time waiting to know the outcome of a licence or permit application will be reduced and the process is made more transparent.

The sixth significant amendment is that the bill will enable international tattooists to operate in New South Wales on a temporary basis by implementing a new visiting tattooist permit scheme.

The regulation currently allows for authorised participants at tattoo trade shows to be exempt from licensing requirements.

This amendment will mean that New South Wales tattoo businesses, for the first time since the regulatory scheme commenced, can benefit from hosting international talent at their business to improve local expertise and their customers' experience.

These amendments have been recommended to the New South Wales Government after consultation with industry peak bodies and tattoo businesses. We asked our industry stakeholders what could be improved. They spoke, and we have listened.

I now turn to the other details of the bill.

The bill amends section 1 to rename the Act to refer to the tattoo industry rather than the outdated expression "tattoo parlours".

The bill omits the definition of an adverse security determination from section 3. Provisions for security determinations are instead found in sections 14, 16, 19 and 19B.

The bill makes amendments to section 3 and other sections throughout the Act and regulation to give effect to machinery changes, transferring authority previously held by the Secretary of the Department of Customer Service to the Commissioner of Police.

The definition of authorised officer is amended to omit investigators under the Fair Trading Act and to clarify, that an authorised officer is a police officer, or another officer within the NSW Police Force who is authorised by the Commissioner in writing.

Section 3 and other sections throughout the Act are also amended to replace the term "operator licence" with the term "master licence". A master licence is that which allows a person to operate a tattoo business. The definitions of the new master and tattooist licences remain the same, but the terminology has been streamlined to align with other similar licensing schemes administered by the NSW Police Force. This is no reflection on the actual skills of tattooists themselves.

There are several new additions within the section 3 definitions. Definitions of licence number, master licence, permit, permit number and permanent Australian resident are included.

Further, a "disqualifying offence", is included to mean an offence prescribed by the regulations that is a ground for refusing a licence. Prescribing these offences in the regulation will allow for sufficient flexibility should further offences need to be added over time.

"Member" and "prescribed criminal organisation" are defined to give clarity about members and associates of prescribed organisations who would also not be eligible to apply for a master or tattooist licence.

The bill inserts a new section 4A that enables the regulation to prescribe an incorporated body or unincorporated group to be a prescribed criminal organisation.

The Minister must consider the advice of the Commissioner, before prescribing a group or body.

The new section 7(2)(a) exempts visiting tattooist permit holders from the requirement to be licensed under the Act.

Section 8 currently provides that a person cannot employ an individual to work as a tattooist unless they hold a tattooist licence. This bill amends this section to allow a person to also engage an individual holding a visiting tattooist permit.

The new section 8A creates an offence for advertising a body art tattooing business at a premises without a master licence.

Holders of a master licence must put their licence number on business advertisements.

A person must not advertise performance of a body tattooing procedure unless the person is self-employed at the licensed premises and holds a master licence, or has a tattooist licence or permit.

The maximum penalty for a breach of these provisions is set at \$11,000 for corporations and \$5,500 for individuals.

It is intended that the regulation will prescribe these offences as penalty notice offences.

The bill amends section 11 to clarify that applicants for a licence under the Act must be an Australian citizen or a permanent Australian resident.

The amended section 14 confirms that the Commissioner may carry out investigations and inquiries necessary for the proper consideration of new licence or permit applications, or for the renewal or restoration of existing licences or permits.

This section allows for the investigation of matters such as:

- whether the applicant or their close associate is a fit and proper person,
- whether it would be contrary to the public interest for a licence to be granted,
- whether the applicant has been convicted of a disqualifying offence in the last 10 years, and
- whether the applicant is, or was, in the previous 12 months, a member of a prescribed criminal organisation.

This provision is mirrored in the amended section 19 in relation to the Commissioner's powers to investigate, inquire and make determinations about existing licence or permit holders.

The bill amends section 16(3) to provide further circumstances under which the Commissioner must not grant, renew, or restore a licence. Subsections (f) and (g) include the new disqualification grounds, providing that the Commissioner must not grant, renew or restore a licence if satisfied that the applicant has been convicted of a disqualifying offence within the last 10 years, or is a current or past member of a prescribed criminal organisation within the last 12 months.

This bill amends section 18 to ensure that all licences are issued with a licence number. This is in line with industry feedback about the administration of the scheme. Mandating licence numbers will make administration much easier for both licensees and the regulator.

A new Division 3A, section 19B, clarifies how the Commissioner may have regard to criminal intelligence reports and other information, such as criminal charges and spent convictions, when making fit and proper person and other determinations in relation to both existing licensees and new applicants for a licence or permit under the Act.

In particular, the Commissioner may refer to a criminal intelligence report or other criminal information that is:

- relevant to the business or procedures proposed to be carried out under the licence, or
- that causes the Commissioner to conclude that improper conduct is likely to occur, or not to have confidence that improper conduct would not occur if the licence or permit was granted or continued.

The bill amends section 22A to extend its application to holders of a visiting tattooist permit, meaning that master licence holders must not permit persons without a tattooist licence or permit to perform tattooing on the licensed premises.

This bill also amends section 24 to clarify that master licence holders must ensure that documents and information prescribed by the regulations, such as licence numbers, are conspicuously displayed at the licensed premises.

Section 26 is amended to confirm the Commissioner must cancel a licence if the Commissioner is satisfied that mandatory disqualifying grounds apply.

The new Division 5A gives effect to a new "visiting tattooist permit" so that a permit may be granted to international applicants. Authorised permit holders will be legally able to perform body art tattooing procedures in New South Wales under conditions imposed by the Commissioner.

Industry stakeholders raised concerns that under the current Act, international artists are only permitted to perform at large scale commercial trade shows that are exempt from licensing provisions. Section 26A of Division 5A will now authorise holders of a visiting tattooist permit to perform as an individual tattooist under conditions of their permit, which broadens their work opportunities beyond simply performing at trade shows.

The new section 26B provides that applicants for a visiting tattooist permit must be aged at least 18 years and not be Australian by citizenship or permanent residential status.

This also means that interstate tattooists are not eligible for the permit. Tattooists with an equivalent licence in another Australian jurisdiction may apply for standard mutual recognition of their licence. The Government is aware that to date, only Queensland and New South Wales administer a licensing scheme for the tattoo industry. South Australia has a similar scheme to reduce criminal infiltration of the industry but does not require a tattooist to be licensed.

The new section 260 provides that the Commissioner can grant or refuse a visiting tattooist permit in accordance with the grounds prescribed in the regulation.

The new section 260 will allow the permit to be in a form approved by the Commissioner and to contain a permit number. Section 26E will allow the Commissioner to cancel or suspend a permit based on the determination of a matter under section 19 or other grounds.

Sections 27(1) (d to f) and 27(2) are amended by the bill to include provisions for visiting tattooists to seek administrative review from the NSW Civil and Administrative Tribunal [NCAT].

The new Division 2A under Part 4 provides police with a power to enforce the new advertising offence in the new section 8A. The enforcement powers provided to police are aimed at addressing the continued risk to the industry from unscrupulous operators.

Section 31B authorises officers to obtain information and records in relation to an advertising offence, by written notice. The notice:

- must specify the way information or records are required to be given, and the reasonable time by which the information or records are required to be given, and
- may require a person to hand over existing records that are in the person's possession or in their power to lawfully obtain.

The authorised officer may take copies of the records and if a record is in electronic, mechanical or other form, the record must, be given in writing, unless otherwise specified.

The new section 31C is a power for authorised officers to require answers and record evidence if the officer suspects on reasonable grounds that a person has knowledge of matters in relation to which information referred to in section 31B is reasonably required. In this case:

- the authorised officer may require the person to answer questions about the matters
- the Commissioner may require a corporation to nominate a director or officer of the corporation to answer questions
- an authorised officer may, by written notice, require the person to attend a specified place and time to answer questions
- an authorised officer may record questions and answers if the officer has informed the person of this
- the record may be made using, audio and/or visual apparatus, or another method decided by the authorised officer, and
- a copy of the record must be provided to the person as soon as practicable after it is made.

These powers are intended to allow proper investigation into the offence of advertising "backyard tattooing", which is unfair to honest and compliant traders.

Consequential amendments are made to section 33A to extend its application to the new sections 31B and 31C.

The current section 33A provides that self-incrimination is not an excuse to not providing records or information or to answering a question. However, it also includes protections, including that:

- a warning must be given by the authorised officer that a failure to comply with the request to answer questions, give records or information is an offence, and
- any information or answer given by an individual in compliance with the requirements is inadmissible as evidence in criminal proceedings against that person if the person objected at the time doing so on the ground that it might incriminate them, or the person was not warned.

On the other hand, any record that is given by a person is not inadmissible in evidence against the person in criminal proceedings, as well as further information obtained as a result of a record or information or an answer being given, on the basis that it had to be given or that it might incriminate the person.

The amended section 33A will apply to records, information or answers relating to investigating the new advertising offences under section 8A of the bill. The language used in section has also been modernised in line with current drafting conventions.

This bill amends section 32 to require visiting tattooists to produce their permit on demand to an authorising officer.

A new section 32A clarifies that the authorised officers, who are not police officers, are required to carry an identification card when they are exercising their functions under the Act, and to provide that if asked by a person.

The current section 36A(2) which relates to matters of evidence for interim closure orders is omitted as this has been provided for under the new section 36A(1)(i).

Section 37 subsections (1)(b) and (c) are amended by the bill so that visiting tattooist permit holders will not be paid compensation if their application for a permit is refused, or their permit suspended or cancelled. This is consistent with the current provision that applies to licence applicants and licensees under the Act.

I will now turn to the savings, transitional and consequential amendments in the bill.

Part 6 of the bill sets out consequential amendments and amendments to other Acts.

Item 12 sets out that any pending applications before the commencement of the bill for a new or renewal licence, can be treated as being made to the Commissioner.

This will ensure that those licence holders who have already made a "new licence application" to Fair Trading NSW prior to commencement of the amended Act, are not required to withdraw their application and can have it dealt with under the new laws.

Items 13, 14, 15 and 16 set out that a person who has applied for, or currently has an operator licence, is taken to now have a master licence.

Item 17 makes sure that existing licence holders will not be subject to a suspension or cancellation due to the introduction of the new mandatory disqualifying grounds for refusal.

However, item 17 also provides that licence applications pending a decision, including applications for restorations or renewals, will be subject to the amended sections 14, 16 and 19 as made by the bill. This means that applications "on foot" will be determined against the new assessment criteria such as if the person was a member of a prescribed organisation and other mandatory disqualifying offences apply.

This is to reduce the risk of some applicants who would be disqualified under the amended Act from applying for a licence before the bill commences, in order to avoid being assessed against the new criteria.

Item 18 refers to appeals and reviews in relation to existing licences or licence applications that have not been determined and provides these will be determined according to the amended Act.

Schedule 2 of the bill amends other statutes to refer to the new name of the Act. This schedule also makes amendments to section 55, 56 and 57 of the Road Transport Act 2013 to include permits within its exemptions to release photographs.

Further, the bill amends section 57(3) of the Road Transport Act to allow the release of photographs to the Commissioner on request, for the administration of the Tattoo Industry Act.

These provisions will make dealing with government easier for both licence applicants and the regulator.

Item 2.7 of Schedule 2 makes consequential amendments to the Tattoo Parlours Regulation 2013.

The new Division 2, clauses 8 to 11A, sets out the requirements relating to visiting tattooist permits including that:

- the maximum period for a permit is 3 months;
- prescribed personal information and documents to accompany applications must include:
 - the full name, date and place of birth of the applicant,
 - the postal or residential address at which the applicant intends to reside while in Australia,
 - a copy of the applicant's passport, or other kind of government issued identification, and
 - a copy of the applicant's entry visa, or evidence that the applicant has applied for a visa;
- applications must be made at least 28 days before the proposed commencement of the visit; and
- grounds for refusal include that 2 permits within that calendar year have already been granted, or that the application was not properly made.

Clause 13A prescribes criminal organisations as those listed under the new Schedule 3 of the regulation.

The bill amends Part 1 of Schedule 1 of the regulation to prescribe the fee amount for applications for visiting tattooist permits, which is set at a total of 2.16 fee units.

Schedule 2 of the regulation is amended to create a penalty notice offence for the new advertising offences found under the new section 8A of carrying on a tattoo service or business without a valid licence or permit, or for a master licensee not including the person's licence number on an advertisement.

The penalty notice amount for a corporation for such illegal advertising is \$1,100 and for individuals is \$550.

Schedule 3 then sets out those organisations that are excluded from applying for a licence or permit.

This mirrors those organisations prescribed in the Liquor Regulation 2018. By listing these organisations, it will be clear to applicants and business operators whether or not the applicant is eligible for a licence or permit under the Act or is able to be employed in the business.

Further, prescribing these organisations as a Schedule to the regulation will ensure that the list can be easily amended if new criminal organisation groups later emerge and there is evidence they should also be excluded.

The bill makes a range of amendments to ensure that the Tattoo Industry Act 2012 remains fit for purpose to stamp out criminal infiltration in the New South Wales tattoo industry.

I'm pleased that the new measures included in this bill, will reduce red tape for small businesses and that the police are provided with the powers necessary to regulate effectively.

I commend the bill to the House.

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

Questions Without Notice

FLOODS AND HOMELESSNESS

The Hon. PENNY SHARPE (16:00): My question without notice is directed to the Minister for Families and Communities, and Minister for Disability Services. Why did her Government decide to temporarily accommodate homeless people in the Northern Rivers in motorhomes in a flood-prone area, meaning that they have had to be disconnected from power and water and moved to higher ground due to the threat of further flooding?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:00): I thank the Hon. Penny Sharpe for her question. I will not go into all the details I covered off last week in relation to what the New South Wales Government is doing to support people who have been displaced in the floods. Firstly, I acknowledge the work that is being done but also, particularly, those who are being impacted by the recent floods and the severe weather warnings in the last 24 hours. I place on the record that a number of evacuation centres that have been established. They are located at Banora Point, Ocean Shores, Lismore, Murwillumbah, Kingscliff, Mullumbimby, Kyogle and Coraki. The key thing in relation to relocating particularly mobile homes is that in the event an area floods, you are ensuring that the people in those homes are safe. Therefore, they have been relocated.

WESTERN PARKLAND CITY AND WATER INFRASTRUCTURE

The Hon. SCOTT FARLOW (16:02): My question is addressed to the Minister for Finance, and Minister for Employee Relations, and the Leader of the Government. Will the Minister update the House on how the New South Wales Government is planning water infrastructure for the Western Parkland City using circular economy principles?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:02): I thank the Hon. Scott Farlow for his question. Last Thursday I attended the launch of *Unlocking the circular economy in the Western Parkland City*, a joint paper by Sydney Water and NSW Circular. NSW Circular is a New South Wales government-funded body with a mission that includes helping deliver new circular economy markets, infrastructure and services. Sydney Water is a State-owned corporation of which I am a shareholder Minister.

The Hon. Daniel Mookhey: Oh, you've noticed?

The Hon. DAMIEN TUDEHOPE: I do know. A new integrated Sydney Water management plan has been developed for the Mamre Road and aerotropolis precincts utilising an Australian-first approach to waterways and stormwater management. Under the plan, stormwater will be diverted into natural water channels and wetlands instead of relying on buried concrete pipes or drains. Smart water planning and management at a regional level brings together all parts of the water cycle. It also allows for the integration of recycled water with stormwater retained in existing waterways to create cool, vegetated corridors, improve waterway health and contribute to public open space.

The *Western Sydney Aerotropolis Precinct Plan*, released on 25 March, lays the foundation for the transformation of 6,500 hectares of land with new homes, jobs and open spaces supported by the right infrastructure. Responding to community feedback, the revised open space network will ensure more than 95 per cent of homes in the future aerotropolis are located within 400 metres or five minutes' walk of open space. The projected growth in population and industrial activity in the Western Parkland City means an estimated additional 47 gegalitres of water per year on average will be required.

New investment in water infrastructure is critical to meeting the city's projected water needs. Importantly, one of the goals of these investments should be accelerating the uptake of recycled water. City-wide access to recycled water and capturing and reusing stormwater will reduce reliance on drinking water for non-drinking purposes—an important innovation. This can also address urban heat island effects and thermal inequality by nourishing more public green spaces and urban tree canopies, creating attractive locations for local communities. The New South Wales Government is investing in infrastructure—

The Hon. Rose Jackson: How about you just connect the residents of south-western Sydney to the sewerage? Literally they can't get sewerage. This is all lavish; they just want to flush the toilet.

The Hon. DAMIEN TUDEHOPE: —that helps make communities and cities livable, including the new Western Parkland City. I say to those members opposite who keep interjecting that this is good government and this is exactly the sort of notion which those opposite never, ever think about in their policy-free zone.

GOVERNMENT INFRASTRUCTURE PROJECTS

The Hon. JOHN GRAHAM (16:05): My question without notice is directed to the Minister for Metropolitan Roads, both in her own capacity and representing the Minister for Transport. Given that yesterday the Minister for Infrastructure confirmed that the Government's infrastructure projects are all facing sharp-rising costs and delays, will the Minister update the House on the current status of the Beaches Link project and the Parramatta Light Rail stage two?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:06): I thank the Hon. John Graham for his question and his interest in the Government's \$108.5 billion infrastructure pipeline, of which \$71.5 billion is in Transport. The New South Wales Government of course continues to monitor construction market conditions. That is what a responsible government does given the circumstances in which we find ourselves. Over the past two years there has been an incredible amount of government investment in infrastructure across Australia, which has helped assist the economy, and nowhere more so than in New South Wales.

Of course, there are significant headwinds, which all members have seen, in terms of price escalation across the construction market. Now is the time to be prudent and consider how to best stage our existing project commitments. We need to stage projects at the right time to ensure the right price and value to the taxpayer. This is not an issue that is isolated to New South Wales. It might be a laughing matter to those members opposite but it is not a laughing matter to the taxpayers of New South Wales, who expect us to be prudent with our spend. That

is exactly what we do. We have all seen the effects of the global supply chain. We have all seen the difficulties with labour shortages around the world, as well as in Australia and New South Wales. A prudent government did not create those issues but must deal with them and do so responsibly, as a good economic manager does. This is not the same as the Labor Government between 2007 and 2011, which announced and then cancelled dozens of projects—

The Hon. John Graham: Point of order: My point of order is about direct relevance. I ask you to bring the Minister back to the two specific projects mentioned in the question and their status.

The PRESIDENT: The Minister was addressing them in a roundabout way and her comments were introductory in that regard. I ask her to bring those matters to a head.

The Hon. NATALIE WARD: Those members opposite do not want to hear about their record but the people of New South Wales absolutely do. Good economic managers are up-front about what they do—

The Hon. Daniel Mookhey: Point of order—

The Hon. NATALIE WARD: We have a pipeline. We are very clear about how we roll it out. They do not want to hear the truth.

The PRESIDENT: Order! The Hon. Daniel Mookhey has taken a point of order.

The Hon. Daniel Mookhey: Mr President, I feel that the Minister is now cavilling with your ruling. You made your ruling about the Minister becoming directly relevant and then she continued on with the matter you ruled to be not directly relevant. I would prefer, as would the people of Wentworth Point and Harris Park, to find out what is going on with the Parramatta Light Rail stage two. I am sure lots of people are interested in the Beaches Link. I ask you to bring the Minister back directly to the question.

The PRESIDENT: The Minister has the call. I ask her to be directly relevant.

The Hon. NATALIE WARD: I am happy to do so. That is what sensible governments do. Now is the time to consider how to best stage these projects to ensure the taxpayers of New South Wales get value for money out of them. As I have said, it is important that we take stock of all of our major projects. We are very clear about that. We have a staging process and Infrastructure NSW has a staging process to be able to do that. The New South Wales Government has been committed to the Beaches Link project for a long time. That commitment remains.

However, as a responsible economic manager, it is important that we consider the full economic conditions before a further decision is made on the project. That is exactly what sensible, responsible governments do. I certainly hope that the project continues. I know that the people of the northern beaches do so, and we said so. As part of being a responsible government, we continue to work through all of those challenges that are thrown at us. We do not just willy-nilly throw out promises and press releases. We cost them and stage them appropriately. I will continue to work with my colleagues on ways to ensure that our projects can be delivered in a way that delivers value for families across New South Wales.

The Hon. JOHN GRAHAM (16:09): I ask a supplementary question. Will the Minister elucidate on that part of her answer where she said that she certainly hopes that the project continues? Given that the Minister is in charge of the project, will she tell the House what the estimated turnout cost for the Beaches Link project is and when it will be open to commuters?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:10): That is why we have Infrastructure NSW. That is why we have our staged planned process. That is why we have planning. That work is still ongoing.

The Hon. DANIEL MOOKHEY (16:10): I ask a second supplementary question. Will the Minister elucidate that part of her answer when she made reference to a review of projects? Will she confirm that the Government remains committed to the Parramatta Light Rail stage two, given that it has been promised in two by-election campaigns? What is the projected out-turn cost for the Parramatta Light Rail stage two, and when will it be open to commuters?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:10): As I said earlier, this Government remains committed to our projects. I am happy to take on notice the specifics in relation to the Parramatta Light Rail.

WALGETT COMMUNITY COLLEGE

The Hon. MARK BANASIAK (16:11): My question without notice is directed to the Minister for Education and Early Learning. The Minister would be fully aware of the repetitive pattern of external interference at Walgett Community College, which leads to executive principals being employed and replaced in quick

succession. Given that consistency is a key driver in improving outcomes in disadvantaged communities and the students are now victims of poor management, when will the Minister take action and address the core reasons those executive principals are hired and then dismissed in such a short time frame?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:11): I thank the honourable member for his question. It is an important issue about a really important community. I believe the honourable member has asked me questions about Walgett in previous question times. It is fair to say that obviously we acknowledge that there is more work to do with the community in Walgett. We remain committed to making sure that every child in Walgett gets the education that they deserve. They are absolutely entitled to that right. But we also know that we have to take a considered and a contextualised approach when it comes to how we implement policy and how we work with the staff, particularly at Walgett Community College.

I recognise what the member said in his question: When there are issues with staff moving on and staff changing in those positions, that can be a challenge in terms of consistency and stability. I absolutely acknowledge that, no question. Part of it is the work we need to do to make sure that our staff feel supported, that they feel empowered and that we work not just with the school but also with the whole of the community. That is a big part of what we do in Walgett, particularly as a Connected Communities school. We know that some entrenched issues in the Walgett community have existed for years. These are things that multiple government agencies are working on together, and they will continue to do so.

Recently we have seen some initial improvements in terms of student attendance, student behaviour and staff turnover in Walgett. The local Aboriginal Education Consultative Group is leading that through Connected Communities, as I said. The AECG is able to have localised responses, and we can work very closely with community. We also have additional resources to assist the current teachers, support officers and executive members in making sure that the school continues to provide a supportive educational environment that delivers effective learning for students.

In terms of incentives, a range of initiatives is available for teachers who go out to teach in the area. I will not go into that because I am sure the Hon. Mark Banasiak is familiar with the details. More broadly, we are also working very closely across government, particularly with the Department of Regional NSW, in terms of how we can have a better whole-of-government response to some of the issues in Walgett and how education plays a role in that. I look forward to continuing that work and updating the member in relation to these issues.

The Hon. MARK BANASIAK (16:14): I ask a supplementary question. Will the Minister elucidate her answer where she talked about entrenched behaviours or entrenched issues in the community? What specifically is the department doing to address those entrenched issues, and what are those entrenched issues?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:14): As I said, Walgett is a community that has had a lot of history, particularly within the school space. Bringing those schools together as Connected Communities, issues of staff and retention of staff are some of the things that we have seen in the education space. Part of our conversations with Regional NSW are around, "What are we doing to attract professionals more broadly to different communities?" That includes Walgett as well. Again, I know that the member would be familiar with the details. I also acknowledge his colleague the member for Barwon, who reaches out on these issues. These are things that should not be politicised. It should just be about government and services working together to get the best outcome for those kids. It is a community that I know well. I am hoping to get out there in the near future again. As I said, there is a long history of issues within that community, and it is about making sure that we get it right for the kids.

VAPING IN SCHOOLS CAMPAIGN

The Hon. WES FANG (16:15): My question is addressed to the Minister for Education and Early Learning. Will the Minister update the House on the launch of the "Do you know what you're vaping?" campaign?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:15): The New South Wales Government has recently launched the "Do you know what you're vaping?" campaign. As part of this campaign, a toolkit has been developed, made up of evidence-based resources from NSW Health and the Cancer Council NSW. The resources are designed to fill an information vacuum and get the message out there, particularly to young people and to our students, that vaping is not as safe as they might think. I did not know this. I ask you, Mr President, and members: Did you know that one vape can equal 50 cigarettes? More importantly, a lot of young people also do not know this statistic. More work has to be done in terms of the regulation of these devices.

The education campaign has materials that are specifically designed for young people, for parents and carers, for teachers and schools, and for health professionals to kick-start a conversation in the community. The rising use of vapes is a growing concern for our school communities. We know that kids are adventurous and they

want to try new things. For some children, what we hear is that vapes might seem attractive as they are marketed. They are bright and colourful, often resembling highlighters or USBs and pens, so it is a bit hard for teachers and parents to detect, especially if they do not know what they are looking for. They come with fruity flavours. That is part of the reason we need to dispel the myths that they are harmless and ensure that the community know that they are not simply inhaling water vapour if they use a vape.

Like we did with smoking, we need to make sure we have a whole-of-government and a whole-of-community approach to address the rise of vaping. This campaign is the first step in that approach. Vapes are treated the same as smoking on school grounds. They are strictly prohibited. While the sale of vapes to under-18s is illegal, unfortunately, a number of reckless individuals continue to sell vapes to minors. That is why a community-based education campaign is so necessary. The vaping toolkit resources are designed to make it simple to know the facts and the real dangers of e-cigarettes and vaping. Vaping products are often incorrectly labelled, if they are labelled at all. Despite requiring a prescription for nicotine vapes, when NSW Health tested samples of e-liquids, 70 per cent of them contained high levels of nicotine, which is pretty frightening. It can cause serious behavioural issues for young people and teens who vape, as they are three times more likely to take up smoking.

The number of young people vaping without consideration for the effects is concerning. Certainly when I spoke to my Minister's Student Council and the Department of Student Voices in Education and Schools [DOVES] they told me that they are seeing more vaping amongst their friendship groups. They also felt it is important to not tackle the problem through fearmongering and across-the-board punitive measures; it is about education. The evidence base will be utilised by the Department of Education to develop curriculum-aligned resources for use by our personal development, health and physical education teachers, and it will be available next term. The NSW Health website has templates for schools to distribute information via letters and newsletters to parents. It also has some tips for what we can do as parents to help educate our children if they are vaping or showing an interest in starting. I encourage all members to go and have a look on the NSW Health website and get the information they need to kick-start a conversation with people in their life who may be vaping.

RECREATIONAL FISHING

The Hon. ROBERT BORSAK (16:18): My question without notice is directed to the Hon. Sam Faraway, representing the Minister for Agriculture. Given the feedback on the draft marine park network management plan and development of management rules provided back to committees shows a significant increase in the sanctuary zones, what does the Minister have to say to recreational fishers about the Government's broken promise for no further increases in recreational fishing lockouts?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (16:19): I thank the honourable member for his question. As it is directed to the Minister for Agriculture in the other place, whom I represent in this House, I will take the question on notice and get the Hon. Robert Borsak an answer in due course.

JERRABOMBERRA SCHOOLS

The Hon. TARA MORIARTY (16:19): My question without notice is directed to the Minister for Education and Early Learning. What is the Minister's response to community concerns that not all primary or high school students living in Jerrabomberra can attend Jerrabomberra Public School and the new high school?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:20): I thank the honourable member for her question relating to the updated boundaries for the Jerrabomberra community. I am aware there is concern from parents and families in Jerrabomberra about the proposed guidelines because I have had more than daily conversations with the new member for Monaro, Nichole Overall, who—

The PRESIDENT: Order! Members will curb their enthusiasm. The Minister will be heard in silence.

The Hon. SARAH MITCHELL: I am glad members are so excited. Nichole Overall is a local member to be enthusiastic about, so I can understand why. As I said, I am aware there are concerns.

The Hon. Walt Secord: Headwinds.

The Hon. SARAH MITCHELL: I didn't say "headwinds".

The PRESIDENT: Order!

The Hon. John Graham: We are rewinding; we are doing the greatest hits.

The Hon. SARAH MITCHELL: You are doing the greatest hits. Sorry, I should not respond to interjections. I should stop doing that. As I said, I am aware there are concerns from members of the local

community. Nichole had a session in Jerrabomberra. I think she was at the local shops on the weekend and she called me afterwards and said a number of concerns were coming from families.

The PRESIDENT: Order! I have warned Opposition members. I call the Hon. Courtney Houssos to order for the first time.

The Hon. SARAH MITCHELL: Thanks to the fantastic advocacy of Nichole Overall, we have committed to providing a further opportunity for parents to have their say. We are very happy to look at the boundaries again because we listen to the community and the feedback that we get. There is more opportunity for consultation for parents and families in that community. There is a survey for parents, which is live online today. I strongly encourage parents to let us know their views on the boundaries. This is an opportunity for them to—

The Hon. Courtney Houssos: It is pretty clear they're opposed.

The PRESIDENT: Order!

The Hon. SARAH MITCHELL: The member can say that, but the reality is there have to be boundaries and catchment areas for those new schools that we are building in that part of the State. We must consult and make sure we get the boundaries right because we are building new schools. Opposition members need to understand what parents in that area know, which is that they need to provide feedback on what the boundaries should be. For Opposition members to do their normal thing and say, "We're opposed," we need parents in that—

The PRESIDENT: Order! I remind the Hon. Courtney Houssos that she is on one call to order.

The Hon. SARAH MITCHELL: We want the parents to provide us with feedback about what they would like those boundaries to look like. The survey is online—it is live today—so I ask them to please let us know. We will continue to work with that community and the fantastic member for Monaro, who in her first weeks of being elected is standing up, working hard and fighting for her community, as we always knew she would.

The Hon. TARA MORIARTY (16:23): I ask a supplementary question. Will the Minister elucidate the part of her answer where she referred to the review and explain why there is a need for a review? Why does the Minister not simply override the decision and stick to the Government's election commitment to deliver a school that all students in Jerrabomberra can access?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:24): We want to talk to the community because we want to get this right. We want the boundaries to accurately reflect what we need to do to support families in the area. As I said, Nichole Overall has spoken to me on an almost daily basis, raising concerns on behalf of her constituency. We are going to make sure we get this right. I encourage all parents in that region to have their say. I ask them to get online, get involved in the survey and let us know their thoughts.

The Hon. COURTNEY HOUSSOS (16:24): I ask a second supplementary question. Will the Minister elucidate the part of her answer where she spoke about a "further opportunity for parents to have their say" in the survey? Will the Minister outline what initial consultation was done with the community before the decision was made to split the suburb in half, which means that children from families who live in Jerrabomberra will not be able to go to either Jerrabomberra Public School or the new high school?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:25): As I said, we are looking at those boundaries. I am happy to take on notice what consultation was done with the community. My understanding, based on my recollection, is that the local P&C representatives and the principals of the impacted schools were spoken to about it. I will take that on notice and get advice from the department about the format that consultation took.

ONE TO WATCH AWARD

The Hon. CATHERINE CUSACK (16:25): My question is addressed to the Minister for Women. Will the Minister inform the House how the Government is recognising the achievements of young women in New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:26): I thank the member for her question. It is important that we invest in the development of our girls and young women and give them every opportunity to become future leaders of this State, which is why the One to Watch Award was created, to recognise girls aged between seven and 17 years old who have demonstrated acts of courage, strength and kindness to help and support others. The second One to Watch Award ceremony was held at the iconic Sydney Opera House on 8 March 2022 and supported by the Advocate for Children and Young People. Ten finalists and their proud and supportive parents and carers travelled from across New South Wales. I was delighted to present the One to Watch Award to nine-year-old superstar Lennox Wade from Caringbah, who demonstrates leadership well beyond her years. At age three, Lennox started

a movement called Snacktember to collect snacks and share them with underprivileged children, which has since grown to operate around Australia.

It was a fantastic experience to share a room with Lennox and all the One to Watch finalists, including Emily Bartrop, a 12-year-old from Pymble who raised over \$10,000 for HeartKids; Laura Carter from Torrington, who developed wellbeing projects for her school; Joss Davies, a 17-year-old resilient young woman from Singleton who lives with a degenerative genetic condition and volunteers with the PCYC; Eddie Hall, an 11-year-old from Garden Suburb who raised over \$15,000 for the Leukaemia Foundation to support a close family friend battling cancer; Shalise Leesfield, a 15-year-old from Lake Cathie who is an environmental advocate helping her local council address marine litter; and Ariba Omar, a 12-year-old from Wagga Wagga who is a passionate volunteer for the Cancer Council, Red Nose Day and Pink Ribbon Day.

Finalists also included Karin Rezkalla, a 15-year-old from Wagga Wagga who created PhenomeWomen, an online platform that provides young women with the resources and skills they need to show the world exactly what they are capable of; Madeleine Saxby, a 17-year-old from Woonona who is raising awareness around vanishing white matter disease and who has coordinated fundraising events; and Grace Yeo, an 11-year-old from Oberon who is a passionate hockey player and volunteer and who successfully petitioned her school to arrange for Hockey NSW to start a weekly program that encouraged children to participate in sport. We know how good sport is for not only physical health but also mental health.

Each of those young trailblazers and role models are already making a difference to their communities. As Minister for Women, I want to see all girls and young women in New South Wales grow into the best versions of themselves, and I look forward to following their progress closely. I ask members to encourage local girls and women in their communities to apply and step up when the next women's awards happen. The awards are truly life changing and the girls and women deserve to be recognised.

IVOTING AND DISABILITY

Ms ABIGAIL BOYD (16:29): My question is directed to the Minister for Families and Communities, and Minister for Disability Services. Earlier this month the NSW Electoral Commission announced that people voting in any elections between now and the 2023 State election inclusive will not be able to access the iVote online voting system, leaving blind and low-vision voters without a way to cast an anonymous, independent and verifiable vote. What is the Minister doing to ensure that blind and low-vision community members have a suitable alternative voting method that maintains the right to anonymous and independent voting?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:29): I thank the honourable member for her question. First and foremost, as I have said before, I will always advocate for people with disability in New South Wales. iVote is a matter for the NSW Electoral Commission and any matters regarding that should be referred directly to the commissioner.

Ms ABIGAIL BOYD (16:30): I ask a supplementary question. I thank the Minister for her answer. If she could elucidate how referring to the Electoral Commissioner answers the question in relation to what she personally is doing to advocate for people with disability to vote independently and anonymously?

The Hon. Scott Farlow: Point of order: The supplementary question should be ruled out of order as it does not seek an elucidation of the Minister's original answer to the question.

The Hon. Penny Sharpe: To the point of order: The question absolutely seeks an elucidation. The Hon. Abigail Boyd did not use the word "elucidate", but did ask the Minister to expand on her very brief answer in relation to what she is doing for blind and vision-impaired citizens and the iVote.

The PRESIDENT: The Hon. Abigail Boyd did seek an elucidation without saying the word "elucidate". I will allow the supplementary question. The Minister has the call.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:31): As I said before, decisions by the NSW Electoral Commission in relation to iVote and how people participate in voting is a matter for the commissioner.

The Hon. PETER PRIMROSE (16:31): I ask a second supplementary question. As the iVoting legislation was introduced in both Houses by the then Minister for Disability Services, will the Minister elucidate as to what action she is going to take and what discussions she has had with the NSW Electoral Commission in relation to the commissioner's decision?

The Hon. Bronnie Taylor: Point of order: That was a new question.

The PRESIDENT: The supplementary question was in order. The Minister has the call.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:32): I refer to my previous answer that these are matters for the NSW Electoral Commission.

MEMBER FOR MULGOA

The Hon. WALT SECORD (16:32): My question is directed to the Leader of the Government, representing the Premier. What is the Minister's response to community concerns about the member for Mulgoa jumping on stage at a 22 March anti-vax rally where she called vaccination mandates "coercion" and "a step too far" and said that the media was "fearmongering" over "the COVID"? Has the Minister spoken to her about the matter and will she be disciplined and stripped of her responsibilities as a Parliamentary Secretary?

The PRESIDENT: Order! The Hon. Walt Secord will resume his seat. The Minister has the call. I call the Hon. Walt Secord to order for the first time. The Minister has the call.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:33): I thank the member for his question. This question has been answered in this House on numerous occasions by the Minister for Regional Health in another context but in respect of comments made by the same member. The Government's position in relation to vaccination is absolutely clear and unequivocal.

The PRESIDENT: Order! The Minister is answering the question, not the Hon. Rose Jackson. I call the Hon. Rose Jackson to order for the first time. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: It is amazing, as I am answering this question I am getting a phone call from Brad Hazzard.

The Hon. Taylor Martin: Put him on speaker.

The Hon. DAMIEN TUDEHOPE: I will put him on speaker; that is a good idea.

The PRESIDENT: The Minister has the call, but he is not helping himself. The Minister will continue.

The Hon. DAMIEN TUDEHOPE: The Government's policy on vaccination is absolutely clear. The Government is encouraging people to be vaccinated and that has been articulated by every Minister in the Government time and again. In many respects, the way that the Government has treated vaccinations is to insist on vaccinations for frontline healthcare workers and other frontline workers. We expect other agencies of government to make their own risk determinations. The member can seek to ask a question about the Government's policy, but the Government's policy is clear. If the member has a view that the Government's position is not clear it must be by virtue of the fact that he is living under a rock because every time a Government Minister gets an opportunity to do so, he or she says that we encourage people to get vaccinated not once, not twice, but a third time with a booster vaccination. I am glad that people in this place who have had COVID have recovered and have returned to work. The Government is committed to encouraging people to get vaccinated and expects them to be vaccinated.

The Hon. WALT SECORD (16:36): I ask a supplementary question. Will the Minister elucidate his answer. In his answer he referred to risk. Has the Government conducted a risk assessment on members who are refusing to be vaccinated and are spreading anti-vaccination messages?

The Hon. Scott Farlow: Point of order: The question by the Hon. Walt Secord is a new question. It picks up one word from the Leader of the Government's answer. The supplementary question does not seek an elucidation; it asks a completely new question.

The Hon. Daniel Mookhey: To the point of order: I submit that the question asked by the Hon. Walt Secord satisfies the three-limb test that is postulated. First, it relates to the first question that was asked, which was about vaccination policy; secondly, it asks for elucidation, and specifically the part of the answer that the Minister referred to, which was the risk determination that was undertaken by the Government and government agencies; and, thirdly, it seeks further information.

The PRESIDENT: Members may remember that I gave a ruling on these aspects some time ago and buried the three-way test in favour of a more liberal test. It is one, dare I say it, that gives the maximum latitude possible to members during question time to enable supplementary questions to be answered. As I said at the time, unless the supplementary question is so far from the original question or answer as to be unreasonable, points of order on this matter will generally not be upheld. On that basis, I call the Minister to answer the supplementary question.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:38): I am happy to do so. This matter has been well traversed. The Speaker in the other place gave a

comprehensive ruling as to the steps that were taken by that House as to the vaccination status of its members. I do not recall, Mr President, if you made a similar ruling. But to the extent that the issue was raised, members in the other place were satisfied that the explanation given about the vaccination status of its members was satisfactory.

To the extent that the member suggested there is a risk assessment, it is a risk assessment undertaken by the Presiding Officers of this place. I have the utmost confidence that they have done that risk assessment in the way that they are required to do for the protection of us all.

To that end, members should be satisfied with the competence of the staff and the way that they conduct investigations and risk assessments of this place. We ought to reflect on that. Over time there have been lots of reports about the management of this Chamber and all were well conducted to ensure that members' safety was protected. Members opposite are engaging in conspiracy campaigns. They are suggesting that there is some sort of conspiracy being conducted by the Presiding Officers of this place to not ensure the protection of members. Quite frankly, any such slur ought to be withdrawn. I have the utmost confidence in the risk assessment that has been done to protect us all.

The Hon. ROSE JACKSON (16:39): I ask a second supplementary question. Will the Minister elucidate the part of his answer where he referred to the risk assessment being conducted? Were the representations that the member for Mulgoa made to the Premier and his office, which she referred to publicly, passed on and included as part of that risk assessment?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:41): I have no idea, quite frankly. Asking that question brings those conducting the risk assessment into disrepute by suggesting they are in some sort of dereliction of their duty. Once an investigation has taken place and the Presiding Officers have satisfied themselves, members should not question whether they have enough information. I am satisfied and we should all be satisfied that they had sufficient material to make that assessment. I do not call that determination into question and neither should members opposite. I am satisfied and we should all be satisfied that they have the necessary information to make the assessment.

FLOOD RECOVERY AND ROADS

The Hon. SCOTT FARLOW (16:42): My question is addressed to the Minister for Metropolitan Roads. Will the Minister update the House on how the Government is supporting communities impacted by flooding across metropolitan New South Wales?

The Hon. Daniel Mookhey: How are the potholes?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:42): They are getting fixed. I thank the honourable member for his question and interest in this important matter. From the outset, my thoughts go out to the communities affected and impacted at this time. I particularly acknowledge those in the Northern Rivers community and the difficulties that they have faced over the past month. I know that over the next few days they are likely to face further challenges once again. Our thoughts are with them. I also acknowledge Minister Cooke and her strong work as the Minister for Emergency Services and Resilience, and Minister for Flood Recovery, in those areas.

Last Friday I was invited by the member for Hawkesbury to visit her electorate, enabling me to see firsthand the damage caused by the recent heavy rainfall in that area. That community has been hit hard by floods for the second time in 12 months. There has been significant damage to the roads in that area and I have asked Transport for NSW to look into providing assistance for those local councils cleaning up their roads following the significant flood damage. That is in addition to the work being undertaken by Transport for NSW to fix roads across Sydney. I am pleased to update the House that last week around 600 potholes were repaired and, as of Friday last week, over 2,400 have been repaired. As road crews continue to be out and about, more potholes are being discovered. I am advised that about 400 potholes remain to be repaired.

In addition, last week alongside Minister Dominello and Minister Farraway I was pleased to announce that registration and licensing support will be available to residents impacted by the floods. I acknowledge Minister Farraway's work in this area. It is a pleasure and a joy to work with him on those important issues. Importantly, that includes extensions for vehicle registrations and licence renewals for anyone impacted by the floods because we want to ensure that they can concentrate on their recovery. That is why we are working with those local communities to repair roads, fix potholes in Sydney and provide licensing and registration support to those impacted by the floods. We will continue to support those communities every step of the way.

FLOOD RECOVERY AND NORTHERN RIVERS ARTISTS

Ms CATE FAEHRMANN (16:45): My question is directed to the Minister for the Arts. Many Northern Rivers artists have lost their studios and their life's work in the most recent floods, along with their income. Roughly how many flood-affected artists are there in the Northern Rivers? Does the Minister know the average financial loss they are facing?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (16:45): I thank the member for her question. The New South Wales Government has been quick to respond to the needs of the arts, screen and cultural communities in this time of unprecedented flooding and extreme weather. While acknowledging the impact across the State, priority has clearly been given to Lismore due to the significant damage caused to cultural organisations and collections by the flood in that region. I am committed to ensuring that the arts and cultural sectors of New South Wales survive this new crisis. The Government has already committed \$365,000 to deliver vital support for the arts and cultural communities in the flood-affected areas in the Northern Rivers and in other communities in New South Wales. That is obviously only short-term and immediate funding.

I authorised the approval of \$70,000 in direct disaster funding to Arts Northern Rivers to provide on-the-ground support for artists' groups and small organisations immediately. Additional funding was also provided to Arts Northern Rivers to re-establish its office, which was completely destroyed in the flood. That will assist the organisation to continue to support individuals and groups across the Northern Rivers region. I cannot give the member an accurate number of that, but I give an assurance that we will do all we can to support those artists and individuals. It is an area that has the largest concentration of artists and creatives in the country.

In addition, we have set up over \$200,000 in small grants to be offered by Create NSW to support the sector to replace arts supplies and equipment and to take the time to repair and restore small-scale capital works. That is obviously not enough; it is clearly only the start. It is just to provide the initial support to get it out the door, along with the range of many other support measures and structures that we have established throughout the disaster. Further support is being considered now for the infrastructure and repair of buildings.

Over the past few weeks Create NSW has been working closely with key sector leaders and the New South Wales cultural institutions and industry partners on how to provide effective and meaningful support. Members would have heard me discuss how we immediately actioned that support to key cultural institutions like the gallery and the museum to have conservators straightaway rescue and protect as many of those cultural items as we could. I hear that the news about a range of them may well be positive, but we do not have that finally. A dedicated webpage with resources and advice has been established, and direct communication with affected clients is being managed on a regular basis.

Ms CATE FAEHRMANN (16:48): I ask a supplementary question. I thank the Minister for that comprehensive response. He said, and rightly so, that the area has the largest concentration of creatives. He mentioned the \$70,000 grant by Create NSW. I understand that 250 artists have already applied for that, working out to be about \$660 per applicant. The Minister also said that clearly more is needed. I am specifically asking about individual artists. I know that more support is being provided to galleries and studios, but for the incredibly large number of individual artists who have lost everything, what more can they expect from the Government in the next few weeks?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (16:49): The member is absolutely right: That \$75,000 was in addition to the extraordinary fundraising campaign from Arts Northern Rivers, which raised over \$90,000. That funding will go immediately to artists, but that is on top of the support the Government has already provided in a range of other areas—that is extra. Yes, of course, it is not tens of thousands of dollars, but it will help them to get through this stage. I agree with the member's contention that there must be a larger support package for individuals and to ensure that studios can be rebuilt. I am working very hard on that. The other point is that the application process to support those individual artists has been oversubscribed.

I am working on how we can find the extra resources that Arts Northern Rivers wants and to ensure that we can get that money to all of the affected artists who have applied for those resources, but this is an unprecedented event. We must ensure that those artists—whose life's work has documented the history, stories and songs of that local area—do not get up and leave because, if they do, the whole cultural fabric of the Northern Rivers, particularly Lismore, will be torn apart. I am incredibly conscious of that, and of the fact that we obviously must support everybody—families, businesses and the entire community. But I am also conscious of my role in supporting arts and culture and individual artists to make sure that they have capacity to stay in the region and rebuild, which I know everyone in this Chamber would like for them to do.

NORTHBOURNE PUBLIC SCHOOL

The Hon. PETER PRIMROSE (16:51): My question without notice is directed to the Minister for Metropolitan Roads. The more than 1,000 students at Northbourne Public School have been waiting for eight months to get the school crossing supervisors it has applied for. When will the school receive those crossing supervisors?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:52): I thank the honourable member for his question. He has shown consistent interest in school crossings, which I welcome. Children's road safety is one focus of the Government's ambitious vision of working towards zero fatalities on our New South Wales roads by 2050, which is part of our espoused plan. There are more than 880 supervised schools with almost 1,400 trained school crossing supervisors monitoring more than 1,050 crossings in New South Wales. The Government has installed more than \$5 million of new safety infrastructure. Under that funding there are 140 projects around New South Wales schools, including new raised crossings, curb extensions, pedestrian refuges, fencing, footpath improvements, safety signage and splitter islands.

In January 2019 the Government announced an \$18.5 million commitment to provide 300 additional school crossing supervisors. That has been fast-tracked and will be delivered within three years. In addition the Community Road Safety Grants Program invests around \$5 million per year in the early childhood and school education sectors. In relation to the specifics of the honourable member's question regarding Northbourne Public School and its request for a school crossing supervisor, I can inform the House that Transport for NSW is working with that local school on its request for a supervisor. I understand that sites are assessed against set criteria, which I have described for those sites. For a site to be eligible for a school crossing supervisor, it must meet those criteria. I encourage schools to apply for a school supervisor via the Centre for Road Safety website.

The Hon. PETER PRIMROSE (16:54): I ask a supplementary question. Given the assessment has been made, will the Minister elucidate whether Northbourne Public School has met that criteria? If it has, when will a school crossing supervisor start? If it has not, what needs to change in relation to the criteria?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:54): I thank the honourable member for his question in relation to further specifics on the timing of that decision and the assessment criteria. I will have to get more information on that matter but, clearly, if the school has met the criteria, Transport for NSW would be working through that with the school so that it can establish eligibility for the school crossing supervisor. The Government is very proud of its record on rolling those out to those communities and those schools. They have worked together with Transport for NSW. I will take the question on notice in relation to the timing and, if I am able to, get back to the honourable member quickly.

WORLD DOWN SYNDROME DAY

The Hon. WES FANG (16:55): I address my question to the Minister for Disability Services. Will the Minister update the House on World Down Syndrome Day?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:55): I thank the honourable member for his question. World Down Syndrome Day was celebrated last week on Monday 21 March. Nearly 4,000 people in New South Wales have Down syndrome and receive support under the National Disability Insurance Scheme. Approximately one in every 1,100 babies in Australia are born with Down syndrome. I acknowledge and thank Down Syndrome NSW for the fantastic work that it does to support families of people with Down syndrome and for advocating to the Government on behalf of people with Down syndrome. Down Syndrome NSW delivers services under the New South Wales Disability Advocacy Futures Program, which implements the recommendations of the NSW Ageing and Disability Commissioner.

The Disability Advocacy Futures Program delivers member-based advocacy to ensure that the needs of people with Down syndrome are recognised and addressed and to ensure that they are empowered to advocate on their own behalf. Those types of programs are only possible because of our decade of achievement in government, including our strong financial management, which has delivered for all people in New South Wales, particularly the 1.4 million people with a disability. Last week I was pleased to host Down Syndrome NSW's World Down Syndrome Day afternoon tea at Parliament House, which the Hon. Damien Tudehope also attended.

At the event I had an opportunity to thank Lorraine Clark, president of the organisation, along with chief executive Sherie Avalos and chief strategy officer Emily Caska for the amazing work that they do to support people with Down syndrome. Another important announcement was also made at the afternoon tea, which is the new three-year strategic partnership between the Sydney Swans AFL club and Down Syndrome NSW. The

Sydney Swans will support Down Syndrome NSW by raising awareness, raising funds and, importantly, providing employment opportunities within the club for people with Down syndrome. That fantastic partnership will make a real difference. I commend the Sydney Swans for its leadership in that area.

At that fantastic afternoon tea Tara and Rohan told of their inspiring life stories and the work they have done for people with Down syndrome. I also acknowledge Hannah and Tiana, two sisters from Coffs Harbour, who shared their stories of growing up with Down syndrome. They spoke of their love of education—Hannah has completed a Certificate III in hospitality—work, volunteering, musical performances and Girl Guides, and of their participation in the Special Olympics. We also heard from 43-year-old Tracie, who has had a career in film and television. She has had roles in the television shows *Home and Away* and *GP*, for which she won a Logie. Babies who are born with Down syndrome today will live longer, healthier and happier lives than those who were born in previous times. The Government has a role to ensure that people with Down syndrome continue to make a significant contribution to our society. I congratulate Down Syndrome NSW on all its work.

APPIN ROAD KOALA CROSSINGS

The Hon. EMMA HURST (16:58): I direct my question to the Minister for Metropolitan Roads, representing the Minister for Transport. Numerous studies, reports and inquiries have concluded that wildlife crossings are essential to protecting the Campbelltown koala population. Lendlease has stated that it will fund and construct koala underpasses on Appin Road, but it cannot do so until it receives approval from Transport for NSW. Why has the Minister not yet approved the construction of those underpasses? And when can we expect those underpasses to be approved?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:59): I thank the Hon. Emma Hurst for her question and for her continued advocacy on this important matter. Koalas are one of Australia's most iconic species, and the New South Wales Government is committed to avoiding unacceptable impacts to the Campbelltown koala population caused by the Appin Road upgrade and improvement projects. I am aware that vehicle strikes on the New South Wales road network are an issue of serious conservation concern for many native species, including the koala.

I am advised that for many years Transport for NSW has integrated koala vehicle strike mitigation within its roads infrastructure development program. The principal strategies include fencing to exclude koalas from major highways, and crossing structures to provide safe passage to habitat on either side of the roadway. Monitoring has confirmed a significant reduction in koala vehicle strikes in locations where mitigation is provided. As part of the Greater Macarthur 2040 community update released in December 2021, the Department of Planning and Environment has confirmed the protection of three koala habitat corridors within the planned residential precincts to the west of Appin Road. Those corridors cross Appin Road at Noorumba Reserve, Beulah Reserve and Ousedale Creek. The New South Wales Government and Transport for NSW welcome the announcement of those three koala protection corridors, and will work with the Department of Planning and Environment on how to best integrate safe passage for koalas through crossings in proposed upgrades of Appin Road.

In relation to Lendlease, I am aware that earlier this month on 11 March 2022, Lendlease made an offer to the Minister for Planning to amend the planning agreement. The amended agreement proposes to develop two koala underpasses in exchange for the deferral of the upgrade to the northern part of Appin Road. Lendlease proposes to construct the two koala crossing structures on Appin Road associated with its Figtree Hill developments. I reassure the House that, in doing so, this is not a case of Transport for NSW and the planning department sitting idly by; they are working with Lendlease to get to those solutions. I understand that final arrangements for the underpasses will be confirmed as part of the planning processes for the Figtree Hill developments.

Transport for NSW is working closely with Lendlease and the Department of Planning and Environment to progress design of the crossing structures, with an underpass being preferred over the gantry-style structure initially proposed by Lendlease, consistent with the advice of the NSW Chief Scientist & Engineer. It is important that all necessary steps are undertaken by Transport for NSW and the Department of Planning and Environment to make sure that what is offered is fit for purpose for the local koala population. We want to make sure that where we invest in strategies to support our native wildlife it is the best strategy for that population in that location.

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

*Supplementary Questions for Written Answers***JERRABOMBERRA SCHOOLS**

The Hon. COURTNEY HOUSSOS (17:02): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Would the Minister elucidate that part of her answer when she referred to the consultation process with parents? Would the Minister outline the consultation that was undertaken with local parents and with the local MP prior to the announcement of the new school zones last week?

*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.

GOVERNMENT INFRASTRUCTURE PROJECTS**MEMBER FOR MULGOA**

The Hon. JOHN GRAHAM (17:03): I take note of the answers given by the Minister for Metropolitan Roads. In relation to the progress of the northern beaches link tunnel, the Minister said, "I certainly hope that the project continues." We are hoping for a bit more than that. The Minister of the Crown in charge of this project and on whom the public relies to deliver this project hopes that the project continues. The problem is that Minister Stokes, who is the Minister for Infrastructure—the senior Minister in the cluster as it turns out, according to budget estimates hearings—has called time on the project. Minister Stokes says that now is not the time for big infrastructure projects like the northern beaches link or the Parramatta Light Rail stage two. He said that they should not go ahead. He said:

... there is an argument that right now is not the time to be doing more of the really big ones.

He also said:

It would be reckless to not ask these questions before committing government to liabilities potentially in the tens of billions of dollars.

I make it clear that the Opposition thinks that Minister Stokes is on the right track with the northern beaches link because the project does not stack up. It would be a travesty to spend tens of billions of dollars on that project. But what have the people of Parramatta done to deserve having their Parramatta Light Rail stage two project pushed out into the never-never? It is needed. It is where the population is moving and it is where the projects are needed.

The issue is that the wave of infrastructure promised by the Government and which should have washed into the west of Sydney is instead running out before it hits that part of the city. Parramatta is where the populations and developments have been approved. But despite the promises, as the wave washes from the east and north of Sydney out towards the west, the money will not be there. The momentum is not there and those projects are being cancelled as we speak. Minister Constance said that the Government aimed to sign major contracts by the third quarter of this year for the northern beaches link. Well, that will not happen. The Opposition is calling on the Minister to come clean on what is going on with Parramatta Light Rail stage two.

The Leader of the House stated in answer to a question about his Parliamentary Secretary that time and again Ministers have reiterated the Government's position on vaccination. He would not respond to the question, or perhaps the interjection, "What about your Parliamentary Secretaries?" That particular Parliamentary Secretary, that anti-vax individual, is on the Premier's team. The rule in government is that when you put your Parliamentary Secretary's badge on, you should take the tin foil hat off. If a member is on the Premier's team, that is the rule. The Parliamentary Secretary is absolutely arguing with the Government's policy. Because of her behaviour, it is not clear what the Government's policy is.

FLOOD RECOVERY AND NORTHERN RIVERS ARTISTS

Ms CATE FAEHRMANN (17:06): I take note of the answer provided by the Minister for the Arts in response to my question about the support being provided to Northern Rivers artists after the floods. I asked the question because so many artists lost their life's work as a result of the floods. The loss really is incalculable. I have spoken to artists who have lost their studios and decades and decades of work—they have lost it all—plus their income. The trauma of losing all that is unimaginable. Many artists, like so many others in Lismore, moved their artworks to higher ground where they thought that, even in a worst case scenario, the floods would not reach. Like many in Lismore, they were wrong.

Liz Ann Macgregor, who is a local curator and art historian, told ArtsHub Australia that many artists have lost their studios. They include Megan Cope, an Aboriginal artist who has work on display at the Museum of Sydney now, and who was about to open a show in Brisbane. Ms Cope has lost 20 years worth of work and research. The Minister referred to Arts Northern Rivers, which has sprung into action, so far raising \$95,000 from the community with an additional \$70,000 from Create NSW. But compared to what has been lost, that is a drop in the bucket. The Arts Northern Rivers website states:

These damages are rising into the 10's of millions in building and infrastructure alone including Lismore Regional Gallery, The Northern Rivers Conservatorium ... M-Arts (Murwillumbah), Byron School of Art, Spaghetti Circus, and so many more.

We are working with those organisations to support them in strategies for recovery. It continues:

What is extremely prevalent is the magnitude of loss for the region's independents, which, with the highest concentration of creatives outside a metro area numbering into the hundreds, are suffering greatly, and it will take months if not years to come through this.

Some 250 individuals have applied for the immediate support provided by Arts Northern Rivers, which, as I stated in my supplementary question to the Minister, is a meagre \$660 each if they are all successful. Some artists who fit the criteria could apply for support through Service NSW for the business grants but not all are eligible or even have the required documentation to apply. As we have heard, even then those grants are coming out as a trickle. As we learnt today, only 377 grants have been approved out of 8,000 applications. I was heartened by the Minister's response. I look forward to hearing more announcements, not in the coming months but in the coming days, about how his department and he as Minister for the Arts will support individual artists in the Northern Rivers who are doing it so tough.

MEMBER FOR MULGOA

FLOOD RECOVERY AND ROADS

The Hon. WALT SECORD (17:09): I take note of two answers given today, one relating to potholes from the Minister for Metropolitan Roads and one relating to the failure of the Leader of the Government to respond properly to my question about what the Government will do about the member for Mulgoa jumping on stage on 22 March at an anti-vaxxers rally, where she called vaccine mandates "coercion" and "a step too far", and accused the media of fearmongering. I did not think that she could surpass her 22 March rally, but last night the member for Mulgoa appeared on Facebook for her weekly COVID conspiracy rant. To say that it was "out there" would be an understatement. As well as labelling Bill Gates a "pusher", she also issued a direct challenge to the Premier to end vaccine mandates. She said, "It's up to Dominic Perrottet. He has to move. He has to move; there's no other way about it."

She went on to say that COVID was "proven to be far less severe and catastrophic". In the name of decency, good faith and public debate, and in the name of truth, fact-based government decisions and the process of protecting public health messages, the Premier must immediately strip the member for Mulgoa of her parliamentary position. I also canvass the issue of potholes, which I raised as a supplementary question for written answer. I received a woeful answer from the Hon. Natalie Ward. She wrote:

I am advised: The potholes referred to in my answer are located across Greater Sydney. They will be fixed as soon as possible. Potholes on motorways and those posing the greatest safety risk are being prioritised.

The Hon. John Graham: Was that it?

The Hon. WALT SECORD: That was it. She appeared on radio the next day talking about it. She then appeared in the House today showing complete disrespect for the process of written answers. To give context, the Minister for Education and Early Learning was asked a supplementary question for written answer about vacant positions. Guess what she did? Her answer was 28 pages in length. She answered it properly and she respected the process of this Parliament. The answer was embarrassing for her but she complied. My colleague the Hon. Courtney Houssos also asked about cooler classrooms. Guess what? The Minister for Education and Early Learning answered the question. That is something new for the Minister for Metropolitan Roads. It might have been embarrassing for the Minister, but she provided 10 pages listing 900 schools that needed air conditioning. She was embarrassed but she complied. It did not matter to her that she was revealing that 900 schools were without air conditioning. It was profoundly embarrassing for her but she answered the question.

FLOOD RECOVERY AND ROADS

FLOOD RECOVERY AND NORTHERN RIVERS ARTISTS

FLOODS AND HOMELESSNESS

The Hon. SCOTT FARLOW (17:12): I also take note of an excellent answer given by the Minister for Metropolitan Roads with respect to potholes. I thank the many Transport for NSW staff across New South Wales, who have been on the front line delivering to and working for flood-affected communities throughout New South

Wales not just on the Northern Rivers but also in metropolitan Sydney. The initial focus of Transport for NSW has been on prioritising repairs to roads of critical significance, but it is now getting to grips with the extent of the damage caused by severe flooding in areas from the Hawkesbury-Nepean, across the city to the northern beaches and in the inner west. As the Minister mentioned, she saw firsthand the damage in the Hawkesbury with the member for Hawkesbury and the Hawkesbury City Council Mayor, Patrick Connolly.

The New South Wales Government has allocated extra resources to ensure that these works are undertaken as quickly as possible. I congratulate the crews, who have already repaired more than 2,400 potholes in metropolitan Sydney. However, the Government is not just ensuring that the roads are repaired, as the Minister said today. This Government has also taken steps to ensure that those impacted by the recent floods who are attempting to rebuild their lives are able to do so. We heard from the Hon. Ben Franklin in his answer to Ms Cate Faehrmann's question about what is being done for artists who have been impacted by the floods. Minister Maclaren-Jones also updated the House on what is being done on housing.

The New South Wales Government has simplified the proof-of-identity requirements for anyone who needs to replace ID documents, including a driver licence, a NSW Photo Card or a boat licence. Extensions for vehicle registration and license renewals are also available for anyone affected by the floods. I understand that flood-affected customers can easily renew their licences by phone to make sure that driver licences remain current. Fees for vehicle or vessel registration can also be waived or refunded. Motorists can also defer their pink slip safety check requirements to renew their vehicle registration without having to pay physically and can have their safety inspection done at a time when flood victims are focused on rebuilding what has been lost.

JERRABOMBERRA SCHOOLS

The Hon. TARA MORIARTY (17:14): I take note of two answers given by the Minister for Education and Early Learning relating to the ridiculous and frankly farcical decision about school zones in Jerrabomberra. This Government has promised repeatedly, over many years and across many elections—including in the most recent by-election, which was only a month or so ago—to deliver a high school to the Jerrabomberra community. It is very good for it to make commitments and promises during election campaigns when it is convenient, but when it comes to delivering them, this Government is failing. I do not know if the new member for Monaro has given her inaugural speech yet. I will check the record.

The Hon. Sarah Mitchell: She has and it was fantastic.

The Hon. TARA MORIARTY: Fine.

The Hon. Sarah Mitchell: She did it on her first day.

The Hon. TARA MORIARTY: Good luck to her, but it seems that the member and the Government are breaking local promises to the community. This school was promised to the community and people have probably moved to the area on the basis of that commitment. The Opposition knows, and has been pointing out for years, that the promised school is too small to meet the needs of the community. The high school will be built for only 500 students and the primary school already has 900 students. The community is crying out for a proper-sized high school.

Instead of the Government dealing with that, it has decided to cut the community in half and allow only half of Jerrabomberra residents to access the new school. The other half of the community will have to figure it out some other way. The Government has already broken its promise. The school is much needed and is welcomed by the Opposition, but it will be too small. The entire Jerrabomberra community expects, and is entitled to, a high school that all local students can attend. Instead, it is being split in two. Again, this is a broken promise by this Government and the brand-new local member who, it seems, cannot deliver.

In her answer the Minister made reference to potentially reviewing this decision. I do not know why it needs to be reviewed; it should simply be overruled. Today I asked the Minister to overrule the decision and to stick with the Government's commitment. Instead, it will review the decision. I do not know what consultation has happened with the community, but I know it is outraged by this decision and this broken promise. That community expected more from this Government. I knew it would not get the school, and now the community understands it will not get what it is entitled to and what it should have received under this Government. I urge the Government to reconsider its decision and to change the school zoning to make sure that the entire community of Jerrabomberra has access to a high school that it has been promised for years. It should be delivered.

WORLD DOWN SYNDROME DAY

The Hon. Walt Secord: Smash this up!

The Hon. Bronnie Taylor: Don't rev him up, Walt.

The Hon. Sarah Mitchell: He's very calm now he's the Deputy President.

The Hon. Bronnie Taylor: He's so good.

The Hon. Walt Secord: I know; he's a statesman.

The Hon. WES FANG (17:17): Despite the interjections, I take note of the answer given by the Hon. Natasha Maclaren-Jones to the question that I asked about World Down Syndrome Day. I thought that answer was a real positive from question time today. World Down Syndrome Day was celebrated on Monday 21 March. Approximately one in every 1,100 babies born in Australia will be born with Down syndrome and nearly 4,000 people in New South Wales have Down syndrome and receive support under the National Disability Insurance Scheme. Down Syndrome NSW delivers services under the Disability Advocacy Futures Program, which implements the recommendations of this State's inaugural Ageing and Disability Commissioner, Mr Robert Fitzgerald, AM. Down Syndrome NSW announced a new three-year strategic partnership with the Sydney Swans, which will see the club support the organisation by raising awareness and funds, and by providing employment opportunities within the club for people with Down syndrome.

Babies born with Down syndrome today will live longer, healthier lives than if they were born at any other point in history. What was heartening about the answer given by the Minister today was the provision of examples from the morning tea she hosted for members of the community, who provided her with examples of the rich experiences that people with Down syndrome are able to have. She listed a number of those experiences, such as acting. It is important for people with Down syndrome but also for other people with disability. Those with a disability are able to live a fulfilling life, whether it is children at school suffering from autism, ADHD or OCD. They can go on to lead full and productive lives. I thank the Minister for her answer.

JERRABOMBERRA SCHOOLS

The Hon. COURTNEY HOUSSOS (17:20): I take note of the answers provided by the Minister for Education and Early Learning regarding the bombshell dropped on the Jerrabomberra community, announced by the Department of Education last week, that a line will be drawn using the Edwin Land Parkway—a fantastic road built by Labor—to split the community in half. Mr President, as you would know, as of next year many families in the Jerrabomberra community will no longer attend and will be excluded from the primary school. They will also be excluded from attending the new high school that is being built. Jerrabomberra Public School was built by Labor and is a fantastic local primary school at the heart of the community. Jerrabomberra high school was first promised by John Barilaro in 2011, more than a decade ago. Finally, they are getting around to building it.

On election day 2019 I stood next to John Barilaro at Jerrabomberra Public School and heard him say to almost every single voter, "We are building Jerrabomberra high school." There were no asterisks attached to the answer. There was no caveat that only half the suburb will be able to access it; that it would accommodate only 500 kids, so maybe your child will miss out; or that it will only be for years 7 and 8 in the first year. John Barilaro said, "We are building Jerrabomberra high school." A similar message was delivered in the lead-up to the by-election only weeks ago. Last week, after the by-election, the new school zones were dropped on the local community, which will see half of the suburb unable to attend the existing primary school. They will be locked out of the existing primary school from next year and unable to attend the long-promised new high school. These lines on the map were drawn by a bureaucrat in Sydney and are tearing the community apart, with real implications for these families. It is having a devastating effect on a number of them.

A local mum featured on *ABC News* last week. Her daughter is four years old and turns five in June. Because of COVID the child missed out on a number of terms of preschool and so she decided to hold her daughter back to attend Jerrabomberra primary school next year. That student will no longer be able to attend the primary school. She is considering enrolling her child into kindergarten a term late so that she can go to the local public school. It is an extraordinary measure that is being considered because of the disgraceful decision that the Minister could overturn here today, and allow the entire suburb to attend Jerrabomberra Public School and Jerrabomberra high school.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. TAYLOR MARTIN (17:24): I take note of the answer given by the Minister for Education and Early Learning regarding the increase of e-vaping amongst students. It is an issue that concerns all members in this House. As with smoking, we need to address this issue head on to ensure that young people understand the health risks associated with vaping to ensure they get the best start in life physically. What is needed is a broad community response to vaping, just as we saw with smoking over the last three decades. This is why the New South Wales Government is working on an holistic approach aimed at educating parents and students, and shifting attitudes in the community. It was great to hear this from the Minister earlier today in question time on such an important issue. The get the facts vaping toolkit has been launched with the NSW Health awareness

campaign. I am sure that every member in the House and those watching at home will notice the campaign as it kicks off. The campaign is aimed at secondary students. It reminds parents, carers, young people and teachers that vaping is not safe and that it has harmful long-term effects to the physical development and brain development of young people.

I take note of the answer given by the Minister for Regional Health, and Minister for Women, regarding the One to Watch Award. I thank the Minister for her long-term advocacy for women and girls across New South Wales, and for the organisation of the One to Watch Award 2022, the NSW Women of the Year awards and NSW Women's Week. It is fantastic to hear that 10 girls aged between seven and 17 were recognised for their acts of courage, strength and kindness. I thank the Advocate for Children and Young People for supporting this event. I congratulate the One to Watch Award winner, Lennox Wade from Caringbah, who started Snacktember at the age of three. I congratulate the nine other finalists, who are young trailblazers and role models within their own communities. It is important to invest in the development of our girls and young women to give them every opportunity to become future leaders in New South Wales.

I particularly mention one of the other nominees, 11-year-old Edie Hall from Charlestown. Edie participated in the World's Greatest Shave and raised over \$15,000 by shaving her head to support the Leukaemia Foundation and a close family friend battling cancer. When I was much younger, I too participated in the Leukaemia Foundation fundraising event. I shaved my head with my rugby mates when I was in year 9. I know that Edie must have done an excellent job to raise \$15,000, because we did not raise anything like that. I commend the take note of answers to questions debate to the House.

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

Motion agreed to.

Written Answers to Supplementary Questions

FLOODS AND ROAD MAINTENANCE

In reply to **the Hon. WALT SECORD** (24 March 2022).

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence)—The Minister provided the following response:

I am advised:

The potholes referred to in my answer are located across Greater Sydney.

They will be fixed as soon as possible.

Potholes on motorways and those posing the greatest safety risk are being prioritised.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. SCOTT FARLOW: I move:

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

Motion agreed to.

ORDER OF BUSINESS

The Hon. SCOTT FARLOW: I move:

That the following take-note debates of committee reports and Government responses take precedence over all other committee reports and Government responses this day:

- (1) Public Accountability Committee: report No. 8 entitled *Inquiry into the integrity, efficacy and value for money of NSW Government grant programs: First report*, and report No. 10 entitled *Integrity, efficacy and value for money of NSW Government grant programs, Second report*.
- (2) Portfolio Committee No. 2 – Health: report No. 55 entitled *Current and future provision of health services in the South-West Sydney Growth Region*.

Motion agreed to.

*Committees***PUBLIC ACCOUNTABILITY COMMITTEE****Reports****Debate resumed from 22 March 2022.**

The Hon. COURTNEY HOUSSOS (17:29): As a member of the Public Accountability Committee, I make a contribution to the take-note debate on the committee inquiry's first and final reports, Nos 8 and 10, entitled *Integrity, efficacy and value for money of NSW Government grant programs*. The inquiry showed the best use of the different mechanisms of this House. Questioning at budget estimates led to a call for papers under Standing Order 52 by the Chair of the committee, Mr David Shoebridge. The inquiry was then launched. There were numerous discussions in the House and additional calls for papers. Obviously the reports of this committee and also several private members' bills have arisen from it. It shows that the new mechanisms available to members in this House can be utilised incredibly efficiently to pursue important issues such as the transparent use of government grant programs.

At the outset I pay tribute to the shadow Special Minister of State and my Labor colleague on the committee, John Graham, who has led for Labor on this. His leadership culminated in presenting a private member's bill at the end of last year that seeks to implement the findings of this report and shows the way that government grant programs should be administered. It is important to make a clear distinction between government grant programs and election commitments. Election commitments are those promises that political parties take to an election. They say to the community, "This is what we are going to deliver." That stands in contrast to government grant programs, which are pools of public money that all members of the community should be eligible to access, particularly those members who are specifically eligible for that particular grant. It is very important that the people who are eligible to apply for a grant have the ability to know the money is available. This may seem a fairly simple concept, but I will get to that later on.

For the benefit of the House, I will recap some of the things we uncovered in this inquiry. Perhaps the most shocking was that the Premier's office had actually shredded the key approval documents, and it goes to why this inquiry was so important. We had multiple days of hearings and months of inquiries to try to get to the bottom of who was actually responsible for approving this government money. As my Labor colleague has noted, normally when there is a cheque to be presented there is a plethora of Ministers rushing to say that they are the ones who approved the money and are responsible for the funding. However, we had the reverse situation in this inquiry, where we struggled to find out who it was within the Government who had authorised one-quarter of a billion dollars of public funding. There was \$252 million available under the Stronger Communities Fund program and we could not find which Minister was responsible for signing off on this public expenditure.

We heard about complementary grant programs designed specifically around sporting and cultural funds where large parts of the State, because they voted for the Labor Party, were sliced out of the opportunity. The centre of Newcastle and parts of Wollongong were not able to apply for funding under either the metropolitan or regional versions of the grant programs. I thank the members for the electorates of Newcastle and Wollongong, my Labor colleagues in the other place, who appeared before the inquiry and outlined this ridiculous situation where we had major cities in New South Wales not being able to access grant funding.

The inquiry was initially established to inquire into the Stronger Communities Fund, which was administered by the Office of Local Government. It was a fund established for councils that had been merged by this Government. The Mayor of the City of Canterbury Bankstown, the largest single council, appeared before us. I declare an interest in that I live in that council area. As the councils had merged, he had written to the Minister for Local Government and said, "Is there any additional funding available because we're facing increased costs?" At the same time as this Minister and this Government were whipping \$90 million out the door for Hornsby council with almost a 24-hour turnaround—a council that was not merged in this process, in the end—the largest council writes to the Minister asking for more funds and receives the reply, "Sorry, there are no funds available."

It is a disgraceful indictment on how out of touch this Government is when members think of how quickly it could turn around \$90 million for a council that was not merged, yet the largest merged council was not given any additional funding. I thank the Mayor of the City of Canterbury Bankstown, Khal Asfour, for appearing before the inquiry and sharing that with us. It is useful to contrast the speed with which that \$90 million was allocated with the speed of the grant programs that are rolling out to flood victims in Lismore at the moment, but I will reflect on that another day.

At the time the then Premier said, "Pork-barrelling is done by everyone. All governments do it and it is just about funding their electorates." As I said earlier, that is the fundamental difference between election commitments and grant programs. Our committee report made 28 recommendations on how the Government can

update its policies to bring into effect new and better transparency and more appropriate allocation of this money. A lot of those recommendations are very simple. Some of them seek to implement the reports into grant programs of both the National Audit Office and the Auditor-General of New South Wales. When Labor was last in government in 2010, it introduced a circular that outlined the basic principles on which grant programs should be implemented. It is disgraceful that, after more than a decade in government, this Government has not updated those grant principles. Labor calls on the Government to do that urgently.

We have seen the announcement of a review from the new Premier, but it is worthwhile noting that nothing has changed since one-quarter of a billion dollars of government funding was most egregiously rorted to only benefit electorates held by Liberal and National Party members. Legitimate projects in electorates held by Labor and crossbench members missed out on that funding. A review might have been announced but nothing has changed. We call on the Government to introduce these changes. There are 28 recommendations in this report. A private member's bill stands on the *Business Paper* downstairs. There is a range of things that we can do to restore the public's confidence in the way that grant programs are administered in New South Wales. It is fundamentally important that we take these measures.

It is worth noting that at a Federal level National Party Senator Bridget McKenzie lost her job over the sports rorts program that prompted a National Audit Office response. In New South Wales we would not have the documentation that caused her to lose her job. That is how poor the existing record-keeping requirements are in New South Wales—and nothing has changed. Well, the time is up. I note the good work of the Public Accountability Committee. It has been a cross-party effort. Members have worked together to find that there is a range of things that can be done; in fact, those recommendations have been put into a private member's bill. These things need to be implemented as a matter of urgency. With those concluding remarks, I thank the secretariat for its always invaluable support in making this come together. I thank the Chair of the committee, my Labor colleague and all of the members of the Public Accountability Committee. Two reports were provided, and it is high time that the Government considers them and implements them appropriately.

Mr DAVID SHOEBRIDGE (17:39): In reply: I thank all members who contributed to the take-note debate on both reports: the Hon. Don Harwin, the Hon. John Graham, the Hon. Ben Franklin and the Hon. Courtney Houssos. I thank all members of the committee for their hard work in delivering the two reports. It is embarrassing for the Government that it still has not provided a substantive response to the first report, delivered in March 2021, which set out a blueprint for reform. To this day we still have not had a substantive response from the Government. In fact, there is now a ritual of the Government having to explain to the President why it cannot get its work in a pile in order to provide a coherent response to that first report. The final report of February 2021 backs in all of those observations.

In his contribution to the take-note debate, the Hon. Don Harwin took significant issue with the conclusions in the final report on grants, as to how it applied to grant funding. It is notable, though, that there was no substantive response in that contribution to the detailed criticism from the Auditor-General, which underpins the conclusions of the report. I can clearly say whose evidence I would prefer when looking at the implementation of grants and the expenditure of public money. Members can either take the political rhetoric from a Minister or the careful, considered, evidence-based response from the Auditor-General. The committee went with the Auditor-General; the former Minister wished we had not. I understand he wished we had not, but I must say that the report from the Auditor-General and the evidence we heard that backed in the Auditor-General's conclusions were overwhelming. Money in the arts portfolio was directed based upon politics and without any proper recording.

I am glad to say that the contribution from the current Minister did not go back and challenge the history; it looked forward. The Minister made a clear commitment to properly document any deviation from a recommendation of bureaucrats based upon independent assessments of grants in his role as Minister for the Arts. That at least is a starting point. I thank the Hon. Courtney Houssos for her contribution and for her hard work in the inquiries that produced the original report and the final report. She took the case up to the Government in her work on the committee and was a valuable contributor in the final recommendations we put to the House.

Not only do I commend the reports to the House, I say to the Government that it has now had 12 months to provide a substantive response to our first report. It has now had those recommendations reiterated and reinforced by the conclusions of the Auditor-General and our final report from February. When will the Government implement even one integrity measure to make grants money go where it will go? When will the Government stand up and apologise for shredding documents to hide where \$250 million worth of public money went under the so-called Stronger Communities Fund? When will the Premier do more than kick this down the road for yet another report and yet another review? We are 12 months away from the next State election, and this Government knows it is in trouble.

The risk with a government that knows it is in trouble and that can see the blood in the water is that it will dip into public coffers. It will dip into public money to pork-barrel from now until March 2023. That is why the

Government does not want to respond to the recommendations. That is why the Government has kicked it down the road for yet another review and that is why it is unwilling to put integrity in the grant system. We must not let that happen. If the Government will not move, we now have at least one private member's bill in the other place that is trying to implement some of the recommendations. Let us commit collectively to not only taking that through but also crafting laws that respond directly to the committee's recommendations and those of the Auditor-General.

If the Government will not take that bill through both Houses, let us work with the crossbench members, the Opposition and The Greens in both Houses, because we can. We can get a majority in both Houses to put integrity in this place. We should commit to doing that by the middle of this year at a minimum because unless we put those rules in place, the Government will be buying the next election with public money like it bought the 2019 election. This is urgent. It is important to democracy. I thank the committee secretariat, the committee staff and my colleagues who contributed to the report. I commend both reports to the House.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the reports.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 2 - HEALTH

Report and Government Response

Debate resumed from 9 November 2021.

The Hon. WALT SECORD (17:45): I make a contribution to the take-note debate on report No. 55 of Portfolio Committee No. 2 – Health entitled *Current and future provision of health services in the South-West Sydney Growth Region* and the Government response. Firstly, I congratulate the Chair, the Hon. Greg Donnelly, and the Deputy Chair, the Hon. Emma Hurst, on their diligence in the policy area of health. Secondly, I thank the shadow Minister, Ryan Park, and his staff member Ms Jenelle Rimmer for their advice and assistance in preparation for this important inquiry. Thirdly, I thank the hardworking committee secretariat staff. I recognise their tireless support. Finally, and most importantly, I acknowledge the hard work and advocacy of State Labor parliamentarians, including Greg Warren, the member for Campbelltown; Anoulack Chanthivong, the member for Macquarie Fields; and Dr Hugh McDermott, the member for Prospect. I also thank the Labor Federal member for Macarthur, Dr Mike Freeland. For the record, Dr McDermott has been actively fighting for Fairfield Hospital and raising concerns about the lack of support for palliative care in the area.

The inquiry received almost 60 separate submissions. We held two days of hearings after a self-referral on 5 February 2020, and released our final report on 30 November 2020. The inquiry made a total of 17 recommendations. The Government's response to the report was received on 28 May 2021. The inquiry had a wide brief in relation to health outcomes for south-west Sydney. The terms of reference of the inquiry included:

- (a) an analysis of the planning systems and projections used by NSW Health in making provision for health services to meet the needs of population growth and new suburbs in the South-West Sydney Growth Region;
- (b) an analysis of capital and health services expenditure in the South-West Sydney Growth Region in comparison to population growth since 2011;
- (c) the need for and feasibility of a future hospital located in the South-West Sydney Growth Region to service the growing population as part of the Aerotropolis land use plan;
- (d) an investigation into the availability and shortfall of mental, community and allied health services in the South-West Sydney Growth Region;
- (e) a comparison of the per capita operational expenditure allocated for the ... South-West Sydney Growth Region and other local health districts across metropolitan Sydney since 2011;
- (f) a comparison of the staffing allocations at health services and hospitals between the South-West Sydney Growth Region and other local health districts across metropolitan Sydney since 2011;
- (g) an investigation into the health workforce planning needs of the South-West Sydney Growth Region ...
- (h) a review of preventative health strategies and their effectiveness ... and the required increase in funding to deal with childhood obesity;
- (i) a comparison of clinical outcomes for patients in the South-West Sydney Growth Region compared to other local health districts across metropolitan Sydney since 2011 ...

Shortly after the release of the report, the committee chair called on the State Government to completely overhaul funding models used to budget for the South Western Sydney Local Health District in an effort to meet the needs of the growing community. Broadly, the inquiry's findings revealed a number of health care gaps, staffing shortfalls and inequity in funding across the south-west. Put simply, the inquiry found south-west Sydney residents

experienced "historic underfunding" for local health care services. That observation appears on page 41 of the report. I single out the first two recommendations because they summarise the entire report. Recommendation 1 states:

That the New South Wales Government address without delay the historical under-funding of health and hospital services in South-West Sydney.

Recommendation 2 states:

That NSW Health immediately review its funding methodology for Local Health Districts to ensure fairer allocation of resources to growth areas like South-West Sydney. The funding methodology should ensure health funding keeps pace with population growth and accounts for higher health risk profiles.

The inquiry found many areas where immediate attention is needed desperately. They included maternity and paediatric services to cope with the demands of a higher-than-average birth rate and large numbers of young families living in the region. Addressing the gap in mental health care will prevent an unnecessary burden on other parts of the health system. Chronic disease prevention and management also need to be improved, taking into account the higher risk profile in south-west Sydney.

Ongoing work also must be undertaken to improve the availability of palliative and aged-care services in the region. Other recommendations raised as part of the parliamentary inquiry include increased staffing levels for struggling clinicians as well as calling on the Government to secure land for a future health precinct in the Western Sydney Aerotropolis. The inquiry also found that the New South Wales Government "provided lower overall funding and lower numbers of health workers per capita than most other parts of Sydney" as part of the review. South-west Sydney residents were budgeted \$800 less per person than the Sydney LHD each year.

Figures tendered to the inquiry revealed that the budget for the South Western Local Health District was set at \$1,714 per resident, which is 30 per cent less than the \$2,500 budgeted for those who live in the Sydney Local Health District. The south-west is the largest of all the health districts in the State but its residents receive among the lowest returns on their health care. Each resident of Nepean-Blue Mountains was allocated \$250 more; Central Coast, \$600 more; and Sydney city and the inner west, \$780 more per resident. That is extraordinary. The inquiry also found that a one-off cash injection was needed at Liverpool, Fairfield, Campbelltown, Camden and Canterbury hospitals to "address without delay". In addition, the inquiry called for enhanced kidney dialysis treatment at Fairfield Hospital, as locals have had to travel great distances to other hospitals. Campbelltown Hospital is canvassed in recommendation 11, which states:

That NSW Health address the following issues at Campbelltown Hospital:

- immediately fill the vacant positions within the Emergency Department;
- immediately fill the vacant position that exists for a full-time psychologist for the adolescent mental health unit;
- immediately fill the vacant midwife positions; and
- examine the proposal of establishing paediatric surgery and other paediatric subspecialties at the hospital.

The report was damning and found that funding in that region, which is one of Australia's largest and fastest growing regions, was well behind what was provided to Sydney's east and Sydney's north. Sadly, this is another example of a tale of two cities. Demand has increased without the corresponding increase in funding. In fact, the inquiry found that savage cuts had been made to funding. I agree with the local member, Greg Warren, who said the inquiry found that "the local hospital system was comparable to the standards of a developing country". He also said:

From Blacktown to Campbelltown, we've seen shocking revelations about the standard of healthcare in Western Sydney.

For example, ultrasounds at Campbelltown Hospital could not be performed after 4.00 p.m. on weekdays due to a lack of funding. Residents had to travel at least an hour for some forms of cancer treatment. Unfortunately, the Perrottet Government is leaving behind people in those suburbs with fewer resources, less funding and a lower standard of care. The Government is not meeting the demands of the community now, let alone keeping up with the growing population. Labor's view is clear: Health care should not be determined by your postcode. The report recommended that the Government address the historical underfunding of health and hospital services in south-west Sydney and that NSW Health immediately review its funding methodology for local health districts to ensure a fairer allocation of resources to growth areas like the south-west.

The committee also recommended that NSW Health review current staffing levels and recruitment programs and take steps to ensure that the region has adequate medical specialists, nurses and other health workers to accommodate its population growth and the higher health risk profile. As I said earlier, the report recommended that NSW Health immediately fill the vacant positions in the Campbelltown Hospital emergency department and the full-time psychologist position in the hospital's adolescent mental health unit. The report also recommended

that NSW Health immediately fill the vacant midwife positions and examine the proposal of establishing paediatric surgery and other paediatric subspecialties at the hospital. Two years later, that is still a problem.

In conclusion, I thank my colleagues who participated in the inquiry. I thank the Chair, the Hon. Greg Donnelly, and the Deputy Chair, the Hon. Emma Hurst. They participated in the inquiry in a cooperative and collegial manner. I also pay tribute to the health and hospital workers, including doctors, nurses and allied health workers, who bust their guts to provide health care to residents in south-west Sydney. In summary, it is a tale of two cities. Sydney's eastern and northern suburbs receive a higher allocation of health resources per capita compared to south-west Sydney. I thank the House for its consideration and commend the report to the House.

Ms CATE FAEHRMANN (17:54): I contribute to the take-note debate on the report by Portfolio Committee No. 2 entitled *Current and Future Provision of Health Services in the South-West Sydney Growth Region*. As The Greens health spokesperson and a member of the committee that produced the report, I support the report and its recommendations wholeheartedly. I also address the Government's half-hearted response to the report and its recommendations. The crisis caused by the Delta and Omicron outbreaks only served to highlight the inadequate provision of healthcare services in south-west Sydney. Importantly, the inquiry was self-referred on 5 February 2020, before the pandemic hit our shores, but then most of the hearings were held and the evidence was heard when the pandemic was starting to bite. The key finding of the committee is:

Health and hospital services in South-West Sydney have experienced historic underfunding from successive governments.

The committee recommended that the New South Wales Government address that historical underfunding without delay. All of the evidence we heard supported that finding and recommendation. Since the report was released, the Government has not taken any action in response. I will address the Government's response to recommendation 1, which states:

That the New South Wales Government address without delay the historical under-funding of health and hospital services in South-West Sydney.

The Government's response to recommendation 1 states:

SWSLHD's 2020-21 budget is over \$2 billion, an increase of more than \$55 million on the previous financial year's budget. Since 2011-12, the SWSLHD expenses budget has increased by over \$827 million, more than 66 per cent, which is the highest growth rate in funding out of all local health districts.

The funding allocation was negotiated between SWSLHD and NSW Health to ensure patient care standards are met. The NSW Health funding model has self-correction mechanisms which operate to ensure that SWSLHD's budget increases in order to address the changing needs of South West Sydney.

In fact, the report states:

An analysis of the LHD Budget Data from Service Agreements and Financial Statements and Health Stats NSW indicates that South Western Sydney Local Health District (SWSLHD) is inequitably funded in comparison to other Greater Sydney LHDs. SWSLHD has one of the lowest total annualised expense budgets per resident by LHD in Greater Sydney. It also has the lowest cost per acute encounter suggesting it has less access to specialised funding to deal with complex cases. This inequity in funding has the potential to be further exacerbated when considering the rate of growth for South-West Sydney over the next 20 years is expected to be at a vastly accelerated rate when compared to the rate of growth that occurred between 2011 and 2020.

That will be particularly exacerbated, given the Government's ambitions for the south-west Sydney growth centre. The Government fails to see any problem in the report despite all the committee's work in raising awareness about the inequities of our healthcare system. I draw upon some of the evidence provided to the committee to highlight how serious the situation is for the people of south-west Sydney accessing health services. Ms Amy Lawton from the Western Sydney Regional Information and Research Service told the committee:

... the south-west Sydney population experiences greater challenges on basically every demographic indicator ... This included high socio-economic disadvantage, unemployment, low levels of English proficiency, high rates of humanitarian settlement, higher rates of disability and need for assistance, higher birth rates and rates of lifestyle-related diseases. That is just some of them. These factors obviously make it more difficult and costly for the healthcare system and to meet ongoing community need.

Clearly, we have a long way to go. The committee heard disturbing tales from within south-west Sydney hospitals, such as staff having to ration critical services due to undersupply, clinicians having to train themselves on equipment and procedures such as ultrasound machines due to not enough staff, and practitioners in the public health system urging their patients to seek financial help from family members to enter the private system. When asked whether she was making decisions about which patients to treat and which services to prioritise, Associate Professor Miriam Levy, chair of the Liverpool Hospital Medical Staff Council, responded by saying that this was an everyday occurrence. She told us:

Interventional radiology and all our endoscopy services literally day by day have to examine the list of people who need things done and try to work out when we can squeeze them in. It is a common word—I would hear that phrase; junior doctors would use it multiple times a day—"Maybe we can squeeze them in." "Maybe we can squeeze them in."

Mental health was another area of concern. Associate Professor Richard Cracknell, Director of the Campbelltown and Camden Hospitals Emergency Department, stated:

... we have on average 54 patients per month that spend greater than 24 hours in emergency with a mental health presentation and diagnosis. This is someone who has presented with an exacerbation of illnesses like schizophrenia, severe depression or suicidality who are assessed and admitted to hospital and then 24 hours later are still in emergency ... Our record is 100 hours for a patient from time of admission in emergency before they left emergency. Greater than 50 per cent of patients admitted to the mental health services at Campbelltown Hospital will go home from the emergency department having never seen the inside of the mental health unit.

Again, this was before the Delta and the Omicron outbreak. Medical staff from the Liverpool Hospital told us that for a patient who needs admission to a mental health unit, the emergency department can be an incredibly damaging environment. They said that "the stress of a prolonged stay in an emergency department exacerbates a patient's mental health crisis" due to the confined, noisy, brightly lit environment. We heard that such trauma may even result in a prolongation of the mental health problem that brought the patient to the emergency department in the first place. This is the reality of some of the issues facing the South Western Sydney Local Health District, straight from the mouths of those who experience it firsthand. The committee also heard of the enormous stress placed on the medical staff—doctors, nurses, paramedics, administration staff, everyone. Associate Professor Levy stated:

... as you may know, there were a number of suicides of junior doctors in the last few years, disproportionately in our area. The reality is that if you are a junior doctor working in these kinds of places and you have 25 patients, maybe a third who do not speak English, spread over many wards because there are not enough beds and you are running around trying to care for them, that is a risk to you and the patients.

Associate Professor Richard Cracknell further stated:

... all of next week I am interviewing via Zoom or some video platform doctors internationally to work in the emergency department at Campbelltown Camden because I cannot attract enough local graduates to fill more than 20 per cent of the positions available in the ED, so 80 per cent of the middle-grade staff at Campbelltown Camden are international medical graduates we have had to actively recruit from overseas.

But in its response to the inquiry's findings and recommendations, the Government continues to deny that current methods of funding and care delivery are inadequate. The Government's key recommendation, recommendation No. 1 states:

That the New South Wales Government address without delay the historical under-funding of health and hospital services in South-West Sydney.

The Government's response is that, basically, it has done it all; it has increased the budget over so many years, it is all fine, it has done it, completely ignoring all of the evidence. The fact that we are hearing from senior doctors who are telling us about the incredible trauma on junior doctors to the point that there are more suicides in that area of junior doctors than the rest of Sydney and New South Wales, and still the Government says, "Nothing to see here. We are addressing it," is incredibly disappointing.

In conclusion, I thank the Hon. Greg Donnelly, who so ably and respectfully chaired this inquiry, and all the other members of this inquiry. I particularly thank all of the witnesses who had the courage to present before the inquiry. Some of the evidence that we hear from patients with extraordinary experiences, the loved ones of patients, doctors and nurses is at the heart of what we do, and we hope that people come forward with the evidence that is needed to make really solid recommendations. That is what happened with this inquiry. It is a fantastic report, and I thank the secretariat for once again doing all the work behind the scenes and pulling together a very credible report. On behalf of The Greens, I wholeheartedly commend this report to the House.

The Hon. MARK BUTTIGIEG (18:04): As Labor's spokesperson for the electorate of Camden, I speak to report No. 55 of Portfolio Committee No. 2, entitled *Current and future provision of health services in the South West Sydney Growth Region*, dated November 2020 and to the ongoing problems that the residents of Sydney's south-west continue to face when trying to access essential health care, to which the report directly went. The upper House report was damning. It found that health and hospital services across the south-west have been subject to historic levels of underfunding. The report clearly detailed that people living in south-west Sydney and western Sydney face much longer waiting times for essential health services than in other parts of Sydney, are forced to travel long distances for care that should be local, and that medical staff face shortages of key equipment. The inquiry found that "more must be done, and without delay to address the historical under-funding of health services" in the region, that "more must be done to address immediate shortfalls in staffing and equipment", and that "adequate numbers of medical specialists, nurses and other health workers" were needed.

The Government released its response to the report on 28 May 2021. Unfortunately, in all that time, the Liberal-Nationals Government has done next to nothing to improve the horrendous state of health services in south-west Sydney, despite the comprehensive inquiry that took place and the scathing report. It is appalling that understaffing and the lack of adequate funding for hospitals in south-west Sydney, including for Camden Hospital,

have resulted in patients facing substantial obstacles to receiving equitable access to health services. Many patients are forced to travel outside of south-west Sydney to city hospitals for basic health care. That is disgraceful. They should be able to access health care close to their communities and where they live. It is not fair that diagnoses and treatments are delayed for children in Camden and surrounding areas, due to chronic underfunding. It has become a highly serious situation and residents deserve better.

With the high growth rate in south-west Sydney, the underfunding and under-resourcing need to be urgently addressed. They can no longer be ignored by the Liberals. The residents of south-west Sydney should not be treated like second-class citizens; they need access to health services. The State's population targets up until 2041 show that Camden will grow by 180,000 people. The Liberals have not undertaken the proper planning for the necessary health infrastructure in the area. The Government has not funded and resourced the health services, including having enough staff, to keep up with the pace of demand in the area.

Today, in south-west Sydney, residents have been left without intensive care paramedics because the Government refused to resource our health system adequately. Usually there is one dedicated intensive care paramedic vehicle available during the day at Campbelltown, which is the only one for south of Liverpool in south-west Sydney. This is extremely dangerous and has an enormous impact on patients needing specialised paramedic care. Our intensive care paramedics are vital. They undertake highly specialised work, including newborn resuscitation and dealing with cardiac complications. They cannot simply be replaced by paramedics who do not have the specialised training because of the penny-pinching Liberals and Nationals.

COVID-19 cases are still very much an issue impacting our ambulance network and hospitals. The New South Wales Government should be investing more into intensive care, not decreasing patient access to lifesaving care. Paramedics are crying out for help. They feel that the Government has simply been ignoring their warnings on safety. Our paramedics are overstretched and are under enormous pressure, with fewer paramedics on the road today. That places residents across south-west Sydney at risk. The pandemic has also exacerbated the already extensive issues with health services that were documented in the report. Recent Bureau of Health Information [BHI] data revealed that 60.3 per cent of T2 emergency patients had their treatments start on time. That is the lowest of any October to December quarter since the BHI began reporting in 2010.

Ambulance response times have continued to worsen without adequate resourcing from the Government. The most recent BHI data demonstrates that across Campbelltown the median time for an ambulance to reach the highest emergency cases has risen to more than 14 minutes. That is unacceptable. Our patients seeking emergency care should be able to rely on accessing treatment quickly. It is time the Government urgently paid attention to the report and the current state of health services in south-west Sydney. They are underfunded, understaffed and completely under-resourced. The health workers and residents of south-west Sydney are tired of being ignored. They deserve better from the Liberal-Nationals Government. I commend the report to the House.

The Hon. GREG DONNELLY (18:10): In reply: I contribute to the take-note debate on this important report. I will commence by thanking all honourable members who participated in the debate: the Hon. Walt Secord, Ms Cate Faehrmann and the Hon. Mark Buttigieg. As was referred to in multiple contributions to the debate, the greatest disappointment was the Government's inadequate response to the first two recommendations. That is certainly my opinion, and I think others have the same view. To remind the House, the first two recommendations were to come to terms with the historic underfunding that has been a feature of health and health services funding in the Greater Sydney metropolitan area and New South Wales more broadly, and to make the point that that was a looking back exercise. The committee acknowledged that that has accumulated over time. We were not pointing the finger at any particular government; we were noting that it is an indisputable historic fact, looking at the way that funding is calculated for that part of the Greater Sydney metropolitan area.

That takes us to the second concern, which was the second recommendation, about the methodology used to calculate how local health districts are funded. The challenge in any debate on matters of health, particularly on a local health district, is understanding the complexity of the calculus—and I use that word generally speaking—used to work out what the funding ought to be for that local health district. There is no question that this is a very dense calculation with a number of complexities to it. We do not dispute that. The nature of delivering modern health services is as complicated as we all understand. Nevertheless, that does not provide an excuse for saying, "Well, listen, it's all too hard. You will ultimately just have to trust us because we know. NSW Health is providing us with the insights"—this is the government of the day—"you will just simply need to accept that because that is the way things are." I do not think that is sustainable in the long term.

The health cost to the budget is approaching around one-third of the total budget. It is a huge amount of money. It has been said in debates in the House before that we can pour more billions of dollars into health and it still will not hit the sides. It is expensive to provide a health system as sophisticated as we want in such a large State with such a large population. That is all the more reason why it is important that elected representatives—politicians—develop a level of sophistication to understand how the calculations and how the actual costings are

done for the allocation of money in what is around a \$30 billion annual budget and increasing. If they need to seek advice to do that, they should.

I make the point that there is a challenge now. I hope that the two Ministers who have responsibility for health—the Minister for Health, Brad Hazzard, and the Minister for Regional Health, Bronnie Taylor—give some clarity around who has responsibility for the South Western Sydney Local Health District. The Hon. Bronnie Taylor in budget estimates explained that she has responsibility for nine local health districts, and she identified the South Western Sydney Local Health District as one of them. But I found it somewhat confusing because at the southern end there are hospitals that clearly fall within what we ordinarily understand as a regional area, and that is not the case at the top end. I invite Minister Taylor to bring some greater clarity so that there is a clear distinction about which part of that local health district she has responsibility for and which part Minister Hazzard has responsibility for, should MPs wish to raise issues about health. It would be helpful to have that clear distinction understood so that members can address matters from constituents as they arise.

I acknowledge that Ms Cate Faehrmann made the point that this inquiry commenced before the COVID-19 health emergency and the follow-up Omicron variant emergency. In a sense, time has passed. But those two significant events have happened during that time. I pay tribute to and thank all the healthcare workers in that part of the Greater Sydney metropolitan area, who have worked exceedingly hard and have been under the enormous pressure that is directly associated with some of the issues that we have raised about funding, resources and health services in that area over the past two years.

I commend the report. To use the vernacular, the report may be seen as having some whiskers on it. But as we look forward to a State election in less than 12 months, the citizens of western Sydney—particularly south-west Sydney—are acutely aware that the manifest set of issues with health services that they, their families and their communities face have not been addressed. Their Government has not come to terms with the issue of historic underfunding, and there is a need for that. In doing that, it is important that there be greater transparency about and greater understanding of how the funding is allocated. As the Treasurer constructs and configures his forthcoming State budget, I call on him to provide a lot more detail about how those expenditures are explained. I commend the report to the House.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report and the Government response.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE

Report and Government Response

Debate resumed from 9 November 2021.

The Hon. COURTNEY HOUSSOS (18:18): I contribute to debate on the report of the Public Accountability Committee entitled *Regulation of building standards, building quality and building disputes: Final Report* that was tabled in April 2020. Quite some time has elapsed since we tabled our report but, troublingly, most of those issues have not been resolved. On cladding, the Government has been incredibly slow. Its response to dangerous flammable cladding on buildings across New South Wales has been glacial. It took years to collate the information, it took years to release a standard to remediate, and the process of remediation has taken years. The Government was dragged kicking and screaming to announce low-interest loans to remediate buildings with dangerous flammable cladding, and its program, Project Remediate, has still not removed a single piece of dangerous flammable cladding.

Although the Building Commissioner has criticised the Victorian program, its expert panel has released standards and allocated \$600 million worth of funding. It has remediated 40 buildings and a further 170 are underway, and those are only the private residential buildings. New South Wales is yet to remove a single piece of dangerous flammable cladding. In fact, in a big media event the then Minister wheeled out hard hats and high-vis gear like he was in an episode of *Utopia* or *Yes Minister*, but after the cameras left the flammable cladding was bolted back onto the buildings, where it remains to this day. It would be laughable if it was not so dangerous.

In recent months the United Kingdom has released a new cladding register so that tenants can find out about the progress of remediation. If remediation work was underway in New South Wales, it would be great if tenants could log in to see that information. Let us try to remove dangerous cladding from the sides of buildings, and then maybe we can update home owners and tenants on that progress. It will be a hugely expensive remediation process that will cost apartment owners millions and millions of dollars. Government-mandated cladding is on the sides of private residential buildings, and the process to remove it is incredibly difficult. The Government must provide support to do that work.

It is more than two years since the start of the inquiry and it is almost two years since the report was released, yet no senior Minister is responsible for building, no building commission has been established and no plain-language building Act is available for consumers to understand their rights and protections under the law. The Government could implement those simple changes, but it has refused to do so. More than 40 recommendations were made in the report; it was a comprehensive package. Like I said at the outset, it is most concerning that so little has been progressed in such a long period since the committee released its report. I place on record my thanks to Mr Michael Lambert, the former Treasury secretary who appeared before the inquiry. He is an incredibly well-respected, long-term government bureaucrat. He appeared in his own private capacity after writing a report into building certification for the Government that, largely, has still not been implemented. The Building Commissioner has made some changes, but there is a long way to go on certification.

In my remaining time I will reflect on the building defects because there is a ballooning wave of defects across apartment buildings that will only increase over the coming years. The most devastating and public defect that we have seen was Mascot Towers. The owners corporation at Mascot Towers fulfilled all of its legal duties under the strata Act, it took out all the relevant insurance and yet in June 2019—only a year after its home building insurance lapsed—it was given hours' notice to evacuate the building because of cracking and serious concerns about the structural integrity of the building. Some 2½ years later home owners still cannot re-enter their building, and they are still pursuing litigation.

I pay tribute to Gary Deigan, the chair of the Mascot Towers owners corporation, and I thank Alton Chen and Vijay Vital, for appearing before the committee. I thank the many members of Mascot Towers who I met with two weeks ago alongside Labor leader Chris Minns. Some 2½ years on they face exactly the same issues that they faced in June 2019, and no-one has been held to account for the fact that they are not allowed to live in their building. It is incredible to drive into Mascot and see the number of apartment towers. As Chris Minns said on the day, "It was extraordinarily bad luck for those 132 home owners." But in the face of that bad luck, the Government has provided those home owners with only the smallest amount of support, which has been to extend the accommodation package every six months or so.

Let us be clear: Home owners are paying their existing mortgages on their apartments, which they cannot live in, and they are paying increasing levies because they are pursuing their legal options and because they are trying to find a way to fund the remediation, yet the Government has provided only those home owners who were living in the building with that accommodation support package. There has been no low-interest loan to remediate the building. Repeated attempts have been made to try to negotiate with the banks, and the Government could have undertaken a range of different measures, but it has only provided an accommodation support package for home owners who lived in the building. The new Minister, who had to be dragged kicking and screaming to extend that support package, has said in a mean-spirited way that that will be the final extension and there will be no further extensions.

The previous Minister gave undertakings to the owners corporation that as long as owners were trying to pursue either a course of remediation or litigation, they would be supported with an accommodation package. That is the very minimal support that those home owners are receiving, yet the new Minister, in a mean-spirited and tight way—as though the money was her own—has said to those incredibly desperate people, at least seven of whom have already been forced to declare bankruptcy, that they will not receive any further extensions. She has said that after this final extension that is it, they are on their own. I think the words she used were, "You can tie up your own affairs." That is an absolute disgrace.

Those apartment owners are desperate, and Chris Minns and I heard their stories firsthand. Again I appeal to the Minister to meet with those home owners directly, which she has so far refused to do. She must hear about the impacts on those families and on first homebuyers, who were trying to get their foot in the market and now face huge losses and liabilities. They do not know how to re-enter the housing market because it has moved on so much over the past 2½ years. I heard from retirees who had poured their life savings into that building and who have been forced to sell their family home in order to pay the increasing levies. They are facing massive losses. Instead of purchasing an asset that they thought they could pass on to their children, they now worry about passing on a debt to their children after working so hard throughout their lives.

Those families face uncertainty and they are being forced to move every six months. If the Government does not extend that accommodation support, there is no doubt that there will be additional bankruptcies and those families will have to move out of the area and their children will face further disruption. Children will be taken out of child care, out of schools and out of their local community yet again because of the Government's mean-spirited attempts to claw back a bit of money from people who face absolute financial ruin. That is a disgrace in New South Wales today. Families said to me that they did not expect that this could happen in Australia—it does not need to. Those families deserve support and respect. I call on the new Minister to implement the more

than 40 recommendations of the report, which outline how to clean up the building industry. The Minister must extend accommodation support for the residents of Mascot Towers.

Mr DAVID SHOEBRIDGE (18:29): In reply: I thank all members who contributed to the debate: the Hon. John Graham, the Hon. Anthony D'Adam and the Hon. Courtney Houssos. Report No. 6, which is the final report, was delivered in April 2020 at a time when the Government had draft legislation. That was the first draft legislation to push back against deregulation in the apartment building sector in relation to class 2 buildings. At the time there was very real concern that that legislation did not go far enough. It did not have the required powers to re-regulate the industry and reinstate standards. I am pleased to say that, as a result of this report, significant amendments were moved to both the design Act and the two pieces of legislation that came before the Parliament at the time. Ultimately, that produced significantly improved laws that have had a real impact at least to part of the apartment industry by lifting standards and requiring builders and developers to be far more transparent. As a result of amendments moved in this House, the report has led to the creation of the statutory office of the Building Commissioner, which has been important in that space.

What this report and the further report from this committee have stated is that a building commissioner alone cannot fix the industry. We absolutely must have a building commission, not a commissioner, which is the same as applies in Queensland and Victoria, and we absolutely must have a senior building Minister with a standalone consolidated Act to deal with the mess that is building regulation in New South Wales. These matters are urgent. The committee's most recent report on the mess that is the regulation of building standards and building quality in this State has made it clear that the reforms in the apartment industry—the powers given to the Building Commissioner relating to the apartment building sector—must, as a matter of urgency, be extended to the cottage sector or standalone homes, which is the overwhelming majority of new housing builds in New South Wales. The committee heard from many home owners who have been literally left on their own when it comes to the cottage industry. There is a lot of work for this Parliament to do in that space.

This Parliament now has three critical reports from the Public Accountability Committee that map out where that work should go. I commend each of those reports to the House. I say to the Government that what we have done with these reports is put out a blueprint for essential reform to do something that I think and The Greens believe is fundamentally important—making people's homes safe. Too many people have put their life savings and incredible mortgages on the line, only to find that their home is not fit to live in and they are crippled by ongoing debt, which can destroy families. We have seen that repeatedly. As a Parliament, we have an obligation to fix that and to push back against decades of deregulation, privatisation and disasters created by private certifiers whose only obligation has been to the person who pays them. As members of Parliament, we have an obligation to re-regulate the building industry. The three reports together put in place that blueprint. I commend the reports to the House.

I thank all of the members who participated in these inquiries—all my colleagues—for the work they have done. By and large, this report was the unanimous work of the committee. There were some areas where we had disagreements and where I, as Chair, would have liked to have taken the reports further than they go, but, by and large, the reports were consensus work because all members of the committee saw how great is the need for reform. I thank as well the secretariat for their enormous patience and professionalism in pulling together these reports. I commend the reports to the House.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report and the Government response.

Motion agreed to.

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

Bills

TATTOO PARLOURS AMENDMENT (STATUTORY REVIEW) BILL 2021

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. WALT SECORD (20:01): As the shadow Minister for Police and shadow Minister for Counter Terrorism, I lead for Labor in debate on the Tattoo Parlours Amendment (Statutory Review) Bill 2021. I note this is the first bill that the Hon. Peter Poulos is taking carriage of in this House. I congratulate the member and wish him well. The long title of the bill is:

A Bill for

An Act to amend the Tattoo Parlours Act 2012 to make miscellaneous amendments resulting from a review of the Tattoo Parlours Act 2012; and for related purposes.

Labor does not oppose the bill. However, I note that it does not go nearly far enough in terms of addressing the root problem of gang crime in this State, particularly in western Sydney. There is strong community concern about gang activity in recent months in New South Wales. Therefore, I would say that this is what I believe to be just one in a number of reforms that must be made by the Perrottet Government to eradicate the scourge of violent gang crime that has strangled New South Wales, particularly the people of Sydney and especially the hardworking families of the city's west and south-west. Those reforms must include, at the very least, a prohibition on the granting of bail to those who are charged with serious sexual offences, commercial drug trafficking and serious firearms offences. The revolving door of gang-related crime must stop now. That said, the bill is about tattoo parlours. I make those comments because the Perrottet Government claims that the bill is aimed at tackling gang crime.

In a more perfect world, the regulation of the body art tattooing industry would be primarily a non-police matter. The regulation would mainly concern competence, and the health and safety of tattooists and their customers. After all, one in four Australians has a tattoo. We all know someone who has gotten a tattoo or someone who has regretted getting a tattoo. The national tattoo industry revenues are worth around \$100 million a year to the Australian economy annually. As of 2020, 434 tattoo operating licences and 2,278 tattooist licences have been issued in New South Wales since the beginning of licensing arrangements in 2012. I also note that 57 operator licences and 131 tattooist licence applications had also been refused during that period. In parallel to the rapid expansion of the tattoo industry, there is likely to be a growing tattoo removal industry, but that is a discussion for another time.

Unfortunately, the tattoo industry has become a haven or a backdoor for outlaw motorcycle gang activity, particularly drug dealing and money laundering. As described by the Minister in his second reading speech on the Tattoo Parlours Bill 2012, the legislation aimed to:

... break the stranglehold that outlaw motorcycle gangs have over the tattoo industry in New South Wales.

...

Bikies will no longer feel that they own the industry and that they have the right to stand over, and extort, owners of tattoo businesses who are unaffiliated with outlaw motorcycle gangs. Nor will tattoo parlours be able to provide a means for organised criminals to launder the proceeds of crime.

The 2012 legislative overhaul was supported by Labor and appears to have achieved some of its aims. The New South Wales police has reported a significant decrease in criminal infiltration of the industry since that year, which the police attribute directly to the regulation of that industry. The 2020 statutory review noted that the number of new entrants into the industry exceeded that predicted when regulation began, suggesting that regulation has enhanced confidence in working in the industry. There is no question that there are genuinely passionate and talented law-abiding tattooists, and it is only proper that they feel safe working in an industry free of entrenched gang-related criminal activity as part of their efforts in this area.

The statutory review in 2020 revealed several deficiencies in the legislation, which the present bill aims to—at least partially—remedy. One of the most important elements of the proposed bill is its provision for offences relating to the advertising of unlicensed body art tattooing and powers to obtain information and records for those offences. The rise in unregulated backyard body tattooing since 2012 was a recurring theme in submissions to the 2020 Statutory Review of the Tattoo Parlours Act 2012. The review posited that that may have been a side effect of regulating the industry, and it was suggested that the use of social media and online marketplaces would have enabled those who had been refused licences or had never applied for them because they were certain to be refused to continue to operate in an illegal backyard setting.

It is, therefore, no coincidence that this is the first of the bill's aims mentioned in the former Minister's second reading speech. Implicitly, the then Minister was recognising, without targeting unlicensed operators, that the industry would simply move underground and the entire regulatory scheme would be hollow. Prohibiting advertising by unlicensed operators and tattooists is a solution that will, we hope, enable the police to make the lives of unlicensed illegal tattooists so difficult that they cease operation.

Another deficiency in the current legislative framework is that, while it prohibits the granting of tattoo licences to controlled members of a declared organisation under the Crimes (Criminal Organisations Control) Act 2012 (NSW), the Supreme Court has not made a declaration that an organisation is a criminal organisation under that Act due to the availability of more efficient legislative mechanisms. Therefore, it was clear that the Act needed to be amended to include a regulation-making power to prescribe outlaw motorcycle gangs. Further, the 2012 legislation deliberately did not include a set of mandatory disqualifying offences in order to allow for some flexibility as the regulatory regime began. For instance, many existing industry members had likely previously

worked for or associated with people with criminal records. However, many industry stakeholders now want more transparency and a more streamlined licensing process. Therefore, they are amenable to a set of prescribed disqualifying offences.

I commend the authors of the bill for their willingness to model the provisions addressing those issues on an equivalent precedent in South Australia. The provisions require that persons may be disqualified from providing tattooing services if they were at any time in the previous five years a member of a prescribed organisation or a close associate of such or if they had been found guilty within the previous 10 years of a prescribed offence. The present bill precludes licensing an applicant convicted of a disqualifying offence within the period of 10 years before the application was made or an applicant who has been a member of a prescribed criminal organisation in the 12 months before making the application. The bill also enables the regulation to determine that a group is a criminal organisation and to prescribe it.

The bill also renames the Act and the regulation, referring to the "tattoo industry" rather than "tattoo parlours". That is a fitting modernisation to reflect the increasing professionalisation of the industry. Importantly, where the Police Commissioner currently shares regulatory responsibility under the Act with the Secretary of the Department of Customer Service, the bill places all regulatory power under the Act into the hands of the Police Commissioner. That is a logical streamlining of the regulatory regime that recognises it will be simpler and more efficient for the Police Commissioner to have sole responsibility for regulation.

Following consultation with the industry, including submissions received during the statutory review process, the bill establishes a limited duration permit scheme for body art tattooists visiting from overseas, which is not related to attendance at a tattoo show or other industry event. I have had direct representations about that area of the bill. Such attendance was previously the only means by which they could obtain a permit to tattoo in New South Wales. That is for overseas tattooists who have quite a following and are quite well known. In that, the bill takes its cue from relevant legislation in Queensland. Visiting artists can play an important part in training and upskilling local talent, particularly given the absence of a formal domestic training tattooist program in Australia.

The absence of training requirements and standards for licence applications was looked at in the statutory review. The statutory review recommended against imposing such requirements and standards because "health training requirements are outside the scope of this Act", noting that regulation of the industry remains under the Public Health Act. The challenge is that while the licensing regime in the current framework is aimed at keeping criminal elements out of the tattoo industry, many customers will naturally believe that licensed operators and tattooists are in possession of special skills and knowledge, especially about health and safety requirements.

While Labor recognises the statutory review's concern that "using a non-health related legislative mechanism such as the Tattoo Parlours Act 2012 to reinforce public health standards may result in the industry not accurately reflecting changes to health standards in a timely manner", I think those concerns could be overridden with a thoughtful amendment. For instance, additional prerequisites for licensing could be the completion of a training course and annual certification under the Public Health Act 2010. My understanding is that members of the industry made submissions in favour of training requirements during the statutory review process.

Another concern the Opposition has, as my colleague the member for Wollongong Mr Paul Scully noted in the Legislative Assembly during the second reading debate on the bill in November last year, is that the industry must continue to be involved in crafting the final offences. As the previous Minister said, that will take place by regulation after consultation with the sector. It is foreseeable that, without carefully crafting the final offences, qualified tattooists who pose no risk to the community could be excluded from the sector. Proper consultation with the industry in due course would prevent those and other undue consequences from arising. Establishing a mechanism for regular, practical consultation with the industry was one of the key recommendations of the statutory review in 2020. I am not aware that the bill establishes any formal mechanisms. That remains a concern for the Opposition.

In summary, Labor has listened to the concerns from the law-abiding industry regarding the existing arrangements for regulating the tattoo industry. We have also listened to the requests for greater business opportunities and cleaning up backyard operators. We have also considered the need for a sole regulator, and we believe the additions proposed in the bill strike the right balance. The bill gives effect to the legislative recommendations in the statutory review by providing that the names of the Act and the regulation are changed; that a scheme is put in place for international visiting tattooists; that a single authorising agency is the sole regulator, being the New South Wales police; and that it is an offence to advertise tattooing procedures without a licence, with the powers to enforce it.

Furthermore, the bill provides transparent criteria for tattoo licence applications as well as providing for the regulations to prescribe grounds for disqualification. The bill ensures that applicants are not subject to multiple regulators and multiple checks, which has been time-consuming. It will ask for a single point of application in issuance, renewal and review. I hope that will reduce red tape. Finally, I acknowledge the member for Wollongong for his assistance in consulting with the tattoo industry and my staffer Gabriel Sassoon for his research into the industry. As I indicated earlier, Labor will not be opposing the bill.

Mr DAVID SHOEBRIDGE (20:15): On behalf of The Greens, I contribute to debate on the Tattoo Parlours Amendment (Statutory Review) Bill 2021 and indicate that we will not be supporting it. Members would not be surprised to know that the police are pretty useless at regulating an industry like the tattoo industry, an industry that is largely based upon art and creativity, and that is not the police's patch. The regime has been so ineffective that the bill is the eleventh time the Government has brought amendments to its original 2012 legislation to try and strap up what has always been an absolute dog's breakfast of having the police regulate a creative industry.

To give the Government credit, I think only six of those amending pieces of legislation have been substantive, but each time the Government has come to the Parliament and said, "You know what? Our cunning plan in 2012 to attack organised crime through the tattoo industry is not working for us." And there is a reason for that. If you want to attack organised crime, start with their criminal activities. That is a good idea. Members know what police are actually okay at and where they actually have a role in society: policing illegal and criminal activities. Did I mention that policing an artistic industry like the tattoo industry is not their main course?

The police have proven themselves to be dreadful regulators. The industry has been strangled by red tape and has been the subject of arbitrary use of police discretion. Quite often, players in the industry have challenged the appalling administrative decisions made by the police successfully in the NSW Civil and Administrative Tribunal, and the police response is not to say, "You know what? We are not actually great at regulating an artistic industry. Maybe we will hand it over to Fair Trading." The response from the police, as the bill shows again, is to remove the appeal rights so the bad administrative role of the police cannot be challenged. I could not make this stuff up. This is the same Government that has decided to send hundreds of police to check train tickets. Thousands of police are checking train tickets and keeping an eye on tattoo parlours when actual serious crime is not actually being addressed in New South Wales, and no wonder, because the police are too busy writing the twelfth set of amendments to the Tattoo Parlours Act 2012.

This is the worst of mission creep writ large by the New South Wales police and is empowered and supported by the usual players in New South Wales politics who will never call out the police for overreach. Again we have those in the Opposition saying, "This is great. We support it. It is about reducing red tape." The bill is not about reducing red tape; it is about giving the police more power over a creative industry. The bill is not actually about public health, because if the Government wanted to regulate public health, it would not start with the police.

If the Government was really worried about the health outcomes of backyard tattooing, who would it send in to regulate it and make backyard tattooing healthy? Would it send in the police or would it send in NSW Health? I know who The Greens would send in; we would send in NSW Health. But the Opposition and the Coalition are sending in the police. Maybe a police dog is useful in that space. Maybe the horses are good. Maybe the water cannon works to make sure that tattooing in backyards is safe. Maybe that is all great. I do not know; I have not seen any evidence of it. That was not clear in the statutory review, but again we have a bill with more bracket creep.

What does this bill do? It does some pretty revolutionary stuff. It renames the Tattoo Parlours Act 2012 to become the Tattoo Industry Act 2012 and the Tattoo Parlours Regulation 2013 to become the Tattoo Industry Regulation 2013. That is pretty groundbreaking; I am glad we have got that. It allocates the responsibilities under the Act that previously lay with the secretary of the Department of Customer Services to the Commissioner of Police. It takes out the Office of Fair Trading from regulating the industry. And we are told this is about consumer protection! I accept that the Office of Fair Trading is not a super fit-for-purpose entity when it comes to regulating consumer protections, but it is a bloody sight better at consumer protections than the New South Wales police, which is not a customer-focused organisation.

The bill provides that membership of a prescribed criminal organisation is a mandatory ground for refusal of a licence. It does that because the police kept losing appeals in the NSW Civil and Administrative Tribunal when there was a discretion, because they were not up to the job of getting the evidence together to refuse people's licences. The bill provides for a regulation-making power to describe mandatory disqualifying offences in relation to refusal of a licence or permit. I assume we are getting a regulation-making power because the Government is too embarrassed to bring the thirteenth, fourteenth and fifteenth amending Act and it wants to be able to strap up the failures of the police through regulation.

The bill establishes a limited duration permit scheme for body art tattooists visiting from overseas which is not related to attendance at a tattoo show or other industry event. So it is some kind of overseas licensing arrangement. Can you imagine being a tattoo artist in Las Vegas and you think about turning up and doing a bit of work in New South Wales and you have to apply to the New South Wales police and go through one of their miserable application forms? Can you imagine getting lost in the blue tape of the New South Wales police in order just to do your job and exercise your skills as an artist? It is laughable. One can only imagine that those talented, creative international tattoo artists are going to have one look at the New South Wales police application form and say, "Do you know what? I will just go to New Zealand. This is just too much." The bill further provides for offences in relation to the advertising of body art tattooing and powers to obtain information and records for those offences. The then police Minister—sadly, former police Minister—in his second reading speech spoke about this part of the bill. The great crime fighter David Elliott said:

The bill will limit infiltration of the body art industry by organised criminal groups by creating a new offence for advertising body art tattooing procedures without a licence.

That is a blow against organised crime from the New South Wales Coalition! It is going to limit the infiltration of the industry by organised criminal groups by making a new advertising offence. That is organised crime back in its box, New South Wales Coalition style. Finally, the bill makes other minor inconsequential amendments, which I will not trouble the House with. In summary, this bill does not have the support of The Greens.

The Hon. PETER POULOS (20:22): On behalf of the Hon. Sarah Mitchell: In reply: I take this opportunity to thank the Hon. Walt Secord, shadow Minister, for his observations, together with the contribution of Mr David Shoebridge. In reference to some of the views expressed by the Hon. Walt Secord as to the consultation undertaken, public consultation occurred on the statutory review of the Tattoo Parlours Act in 2017. A total of 17 submissions were received, including from individual tattooists and tattoo business owners. The public consultation period for the review ran from 5 June to 29 August 2017. All the submissions were carefully reviewed, with the report of the review and recommendations being tabled in Parliament in July 2020. Feedback to the public consultation informed the development of the bill.

In addition to the measures in the bill, and as noted in recommendation 9 of the statutory review report, the NSW Police Force will establish a consultative group to facilitate regular and practical consultation with the tattoo industry on present and evolving issues that are likely to impact on the regulatory scheme. Mr Shoebridge also made a number of remarks, which I think it is important for me to respond to. The bill will amend the Tattoo Parlours Act 2012 and the Tattoo Parlours Regulation 2013 to improve the regulation arrangements of the tattoo industry. Many of the amendments within the bill are to make the legislation clearer on grounds for refusal, revocation or suspension of a licence; and how applications and current licensees are assessed. This is all, of course, to fine-tune the already successful scheme that aims to stamp out criminal infiltration of the industry. For those who wonder how the scheme does that, I will present to the House some figures on tattoo licences, as provided by the NSW Police Force.

As a snapshot, as of 9 February 2022, since the introduction of the Act, a total of 3,845 applications were lodged, 197 applications refused, 2,783 licences granted, and 23 licences cancelled. Those figures demonstrate that in 197 cases there were grounds to refuse a tattoo licence. Historically, as some members may recall, the tattooing industry was dominated by criminal groups, forbidding, in some cases, honest business people from entering or thriving in the market. In the 2010-11 financial year, for example, there were 72 personal violence-related offences, tallied by the police, within a tattoo business. In the same year, there were 39 offences relating to property crime, and 15 public order offences recorded by the police within a tattoo premise. These statistics are from that one financial year alone, prior to the introduction of the Tattoo Parlours Act in New South Wales.

Members will be interested to note that the financial year following the introduction of the Act, the 2012-13 financial year, there were three personal violence offences, three property-related offences and only two public order offences recorded by police within all tattoo premises. The figures continue to stay low. In the 2014-15 financial year there was one personal violence offence, one property-related offence and no reported offences to do with public disorder within tattoo premises. In the 2020-21 financial year there were three personal violence offences, but no property offences and no public order offences recorded at a tattoo premises. The drop in crime is a testament to the regulation of entrants into the industry, through probity checks and the refusal of applicants known to be associated with criminal groups.

Over the 2007-08 financial year until the 2011-12 financial year, of the offences that took place within a tattoo premises there were 18 counts in reference to known outlaw motorcycle club gang affiliation recorded by the NSW Police Force. Compare that with the period between the 2012-13 financial year and the 2016-17 financial year, after the introduction of the Act: There were just two counts of known gang affiliation in relation to offences within a tattoo premises. Fortunately, the sound regulatory scheme has not seen a disproportionate number of

businesses closed, although appropriate action has had to be taken in a very small number of cases. Under the current Tattoo Parlours Act, closure orders have been issued 10 times between 2014 and 2020. The highest numbers were in 2015 and 2016, in which each year three closure orders were made for breaches of the Act. In 2017 and 2018 no orders were made.

Under the Act, the Local Court may, on the application of the commissioner, order that tattoo premises be closed for a designated period when the court is satisfied that the business is being carried out at those premises without the authority of an operator licence, or there have been serious criminal offences committed at or in connection with the premises. These provisions still apply in the new Act. Regulation of the industry is balanced, and this scheme has worked. For example, as at 9 February 2022 there were 1,385 current tattooist licences and 354 current operator licences—soon to be called master licences—amounting to a total of 1,739 licences. That shows the industry is solid and is not daunted by the ongoing regulation and management of new entrants.

Outside of the metropolitan Sydney area, the greatest number of licences are in and surrounding major centres, such as the Central Coast region and the southern Illawarra. The bill will maintain the current scheme that is already successfully regulating the industry, while encouraging international tattooists to perform within the New South Wales tattoo businesses. It will also include the offence of advertising without a licence or permit and makes clear the eligibility criteria for a tattoo licence. The bill is all about the balance between providing opportunities for what has become mainstream business and overseeing what remains a high-risk industry that is attractive to criminal elements if left unregulated. I am pleased to support the work of the NSW Police Force in its ongoing administration of the Act. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. PETER POULOS: On behalf of the Hon. Sarah Mitchell: I move:

That this bill be now read a third time.

Motion agreed to.

MOTOR SPORTS BILL 2022

MAJOR EVENTS AMENDMENT BILL 2022

Second Reading Speech

The Hon. TAYLOR MARTIN (20:32): On behalf of the Hon. Natasha Maclaren-Jones: I move:

That these bills be now read a second time.

I am particularly pleased to have carriage of the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022 in the House because they will help facilitate the postponed Newcastle 500 later this year, along with some amendments that we will move later.

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

Leave granted.

I am pleased to introduce the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022. Over the past two years, the pandemic has substantially impacted major events. The Government has continued to support events throughout the course of the pandemic, and its focus has consistently been on getting the economy moving again, getting people back to work and getting visitors back into New South Wales. Supporting major events through a contemporary form of legislation will position New South Wales as not only the premier visitor economy but also as the events capital of the Asia-Pacific. That is particularly relevant to changes that we are proposing through the creation of the Motor Sports Bill.

Motorsport events are a key part of the New South Wales Government's annual major events calendar. In this State, we host a number of motorsport events on public roads, such as the Newcastle 500, the World Rally Championship and those held at Bathurst's iconic Mount Panorama racetrack, including the Bathurst 1000 and the Bathurst 12 Hour. These events attract tens of thousands of people to New South Wales and inject millions of dollars into our economy. They also showcase New South Wales destinations to global audiences through widespread television coverage of these events. The delivery of motorsport events is often complex, but even more so when hosted on public roads, public land or public venues over multiple land tenures and council jurisdictions, with large volumes of temporary infrastructure.

Three Acts and several associated regulations have been instituted over time to facilitate major motorsport events in New South Wales. Each Act is specific to a geographical location and requirements of each existing event, which limits our ability to easily attract new event content into New South Wales. The Motor Sports Bill 2022 consolidates these Acts to achieve a holistic legislative framework for the conduct of motorsport events in New South Wales. The bill will provide one set of powers and a consistent approach to similar activities across motorsport events; the ability to account for the unique characteristics of an event and its location,

if required, through the use of race authorisation conditions and an event specific regulation; a consistent approach to track safety inspections, facilitated by a New South Wales Government-approved sanctioning body, which will be one of the industry peak bodies; clear articulation of the roles and responsibilities of various government and non-government stakeholders to improve event oversight; and a streamlined and efficient approvals pathway for authorisations across the events.

The bill repeals the existing Acts and associated regulations for the Motor Racing (Sydney and Newcastle) Act 2008, the Motor Sports (World Rally Championship) Act 2009 and the Mount Panorama Motor Racing Act 1989. The bill enables motorsport activities to occur on public roads through the suspension of certain road legislation, principally the Roads Act 1993 and the Road Transport Act 2013. It also streamlines the approval of activities over multiple jurisdictions and/or landholdings through interactions with other legislation, such as the Local Government Act 1993, the National Parks and Wildlife Act 1974, the Forestry Act 2012 and the Crown Land Management Act 2016. I think you are slowly starting to get a flavour of the level of oversight and regulation that exists for motorsport.

Motorsport events have the potential to temporarily affect some residents, businesses and communities during the preparation work and during the event itself. The bill allows for conditions to be imposed on the event to reduce or avoid potential impacts on the event and non-event community. Conditions may include matters related to public safety and environmental protection, particularly things like noise. Event organisers must comply with any of these imposed conditions. The bill provides confidence and certainty to event organisers through an enabling legislative framework and provides protection of event promoters' commercial rights through advertising and marketing controls in and around the event precinct. This avoids the use of things like guerrilla marketing tactics. New regulations will be made for existing motorsport events to enable them to continue in their current location and format.

I now turn to the issue of how safety is going to be managed for larger motorsport events. The bill requires that the promoter—often a private company, running the event—must produce a race safety plan and have that signed off by an authority nominated by the Government. This is set out in clause 8 of the bill. In practice, we will nominate one of the peak motorsport bodies. I will take the example of the Newcastle 500. In this case, the race is run by Supercars, as the promoter, under the safety rules set out by Motorsport Australia. Motorsport Australia is recognised by the Federal Government as a National Sporting Organisation and is also affiliated with the International Automobile Association, meaning it has significant skills and expertise, drawn worldwide, to issue a safety code and assess Supercars' safety plan which is under that code.

The design of these safety codes and the assessment of safety plans under them requires deep expertise and it is not for a New South Wales government agency to try to assess such a safety plan effectively. That is why the bill requires that the expert assessment of the safety plan be by an organisation which has this specialist knowledge. This is the first time we have legislated this requirement. But, in practice, the promoters of these major races all race under the auspices of one of these peak bodies. They take their safety reputations very seriously. It is also worth noting that previously we have tried to use the NSW Police Force to oversee safety for such events. But one of the clear pieces of advice that we have had during the preparation of the bill is that the police do not have the expertise to be able to oversee these safety plans, which is why we are utilising the national peak motorsport bodies.

More broadly than this race safety plan, the Government can impose general public safety requirements under the race authorisations, which is included at clause 7 of the bill. This can include such matters as public health, or service of alcohol, or the provision of security guards. In this way, the specialised assessment of the race safety code is carried out by a specialist peak body nominated by the Government, but the Government can set any other, broader safety conditions if it requires them. Operationally, a multi-agency team from agencies such as police, transport, ambulance and health, will work with the promoter in the lead-up, and be there when the race happens, to make sure that these more government-centred safety issues are managed properly. To give added strength to these safety measures, the bill contains various powers to be used by security guards or authorised officers to regulate access, search bags, or remove drunk or disorderly persons. These can be seen in division 4 of the bill. The Motor Sports Bill 2022 will enable the safe and successful conduct of existing events and motor vehicle racing activities in a more consistent manner, while facilitating the smoother delivery of new world-class motorsport events in New South Wales.

I add that we have provided appropriate settings in the bill to allow the Mount Panorama location to continue to function as a race circuit as consistently as it has under the Mount Panorama Motor Racing Act 1989. Bringing it in line with other motor races under this legislation is a more streamlined approach. It will mean that motor races are treated equally and fairly across the State, but the unique Mount Panorama arrangement is recognised and will continue under the proposed Act. Where Mount Panorama is different to other major motorsport events conducted on public roads is that, instead of being a public road which is converted into a race track on race days, the Mount Panorama circuit is a race track which functions as a public road on all non-event days. The bill accounts for this reversed setting.

In a similar way, the Major Events Amendment Bill 2022 will update the Major Events Act 2009 to ensure that it remains contemporary and relevant for attracting and hosting major events in New South Wales. The Major Events Act 2009 has now been in place for over 10 years and is really the linchpin of our major event strategy. Before the Act commenced, special legislation was enacted to facilitate new major events, in a similar way to motorsport events—which we propose to consolidate into one Act through the Motor Sports Bill 2022. The Major Events Act 2009 established a standard set of provisions to facilitate major events more generally, based on the provisions that had been regularly included in previous special legislation. The Act ensures that major events are conducted in a manner that is safe and enjoyable for participants and spectators. It also facilitates better coordination of major events and protects event organisers from exploitation, through such things as ambush marketing—as does the Motor Sports Bill 2022.

Other jurisdictions have now enacted similar legislation, after taking New South Wales' lead. The Major Events Act 2009 must only be enacted for international, national, or State level events, and only when it is necessary and in the public interest to do so. As a result, the Major Events Act 2009 has been used only for seven events held in Sydney thus far: FIFA Fan Fest 2010, AFC Asian Cup 2015, ICC Cricket World Cup 2015, World Polo Championship 2017, ASEAN-Australia Special Summit 2018, Invictus Games Sydney 2018, and the Women's T20 2020 World Cup. The Act made hosting these world-class events in New South Wales possible, as they could not be facilitated through any other laws. The legislation is an important policy lever for attracting major events to New South Wales and we believe it should continue. The Act is important both in supporting social and economic outcomes, but there is scope to improve it and to ensure it remains contemporary and relevant.

The Major Events Amendment Bill 2022 will update the Act by: refining the definition of the locations of the major event to which the Act's provisions may apply to accommodate events that are held in more than one venue or area; streamlining the process for activating provisions contained in part 4 of the Act through the making of regulations; ensuring the Act interacts appropriately with

planning and environmental legislation and that major event developments and activities can, where necessary, be carried out with the approval of the Minister for Planning; enabling the regulations to provide that compensation is not payable by the event promoter in respect of major event-related matters, and to prohibit the delegation of the responsible authority's key regulatory functions, so providing more certainty to event stakeholders; consolidating some definitions to ensure consistency and simplicity; making minor amendments to keep pace with social and technological change, such as requiring certain public notices to be published online rather than in a newspaper; and including drones and other unmanned aerial vehicles in relation to certain aerial advertising matters.

The amendments will improve the overall function and use of the Act in major event facilitation, while providing more certainty to the event promoter, responsible authority and other stakeholders involved in a major event. In New South Wales, Destination NSW plays a key role in attracting and facilitating over 100 major events annually. Major events are big business for New South Wales. In New South Wales in 2019, event visitors stayed 5.9 million nights and spent \$2.4 billion. The New South Wales Government is committed to investing in world-class events that drive visitation and enhance the social wellbeing of our residents, in line with our NSW Visitor Economy Strategy 2030. Ensuring that New South Wales has a streamlined and efficient legislative framework for major events and motorsports is critical to delivering this commitment.

These bills will deliver a contemporary major events legislation that will enable us to host the world's biggest and best events, while ensuring a sustained legacy for New South Wales communities. The improved legislative framework will be particularly important as we continue our recovery from the COVID-19 pandemic when stimulus into the New South Wales economy generated by major events will be even more crucial. These bills put New South Wales firmly in front in attracting new events and drawing visitors from around the country and overseas to our great State. These bills will set New South Wales up well for the future and provide a stronger and safer framework within which to conduct these events. I commend the bills to the House.

Second Reading Debate

The Hon. JOHN GRAHAM (20:33): I thank the Parliamentary Secretary for his speech. On behalf of the Opposition, I contribute to debate on the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022. I thank shadow Ministers Finn and Harris in the other place, who placed on the record in detail the Opposition's view on the bills. I will not attempt to cover all the ground but I will make some remarks about the bills, particularly about the Major Events Amendment Bill and its substance and potential of the approach, which is outlined here in this bill to be applied elsewhere. The Opposition does not oppose the Motor Sports Bill 2022. We will be moving amendments in the Committee stage, and I understand the Government will be supporting them. We are hopeful that the discussions to date will see the bill improved and in good shape in time for the Newcastle 500, as the Parliamentary Secretary said.

The objects of the Motor Sports Bill are to regulate motorsports to support the expansion of motorsports in New South Wales and facilitate those major events. The Minister in the other place spoke about collapsing those three Acts and the associated regulations into one, and presented that as a way of cutting the red tape in this area. I note that the bill was introduced by leave and without notice with a claim of urgency on 23 November last year, with little explanation by the then Minister in this place. The bill was then withdrawn on 22 February 2022, and the Minister for Tourism and Sport in the other place introduced the Motor Sports Bill 2022 with minor changes. There was no claim that it was urgent at that time. Since the first bill was introduced in January, as has already been alluded to, Supercars decided to postpone the Repco Newcastle 500 to a later date. It was just one more postponement that we have faced over the past two years. There are a number of differences between the 2022 bill and the 2021 bill. One of those is clause 46, which states:

... provides for the interaction of specified Acts with things authorised, permitted or required to be done by or under the proposed Part.

The definition of an "authorised activity" no longer refers to the Biodiversity Conservation Act 2016. Another difference is that schedule 3 now defines a "government sector agency" the same as in the Government Sector Employment Act to include a local council. Clause 55 now states:

... specifies the obligations of the government sector agency in relation to a motor race. The proposed section also enables the Minister to give a written direction to a government sector agency requiring it to comply with a request by the government coordinating agency in certain circumstances.

Some changes have been made to the bill that was originally presented to the Parliament and then withdrawn, although I describe them as relatively minor, in the view of the Opposition, at this stage. I place on record that the Opposition is a proud supporter of motorsports. I draw the attention of the House to the contribution of the then Labor Minister for Tourism and Sport and Recreation, the Minister for Women and the Minister Assisting the Minister for State Development, Sandra Nori, who introduced the Mount Panorama Motor Racing Amendment Bill 2006, which increased to five the maximum number of events that were possible at Mount Panorama.

That step was crucial to increasing visitation to the area and helped the council—the owner of the circuit—develop it as a significant local tourism resource. Motor racing has existed at Mount Panorama since 1938, when it was just a dirt track. Mount Panorama is now the home of motor racing in the country, and it has also been important to Australian motorcycle racing over the years. It has been a tourist drawcard for more than half a century, and it is estimated that 4.1 million Australian viewers watch the Bathurst 1000. It is credited locally for bringing in \$21 million to the Bathurst economy and \$55 million to the New South Wales economy. In the scale

of tourist events in New South Wales, it really meets the grade. The Parliament should back it, and the Opposition supports it.

I will refer to some feedback from stakeholders. As the Government has talked about harmonisation, some of the stakeholders have come back to us and said that they are concerned that under clause 55 councils will be required to comply with the Minister's directions. That could be interpreted by some in the community that really the Government will be just be directing councils. The Opposition says that should not be the intention of the Act and it should be used cautiously, given the concerns that have been raised. Various Ministers have advocated for removing the geographic limitations. Labor has been told by stakeholders that it is entirely appropriate that the part of the Act that relates to Mount Panorama be geographically limited, since no other venue has the same characteristics, nor are they used for events in the same way. Labor does not believe the Minister has made a case for change or guaranteed the uniqueness of Mount Panorama, as recognised in the bill. Those are some of the reasons why Labor will be moving amendments, which the Government is likely to accept, and that is a positive step forward.

One broad concern is that some of the steps in the bill risk bureaucratising and inserting the Government into approval processes that may not require it. I will not put it more strongly than that, but I will refer to some of those issues in Committee. I will refer to two sets of amendments to do with those local places, beginning with Bathurst. I have talked about the importance of Mount Panorama and I place on record my fond memories of watching the Bathurst 1000 on television. It is a hypnotic sport to watch on television.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Did you see my dad?

The Hon. JOHN GRAHAM: No! Amazing. Incredible. We did family laps of Mount Panorama in the Valiant and, perhaps later, in the VW Beetle.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): He was in the actual race.

The Hon. JOHN GRAHAM: Yes, we were going a lot slower than the relatives of the Hon. Catherine Cusack, certainly when there were six of us in the VW Beetle. Labor will respond to the concerns that have been raised by Bathurst Regional Council around protecting the uniqueness of Mount Panorama as a special motor sports venue. The Opposition amendments acknowledge the significance of Mount Panorama in relation to traffic management plans, the use of the official title and official insignia, and transitional provisions for the forthcoming Bathurst 6 Hour and Bathurst 12 Hour races.

In relation to Newcastle, the last motor sports bill to be introduced by the Government was in 2017 with the Motor Racing Legislation Amendment (Newcastle 500) Bill. When it was debated, there were real concerns about consultation. Residents and businesses said they expected to be consulted, and Labor agreed with them. At the time the Government's view was that it did not agree with those concerns; it thought they would be dealt with. Labor will move amendments to the Motor Sports Bill in the Committee stage to improve consultation up-front, to ensure heritage is protected and to ensure that this is now protected in the legislation.

I understand that the Government will be supportive, and that is a very welcome step. There have been real concerns locally. The Newcastle 500, which I have attended since it has been held there, has been fantastic. The Hunter descends on the centre of Newcastle. People come from all around to enjoy the race. But for some residents, fast, noisy cars shoot past only metres from their windows. Those residents deserve the right to be consulted properly and to discuss their concerns, and that has not happened appropriately. Labor supports that and seeks to strengthen those measures, given the issues that have been present. Labor supports the Motor Sports Bill, though it has some concerns, and Labor members are thankful for the Government's approach.

I now turn to the Major Events Amendment Bill, particularly on the night-time economy in the first instance. It is hard not to feel that there really has been a decade of lost opportunity when it comes to the night-time economy and tourism. That is hard to overcome. While I acknowledge the lockouts occurred in the centre of Sydney, it also had a massive impact on the international reputation of New South Wales. Of course, the last two years of the lockdowns has made that even harder. COVID has caused difficulties around the world, but it has been particularly hard for a tourism destination that is so far from the key markets that we had hoped to attract tourists from. There were lockouts and then lockdowns, but a third factor made the recovery even harder, and that is a lack of focus in our tourism policy.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Which part of the bill is the member referring to?

The Hon. JOHN GRAHAM: I am referring to the tourism policy as it relates to events, or the existing Government policy as it does not relate to events.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): Major events?

The Hon. JOHN GRAHAM: I am happy to be drawn back to the specifics of the bill.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): That would be pleasant.

The Hon. JOHN GRAHAM: Some fantastic things are happening in tourism but, as is described in the title of the Government's tourism agency, "Destination" NSW, our approach is focused on the destinations in New South Wales. When it comes to tourism policy, the rest of the world is focused on major events. It is focused on that shift from destination tourism to experience tourism; it is shaped around events and major events. That is one of the missed opportunities of the last decade, particularly when it comes to our tourism economy after dark. I speak not only of the missed opportunity to get people here for the first time, but also of the repeat tourism that is so fundamental. I turn now to the budget and to what Treasury tells us about those tourism challenges and how important the sector is. Page 2-4 of *Budget Paper No. 1* states:

According to Tourism Research Australia, in 2018-19 the direct and indirect value of the tourism industry to the NSW economy was equivalent to around 6.1 per cent of GSP, and provides employment for close to 300,000 persons (or 7.3 per cent of total employment in the State).

My concern is that, despite getting tourists to come to New South Wales as part of those major events, the State still experiences a massive tourism trade deficit. Our tourism numbers are going up, but they are going up faster in surrounding countries. That gap, which is shown on Chart 2.3 in *Budget Paper No. 1*, underlines the yawning gap that is opening up in New South Wales. The chart shows that over the past two years the trade deficit has dropped sharply, and that is due to COVID, which every country has had to face. But we should be more concerned about the massive gap in our tourism experience that is opening up, which Treasury is highlighting, to its credit. The Opposition argues that in part the gap is a result of the focus merely on destinations and not on experiences, events or the other experiences that will bring people back regularly. I place that concern on record.

I thank the Government for stepping forward with the bill, though the Opposition views it as a modest step forward. The legislation, which was originally introduced in 2009 by the previous Government, has only been used on seven occasions for major events. They include the FIFA Fan Fest 2010, the 2015 AFC Asian Cup, the ICC Cricket World Cup 2015, the World Polo Championship in 2017, the ASEAN Australia Special Summit in 2018, the Invictus Games and the Women's T20 World Cup 2020. We expect it will be used next year for the FIFA Women's World Cup, which would comprise a fantastic set of events. The bill introduces modest changes, but that underlines how little the legislation has been used in the past. The Opposition is open to using those provisions more regularly, but it is also open using this style of legislation to tackle other challenges.

My colleague in the other place Mr David Harris put those views on record in detail, so I will not repeat them. But in consultation on the bill the Australian Festival Association outlined the challenges it has faced, which have included regulatory challenges, COVID challenges and weather challenges—and increasingly weather challenges. Occasionally events must be moved at short notice. That happened just a short time ago on Saturday 19 March when the city of Sydney was unable to host a significant *Airfields* concert featuring Flight Facilities at Victoria Park, which was a waterlogged venue. The concert was moved within a week, with the encouragement of the Opposition and the support of the Government, from that city venue across town to the Entertainment Quarter in the show ring, a place where music just had not happened for a very long time.

Firstly, I place on record my thanks to the Government Ministers who were involved in that change of venue, but it exposed a gap in the regulatory system. So many hurdles had to be cleared under pressure that the concert nearly fell over multiple times during the course of that week. That exposed the need for protections, not just for the seven incredible events that we should be holding and the Women's World Cup that should be on its way to New South Wales, but also in relation to events where the community agrees it is appropriate to back it in, when the Ministers have a clear view and when the agencies are on board, but a number of bureaucratic hurdles might get in the way of a common sense solution. The Opposition is open to considering future changes to the legislation, or perhaps standalone legislation to tackle those issues. Having placed those matters on record, I am happy to leave any detail to the Committee stage.

Reverend the Hon. FRED NILE (20:50): On behalf of the Christian Democratic Party, I am pleased to support the two bills before the House, the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022. The bills must be supported because they seek to more effectively use public resources in the community. I am surprised to learn that the State must pass new legislation to hold motorsports and major events on public roads. That is my understanding. These bills allow for major sports to proceed without new legislation. Those measures should have been legislated many years ago. I am pleased to support both bills.

Mr DAVID SHOEBRIDGE (20:51): I hate to break the kumbaya, but on behalf of The Greens I indicate that we will not be supporting the Major Events Amendment Bill 2022 and the Motor Sports Bill 2022.

The Hon. Scott Farlow: E-racing?

Mr DAVID SHOEBRIDGE: If it was the e-racing bill, we would be having a further look at it. The bills effectively reduce scrutiny, reduce public input and reduce protections for the community in relation to motorsports in this State. The bills together create a scheme that overrides a whole series of important controls, not least environmental, Aboriginal and heritage controls, and remove almost entirely the capacity of the community to have a say about whether a motorsports event circles around their home and their community or runs right through the centre of their town. Allowing a new race to be declared by regulation instead of by an Act of Parliament inappropriately reduces the standard of oversight and is a deliberate attempt to avoid legitimate scrutiny of a sport that can have a serious environmental impact on local communities and upon natural and built assets in the State.

I do note the significant unrest among many members of the community in Newcastle following the Newcastle supercars event. There is ongoing and significant community opposition to that and very questionable economic benefits. Much of the economic activity in the centre of Newcastle goes down for the better part of a week as the city is blockaded, customers are excluded and businesses are shut for an event that has never had proper scrutiny of the economic return to Newcastle and the Hunter. Having more motorsport races going through more local areas with even less powers for local communities and their councils to even have feedback on proposals is not a good idea.

I now direct my remarks to the provisions of the Motor Sports Bill 2022 that are of particular concern. Clause 46 of the bill is effectively a "get out of jail free" card for motorsports from pretty much every environmental, social and heritage protection that would normally apply to a planned activity under the planning, heritage and environmental protection laws. It provides that a motor race can be carried out and the regulations can ride roughshod over any provision in the Environmental Planning and Assessment Act; any provision in the Local Government Act; anything in the Protection of the Environment Operations Act in relation to noise; the Water Management Act; the Forestry Act; and the National Parks and Wildlife Act, particularly part 6, which are all the Aboriginal heritage protections that will be junked for the sake of motorsports.

Indeed, clause 46 allows for land to be used despite the Crown Land Management Act or the Sydney Olympic Park Authority Act. The authorised activity can even exclude the provisions of the Fisheries Management Act 1994. What motorsport would require a "get out of jail free" card from the Fisheries Management Act 1994? The Great Duck Race of 2025?

The Hon. Scott Farlow: It could well be. We're going to go bid for it.

Mr DAVID SHOEBRIDGE: I note the interjection. It could well be that the Great Duck Race 2025—the Metallic Duck Race, that is, of 2025—will require the ability to damage fisheries by regulation. The bill also excludes any requirement for authorisation under the Biodiversity Conservation Act 2016. Why do motorsports get the ability to cause such an amount of environmental, heritage and social damage in the manner proposed in the bill? What is it about motorsports that says they can be undertaken despite damaging our water catchments and despite seriously damaging Aboriginal heritage? What is it about motorsports? The Greens do not understand why motorsports get special provisions in the bill. It has not been explained why motorsports need to have special protections.

But it gets worse. Not only is there a "get out of jail free" card from all of those protections, there is also a statutory indemnity given to the State and the operators. Clause 49 of the bill removes any possibility for anyone in connection with a motor race to have any liability in nuisance. Nuisance is an important civil tort that protects people's rights to the quiet enjoyment of their property. It has been under the common law for about 500 years but, when it comes to motorsports, that is all just junked in clause 49. They can do whatever they like, make whatever noise they like, make whatever interference with the quiet enjoyment of property they like, and people cannot do a thing about it. The bill also makes clear that regardless of what happens there will never be a red cent in compensation payable by the State of New South Wales.

Reverend the Hon. Fred Nile: Hear, hear!

Mr DAVID SHOEBRIDGE: I note Reverend the Hon. Fred Nile cheers that all in. Why does motorsport need a boilerplate exemption from any compensation ever being paid by the State in an Act of Parliament that is regulating third-party corporate interests to run motor races? What is it that the State Government is frightened it may have to pay compensation for? It is not clear to The Greens why the State Government should get an absolute exemption from any liability if something goes horribly wrong. If they knew something was going to go horribly wrong and did not do anything about it, they get a "get out of jail free" card.

It is not only the State of New South Wales that gets the indemnity. The bill also gives a complete indemnity for any economic loss compensation being payable by a promoter, an employee or an agent of a promoter of a motor event. They can destroy the activities of other businesses intentionally and deliberately. They can destroy

the economic underpinning of any other business and those businesses have no right of recovery against the motor sports operator. I do not know why that is, but that is the proposal from the Government.

In short, the bill privileges motor sports by excluding pretty much every environmental and heritage protection there is from the operation of motor races. It avoids and removes any community consultation on it, and it protects the State Government, the operators and promoters from any claim for compensation, even if they intentionally and deliberately cause economic loss and harm against third parties. The question is do The Greens support the bill? The answer is no.

The Hon. SCOTT FARLOW (21:00): The question is not just whether The Greens support the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022, but whether all members of the House support the bills. In the debate so far I have heard that the majority of members support the bills. Members of the Government support the bills, as do Opposition members. Reverend the Hon. Fred Nile has also outlined his support for the bills. There is so much to support in the two bills that we are debating. Through its tourism and major events agency Destination NSW, the Government has secured and/or retained 918 events since March 2011. Those events will deliver more than \$3.5 billion of visitor expenditure in New South Wales. Not only will those events contribute to the visitor economy and support jobs but they will also activate our sports and cultural venues, enhance our enviable lifestyle and add to the fabric of our communities.

Looking to the future, we have secured several global events that will turbocharge the visitor economy recovery over the coming years. For example, as part of our initiative to have 10 World Cups in 10 years, the Government has secured the UCI Road World Championships in Wollongong from 18 to 25 September 2022, the World Athletics Cross Country Championships in Bathurst in 2023—a little bit different to the Bathurst 1000 that your father might have contributed to in years gone by.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): It was 500.

The Hon. SCOTT FARLOW: The 10 World Cup events are expected to generate over \$1 billion for the New South Wales economy. The Hon. John Graham mentioned the Women's World Cup in soccer, which we are all looking forward to. Later this year Sydney will host the Women's Basketball World Cup, for which a launch event was held at the Parliament last week. The \$200 million State Significant Event Fund will put New South Wales in pole position to secure many more major events and extend our global profile. The Major Events Act 2009 has been in place for over 10 years and has facilitated some of the biggest international sporting events being held in New South Wales when those events could not be facilitated through any other laws. Prior to the COVID-19 pandemic, domestic and international visitors contributed \$38.1 billion in gross state product, and supported 296,000 jobs and over 107,000 businesses in New South Wales.

The bills will support our continued success in attracting and retaining major events for New South Wales well into the future—and let's hope one of those will be the Rugby World Cup, which the Australian Rugby Union is bidding for—to achieve our goal of \$65 billion in visitor expenditure by 2030, and position our State as the events capital of the Asia-Pacific. This investment is not confined to our metropolitan regions; it will also support regional economic development. The visitor economy contributed \$22.5 billion and supported 150,000 jobs in regional New South Wales in 2018-19.

Events will be an important driver of visitation to regional New South Wales and regional expenditure in the coming years. For example, in September this year one of the most significant events in world cycling, the 2022 UCI Road World Championships, is coming to Wollongong. I am sure the Parliamentary Secretary for the Illawarra, the Hon. Peter Poulos, will be very excited to hear about that, and I am sure that he will attend. Over 1,000 of the world's best cyclists from more than 50 countries are expected to compete. We are expecting 300,000 spectators and around 10,000 international visitors to attend. The economic contribution of the event alone will be almost \$100 million to the regional visitor economy—that is not bad going. The event will also showcase Wollongong's beautiful coastline and mountains to an estimated 300 million cycling fans worldwide via the international broadcast, creating massive potential for regional tourism and trade. I am sure that Adam Zarth from the Illawarra business chamber will be very excited to hear about that.

Another great example is the World Athletics Cross Country Championships in 2023 to be held at Bathurst's iconic Mount Panorama, which plays host to many major motorsport events, including the Bathurst 1000 and the Bathurst 12 Hour. The cross-country championships are estimated to bring in \$2.6 million worth of investment to the State economy. The Government recognises that events are strong economic drivers, and has boosted funding to attract and grow events in regional New South Wales. As part of the tourism and events recovery package, the \$50 million regional events package will support major events, festivals, agricultural shows and community events across the regions. That is in addition to the \$20 million Regional Events Acceleration Fund, which is already helping organisations attract new major international and domestic events to regional areas, and to support existing regional events to grow even bigger and better.

We know that putting on those events is a complex and significant undertaking for the event organisers. We need a streamlined and efficient legislative framework to realise more of those opportunities in the future, given the huge benefits that I have just discussed. That is what this legislation does. The New South Wales Government is committed to ensuring that our State has a streamlined and efficient legislative framework to facilitate events, including major sporting events. The bills will enable major events to be held all over New South Wales, delivering benefits to our regional economies and creating jobs.

The Hon. TAYLOR MARTIN (21:05): On behalf of the Hon. Natasha Maclaren-Jones: In reply: I thank the Deputy Leader of the Opposition, the Hon. John Graham, for his contribution to debate on the Motor Sports Bill 2022 and the Major Events Amendment Bill 2022. I also thank Opposition members for their engagement with the bills and for their amendments, which we will get to shortly. The Hon. John Graham mentioned public consultation. The Motor Sports Bill 2022 establishes several mechanisms for consulting with communities.

Firstly, there is compulsory consultation regarding works in communities. Clause 14 requires that affected persons must be consulted by a promoter regarding works proposals. Clause 13 defines affected persons as those who occupy the land where the works will be done, those who occupy land abutting land where works will be done, councils for the works areas and persons who have business interests that might be affected by those works. Furthermore, under clause 16 a works application cannot be finalised without the government coordinating agency consulting the council and its environmental departmental secretary. They must be satisfied that the promoter has taken all reasonable steps to consult affected persons and has taken their views into account.

Secondly, the bill provides for additional consultation to be imposed on any issue. Under clause 7, a condition can be placed on the race authorisation requiring consultation with any specific group. That flexibility is important, as the Deputy Leader of the Opposition noted in one example relating to the Newcastle CBD. A race that has occurred multiple times in one location would have different requirements to a race that is held somewhere for the first time. The Deputy Leader of the Opposition also mentioned Mount Panorama at Bathurst being treated differently. We all know that Mount Panorama is part of our public road network. It is unusual in that it essentially is a full-time racetrack at the same time, with a great deal of permanent racing infrastructure. I know the Minister for Regional Transport and Roads likes to get around on foot with the local member from time to time.

The Hon. Sam Faraway: With a selfie at the top.

The Hon. TAYLOR MARTIN: With a selfie at the top. A small number of residents are engaged regularly to express their views about the races. The bill will operate differently for Mount Panorama because if a large piece of Newcastle was to be converted into a racetrack, it would have to be done in a completely different way. It is not sensible to require those same processes for racing to apply at Mount Panorama. Only the council, the owner, can be the promoter. It will then enter in a contract with the race company.

The bill provides for five major events full-circuit per year and does not apply to the many partial activations per year that are managed by council under their general powers. The works authorisation provisions do not apply. Very few people live near the racetrack. It is cumbersome to require formal engagement for every event with the permanent residents, and council will continue its practice of maintaining regular liaison with those residents. I thank Reverend the Hon. Fred Nile for his contribution in support of the changes. It will not only make it possible and easier to make these races happen in New South Wales on public roads but also do so in a way that makes them safer. I thank him for his contribution.

Mr David Shoebridge listed a range of issues that he has taken note of. In particular, he listed a bunch of environmental Acts in which the authorisation will be overridden. Those Acts are overridden in the proposed bills to create a single authorisation process for the promoter. Otherwise we would be saying New South Wales is open for business but you still need to get a dozen different permits off a dozen different regulators and authorities, all with their own processes, consultation requirements and appeal rights. That is not what we are saying to promoters and businesses that want to come and put these major events on in New South Wales. Because rallies are over long distances, multiple councils are likely to be involved. A road race in a city will require significant infrastructure works on public lands, which will probably have multiple Crown land managers. That does not mean that there is no regulation of those issues. Rather, the multitude of approvals are replaced by a single approval process that imposes conditions backed by a \$1 million fine.

That approach is the same as is used in the existing Motor Sports (World Rally Championship) Act, the Motor Racing (Sydney and Newcastle) Act, the Mount Panorama Act and the Major Events Act. They are specific examples of why the override approach is needed. Mr David Shoebridge listed a whole range of Acts. The Environmental Planning and Assessment Act imposes a range of measures that a large road race is likely to conflict with—for instance, infrastructure construction. Multiple steps may apply such as ramps, communication infrastructure, bollards, hard standing earthworks, fences and fuel storage, to address a whole range of issues. I note the Local Government Act, the Water Management Act and many others.

Mr David Shoebridge specifically pointed out the Fisheries Management Act. The provision supports a defence under the Fisheries Management Act where harm may occur to a fish species. That can occur if ancillary events to a road race occurred in the sea, river or lake—for example, a boating event—or temporary works affected a nearby watercourse. I note that Mr David Shoebridge also mentioned the interaction of different clauses of the bill. Clause 46 is the starting point and lists the Acts that do not apply if they are inconsistent with a race activity. Clause 45 allows a race-specific regulation to be made that alters how that works. It could, for instance, fully reassert the relevant Act so that it does apply or it could carve out a specific location, which means the relevant Act applied to that location. For example, if an Aboriginal site, a koala population or a protected species was there. Finally, I thank my Coalition colleague the Hon. Scott Farlow, the Government Whip, for outlining the benefits of the bills across the State. I commend the bills to the House.

The DEPUTY PRESIDENT (The Hon. Catherine Cusack): The question is that these bills be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will deal with the Motor Sports Bill 2022 as a whole. I have Government amendments on sheet c2022-027C and Opposition amendments on sheet c2022-018E.

The Hon. TAYLOR MARTIN (21:16): By leave: I move Government amendments Nos 1 to 7 on sheet c2022-027C in globo:

No. 1 Change of name

Page 2, proposed section 1, line 4. Insert "*Events*" after "*Sports*".

No. 2 Newcastle 500

Page 27, proposed Schedule 1, section 2, line 25. Omit "March".

No. 3 Newcastle 500

Page 27, proposed Schedule 1, section 2, line 26. Omit "March".

No. 4 Change of name

Page 28, proposed Schedule 2.1, line 5. Insert "*Events*" after "*Sports*".

No. 5 Change of name

Page 28, proposed Schedule 2.2, line 9. Insert "*Events*" after "*Sports*".

No. 6 Change of name

Page 28, proposed Schedule 2.2, line 11. Insert "*Events*" after "*Sports*".

No. 7 Change of name

Page 28, proposed Schedule 2.3, line 15. Insert "*Events*" after "*Sports*".

The Government proposes to rename the bill to be the Motor Sports Major Events Bill, which will address some of the confusion between the events the bill will facilitate that are on public roads and events at licensed tracks that are separately regulated. The Government also proposes to amend part 2 of schedule 1 to the bill, which provides that the Newcastle 500 for March 2022 can be held under the existing Motor Racing (Sydney and Newcastle) Act to avoid all the legal documents already produced for that event having to be reworked because a new Act is now controlling that event. Unfortunately, the Newcastle 500 has been postponed beyond March 2022, which was the intended date. The bill refers to "Newcastle 500 March 2022". The Government proposes to amend the bill to remove the reference to "March", which will facilitate a Newcastle 500 if held any time in 2022. The intent of that amendment is the same as the Opposition amendments for the Bathurst 6 Hour and Bathurst 12 Hour, which have also been postponed. The Government commends those changes.

The Hon. JOHN GRAHAM (21:17): They are commonsense and minor amendments that the Opposition supports.

Mr DAVID SHOEBRIDGE (21:17): The Greens do not support amendments Nos 2 and 3 to extend the provisions in relation to the Newcastle 500. I indicate that for the convenience of the Chamber we will not be dividing on them. I thought the Parliamentary Secretary said that he wanted to rename the bill the "Motor Sports Major Events Bill". The amendments will not do that. They rename it, as I read it, the Motor Sports Events Bill, not "major events", but The Greens do not mind what the Government calls it.

The CHAIR (The Hon. Wes Fang): The Parliamentary Secretary has moved Government amendments Nos 1 to 7 on sheet c2022-027C in globo. While The Greens object to amendments Nos 2 and 3, the question will be put on the one vote. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Wes Fang): We now move to Opposition amendments on sheet c2022-018E.

The Hon. JOHN GRAHAM (21:19): I move Opposition amendment No. 1 on sheet c2022-018E:

No. 1 Motor race authorisations

Page 3, proposed section 5(4), line 35. Insert "motor" after "which".

This amendment is intended to clarify which races may be held at the Mount Panorama race circuit without a motor race authorisation. Clause 5 (4) provides that the regulations may prescribe circumstances in which races may be conducted without a motor race authorisation. The inclusion of the word "motor" so that the clause reads "circumstances in which motor races held" removes any avoidance of doubt that the bill applies only to motor races at Mount Panorama. It should be noted that the circuit is used for other races, such as cycling and running.

The Hon. TAYLOR MARTIN (21:20): The Government supports Opposition amendment No. 1. The amendment simply adds the word "motor" in front of the word "race" in one line of the bill. This simply clarifies the obvious: This is a motor racing bill.

The CHAIR (The Hon. Wes Fang): The question is that Opposition amendment No. 1 on sheet c2022-018E be agreed to.

Amendment agreed to.

The Hon. JOHN GRAHAM (21:21): I move Opposition amendment No. 2 on sheet c2022-018E:

No. 2 Public consultation

Page 3, proposed section 5(5), line 37. Omit all words on the line. Insert instead-

- (5) The Minister must, before making the order-
 - (a) seek the advice of the Office of Sport, and
 - (b) consult with the council for each local government area in which the event area is located, and
 - (c) make a copy of the proposed draft order publicly available, and
 - (d) give members of the public a reasonable opportunity to make submissions about the proposed draft order.

This amendment relates to public consultation. A number of speeches by members during the second reading debate addressed the need for public consultation. I repeat the Opposition's view, because it is significant in relation to the Newcastle 500. We raised these issues in debate when that specific bill was introduced and we are glad there is now a recognition by the House that there are consultation concerns. While we back these sports, some of these promoters do not have the skills or possibly the aptitude to engage with the community in some of these places.

Those are the sorts of issues that have been created, for example, in Newcastle. That is why we believe we should strengthen these provisions. One of the issues relevant to this consultation phase, which attention was drawn to in the second reading debate, is that these events are required to demonstrate their economic benefit. I strongly support that view. Our view is that these events are in the public interest but they should be able to demonstrate the economic benefit. That should be part of the way that these events deal with and consult with the public in a very open way.

The Hon. TAYLOR MARTIN (21:22): The process of conducting one of these events is two-staged. Stage one is the Minister making an order that sets out a few in-principle details, including when the event will occur, where the event will occur and who will be the promoter. The detail occurs in stage two, including the transport traffic plan and proposed works. The bill already mandates consultation on the stage two detail issues with council, landowners and businesses. This amendment mandates consultation during stage one. Nonetheless, the Government supports the amendment.

Mr DAVID SHOEBRIDGE (21:23): I speak to Opposition amendment No. 2 on sheet c2022-018E. The Greens do not oppose the amendment, but it does highlight the absolute lack of rigour in terms of any kind of public consultation and just how much is being lost with this bill. Local councils are chopped out, local residents are completely silenced and even the usual checks and balances inside government are shut down. This

amendment from the Opposition puts in place a very ambiguous consultation process. Councils have no regulatory authority but they need to be consulted. Sometimes when there is a consultation power it is often an insult power, where they simply get told what has happened in advance rather than genuinely consulted. That is our concern with this amendment even if it succeeds.

It is very unclear what is proposed to be a reasonable opportunity for the public to make submissions. It is part of a genuine problem of ambiguity in the bill. For example, all of these proposed public consultation provisions apply in relation to motor races. I note that in the previous amendment the Opposition wanted to make it clear that the regulations in relation to Mount Panorama only apply to motor races. But if members read the definition of a "motor race" in the bill they will get caught in a ridiculous circularity, because a motor race has nothing to do whether there is a motor or not. The definition states:

motor race means a motor race conducted under a motor race authorisation.

That clears things up, does it not? What is a motor race as opposed to a race? A motor race is a motor race conducted under a motor race authorisation. If you can ever get out of that endless circularity and work out what the hell a motor race is, good luck to you. The Greens do not oppose the amendment. However, we point out just how much is lost in terms of community interaction when these proposed orders are put in place.

The CHAIR (The Hon. Wes Fang): The question is that Opposition amendment No. 2 on sheet c2022-018E be agreed to.

Amendment agreed to.

The Hon. JOHN GRAHAM (21:25): By leave: I move Opposition amendments Nos 3 to 6 on sheet c2022-018E in globo:

No. 3 Traffic management plan

Page 10, proposed section 24. Insert after line 29-

- (6) For motor races at Mount Panorama at Bathurst, the reference in subsection (4) or (5) to Transport for NSW is taken to be a reference to Bathurst Regional Council.

No. 4 Application of Heritage Act 1977

Page 17, proposed section 46. Insert after line 6-

- (4A) Nothing in this Act affects the operation of the *Heritage Act 1977*.

No. 5 Use of official title and official insignia

Page 19, proposed section 52(2), lines 2 and 3. Omit all words on the lines. Insert instead-

official title or insignia means a title, logo, symbol or other design approved by order published in the Gazette by-

- (a) for a motor race at Mount Panorama at Bathurst-Bathurst Regional Council, or
- (b) otherwise-the government coordinating agency.

No. 6 Races at Bathurst in April and May 2022

Page 27, proposed Schedule 1, Part 2. Insert after line 38-

3 Bathurst 6 hour and 12 hour April and May 2022

- (1) This section applies to the following motor races-
 - (a) the Bathurst 6 hour to be held in April 2022,
 - (b) the Bathurst 12 hour to be held in May 2022.
- (2) For the purposes of the motor races, including associated events, works and authorisations-
 - (a) this Act does not apply, and
 - (b) the *Mount Panorama Motor Racing Act 1989* as in force immediately before its repeal, including the regulations under that Act, applies as if it had not been repealed.

I will speak briefly to each of these issues. The first of these amendments deals with the traffic management plan at Mount Panorama in Bathurst. The aim here is to streamline some of the approvals. In the view of the Opposition, the introduction of Transport for NSW as the approval authority creates an unnecessary layer of additional approvals, given the longstanding practice at that site. Amendment No. 4 deals with the heritage issues. This amendment is about making sure that heritage provisions of the Heritage Act 1977 are not set aside in this legislation. This issue was raised in debate on the 2017 bill. When we raised those issues at the time, the Government opposed that approach. I am pleased it accepts it now. This will significantly ensure that those

important heritage protections are not set aside by this bill. There were already protections in place in Newcastle but this amendment would extend those to other events.

In relation to Opposition amendment No. 5 regarding the official title and official insignia, Bathurst Regional Council currently has numerous registered trademarks for Mount Panorama events. The Opposition cannot not see the sense in giving a State government agency some sort of approval right over the top of that for a bill which is supposedly about reducing unnecessary layers of approval, and this amendment seeks to unwind that. The amendment will enable the local council to be the approval authority for the official title or insignia for events at Mount Panorama. That will include not requiring that it is published in the *Government Gazette*. Opposition amendment No. 6 is a transitional and savings amendment in relation to Bathurst, given the delays that have occurred at the event, similar to the Government amendment in relation to Newcastle.

The Hon. TAYLOR MARTIN (21:28): The Government supports Opposition amendment No. 3. We have always acknowledged that Mount Panorama, Bathurst is a special case and a special place. Opposition amendment No. 4 provides that the bill does not affect the Heritage Act 1977. However, the bill does not affect the Heritage Act 1977 anyway, so the Government does not oppose this particular amendment. The Government supports Opposition amendment No. 5, which will allow Bathurst council to gazette its logo to take advantage of the offence the bill creates at section 52 for those who misuse those logos.

The bill would have allowed the Government to gazette the logo for the council, but we have no objection to the council being able to gazette the logo itself. The Government supports Opposition amendment No. 6, which recognises that the Bathurst 6 Hour and the Bathurst 12 Hour races have been postponed. The Government had undertaken with Bathurst council to not commence the bill until after those two events take place. It has no objection to commencing the bill with this amendment in place, which will have the exact same effect.

Mr DAVID SHOEBRIDGE (21:29): The Greens do not oppose Opposition amendments Nos 3 to 6 on sheet c2022-018E. It is nice to see Labor thinking about heritage when it comes to Bathurst; I can almost feel Ben Chifley in the room. But the fact that the Opposition moves amendment No. 4, which basically shuts down all other environmental and heritage provisions, most notably Aboriginal heritage, shows Labor's sop to heritage. Labor goes out of its way to amend the one piece of legislation that is not impacted by the bill, the Heritage Act 1977, to say it has done something on heritage. The amendment says, "Nothing in this Act affects the operation of the Heritage Act 1977." It did not do it before, and it will not do it after. It is the one little bit of heritage that is actually not impacted by the bill.

But when it comes to Wahluu, the sacred site on top of the mountain that many people call Mount Panorama, the real heritage is Aboriginal heritage, and First Nations peoples have been fighting to protect that heritage for years and years. That is the heritage that is under threat. Yet the Opposition and the Government together are happy to pass a bill that removes the Aboriginal heritage protections in part 6 of the National Parks and Wildlife Act 1974. Instead, Labor moves a pretend amendment to say the Heritage Act, which is colonial, European heritage, will not be impacted in the bill when it knows full well it was never going to be impacted.

The Hon. JOHN GRAHAM (21:32): I thank all members for their contributions to debate on these amendments. That is the end of the Opposition amendments to the Motor Sports Bill 2022. While there has been a difference in the positions of the Opposition and The Greens on this matter—and that is not surprising; that has happened before—I acknowledge the comments by Mr David Shoebridge about the importance of the Indigenous heritage in that area. That has been an important emerging discussion as this event has taken place, and Labor believes there is more work to do in that area.

The CHAIR (The Hon. Wes Fang): The Hon. John Graham has moved Opposition amendments Nos 3 to 6 on sheet c2022-018E. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Wes Fang): The question is that the Motor Sports Bill 2022 as amended, including an amendment to the short title of the bill, be agreed to.

Motion agreed to.

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will now deal with the Major Events Amendment Bill 2022 as a whole.

The Hon. TAYLOR MARTIN (21:33): I move Government amendment No. 1 on sheet c2022-026B:

No. 1 Savings

Page 7, Schedule 1. Insert after line 34—

[37] Schedule 3 Savings, transitional and other provisions

Insert at the end of clause 1(1)—

Major Events Amendment Act 2022

A minor amendment is proposed to be made to the Major Events Amendment Bill 2022. The proposed amendment seeks to enable regulations of a savings and transitional nature to be made consequent to the enactment of the Major Events Amendment Act 2022. In effect, this will enable regulations to be made under the existing version of the Major Events Act 2009, even after the commencement of the amendments to the Act contained in the Major Events Amendment Bill 2022. The proposed amendment is not intended to be controversial. This amendment has been suggested as a relatively simple solution to provide some flexibility around the regulation drafting for the UCI Road World Championships.

The Hon. JOHN GRAHAM (21:34): The Opposition does not oppose the amendment.

The CHAIR (The Hon. Wes Fang): The Hon. Taylor Martin has moved Government amendment No. 1 on sheet c2022-026B. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Wes Fang): The question is that the Major Events Amendment Bill 2022 as amended be agreed to.

Motion agreed to.

The Hon. TAYLOR MARTIN: I move:

That the Chair do now leave the chair and report the Motor Sports Bill 2022 as amended, including an amendment to the short title of the bill, and the Major Events Amendment Bill 2022 as amended.

Motion agreed to.

Adoption of Report

The Hon. TAYLOR MARTIN: On behalf of the Hon. Natasha Maclaren-Jones: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. TAYLOR MARTIN: On behalf of the Hon. Natasha Maclaren-Jones: I move:

That these bills be now read a third time.

Motion agreed to.

GREATER SYDNEY PARKLANDS TRUST BILL 2021

Messages

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

GREATER CITIES COMMISSION BILL 2022

First Reading

Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Shayne Mallard, on behalf of the Hon. Natalie Ward.

The Hon. SHAYNE MALLARD: I move:

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

Motion agreed to.

Second Reading Speech

The Hon. SHAYNE MALLARD (21:39): On behalf of the Hon. Natalie Ward: I move:

That this bill be now read a second time.

I am pleased to introduce the Greater Cities Commission Bill 2022. The bill provides the foundation for a six cities vision for planning across a globally significant metropolitan region in New South Wales. By bringing six cities together and involving all parts of the region in strategic planning for our future, New South Wales can

build a world-class city region that has the scale to provide better jobs, housing, education and lifestyle opportunities for our people. The six cities model will create a polycentric region where each city builds on its existing strengths and local character while leveraging the benefits of scale to attract new talent and investment as well as enhanced infrastructure and amenities.

In 2015 the Greater Sydney Commission was established with bipartisan support in the Legislative Council. At the time, the commission was a revolutionary model for metropolitan governance in Australia. In 2018, for the first time, the Greater Sydney Region Plan, the State Infrastructure Strategy and Future Transport 2056, which is the long-term transport master plan, were released together. That meant that the State's plans for land use, transport and infrastructure were built on the same assumptions, evidence, data, objectives and time horizons. That was a commendable bold step to an up-front strategic regional planning model.

Our infrastructure investments going forward will inform our decision-making about land use, housing supply and job creation. We need to take a whole-of-government approach to planning—people have been asking for that for years—and by bringing the three plans under one ministerial remit, we have a brilliant opportunity to embed this consistency in the next cycle of planning. In creating the six cities vision, New South Wales will join leading global cities like New York, Hong Kong and London, among others, that operate as part of a sophisticated network of connected cities and regions.

I seek leave to have the Minister's second reading speech from the Legislative Assembly incorporated in *Hansard*.

Leave granted.

I am pleased to introduce the Greater Cities Commission Bill 2022. The bill provides the foundation for a six cities vision for planning across a globally significant metropolitan region. By bringing six cities together and involving all parts of the region in strategic planning for our future, New South Wales can build a world-class city region that has the scale to provide better jobs, housing, education and lifestyle opportunities for its people. The six cities model will create a polycentric region where each city builds on its existing strengths and local character while leveraging the benefits of scale to attract new talent and investment as well as enhanced infrastructure and amenities.

In 2015 the Greater Sydney Commission was established with bipartisan support. At the time the commission was a revolutionary model for metropolitan governance in Australia. Planning for Australian cities has long been held back by the conflict and disconnect between State and local governments. Governments of either colour have known the challenges and difficulties of trying to plan for large cities without the levers to coordinate all aspects of urban policy. On one hand, the State Government has disproportionate fiscal powers and service delivery responsibility for infrastructure and services like public transport, roads, health and education. It also has a broader interest in the economic and social progress of a much larger community over space and time. On the other hand, local government, with great restraints on its fiscal and political autonomy, has less capacity to help meet the State's broader objectives. Local communities that deliver housing and jobs growth shoulder the burden of growth, while investment in necessary infrastructure may not have been proportionate to manage that growth.

In this context, bringing together State and local governments into a single commission model binds levels of government together in a more coordinated governance model. The great success of the Greater Sydney Commission has been how it operates in the face of politics, in a way unbound by the partisan politics of any one moment or place. The commission model, bringing together deep knowledge and connection to State and local government, allows the commission to get on with setting the necessary long-term objectives and plans to manage and coordinate growth, while being able to withstand short-term political pressures and exigencies. In my experience, the easiest job of a politician is to say what you are opposed to. The commission allows us to face the difficult planning actions we need to take, safe in the knowledge that the challenges cannot be shirked or ignored. I say at the outset that the Government will work with those opposite and on the crossbench to ensure the bill will have a lasting legislative architecture that will support the planning not only of the Government of today but also of future governments.

Under the leadership of the inaugural Chief Commissioner, Lucy Turnbull, AO, the commission quickly developed a reputation for world-leading planning. In 2018, for the first time, the Greater Sydney Region Plan, the State Infrastructure Strategy and Future Transport 2056—the long-term transport master plan—were released together. This meant that the State's plans for land use, transport and infrastructure were built on the same assumptions, evidence, data, objectives and time horizons. Our infrastructure investments would inform our decision-making about land use, housing supply and job creation. How we experience and move around the city would impact on our transit choices. We need to take a whole-of-government approach to planning and by, bringing the three plans under my portfolios, we have a brilliant opportunity to embed this consistency in the next cycle of planning.

Together with Infrastructure NSW, the commission built an evidence and expertise base for strategic planning focused on identifying and resolving the major challenges of growth for Greater Sydney. In contrast to other States and Territories, the Greater Sydney Region Plan took a significant step to ensure that, rather than being a glossy document sitting on the shelf, metropolitan planning objectives were perpetual planning considerations that cascaded down the hierarchy of strategic plans from State to local. A central pillar of the Greater Sydney Region Plan was the establishment of the three cities—the Eastern Harbour City, the Central River City and the Western Parkland City. For so long, the spatial geography and economy of Sydney has drawn long arcs across the city—people commuting from their homes to jobs in the east. This plan was a conscious effort to change the distribution of jobs closer to homes across Sydney.

The Eastern Harbour City is shaped around the Sydney CBD and the global economic corridor, which stretches from Macquarie Park in the north to Sydney Airport in the south and was first identified in the City of Cities plan of 2005. In the Central River City, the astronomical growth of Parramatta, unmatched by any other suburban centre in Australian cities, has concentrated employment and economic opportunities closer to where so many Sydneysiders live, while also creating a dense, walkable and beautiful city centre close to transport and amenity. The development of the Western Parkland City, including the Western Sydney International (Nancy-Bird Walton) Airport, along with the centres of Campbelltown, Liverpool and Penrith, is contingent on collaboration across

levels of government, as evidenced through the city deal. The Western Sydney City Deal, ably negotiated by current Chief Commissioner of the Greater Sydney Commission, Geoff Roberts, AM, on behalf of the New South Wales Government, has secured a new way of collaborative planning across and between levels of government to ensure the Western Parkland City's success. It was interesting to note that this approach was emulated in South East Queensland with the release of its city deal just yesterday.

The commission model is being promoted elsewhere as a powerful model to resolve the tensions of strategic planning in Australian cities. The Greater Hobart Committee was established in 2019, bringing together four Tasmanian Government Ministers and agencies with the four councils of metropolitan Hobart to guide strategic land use and infrastructure planning. In 2020 prominent Australian urban planner Marcus Spiller called for the Victorian Government to establish Melbourne's version of the Greater Sydney Commission. He said that, unlike Melbourne citizens wondering how individual infrastructure projects add up to a long-term vision for Melbourne, the Greater Sydney Commission has devised a compelling metropolitan strategy that has captured the popular imagination.

On 2 December 2021 the Premier announced that the three cities would become six, by adding the Lower Hunter and Greater Newcastle City, Central Coast City and Illawarra-Shoalhaven City. This expanded metropolitan region will span more than two million hectares with a projected population of above eight million people in the next two decades. The opportunities of the six cities are incomparable with most other cities in the world. The region features three international airports, three deep water ports each with individual functions and six of the world's top 200 universities. There are a huge number of nodes in the region's global connections. They create opportunities for economic innovation and productivity unmatched in this country and, arguably, anywhere else in the world.

Research published by the Greater Sydney Commission last year showed the rise of city regions on the international stage at a time when the pandemic has also affected where people choose to live and work. The great shift towards more flexible work practices forced upon us by the pandemic has completely changed the geography and spatial economy of jobs. Suddenly, commuting time is no longer the upper limit as to how far we can live from work. Digital catchments around cities have encouraged some regions to branch out from a 60- to 90-minute metropolis to a three- to four-hour city region. Regions such as metropolitan Seoul, the Paris region and the greater Amsterdam Randstad are embracing the opportunities that come with the scale and complementarity of a broader city region and are working together to improve physical transport connections and increase collaboration.

The idea of the mega-region model is being used to interpret the economic success of places like the Ruhr valley in Germany and the Pearl River Delta of China and Hong Kong. The Regional Plan Association's advocacy for coordinated planning in the New York tri-state area emphasises the importance of planning beyond arbitrary or dated boundaries. The Randstad of the Netherlands is particularly instructive for our context. It concentrates a huge share of the Dutch population in a small geographical area, bound and interspersed by green space and natural hazards, and is globally connected as a hub for air and sea transport and interconnected by freight. As Sir Peter Hall and Mark Tewdwr-Jones have explained, the Randstad is not only polycentric in a physical nature but in a functional sense too. Amsterdam is the focus for finance, retailing, tourism and culture; Rotterdam for the port, business and heavy industry; The Hague for government; and Utrecht for its world-class university.

In many ways, today's six cities vision has echoes in past plans for metropolitan Sydney. As the great Bob Meyer has noted, the Sydney Region Outline Plan of 1968 prioritised developing the Sydney-Newcastle-Wollongong area as one interrelated, linear urban complex, with special emphasis on a north-south communications corridor linking the three areas. Rather than the green belt approach adopted in the County of Cumberland plan, influenced by Patrick Abercrombie's Greater London Plan, the Sydney Region Outline Plan drew on the Scandinavian influences of Copenhagen's Finger Plan to channel growth along corridors supported by transport and infrastructure. Areas including Parramatta, Campbelltown, Gosford and Wyong were first identified as growth areas in this plan more than 50 years ago.

In 1995 *Cities for the 21st century* was a framework for planning for the greater metropolitan region, including Newcastle, the Central Coast and Wollongong, alongside Sydney. Although taking a less spatial approach to planning than other recent strategies, it attempted to better distribute the opportunities for growth across the wider region by focusing on better government decision-making, ecological sustainability and achieving more compact urban forms. A 2018 report by the Committee for Sydney, chaired by Kyle Loades and Professor Paul Wellings, reignited the wider spatial approach, proposing the sandstone mega-region as the model for future planning. The report, which advocated for a Minister for Cities and an expanded Greater Sydney Commission covering the region as proposed in this bill, concluded that:

Each of the cities in the Sandstone mega-region has great potential and all of them have an opportunity to get better as they grow. By improving the connections between the cities we can make it more likely that each will achieve its potential and more likely that they will thrive and compete at a global level, while maintaining their unique characteristics and enviable liveability.

I acknowledge calls earlier this week from Matthew Deeth, the Deputy Mayor of Wollondilly and Chair of the National Growth Areas Alliance, for a Federal Minister for growth areas, recognising the particular organisational and fiscal challenges of managing growth on the urban fringe. It is important for us to frame the extent of our cities to focus on where our planning interventions should be focused. In New South Wales, the six cities vision is for a world-class region of better jobs, housing, education and leisure. It is a polycentric region that is productive, sustainable and accessible to all. It is a region where each of the six cities will build on its own signature strengths and character. As part of a larger region, the six cities will have more leverage to attract new business and investment and improve physical and social infrastructure.

Planning is an imprecise science. Famously, the County of Cumberland plan of 1948 foresaw Sydney having a population of 2.25 million by 1981. Sydney reached that population 20 years earlier. The Sydney Region Outline Plan then projected that Sydney's population would reach 5.5 million by 2000—a figure not yet reached. Its purpose is not to give an accurate picture of what the future will look like; it is to equip the community with the information and options available to them to plan for different futures. As the recent floods in the Hawkesbury-Nepean this year and last have shown us, we are reaching the feasible limits of outward metropolitan growth for Sydney.

It is not feasible, for a range of economic, environmental and social reasons, to continue Sydney's outward march. Sydney is framed by the Hawkesbury River to the north, the Royal National Park to the south and the Blue Mountains to the west. It is important that we retain these natural frames for our urban growth as places of heritage, leisure and recreation, as well as economically important resources. Much of today's Western Sydney Parklands was established as the green belt of the Sydney Region Outline Plan, and

I encourage the other place to support the Greater Sydney Parklands Trust Bill 2021 as a way to protect, improve and expand the parklands estate as our cities grow.

We need to build the six cities vision not as a path to consolidation but as a way to celebrate and promote a diversity of places and communities that happenstance has put close to one another. For instance, the incredible renaissance of the Newcastle city centre in recent years has been a spectacle to behold, driven by careful planning, coordinated economic development, improved public transport, investment in public spaces and an engaging cultural scene. Newcastle could have faced the fate of so many post-industrial cities around the world experiencing decline, but it has worked hard to become a globally renowned city. I acknowledge the hard work of local leaders—in particular, Lord Mayor Nuatali Nemes—and wonderful thinkers like Marcus Westbury in achieving this outcome.

There is a paradox at the heart of building the city region that better connections between the six cities will undermine the differences that make each city so great. Better connections will allow each city to undertake its roles better. That is why the six cities vision is so important for future fast rail planning and digital connectivity. It can do so in a way that strengthens the role of each city, not in a way that diminishes them. To bring this vision to life, the Greater Sydney Commission will become the Greater Cities Commission. The bill creates the new commission, updates its objectives and expands its remit to encompass the six cities. It retains the strengths of the commission's governance to set up a model for metropolitan planning for the future of the six cities region.

The bill will repeal the Greater Sydney Commission Act 2015 and replace it with the Greater Cities Commission Act 2022. It will also amend the Environmental Planning and Assessment Act 1979 and make consequential amendments. Schedule 1 sets out the 43 local government areas that will make up each of the six cities and the expanded metropolitan region. The six cities region will extend from Maitland and Port Stephens in the north, to the Blue Mountains and Wollondilly in the west, and the Shoalhaven in the south. If debate suggests changes to the boundaries, these can be made by regulation under clause 4 of the bill.

The membership of the Greater Sydney Commission has been one of its greatest strengths. It features local perspectives, through district commissioners; economic, social and environmental expertise, through the thematic commissioners, whose role it is to operationalise the wonderful vision for ecologically sustainable development that sits at the heart of the commission's remit; central government engagement, through the secretaries, who are ex-officio members; and the leadership of the chief commissioner. Under the bill, city commissioners will take the place of district commissioners in clause 6.

The terms of the existing commissioners will continue under schedule 3, with three new city commissioners to be appointed for the Lower Hunter and Greater Newcastle, the Central Coast and the Illawarra-Shoalhaven cities. The recruitment process for city commissioners will include strong local council representation, satisfying the legislative requirement to seek advice from councils retained under clause 6 of the bill. A fundamental reason for the commission's success and legitimacy is that city commissioners faithfully represent the councils comprising the cities that they serve. Commissioners will only be appointed following the advice of the leadership of the relevant councils, as is currently the case.

The Greater Cities Commission will continue to be supported by the three committees provided for in clauses 13 to 15 of the bill. The membership of these committees will be updated to reflect the important role of the city commissioners in the governance of the new commission. The commission will be able to appoint city commissioners as ongoing members of the infrastructure delivery and finance and governance committees. The first principal objective of the commission, under clause 9 of the bill, will be to lead metropolitan planning for the six cities region. The framework for strategic planning is in part 3 of the Environmental Planning and Assessment Act, and schedule 4 to the bill sets out a series of amendments to that part. The effect of these amendments is that the commission will prepare a draft regional strategic plan for the six cities region on the same time line that it was due to review the Greater Sydney Region Plan—by the end of 2023—so that will be able to be made by the Government by the end of 2023.

The new commission will also prepare district strategic plans, to be known as city plans, for each of the six cities. Transitional provisions will apply so that there is continuity of the existing plans while the Greater Cities Commission undertakes this work. After the first round of planning, each of the plans will be reviewed on a five-year cycle. I acknowledge the trepidation in some parts of the three cities concerned that being a part of the extended metropolitan region means becoming an exurban extension of Sydney. Let me be clear that this is the precise outcome we are aiming to avoid. A broader approach to region planning means that we can focus and collaborate on the new connections that will draw these distinct cities together while retaining their individual strengths and character.

I also acknowledge that there will need to be clarity about how the Illawarra Shoalhaven Regional Plan, the draft Central Coast Regional Plan and the draft Hunter Regional Plan will transition into the new commission model. I recognise that substantial work has been done in recent planning processes and the commission will build on existing governance models to enhance outcomes, rather than start with a clean slate. The commission's objectives in clause 9 of the bill include to promote the supply of housing, including affordable housing and a diversity of housing types. Housing supply and affordability continue to be a challenge for cities around the world, including in our city region, and there is no simple solution. The Greater Sydney Commission set five-year housing targets for each local government area in Greater Sydney, applying to the last five-year period. These targets were included in the commission's district plans and we have seen more than 180,000 dwellings completed against the target of almost 190,000 dwellings over this period.

Schedule 4 to the bill will introduce a requirement in section 3.4 of the Environmental Planning and Assessment Act for the Greater Cities Commission to set "net additional dwellings" targets in its next city plans. Targets will be set for each local government area over five-, 10- and 20-year periods. Local councils are required to submit their local strategic planning statements to the commission under the Environment Planning and Assessment Act and the commission will review consistency with these targets along with the other planning priorities. Three changes to the objectives in clause 9 highlight the important work that the commission will continue to do under the bill. The first of these is in relation to climate change. It is more important than ever that the next round of strategic plans developed by the commission addresses anthropogenic climate change. In this regard, I believe that there is a terrific opportunity for the new region plan to be aligned in accordance with the United Nations' Sustainable Development Goals, so we can align, set and measure our local planning objectives with our international obligations.

The second objective is to increase the involvement and participation of First Nations people in environmental planning and assessment in the six cities region. The commission has identified embedding Aboriginal voices as a crucial part of its work, and it is important to acknowledge that in its legislative objectives. Finally, a new objective has been included setting out the commission's role in coordinating the delivery of key economic precincts. We have seen the success of this work in Sydney and I expect the new commission will identify a globally significant precinct in each of the Lower Hunter, Greater Newcastle, Central Coast and

Illawarra-Shoalhaven cities, drawing on the economic potential of the six cities model. In developing the six cities model, the Greater Sydney Commission has worked with local councils and stakeholders across the area. This collaborative approach is one of the commission's key strengths and will continue as it transitions to the Greater Cities Commission.

In mid-2022 the Greater Cities Commission will release its six cities statement, setting out a framework for strategic planning and inviting the community to join the discussion. The new commission will continue to collaborate across government, industry and community to realise the vision of a polycentric region of six cities: a series of interconnected dynamic and resilient places, each with their clear and unique identity. In creating this six cities vision, New South Wales will join leading global cities like New York, Hong Kong and London that operate as part of a sophisticated network of connected cities and regions. This is not about extending Sydney's borders or replicating a one-size-fits-all planning model. Rather, by planning in this connected way, we can build on the unique assets of the six cities and provide the community with greater housing diversity and affordability, more robust supply chains, linked international gateways and greater access to the culture and lifestyle assets for which our State is famous and which are a major drawcard for talent and investment. I commend the bill to the House.

Second Reading Debate

The Hon. PENNY SHARPE (21:41): On behalf of my shadow ministerial colleague in the Legislative Assembly Mr Paul Scully, I lead for the Opposition on the Greater Cities Commission Bill 2022. The Opposition supports the bill. The Greater Sydney Commission was established with bipartisan support from Labor in 2015. At the time, it was Labor's view that this commission could put an end to the frustrating development wars that were the consequence of the planning disconnect between State and local governments and the siloed nature of too many agencies across government. Labor supported the creation of the commission for the very simple reason that Sydney had waited too long for an organisation that could coordinate planning across the city. At the time, former Labor leader Luke Foley said:

Our State government is characterised by siloed departments rarely working together and never working towards agreed metropolitan goals.

He also said:

Our local government is focused on the micro-urban issues and is, at times, oblivious to the city-wide issues. A big State government combined with small local councils often sees Sydney get lost in between.

Those comments from the initial debate are considered in the context of the second reading speech of the member for Pittwater where he noted:

In this context, bringing together State and local governments into a single commission model binds levels of government together in a more coordinated governance model.

Minister Stokes went on to say:

The commission allows us to face the difficult planning actions we need to take, safe in the knowledge that the challenges cannot be shirked or ignored.

However, for too long these challenges have been ignored and evaded in the cities outside of Sydney, in Newcastle and the Hunter, in western Sydney, on the Central Coast, in Wollongong and in the Illawarra. Planning has remained difficult, siloes continue and the problems remain unresolved. With the six city expansion to the commission, Labor hopes that some of those issues will finally be resolved with this new level of cooperation between governments. The addition of Newcastle, Wollongong and the Central Coast to the Greater Cities Commission means that an area covering some two million hectares of land that is predicted to grow to more than eight million people over the next two decades can finally receive the coordination it deserves and desperately needs.

The population is growing fastest in western Sydney. By 2041 targets from the New South Wales Government indicate that the local government areas of Blacktown, Liverpool, Camden, Parramatta and Penrith will see a combined population increase of over 850,000 people. Our population is rising, though the population density is going to be unequal across the State. For example, Labor notes that the Northern Beaches Council area is expected to take in an extra 27,000 people and Mosman will only take around 1,000. Blacktown is taking over 200,000 people; that is a whole new city going into that one local government area. That is similar in Liverpool, Camden and Macarthur. The population growth is uneven.

That will be a considerable planning challenge for New South Wales. We are planning for the density of living that comes with eight million people. We must provide houses, jobs, schools, health facilities and infrastructure. That is the challenge that our governments now and in the future must contend with. The challenge is to provide for these future communities fairly and equitably, something that the Government failed to deliver during the COVID lockdowns. We witnessed a double standard of living during the COVID lockdowns between western Sydney and the rest of Sydney. We really did become a "tale of two Sydneys", and we must not allow this to become the "tale of six Sydneys".

A report released yesterday by the McKell Institute on the public transport accessibility level data highlighted the lack of interconnectivity. The McKell Institute report entitled *Funding the infrastructure of*

tomorrow found that access to infrastructure is unequal and strongly affects the metropolitan divide in Sydney; public transport is skewed to areas of higher incomes; and all eight western Sydney local government areas are in the bottom third of councils that are close to public transport. Conversely, of the 33 Sydney local government areas, the third with the best access to public transport are all in the east and north districts. For all local government areas, median household income is strongly correlated to access to transport.

Labor would expect that the imbalance of the current Government's infrastructure spend would be a matter for review and consideration by the commission in the future, along with establishing better commuting options and connections between the six cities. Further consideration must also be taken with housing affordability. The debate about why we have a housing affordability crisis is full of opinions; however, some elements contributing to this issue are almost indisputable. They relate to infrastructure delivery, such as servicing new housing lots or allowing for additional density where approval is often being delayed by lack of access to water, sewerage, drainage and roads.

The delay in infrastructure is holding back housing supply and is contributing to housing price increases. That is why committees like the Infrastructure Delivery Committee proposed in the bill are so important. Clause 15 of the bill seeks to establish the Infrastructure Delivery Committee and only requires the appointment of one of the city commissioners to that committee. Labor will not be seeking an amendment to require the relevant city commissioner to be at the table while discussions about infrastructure delivery in the city that they represent are underway. However, coordinating infrastructure delivery through multiple agencies and multiple levels of government should be one of the primary focuses of the city commissioners. We will be watching how that works in practice.

I note some of the region-specific plans that are currently under development and I will talk to their future. Until a district strategic plan is made for the Illawarra-Shoalhaven City, the bill provides for the Illawarra Shoalhaven Regional Plan 2041 to continue to have effect as if it were a district strategic plan. The plans to 2041 for both the Hunter regional and the Central Coast regional plans are still in draft form. The Opposition understands that all of the work that has been completed to date on these draft plans will not be lost moving forward due to this bill being passed. Schedule 4 to the bill allows for those plans to be completed. Once finalised, they will be the relevant city plans.

I understand that the Hunter Regional Plan in particular covers a geographic area much larger than the area proposed to form the Lower Hunter and Greater Newcastle City. That is why it is important that the Greater Newcastle Metropolitan Plan will continue to be recognised by the Government. I am advised that due to technical reasons, the Greater Newcastle Metropolitan Plan is unable to be directly referenced by the bill. Rather than being considered a plan in its own right, it stems from the Hunter Regional Plan. However it is an incredibly important plan in its own right and widely acknowledged as a key part of the area's planning framework.

I now touch on the question of cost-shifting, which was also raised by my colleague in the Legislative Assembly. Good working relationships between the local councils and the commission will be essential to the effective operation of the commission. In cases where no singular body possesses all of the information to address the many challenges this commission will tackle, cooperation will be essential. However, local governments should not be left wearing the costs if there are attempts through provisions in the bill to shift costs from the State agencies to the local agencies. Just as the work is collaborative, so should the costs be. I am advised that the operation of the commission to date has been cooperative with relevant councils, and Labor expects that this spirit of cooperation will continue and be extended to the new councils to be covered. Labor will watch that carefully moving forward and we will speak out on it if there is a need to.

The Greater Cities Commission Bill will provide a foundation to foster a cooperative planning environment for our cities across multiple levels of government, not just in Sydney but also in some of the fastest-growing cities and regions across New South Wales. With rising house prices and the increase in the cost of living, planning our cities in a way that makes for a more sustainable future has never been more important. That includes ensuring our cities are connected by reliable public transport and roads, that communities are supported by reliable infrastructure and that our growing population has access to affordable housing. Labor hopes that by expanding to a six cities strategy the bill will lead to greater equity across New South Wales.

When I was preparing my response and this contribution tonight I had forgotten, but I was pretty quickly reminded, that I was the shadow Minister for Planning when the Greater Sydney Commission was originally put in place in 2015. There were high hopes for the Greater Sydney Commission at that time, and it was something that Labor supported very strongly, in the face of some opposition at the time, because we believed that we needed to have a really strong vision for our only global city and that we really needed to get beyond the problems of the past in relation to planning, whether it be the siloed nature of the departments or whether it was working closely with local government and the others. Our other view, of course, was that the growth is something that the State cannot ignore. We cannot turn away from it and simply hope that it will go away.

Labor wanted to see the Greater Sydney Commission face the challenge. We on this side are hopeful that this expansion will do the same. But our view is very much that we need to have a very singular focus on this. To date my criticism of the Government on this is that when the Greater Sydney Commission was put in place there were a lot of grand words, but if we look at this now, seven years in, I think that our planning system is more complicated than it was. Two rounds of attempts to reform the Environmental Planning and Assessment Act 1979 have failed. We now have more agencies than we had before. We had the Greater Sydney Commission and we now have the Western Parkland City Authority, Placemaking NSW Advisory Committee, Infrastructure NSW, and the Department of Planning and Environment. We now have Planning across four different Ministers as a result of the latest reshuffle. I think that the real danger is not in the bill but in the Government's failure to bring this all together.

There is hope and there is the architecture within the bill to make that happen. But we have to be ambitious, and we have to be singularly focused. My biggest problem with this Government in the planning space, particularly over the past seven years, has been that whenever there has been a problem the Government has simply created another agency to try to overcome the problem. Organisations that started as planning organisations are now delivery organisations. Organisations that were doing green and blue grids are now shoved into the transport department to deal with the blue and green grids. We have lost focus and that is a real shame. We need to get this right because cities are the engine rooms of our entire economy. It is where creativity and innovation breed and grow. It is also the place where we can make the biggest impact on inequality, by providing really good schools and by providing excellent access to transport and roads.

A well-planned city is one of the best drivers to tackle inequality. That is not what is happening in New South Wales now. If you look at all of the reports—and I only touched on a few of them tonight—anything west of Parramatta, where 10 per cent of the nation's population live, is completely under-serviced in relation to infrastructure, whether it is roads, public transport, public housing or schools. We hear about the schools backlog every single day. We have all talked about Breakfast Point and Wentworth Point. They still do not have a school and we have plonked 10,000 people there. The Government is failing when it comes to planning. This bill will not fix it, but it does provide the architecture to get there. It also provides an opportunity for us to take our regional cities into places where they have not been. They also are incredible places of creativity and innovation, and drivers of the changing economy as we move through this century and as we deal with issues like climate change and the changing nature and structure of our economy. If we do not get this right, those communities will also suffer.

With those few words, Labor supports the bill. I acknowledge that amendments were moved in the lower House that the Government accepted, and we on this side are very pleased about that, but the bottom line from us is: Words are really great, but the Government was talking about this in 2015. We can argue very strongly—and the data is in, seven years later—that things are worse, not better. The vision for this is something that I know the Premier shouted from the rooftops, and good on him for that. But without the focus, without the Ministers getting their act together and working together, without the ability to bang heads together across departments when you are planning public transport, housing and schools, you are not going to fix the problems that our community desperately needs us to do as they struggle with growing cities in a very uneven way. We will just simply reinforce inequality. We can turn that around, but it requires a lot more work than is currently being undertaken.

Reverend the Hon. FRED NILE (21:54): On behalf of the Christian Democratic Party, I speak in support of the Greater Cities Commission Bill 2022 and indicate our enthusiastic support for the bill. As far as I am aware, there has been no controversy over the contents of the bill. One of the positive aspects of the bill is that additional commissioners are required to be from the city they are representing, which I think is a very practical requirement. It is a very simple bill and I recommend all members vote for it.

The Hon. TAYLOR MARTIN (21:55): To realise a vision for a strong lower Hunter and Greater Newcastle, we need planning that creates an environment for people to invest in, stay in, learn in and live in. This will enable growth in population, skills and capability that will unlock long-term economic benefits. Being part of a region of six cities will support the lower Hunter and Greater Newcastle to do just that. The lower Hunter and Greater Newcastle city already has so much going for it. The lower Hunter and Greater Newcastle is home to a large and diverse economy. Investments in health and education, defence, aerospace and renewable energy sectors have set up a foundation for future growth and diversification.

Greater Newcastle's proximity to bushland, beaches, airports, universities and the deepwater port translates well on a global stage as part of the metropolitan city region. It also enjoys strong cultural and creative industries, with one of the highest artist populations per capita in Australia, which drives economic, social and cultural benefits. The revitalisation of Newcastle CBD has made it unrecognisable from what it was just a decade ago, creating a genuine metropolitan centre of commerce and culture. Being part of the city region is the next stage in the lower Hunter and Greater Newcastle transformation. There has already been reinvention from an industrial

powerhouse to a dynamic and entrepreneurial leader in the new economy, embracing smart cities and carbon neutral initiatives and modelling collaborative governance that has allowed it to adapt to change.

Over the past 20 years Newcastle has moved from being a steel city to the smart city that it is today and that it will continue to be into the future. Existing planning and economic development strategies provided a strong foundation for this transformation. But being involved in strategic planning for the city region will allow the city to seize opportunities connected to renewable energy and port activities, as well as the Newcastle Airport and the special activation precinct. The six cities will draw together local attributes and establish centres, economic corridors and new city-shaping transport connections. Strategic planning will spotlight the city region's infrastructure pipeline, including a spread of diverse industrial areas, and the connectivity between the rail freight, strategic road networks and the Hunter regions two trade gateways.

Being part of the city region will make a new and exciting collaboration era possible. Western Sydney and Newcastle both host significant Australian Defence Force capabilities, and together this concentrated presence across the region will be home to world-leading, defence-capable companies. By planning at a city-region scale, we can identify key transport networks and improve the efficiency of the broader region's trade gateways and freight and logistics networks. Bringing two key economic assets and trade gateways, Newcastle's port and airport provide increased scale for the broader region to compete globally. Let us not forget the huge benefits that being part of a city region will have for the visitor economy. The Hunter offers Australia's oldest wine region, with the highest quality culinary and agribusiness tourism products as well as the stunning beaches and coastal communities.

A destination offering that links the lower Hunter and Greater Newcastle to Sydney, the Central Coast, and the Illawarra-Shoalhaven gives domestic and international visitors more reasons to stay in New South Wales for longer, for more nights and to spend more money. With the arrival of the international airport in Newcastle, we can think more strategically about connectivity for tourists between Greater Newcastle and the lifestyle centres of southern Lake Macquarie, the wine region, Raymond Terrace, Nelson Bay, Port Stephens, Myall Lakes and the Central Coast, dare I say it. Transport links between the beaches, the wineries, the waterways and our national parks surrounding Newcastle will continue to be a vital part of this. The Greater Cities Commission will drive that coordinated planning, offering greater amenity and economic opportunity for locals. I look forward to working with the commission as the Government's representative in the Hunter. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Wes Fang): According to sessional orders, proceedings are interrupted to permit the Minister to move the adjournment motion if desired.

The House continued to sit.

The Hon. SHAYNE MALLARD (22:00): On behalf of the Hon. Natalie Ward: In reply: I thank all members who participated in the debate tonight—the Hon. Penny Sharpe, Reverend the Hon. Fred Nile and the Parliamentary Secretary for the Hunter, the Hon. Taylor Martin. I thank him for his insightful contribution to the debate. Our region spans more than two million hectares and will bring together a projected population of nine million people in the next two decades. It has international airports, deepwater ports, world-class universities, and leading financial and industrial centres and capability, alongside emerging global innovation precincts. The city is also surrounded by the world-renowned environmental and heritage ecological tourism areas—which I am familiar with, being from the Blue Mountains—creating a unique and sustainable city region globally.

As the Parliamentary Secretary for Western Sydney, I cannot leave some comments by the Hon. Penny Sharpe not responded to. I recognise that this is a bipartisan bill. I do not want to antagonise, but as a western Sydney local I grew up in Penrith and know all about infrastructure. It is important to note that there is infrastructure rolling out in western Sydney that the Hon. Penny Sharpe said was not happening. I recognise that the airport is Federal, but our work around that with the aerotropolis and the infrastructure related to that is going to create 200,000 jobs in the next 20 years. That includes the Northern Road, the M4 upgrade and the Sydney Metro West that goes to the airport and St Marys. It also includes the arts and cultural infrastructure that we have delivered to western Sydney, including the Powerhouse Museum—which those opposite oppose—the new stadium at Parramatta and the Blue Mountains tunnel for the freight and tourism industry. The tunnel is going to central western New South Wales and is improving the environment of the Blue Mountains. There are things happening in western Sydney, and I do not accept that there are not.

The Hon. Walt Secord: Nothing is happening!

The Hon. SHAYNE MALLARD: There is never enough, and we all say that no matter where we live.

The Hon. Penny Sharpe: Let's just talk about the \$1.3 billion light rail, shall we?

The Hon. SHAYNE MALLARD: I did not mention the light rail. The light rail at Parramatta is another example. By connecting people through the regions to these assets and planning in a coordinated way, which is what the bill is about, we can provide the people of New South Wales with more opportunities and cement our role in the region and beyond.

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

Motion agreed to.

Third Reading

The Hon. SHAYNE MALLARD: On behalf of the Hon. Natalie Ward: I move:

That this bill be now read a third time.

Motion agreed to.

PUBLIC INTEREST DISCLOSURES BILL 2021

Returned

The PRESIDENT: I report receipt of a message from the Legislative Assembly returning the bill without amendment.

Adjournment Debate

ADJOURNMENT

The Hon. DAMIEN TUDEHOPE: I move:

That this House do now adjourn.

MEMBER FOR MULGOA

The Hon. WALT SECORD (22:04): Members would be aware that I have spoken several times about an anti-vax cabal operating within the ranks of the Government. Earlier today the Opposition asked three further questions in the Parliament about the group's leader. It gives me no pleasure to return to this paranoid and twisted terrain, but there were major developments last night. This matter is also in the public interest. Last week members of this cabal feverishly claimed that society was under tyrannical threat from evil forces and they were the defenders of freedom. The leader of this dribbling and drooling mob is the member for Mulgoa. However, she is not a mere backbencher; she is a Parliamentary Secretary in the Perrottet Government and a former Minister.

Last night the member for Mulgoa appeared on Facebook in her latest regularly scheduled COVID conspiracy rant. To describe it as "out there" would be an understatement. As well as labelling Bill Gates as a "pusher" for assisting with the development of COVID vaccines, she issued a direct challenge to the Premier to end vaccine mandates in New South Wales. She said, "It's up to Dominic Perrottet. He has to move. There is no other way about it." In the name of sensible debate, evidence-based policy and protecting public health, the Premier must show leadership and immediately strip the member for Mulgoa of her parliamentary position. He must sack her. In contrast, the health Minister, Brad Hazzard, and the rural health Minister, Bronnie Taylor, have taken a principled stance against the anti-vaxxer movements. The Premier should follow his colleagues.

On 23 February Premier Perrottet feebly told the media that he did not "know the personal medical issues and decisions of members of the Liberal Party." Please. What rubbish. The Premier knows full well that this is not about a personal health decision. It is about responsible public political advocacy, and it is dangerous. It is deadly. It is time for the Premier to show leadership towards the anti-vaxxers in his Parliament. But instead of disciplining or disassociating himself from them, he rewards them. In doing so, the Premier sends a message that this Government tolerates deadly misinformation against the public health interest.

A strong principled leader would have sacked the member for Mulgoa moments after she jumped off the stage in front of an anti-vaxxer protest. She told the crowd that by vaccinating the New South Wales community against a disease that has so far killed more than six million people, the New South Wales Government was engaging in coercion and segregation, and creating a two-tiered society. She told the crowd that COVID was a media conspiracy and that the media had been fear mongering and stirring up people's fear and terror over "the COVID".

The Premier cannot hide under the guise of not knowing the member's demented and dangerous views. He knows. The member for Mulgoa has been broadcasting her views on Facebook live streams since August. I know that because I have instructed my poor staff member Gabriel Sassoon to watch all of them. I apologise to him for having to endure hours of demented rants from the member for Mulgoa. Put simply, those rants would rot any mind. On 18 August she said, "We're shaking the cage together," and "This is not the New South Wales that we

voted for." On 23 August she claimed that anti-vaxxers were being trampled and erased, and that their individual personal freedoms were being ignored.

But the worst statement was on 22 March when she told the rabid crowd, "I've been working with the new Premier and his office to change vaccine mandates." Disgustingly, the Premier is sheltering the leader of an anti-vax cabal within his own parliamentary ranks for one reason—this Government cannot afford to lose a single voting member. The Premier desperately does not want the member for Mulgoa defecting and joining Craig Kelly and Clive Palmer's United Australia Party. The Premier needs the member for Mulgoa to cling to government, just like he clung to the member for Kiama. I thank the House for its consideration.

NEW SOUTH WALES ATTRACTIONS

The Hon. LOU AMATO (22:09): Our world has reopened after the chaos of the lockdowns. While many people are busy planning their next overseas holiday, others are planning a holiday in our beautiful State, which is like no other place on planet earth. At over 800,000 square kilometres, New South Wales is blessed with a varied geography. Our State contains some of the most beautiful surf beaches in the world. We are blessed with five distinct types of rainforest, including subtropical, littoral, dry, warm temperate and cool temperate. Very few places on earth boast such a wide variety of rainforest types. Indeed, New South Wales contains wet eucalypt forest, dry eucalypt forest, heathlands, alpine forests, semi-arid and desert vegetation. It has the largest river systems of any State in Australia, including the Murray, Murrumbidgee, Darling and Lachlan rivers. So get some fishing tackle and land that big one. Then wrap it in some foil—don't forget some lemon—and on the barbie she goes.

New South Wales has snowfields, lakes, rivers and deserts. We have historical towns and modern cities that contain every conceivable luxury the world can offer. Our capital, Sydney, is one of the most beautiful cities in the world. The Sydney Harbour and the Royal Botanic Garden that showcases its foreshore are a photographer's dream. For those who want to experience exquisite wine and fine dining, a trip to our beautiful Hunter Valley region should fix the urge. Some of the best wines, fine dining and five-star accommodation can be found just a few hours' drive north of Sydney. If anyone is in the mood for a breath of crisp air and a dose of autumn colours, a trip to the Blue Mountains or the Southern Highlands might be a plan. The Southern Highlands makes some stellar wines. But if a dram of golden, single malt whiskey is to your liking, enter "Joadja Distillery" into your GPS.

For the more adventurous, New South Wales has the ultimate motorcycle road in the world, the Oxley Highway. Keen motorcyclists from this State and all over the world want the Oxley Highway on their resume of motorcycle rides. The Oxley Highway is dotted with motorcycle-friendly small businesses that are ready to offer a hungry motorcyclist a hot meal and a good night's rest. Out west we have the great towns of Mudgee, Bathurst and Orange. In March this year it was like Orange had taken a time machine back to medieval times when it hosted the inaugural Orange Medieval Faire—the biggest ever in Australia. The fair had spectacular jousting knights, birds of prey, kids' knight school and a medieval village with market stalls, archery and much more. The Orange Medieval Faire will be a yearly event.

New South Wales is the destination for anyone who likes the bright lights of city night life. If people want to dance to their favourite music, New South Wales is their gig. The Southern Cross is waiting for anyone who wants to sleep under the stars and enjoy our breathtaking natural beauty. Why would anyone want to be anywhere else? New South Wales is calling. With countless holiday destinations, such as luxury accommodation in Sydney or log cabins in the Snowy Mountains, this State has it all. An overseas holiday might be tempting but, when faced with the absolute grandeur of our wonderful State, it seems a little boring. Where else can we enjoy the beautiful blue waters of the Pacific Ocean one day and trek the rugged mountains of the Great Dividing Range the next, all without the need for a passport? Only in New South Wales.

To make your New South Wales holiday just that little bit sweeter, this Government is still offering Dine & Discover NSW vouchers until June this year. Many people have not used their vouchers and time is running out. My message is to get up, pack your bags, grab the car keys, put the family in the car and get out and enjoy the best place on planet earth—New South Wales. While you are out, have a beer or a coffee, grab a few fruit juices for the kids, enjoy a nice meal and take part in whatever entertainment takes your fancy—all courtesy of the New South Wales Government.

FERAL ANIMAL CONTROL

The Hon. MARK BANASIAK (22:13): A ticking time bomb is about to explode in New South Wales unless urgent action is taken by this Government. That ticking time bomb is feral pigs. It has been estimated that there may be up to 23 million feral pigs in Australia. Those pests cause immense agricultural and environmental damage, estimated at \$100 million per year. Feral pigs are prolific breeders, and females normally reach sexual

maturity between seven to 12 months of age. They can breed twice a year and produce litters of up to 10 young; they are almost as prolific at breeding as rabbits. Feral pigs can have devastating impacts on primary producers. Respondents to a survey undertaken in north-west New South Wales in 2020 by Ag Econ consultants reported that primary producers can lose up to 60 per cent to 70 per cent of a barley paddock and that "pigs are a major issue; we have had up to a 30 per cent loss in canola paddocks".

If foot-and-mouth disease were to enter this country—God forbid—it would be spread very rapidly by feral pigs. An incursion of foot-and-mouth disease would cost in excess of \$50 billion to Australian agriculture. If that is not scary enough, feral pigs can impact human health. As of 21 March 2022 human cases of Japanese encephalitis have been confirmed in Australia, including eight in New South Wales, along with three confirmed deaths, including one in New South Wales. Japanese encephalitis can cause severe neurological illness, convulsions and possibly death. Regrettably, it seems that this Government is once again asleep at the wheel. It is too busy snookering itself between statements that "pest management needs a multi-pronged approach" while Ministers and bureaucrats trip over themselves to lay the boot into law-abiding firearm owners, who are and should continue to be one of those pest management options.

The Shooters, Fishers and Farmers Party has been raising feral pigs with the Government for many years. Instead of responding to our calls in the immediate term to make modern, fit-for-purpose category D firearms available to licensed vertebrate pest controllers and primary producers, NSW Firearms Registry staff have been found—under a Government Information (Public Access) Act request made by my office—to be colluding with Local Land Services [LLS] and NSW National Parks and Wildlife Service [NPNSW] staff to undermine licensed category D firearm owners who do not work for LLS or NPNSW. The Government could respond to our call at the stroke of a pen by directing the NSW Firearms Registry to issue permits for fit-for-purpose category D firearms under the provisions of section 28 (g) of the Firearms Act 1996. Instead, the Government allows the bureaucrats in the NSW Firearms Registry to lead them around by the nose with its anti-firearm agenda.

As a long-term solution to the problem of farmers and pest controllers being impeded by the NSW Firearms Registry's collusion and malfeasance, the Government could amend schedule 1 to the Firearms Act to remove the absurd restrictions that are based on appearances. It may surprise some members in this House to know that black firearms are no more dangerous than pink ones. Any member in this House who has an ounce of common sense would be surprised to learn that NSW Firearms Registry staff actually believe that, somehow, black firearms are more dangerous than pink ones. The Government blindly follows the advice of registry staff, who largely have no prior experience in firearms and spend more time online during working hours selling Tupperware and Amway than doing their job.

Those suggested changes would not contradict the National Firearms Agreement. If the Government takes the feral pig problem seriously, it should implement those actions to support land managers to cost-effectively fulfil their legislative obligations to control feral animal populations. The Government has only 12 months to demonstrate that it genuinely cares about regional and rural communities more than it cares about laying the boot into law-abiding firearm owners. I will be watching intently over the coming months to see what, if anything, the Government does to solve the issue that the Shooters, Fishers and Farmers Party has raised constantly with it.

CHARLES STURT UNIVERSITY EMERGE PROGRAM

DOVES PROGRAM

The Hon. WES FANG (22:17): I update the House on two wonderful initiatives that are benefiting our young citizens in New South Wales. The first is the Charles Sturt University Emerge Program, which is designed for high school students in years 9 to 11 who wish to develop skills in problem-solving, critical thinking, digital literacy, communication, collaboration, creativity, leadership, innovation and entrepreneurship. I had the pleasure of joining my friend and former yellow Wiggle, turned entrepreneur, Sam Moran. Coincidentally he was also my best man, and we are still friends. To promote the program he launched his speaking tour in Wagga Wagga earlier this month.

Sam was raised in Wagga and returned to his hometown to speak to local students at Koorinal High School, the Bidgee School, Mater Dei Catholic College and the Riverina Anglican College to guide them through creative tasks and problem-solving. He also shared his knowledge not only on being a yellow Wiggle but also as a successful entrepreneur post-Wiggles fame. Sam's road to success has contained twists and turns, and required a pivot after leaving the Wiggles so he could launch his entrepreneurial career. His wealth of experience is a valuable asset in today's fast-paced world. I am sure that students benefited greatly from hearing his story.

It is incredible to think that today's 15-year-olds will navigate around 17 different jobs across five different careers in their lifetime and even more so that over half of current students under 25 are studying for jobs that will rapidly change through technology. Funded by a grant of \$114,506 through the New South Wales Government's

Stronger Country Communities Fund, the program is designed to prepare students to enter an uncertain and evolving workforce. Sam's inspiring and energising talks about creativity, problem-solving and ingenuity are a brilliant way to help young people develop skills for their ever-evolving careers. In addition to Sam's motivational speaking sessions, the 2022 EMERGE program also includes design-thinking workshops and coding programs to culminate in youth incubator days in June. I congratulate Charles Sturt University on hosting such a brilliant program and give a huge thanks to Sam for sharing his incredible story and his knowledge with the local Wagga Wagga students.

I also had the absolute pleasure to welcome student representatives of the Department of Student Voices in Education and Schools, more commonly known by its acronym DOVES, to Parliament last week while my friend Minister Sarah Mitchell, who is present in the Chamber, unfortunately was in isolation again. Established last year, DOVES has the important role of ensuring students have a voice in their education and on policy issues that are important to them and their peers. DOVES provides a forum for student opinions, ideas, feedback and concerns about their education and schooling in order for them to have a positive influence on education and school policy.

Via videoconference and in person, Sarah and I said goodbye to departing members and welcomed new members for 2022. I particularly acknowledge and congratulate new members, Tisha Bahri from Wagga Wagga High School and Madisyn Sarkis from Murrumbidgee Regional High School. I thank all outgoing members of DOVES for their contributions and welcome all new members. I look forward to following the 2022 council's input and ideas throughout the year.

WAGES GROWTH

The Hon. COURTNEY HOUSSOS (22:19): Huge challenges face us today. In politics it can often feel like there is always a crisis to deal with. Looking around our State and our world, we see residents in Lismore, who suffered a catastrophic flooding just weeks ago, being evacuated from their homes as floods threaten them again; the war in Ukraine continues; and we are still in the throes of a global pandemic. Those day-to-day challenges can consume any government, but the New South Wales Government must look past daily crises to urgently address the longer term challenge of lack of wage growth for our workers.

The lack of wage growth has been spoken about by our colleagues in the labour movement for more than a decade. In recent years it has been identified as a key challenge for the economy by organisations that include the Reserve Bank and the Business Council of Australia—organisations whose interests do not often align with the labour movement. A key cause of that wage stagnation has been this Liberal-Nationals Government's policy to cap public sector wages at 2.5 per cent and then cut that even lower last year. The effects of stagnant wage growth have been magnified by the recent increases in inflation, which is expected to hit 5 per cent later this year—the highest since the global financial crisis.

Those two challenges—prices going up while wages are flat—mean that, according to the Australian Council of Trade Unions, workers lost, on average, \$800 last year and will lose a further \$600 in the first half of this year. As a result, workers are feeling more and more under pressure and they are getting fed up. Anyone you talk to inside the health system talks about the pressure they are under. They are exhausted after two years of a global pandemic when they continued to go to work as we stayed home to stay safe. Of course there has been an increased workload from COVID at the same time as losing staff to COVID and isolation. But I also hear about positions not being filled as our doctors, nurses and health professionals try to catch up on two years of delayed surgeries and scans as well as routine checks that have been put to one side.

Our paramedics are under increasing pressure and last week took industrial action, campaigning for 1,500 additional staff and a pay rise of more than 2.5 per cent. On Thursday nurses will strike again—the second time in as many months—after they went on strike for the first time in a decade in February. They are seeking a 4.75 per cent increase in pay, with a boost to nurse to patient ratios and maternity staff. Our train drivers have been trying to negotiate with the Government for months for a fairer pay deal and safer trains for passengers. They took industrial action designed to limit the impact on commuters before the Government spectacularly locked them out last month.

Teachers, too, went on strike in December last year—also for the first time in a decade. I have spoken many times about the increasing pressure on teachers. Now shortages that started in regional New South Wales are affecting schools across Sydney. Aged-care workers are fighting for a 25 per cent wage increase. Our recent inquiry into aged care heard that workers are leaving the aged-care industry because they were paid more for stacking shelves in supermarkets than for caring for our older Australians—talk about wrong priorities. They are rallying in Canberra tomorrow morning.

It is true that those industrial campaigns are led by our great trade union movement—the Health Services Union; the New South Wales Nurses and Midwives' Association; the Rail, Tram and Bus Union; and the NSW Teachers Federation—as they should be because they are workers' representatives. But to write this off as some conspiracy of industrial mayhem is to ignore the millions of ordinary workers who are fed up with prices increasing and their pay going backwards. They feel under increasing pressure. It is time for the Liberal-Nationals Government to act.

ANZAC DAY

The Hon. ROBERT BORSACK (22:25): Tonight I speak of our Anzacs. Given we will be absent from the Chamber when 25 April comes around this year, I use my last adjournment speech before Anzac Day to pay my dues to those who fought for freedom and country. On Anzac Day we do not celebrate war, but rather commemorate the events that shaped this country and paved the way for the Australia we are today. We must remember that Australia had been a federation for only 13 years. We were young, and those who fought for the Australia they wanted to shape. They fought for ideals that we take for granted today.

The Anzacs were courageous, and although the Gallipoli campaign failed in its military objectives, the Australian and New Zealand actions during the campaign left us all a powerful legacy. We lost 8,000 soldiers at Gallipoli, which had a profound impact on Australians back home. Our Anzacs were volunteers who understood that democracy was worth fighting for and, ultimately, worth dying for. The actions of our Anzacs defined the Australian spirit. The Australian journalist Clive James delivered a speech in Australia's bicentennial year to commemorate a plaque laid for Australian service members who flew in the Royal Air Force. I read an extract that resonates strongly with me:

They fought the wars anyway, and that was their glory. It's obviously true that the world would have been a better place if the wars had never happened, but it's profoundly true that it would have been an infinitely worse place if they had not been fought and won.

Wars force us to justify actions that defy our humanity. When we reflect on World War I and our Anzacs, we think of courage, endurance, bravery, mateship and sacrifice—despite all that was lost. Likewise, when we reflect on World War II and the invasion of our shores by the Japanese, the legacy of World War I continues. The First World War was called the war to end all wars, but by the 1930s tension throughout the world was becoming increasingly dangerous. It was not the war to end all wars; it was far from it. There was then Vietnam, Korea and war in the Middle East. We now see images on our screens of war in Ukraine. History is repeating itself as the people of Ukraine fight for their democratic future.

In past wars, our young men would volunteer to fight because of the promise of adventure. That was not naivety but rather a lack of information about the terror of war. With more information at hand these days, those who fight are not seeking adventure, but fight out of a sense of duty. It is not just Australians who feel that sense of awe and pride for those who fought at Gallipoli. I come from a European background and have grown up immersed in the Anzac spirit. That culture of freedom brought my family here from war-torn Poland. They saw a future in Australia that exists in very few places in this wonderful world of ours. This Anzac Day I will be in Scone to lay a wreath. I will remember all those who left their families and lives behind to fight for democracy and peace, despite the terror and the unknowing.

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:29 until Wednesday 30 March 2022 at 10:00.