



**New South Wales**

# **Legislative Council**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Tuesday 7 June 2022**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE COUNCIL

**Tuesday 7 June 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.

## *Announcements*

### **LEGISLATIVE COUNCIL PHOTOGRAPHS**

**The PRESIDENT:** I inform members that representatives of the press gallery, including a pool filming camera, may be present in the galleries shortly.

## *Standing Orders*

### **PROPOSED STANDING ORDERS**

**The PRESIDENT:** According to the resolution of the House of 19 May, as of today the House will be operating under new proposed standing orders. Copies of the new standing orders, beautifully bound by the Legislative Council with a wonderful front cover, have been delivered to members' offices and are also available in the Chamber. As members would be aware, the standing orders will be reviewed by the Procedure Committee after a trial period until October, with further changes possible if required. If members become aware of any aspect of the new standing orders which requires changing during this time, they can raise those proposed changes with any member of the Procedure Committee or with the Clerks.

## *Governor*

### **ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL**

**The PRESIDENT:** I report receipt of a message from the Official Secretary to the Governor acknowledging receipt of my letter to Her Excellency dated 12 May 2022 advising that Ms Sue Higginson was elected as a member of the Legislative Council to fill the seat vacated by Mr David Shoebridge.

### **ADMINISTRATION OF THE GOVERNMENT**

**The PRESIDENT:** I report receipt of messages regarding the administration of the Government.

## *Bills*

**STATE REVENUE AND FINES LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2022**

**VOLUNTARY ASSISTED DYING BILL 2021**

**ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) AMENDMENT BILL 2022**

**FIREARMS LEGISLATION AMENDMENT BILL 2022**

**GOVERNMENT TELECOMMUNICATIONS AMENDMENT BILL 2022**

**MINING AND PETROLEUM LEGISLATION AMENDMENT BILL 2022**

**RACING AND GAMBLING LEGISLATION AMENDMENT BILL 2022**

**RSL NSW AMENDMENT BILL 2022**

**WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) AMENDMENT BILL 2022**

## **Assent**

**The PRESIDENT:** I report receipt of messages from the Governor notifying of Her Excellency's assent to the bills.



*Documents***INDEPENDENT COMMISSION AGAINST CORRUPTION****Reports**

**The PRESIDENT:** According to the Independent Commission Against Corruption Act 1988, I table a report of the Independent Commission Against Corruption entitled *Investigation into the awarding of contracts by employees of the former NSW Roads and Maritime Services*, dated May 2022, received out of session and published on Friday 20 May 2022.

**LAW ENFORCEMENT CONDUCT COMMISSION****Reports**

**The PRESIDENT:** According to the Law Enforcement Conduct Commission Act 2016, I table a report of the Inspector of the Law Enforcement Conduct Commission entitled *Special Report on an Audit of the Law Enforcement Conduct Commission's Acquisition and Use of Assumed Identities and Other Matters Related to the System of Oversight of Covert Investigative Powers in NSW*, dated May 2022, received out of session and published on Friday 27 May 2022.

**INSPECTOR OF CUSTODIAL SERVICES****Reports**

**The PRESIDENT:** According to the Inspector of Custodial Services Act 2012, I table the following reports of the Inspector of Custodial Services:

- (1) Report entitled *Inspection of Goulburn Correctional Centre and the High Risk Management Correctional Centre 2021*, dated June 2022, received out of session and published this day.
- (2) Report entitled *Inspection of Inmate Transport in NSW*, dated June 2022, received out of session and published this day.

**PARLIAMENTARY ETHICS ADVISER****Correspondence**

**The PRESIDENT:** According to clause 6 of the resolution of the House relating to the Parliamentary Ethics Adviser, I table correspondence from the Parliamentary Ethics Adviser enclosing advice provided to former Minister Don Harwin, dated Monday 30 May 2022.

*Motions***WORLD VETERINARY DAY**

**The Hon. EMMA HURST (14:36):** I move:

- (1) That this House notes that:
  - (a) 30 April 2022 was World Veterinary Day;
  - (b) Australia is currently facing a major national shortage of veterinarians, which has left practitioners at breaking point and animal welfare at risk;
  - (c) it has been reported that staff shortages are putting increasing pressure on veterinarians, who are facing impossibly high workloads for comparatively low pay;
  - (d) this is a serious concern for a profession that is already highly stressful, and no doubt is contributing to the very frightening statistic that veterinary practitioners are four times more likely to commit suicide compared to the rest of the population; and
  - (e) despite the unique pressures faced by veterinarians, there is currently no New South Wales Government program targeted at providing mental wellbeing or other support to the veterinary profession.
- (2) That this House recognises the important work performed by veterinarians and calls on the New South Wales Government to take urgent action to support the veterinary profession, including by funding targeted mental health programs.

**Motion agreed to.**

*Visitors***VISITORS**

**The PRESIDENT (14:36):** I acknowledge the presence of survivors of the Stolen Generations and their families, friends and supporters in the Parliamentary precinct today. On behalf of members, I thank them for being here. Today is a very special day. Earlier this morning statements were made by the Premier, the Leader of the Opposition and other members of the Legislative Assembly to acknowledge the twenty-fifth anniversary of the

apology to survivors of the Stolen Generations. Members heard directly from survivors, including Uncle James "Michael" Welsh, also known as "Widdy" or Number 36, Auntie Lorraine Peeters and Uncle Richard Dawes. This House is expected to debate a similar motion shortly.

*Message Stick*

**MESSAGE STICK**

**The PRESIDENT (14:36):** Under paragraph (b) of the resolution of continuing effect relating to the Message Stick, I now request that the Usher of the Black Rod place the Message Stick on the table for the duration of today's sitting.

*Documents*

**TABLING OF PAPERS**

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

- (1) Coastal Management Act 2016—Report of the Department of Planning and Environment entitled *Review of the NSW Coastal Management Act 2016: Report to NSW Parliament*, dated June 2022.
- (2) Parliamentary Remuneration Act 1989—Annual report and determination of additional entitlements for members of the Parliament of New South Wales by the Parliamentary Remuneration Tribunal, dated 24 May 2022.

*Committees*

**LEGISLATION REVIEW COMMITTEE**

**Reports**

**The Hon. SCOTT BARRETT:** I table a report of the Legislation Review Committee entitled *Legislation Review Digest No. 44/57*, dated 7 June 2022.

**SELECTION OF BILLS COMMITTEE**

**Reports**

**The Hon. SCOTT FARLOW:** I table report No. 60 of the Selection of Bills Committee, dated 7 June 2022. According to standing order, I move:

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

- (a) Statute Law (Miscellaneous Provisions) Bill 2022;
- (b) Children's Guardian Amendment Bill 2022;
- (c) Child Protection (Working with Children) Amendment Bill 2022;
- (d) Disability Inclusion Amendment Bill 2022; and
- (e) Water Management Amendment (Floodplain Harvesting Licences Compensation) Bill 2022.

**Motion agreed to.**

*Business of the House*

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS**

**The Hon. BEN FRANKLIN:** I move:

That standing and sessional orders be suspended to allow a motion relating to the twenty-fifth anniversary of the New South Wales apology to the Stolen Generations to be moved forthwith.

**Motion agreed to.**

**ORDER OF BUSINESS**

**The Hon. BEN FRANKLIN:** I move:

That, notwithstanding anything to the contrary in the standing and sessional orders, a motion relating to the twenty-fifth anniversary of the New South Wales apology to the Stolen Generations be moved forthwith without notice, and debate on the motion take precedence of all other business except questions and debate on committee reports and Government responses until adjourned, interrupted or concluded.

**Motion agreed to.**

*Commemorations***STOLEN GENERATIONS APOLOGY TWENTY-FIFTH ANNIVERSARY**

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (14:40):** I move:

- (1) That this House marks the twenty-fifth anniversary of the New South Wales apology to the Aboriginal people of Australia, for the systematic separation of generations of Aboriginal children from their parents, families, communities and country, by reaffirming its support for the resolution of the House of 18 June 1997.
- (2) That this House:
  - (a) acknowledges that this month marks the twenty-fifth anniversary of the New South Wales apology to the Aboriginal people of Australia for the separation of generations of Aboriginal children from their parents, families, communities and country;
  - (b) reaffirms our unreserved apologies to all Aboriginal people across New South Wales and Australia for the systemic injustices of separating Aboriginal children from their parents, families, communities and country, whilst acknowledging the Government's role in inflicting continued pain and suffering to Aboriginal people across New South Wales and Australia;
  - (c) sincerely apologises for the intergenerational trauma and deep-seated agony these policies and laws have inflicted onto the many generations of Aboriginal people in our State; and
  - (d) reiterates its continued commitment to effective reconciliation in New South Wales, and supporting the implementation of the New South Wales Government Response to "Unfinished Business" by working in direct partnership with Stolen Generations survivors, Elders, Aunts and Uncles and with the Stolen Generations Advisory Committee Organisations: Kinchela Boys' Home Aboriginal Corporation, Coota Girls Aboriginal Corporation, Children of the Bomaderry Aboriginal Children's Home Incorporated, and the NSW/ACT Stolen Generations Council.

I start by acknowledging the traditional custodians of this land upon which we all gather today, the Gadigal people of the Eora nation, and I thank them for their custodianship of this land for many tens of thousands of years. I pay my respect to all Gadigal Elders past, present and emerging, and I acknowledge the many people brought together here today from all parts of the State: the Aboriginal Elders, the survivors, the families, friends and communities, and the countries from where they have travelled.

I stand here today to acknowledge, honour and pay my deepest respect to the Stolen Generations—to those who made it home, those who are still on the journey and the many who never made it. I extend that respect to all descendants of the Stolen Generations. No words or actions will ever alleviate the pain, suffering and trauma that has been inflicted upon you. I acknowledge your unwavering strength, courage and resilience, for you and your families have endured what no-one should ever have to. You were separated from your families, your culture and your community. You were dehumanised, beaten and abused. You and your families have had to deal with the effects of your suffering ever since. On behalf of the Government of New South Wales, today I recognise the pain, trauma and loneliness of many children and young adults who suffered in institutions and foster homes. I reiterate the words from the motion of 25 years ago and apologise unreservedly to the Aboriginal people of Australia for the systematic separation of generations of Aboriginal children from their parents, families and communities.

Specifically, I acknowledge the many survivors who are with us in this Parliament today from the Kinchela Boys, the Coota Girls, the children of the Bomaderry Aboriginal Children's Home and the Stolen Generations Council (NSW-ACT). I extend that acknowledgement to all other survivors of the Stolen Generations. I have had the privilege of sitting with survivors from all of these institutions. I have had the privilege of hearing your stories and sharing your tears. Your presence in this Parliament today speaks to your power, strength and resilience.

I know these events are not easy, having to remember and relive the trauma of the past, but we are very grateful that today you are able to watch these proceedings from the Strangers' Restaurant. I also acknowledge those children who never came home. We respectfully remember and honour them, their families and their communities. As the Minister for Aboriginal Affairs, it is an ongoing privilege to work and walk alongside so many of the survivors who are here in this precinct, particularly through the work of the Stolen Generations Advisory Committee. Your continued leadership and willingness to teach others is remarkable.

I am delighted that some of the descendants of Aunty Nancy de Vries are with us today in the Parliament. For those members in the Chamber who do not know, in June 1997 Aunty Nancy, or "Old Girl", accepted the apology on behalf of the survivors of the Stolen Generations in the New South Wales Parliament. She gave an incredibly powerful address on the floor of the Parliament that day, one-quarter of a century ago, that made a deep and profound impact on all who heard her words. I will repeat some of those words here today. Aunty Nancy stated:

I was taken away from my mother at the age of 14 months and my journey as a lonely, homeless, unloved child began. Nobody could really understand the loneliness of an Aboriginal child in a non-Aboriginal environment who has nobody whatsoever around them,

who is not treated the same as the other children in the home who are not Aboriginal, who is isolated, who is lonely, who cries at night, and who cries during the day. You could not possibly comprehend the life of that child.

She was right, of course. Unless you experience it, you cannot possibly comprehend it—but you can acknowledge it. You can face up to it and you can apologise for it. That is what we reaffirm here today. I am so proud of the bipartisan support for this motion, and I acknowledge the speeches in the Legislative Assembly of the Premier and the Leader of the Opposition. I also acknowledge the presence of former Premier Bob Carr and former Leader of the Opposition Peter Collins. Some 25 years ago in this Parliament, then Premier Carr delivered Australia's first State-based apology to survivors of the Stolen Generations.

Mr Carr's apology 25 years ago on behalf of the Government, the Parliament and the people of New South Wales was a direct response to the deeply disturbing Bringing Them Home report, which was tabled in the Federal Parliament in May 1997. More than 500 heartbreaking submissions were made to the Human Rights and Equal Opportunity Commission inquiry—and our collective conscience was changed forever. For many Stolen Generation survivors, this was the first time they had ever had the opportunity to speak either personally or in public about the hurt and trauma they endured as children, their forced removal from their families and their culture, their harsh treatment and abuse, and the denial and attempted destruction of their Aboriginal culture and identity.

The Bringing Them Home report recommended a broad basis for addressing the rights and needs of Stolen Generation survivors and progressing reconciliation. I am proud of the number of steps we have taken in this State since then. For example, on 23 July 2014 the New South Wales Government started a formal conversation with Aboriginal people and communities, focused on their lived experience of trauma and their perspectives of healing—the Healing Our Way forum. Two years later, this Chamber established an inquiry into Reparations for the Stolen Generations in New South Wales. I was honoured to serve on that inquiry with a number of members in this Chamber. The inquiry produced the Unfinished Business report. As I said in Parliament six years ago, the inquiry:

... challenged the views of all members about the responsibilities of government and it has reinforced the need for constant vigilance to ensure the welfare of those who we seek to serve is always at the forefront of our minds.

The New South Wales Government response to the Unfinished Business report, tabled on 2 December 2016, accepted the overwhelming majority of the recommendations and officially acknowledged the enduring trauma caused by historic government practices and policies. The committee, the Government and the Parliament heard survivors' concerns that Bringing Them Home recommendations for national reparations payments had gone unheeded, but the Unfinished Business report responded by providing reparations for living survivors who were forcibly removed under historic New South Wales assimilation policies. The New South Wales Stolen Generations Reparations Scheme opened in mid-2017 and a total of \$66.15 million in reparations were paid to over 880 survivors.

We know that reparations go nowhere near undoing the trauma and damage of forced removals or cultural oppression, but they do provide some recognition of the terrible wrongdoings that were inflicted on many Aboriginal people. A Stolen Generations Advisory Committee was established to guide the implementation of this Government's response to the Unfinished Business report. The committee includes survivors and government agencies, and provides a meaningful vehicle for working together for change. The Unfinished Business report incorporates government commitments to reparations over a 10-year period, while acknowledging the urgency of this significant work. Two Unfinished Business progress reports have been presented to Parliament, one in 2018 and the other in 2021.

Today I am proud to announce another step in the journey. As part of the 2022-23 budget, the Government will commit \$15.3 million over four years to work with Stolen Generations organisations to establish memorials and keeping places at the sites of former Aboriginal children's homes in Bomaderry, Cootamundra, Kinchela, and Keller House in North Parramatta. The memorials and keeping places will preserve those culturally significant sites as places of truth-telling and learning and will allow Stolen Generation survivors to record, preserve and share their stories in perpetuity.

We gather today to acknowledge the strength and resilience of survivors and those who contributed to the national inquiry and State inquiry resulting in the Bringing Them Home and the Unfinished Business reports. They are from the Stolen Generations who bravely made submissions and generously shared their personal stories. We hope their courage and truth-telling will all of us to learn and better understand this tragedy. The inquiries gave Stolen Generation survivors a voice in a formal setting to be recorded for the future. These are important moments in the healing journey for Aboriginal people and for our nation. In the same way, the State apology was a sincere and important step on the long road to reconciliation.

As Minister for Aboriginal Affairs, I know there is still much to do. Aboriginal people continue to experience the legacy of racism, trauma, social exclusion and disadvantage. Aboriginal people and communities still disproportionately experience less favourable outcomes than other Australians in health, housing, employment, justice and incarceration rates. There are still families in crisis, and we continue to see children removed and living in out-of-home care. I believe there is no more important priority for this Parliament than closing the gap between Indigenous and non-Indigenous Australians, and I know that everyone from all sides of politics, from the Premier down, is committed to achieving this end.

Disconnection from land, culture, language and family, and subsequent intergenerational trauma is very much a lived experience, and a focus for healing for Stolen Generation survivors and their families. We all know that healing is a long and enduring journey. On behalf of the Government, I say to those Stolen Generation survivors and organisations here today that we recognise your loss. We will listen to your truth-telling. We respect your strength, your spirit and your generosity. On this day, and on all days to come, we will walk with you on this journey to healing, acknowledging a dark past but looking to a brighter future together.

**The Hon. PENNY SHARPE (14:54):** I lead for the Opposition on the motion and thank the Government for bringing it to the House to mark the twenty-fifth anniversary of the New South Wales apology to the Aboriginal people of Australia and, in particular, to the survivors of the Stolen Generations. We stand here today on the lands of the Gadigal people of the Eora nation. I pay my respects to their Elders past and present. I also acknowledge the families of the Stolen Generations. I acknowledge the continuing role of Aboriginal and Torres Strait Islander people as the custodians of the lands and waters of Australia, and their enduring connection to country, culture, community and kin. I acknowledge that these lands were never ceded. I particularly acknowledge the commitment that Labor has made to developing processes to treaty into the future.

I thank Aunty Lorraine Peeters, Uncle Richard Dawes and Uncle James Michael "Widdy" Welsh, Number 36, who all spoke in the other place earlier today. We could do a lot if we listened to and acted on the message they sent to all of us. I also acknowledge the family of Nancy de Vries. Her grandchildren and her great-grandchildren are here today, and we are very lucky to have them. As we gather for this important commemoration, again we are reminded of the shameful history that was written within these walls: purposefully damaging laws and policies that were debated and passed in this very room, which tore Aboriginal families, communities and cultures apart for generations; Stolen Generations—generations forcibly disconnected from kin, culture, community, language and country. That history reaches through to this present moment, and many of our most vulnerable children are completely damaged.

The Labor Opposition acknowledges the strength and resilience of survivors who, against every legislative and policy effort to erase First Nations people from their connection to their families, cultural identity, languages and country, persisted and survived. I acknowledge that the work to right those wrongs is still not fully done. Aboriginal children and young people are significantly over-represented in the New South Wales child protection system, and not enough Aboriginal children who are removed from their families are placed with their kin—that is happening today. Twenty-five years ago, in response to the Bringing Them Home report, the Hon. Bob Carr, then Premier of New South Wales, stood in the other place and unreservedly apologised to Aboriginal people for the systemic separation of generations of Aboriginal children from their parents, families, communities and country.

On behalf of Labor today, I restate and reaffirm that unreserved apology. I say sorry to the Aboriginal people of New South Wales and Australia for the systemic injustice of separating Aboriginal children from their families. I apologise for the role of government in that injustice and the continued pain and suffering caused to Aboriginal people across New South Wales and Australia. Bringing Them Home was a landmark report. Its inquiry was commissioned to trace the past laws, practices and policies that resulted in the Stolen Generations and examine the need for changes within the current laws, practices and policies. In its 524 pages, it told stories of trauma, grief and unspeakable loss. It was a documented textbook of cruelty and injustice. In the report, an Aboriginal woman from New South Wales, who was removed in the 1960s and placed in Parramatta Girls Home, said:

Because [my mother] wasn't educated, the white people were allowed to come in and do whatever they wanted to do—all she did was sign papers. Quite possibly, she didn't even know what she signed ... The biggest hurt, I think, was having my mum chase the welfare car—I'll always remember it—we were looking out the window and mum was running behind us and singing out for us. They locked us in the police cell up here and mum was walking up and down outside the police station and crying and screaming out for us. There was 10 of us.

The findings of Bringing Them Home were wide-ranging and numerous. They told that in 1883 the Aborigines Protection Board was established in New South Wales to manage the reserves to which Aboriginal people were forcibly and arbitrarily removed from country, and to control their lives. By around 1890 the protection board had created a policy to remove children of mixed race to the non-Indigenous population. This practice continued and was eventually made legal by the Aborigines Protection Act in 1909, which gave the board power to "assume full

control and custody of the child of any Aborigine" if a court found the child to be neglected. The board was not satisfied with needing to seek the consent of the court and lobbied to receive total power to take children.

It got its wish in 1915 when the Act was amended to dispense with any judicial oversight for removal. The same amendment also removed the minimum age at which Aboriginal children could be apprenticed. Rather than neglect, common reasons cited for children being removed included "being Aboriginal", "to send to service" and "being 14 years". What followed were decades of widespread and systematic removals; it is estimated that as many as one in three Aboriginal children were removed from their families. Some children were adopted by non-Indigenous families; others were sent to children's homes. Many endured significant abuse and maltreatment. From these homes, children were often indentured into domestic service.

I acknowledge the persistent and effective campaigns of Aboriginal resistance, particularly through the late 1920s and 1930s in New South Wales. This includes the work of the Australian Aborigines Progressive Association and other activists, such as Fred Maynard, William Ferguson and John Patten. In 1969 the Aborigines Protection Act was repealed, with remaining wards of the Aborigines Protection Board transferred to the Department of Child Welfare and Social Welfare. Shortly after, Kinchela Boys Home and the Cootamundra Girls Home were closed, with the Bomaderry Aboriginal Children's Home—the first, established in 1908—continuing to operate until 1980. Bringing Them Home made 54 recommendations regarding reparations for members of the Stolen Generations, records-keeping and access, as well as significant policy changes for the current generation of Aboriginal children.

Twenty years after Bringing Them Home, the Aboriginals' and Torres Strait Islanders' Healing Foundation found that no sustained system had ever been put in place to monitor the implementation of the recommendations, and that the majority of the report's recommendations were never implemented. This has caused further trauma and distress to survivors of the Stolen Generations and their families. In 2008 Prime Minister Kevin Rudd made a formal apology to Aboriginal and Torres Strait Islander peoples, specifically those who had been impacted or had survived the policies and laws that led to the Stolen Generations. In 2016 I am very pleased that a committee of this place released its report, *Unfinished Business*, which actually did try to monitor what had been done. It made 35 recommendations regarding reparations to members of the Stolen Generations. Most recommendations were accepted or accepted in principle by the Government.

I acknowledge the NSW Stolen Generations Reparations Scheme and the funeral assistance fund that have been established in New South Wales. The funding for collective healing initiatives and the work of the Stolen Generations Advisory Committee to oversee the implementation of the *Unfinished Business* recommendations has been extended until May next year. Labor shares the Government's commitment to implementing the recommendations of *Unfinished Business* and to access by members of the Stolen Generations to reparations. I would like to finish by discussing the substantial work that is not yet done in New South Wales to address the hurt and continuing trauma caused by the policies and laws that led to the Stolen Generations.

The recently revised National Agreement on Closing the Gap contains urgent targets that must be taken very seriously in New South Wales, including regarding the health, wellbeing, cultures, economic participation, housing and education of First Nation peoples. Importantly, the Closing the Gap targets also address reducing the overrepresentation of Aboriginal children and young people in the criminal justice and child protection systems, which is specifically identified in the *Uluru Statement from the Heart*. To address each of those areas, it is urgent and crucial that all governments afford appropriate funding, respect and self-determination to First Nations communities themselves to meet the needs of their communities. Time and again, Aboriginal community-controlled organisations demonstrate that they are able to deliver extraordinary outcomes when provided the funding and the independence they need. We should trust them and empower them to do that work. That is what self-determination is.

While overall in New South Wales, the number of children in out-of-home care has been decreasing, this is not the case for Aboriginal children. Despite representing just 6 per cent of the population of children in New South Wales, Aboriginal children make up 43 per cent of the children in out-of-home care—a proportion that has consistently increased during the last decade. Professor Megan Davis' 2019 report *Family is Culture* told the contemporary stories of Aboriginal children and young people who had been removed from their families. This report contains shocking and serious findings and made important recommendations. The Government must implement the *Family is Culture* recommendations as a matter of urgency.

In 1997 when former Premier Bob Carr made the apology on behalf of the people of New South Wales he quoted from the submission from Link-Up to the Bringing Them Home report. Link-Up, the organisation devoted to reuniting Aboriginal families in this State and throughout Australia, stated in the report:

We may go home, but we cannot relive our childhoods. We may reunite with our mothers, fathers, sisters, brothers, aunts, uncles, communities but we cannot relive the 20, 30, 40 years that we spent without their love and care, and they cannot undo the grief and

mourning they felt when we were separated from them. We can go home to ourselves as Aboriginals, but this does not erase the attacks inflicted on our hearts, minds, bodies and souls, by caretakers who thought their mission was to eliminate us as Aboriginals.

The impact of removing Aboriginal children from their families continues to cast a long shadow on us all. Thank you to the survivors of the Stolen Generations who continue to relive your most traumatic experiences, providing wisdom while lighting the way for healing and reconciliation. Your generosity remains outstanding and incredible to us all. Today you have come to this place not only to remember but also to demand better. We hear you, we respect you and we commit to you that we will do better.

**Debate adjourned.**

*Documents*

**AUDITOR-GENERAL**

**Reports**

**The CLERK:** According to the Government Sector Audit Act 1983, I announce receipt of the Auditor General's Financial Audit Report entitled *COVID-19: response, recovery and impact*, dated 20 May 2022, received out of session and published on Friday 20 May 2022.

*Committees*

**PORTFOLIO COMMITTEE NO. 3 - EDUCATION**

**Reports**

**The CLERK:** According to standing order, I announce receipt of report No. 45 of Portfolio Committee No. 3 - Education entitled *Termination of the former Managing Director of TAFE NSW*, dated May 2022, together with transcripts of evidence, answers to questions on notice, responses, and correspondence relating to the inquiry, received out of session and published on Thursday 26 May 2022.

**SELECT COMMITTEE ON FLOODPLAIN HARVESTING**

**Government Response**

**The CLERK:** According to standing order, I announce receipt of the Government response to report No. 1 of the Select Committee on Floodplain Harvesting entitled *Floodplain Harvesting*, tabled on 15 December 2021, received out of session and published on Tuesday 24 May 2022.

**COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**

**Government Response**

**The CLERK:** According to standing order, I announce receipt of the Government response to report 4/57 of the Committee on the Independent Commission Against Corruption entitled *Reputational impact on an individual being adversely named in the ICAC's investigations*, tabled on 25 November 2021, received out of session and published on Tuesday 24 May 2022.

*Documents*

**NEW INTERCITY FLEET**

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 18 May 2022, I table documents relating to an order for papers regarding rail negotiations, received on Tuesday 24 May 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 18 May 2022, I table additional documents relating to an order for papers regarding rail negotiations, received on Thursday 26 May 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 those of the documents dated Thursday 26 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Thursday 26 May 2022, second return, that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**GREYHOUND RACING INDUSTRY SURVEY****Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table documents relating to an order for papers regarding the Greyhound Racing Industry Survey, received on Wednesday 25 May 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Wednesday 25 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table additional documents relating to an order for papers regarding the Greyhound Racing Industry Survey, received on Thursday 26 May 2022 from the Acting Chief Executive Officer of the Greyhound Welfare and Integrity Commission, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Thursday 26 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**SYDNEY METRO****Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table documents relating to an order for papers regarding Sydney Metro, received on Thursday 26 May 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Thursday 26 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table additional documents relating to an order for papers regarding Sydney Metro, received on Tuesday 31 May 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 those of the documents dated Tuesday 31 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**FIREARMS POLICIES AND PROPOSALS****Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Tuesday 31 May 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.



**RENEWABLE ENERGY ZONES****Further Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table documents relating to a further order for papers regarding renewable energy zones, received on Wednesday 1 June 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Wednesday 1 June 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**ERARING POWER STATION****Further Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table documents relating to a further order for papers regarding Eraring Power Station, received on Wednesday 1 June 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Wednesday 1 June 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**MASCOT TOWERS****Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table documents relating to an order for papers regarding Mascot Towers, received on Wednesday 1 June 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the documents dated Wednesday 1 June 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**HAWKESBURY CITY COUNCILLOR SARAH RICHARDS AND MATTHEW BENNETT****Return to Order**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table additional documents relating to an order for papers regarding Councillor Sarah Richards, Hawkesbury City Council, received on Thursday 2 June 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

**Claim of Privilege**

**The CLERK:** I table a return identifying those of the additional documents dated Thursday 2 June 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

**Correspondence**

**The CLERK:** According to the resolution of the House of Wednesday 11 May 2022, I table correspondence received on Thursday 2 June 2022 from the Electoral Commissioner of the NSW Electoral Commission, stating that the commission was continuing to consider as a matter of urgency how it might respond to such an order, having regard to the specific statutory functions and powers of the Electoral Commission.

**PREMIERSTATE****Correspondence**

**The CLERK:** According to the resolution of the House of Wednesday 30 March 2022, I table correspondence relating to an order for papers regarding PremierState, received on Monday 6 June 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution and lawfully required to be provided.

**RENEWABLE ENERGY ZONES****Correspondence**

**The CLERK:** According to the resolutions of the House of Wednesday 30 March 2022 and Wednesday 11 May 2022, I table correspondence relating to further orders for papers regarding renewable energy zones in New South Wales, received on Monday 6 June 2022 from the Legal Branch of the Department of Premier and Cabinet, attaching a letter from the Acting General Counsel at the Department of Planning and Environment stating that the department holds no documents covered by the terms of the resolution and lawfully required to be provided.

**ERARING POWER STATION****Dispute of Claim of Privilege**

**The PRESIDENT:** I report to the House that on Friday 27 May 2022 the Clerk received correspondence from the Hon. Mark Latham disputing the validity of a claim of privilege on documents lodged with the Clerk on Monday 16 May 2022 relating to Eraring Power Station. Pursuant to standing orders, the Hon. Keith Mason, AC, QC, was appointed as an Independent Legal Arbitrator to evaluate and report as to the validity of the claim of privilege. The Clerk has released the disputed documents to the Hon. Keith Mason, AC, QC, for evaluation and report.

**Report of Independent Legal Arbitrator**

**The PRESIDENT:** I report that the Clerk has received a report from the Independent Legal Arbitrator, the Hon. Keith Mason, AC, QC, on the validity of a claim of privilege on documents lodged with the Clerk on Monday 16 May 2022 relating to Eraring Power Station. The report is available for inspection by members of the Legislative Council only.

*Standing Orders***POSTPONEMENT OF BUSINESS**

**The PRESIDENT:** I inform members that the Clerk will now advise the House of written notifications received for the postponement of items of business. This is the first use of this procedure under the proposed standing orders. I remind members that business may now be postponed by the member in charge of the item in writing to the Clerk or the Procedure Office, or in the Chamber at the time for postponements during formalities, or at the time the item is called on.

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

**The CLERK:** According to standing order, I advise the House of the following postponement:

- (1) Business of the House notice of motion No. 1, on motion of Ms Cate Faehrmann, until Thursday 23 June 2022.

*Committees***PROCEDURE COMMITTEE****Reference**

**The Hon. DAMIEN TUDEHOPE:** I move:

- (1) That the Procedure Committee inquire into and report on the operation of Standing Order 52, including:
  - (a) issues arising from the Review of the Standing and Sessional Orders, dated March 2022;
  - (b) issues arising from the report of the roundtable meeting to consider aspects of the operation of Standing Order 52, dated February 2021; and
  - (c) any related matters.
- (2) That the committee report by 11 October 2022.

**Motion agreed to.**

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

**The Hon. DAMIEN TUDEHOPE:** I move:

That Government business orders of the day Nos 1 and 2 be postponed until a later hour.

**Motion agreed to.**

*Bills*

**DISABILITY INCLUSION AMENDMENT BILL 2022**

**Second Reading Debate**

**Debate resumed from 19 May 2022.**

**The Hon. PENNY SHARPE (15:51):** On behalf of the Opposition and particularly my colleague in the other place Ms Kate Washington, the shadow Minister for Disability Inclusion, I contribute to debate on the Disability Inclusion Amendment Bill, which seeks to implement the recommendations of the statutory review of the Disability Inclusion Act 2014. At the outset I indicate that the Opposition supports the bill. The bill was first introduced to this place in 2014 by the Hon. John Ajaka, MLC, and my colleague the Hon. Mick Veitch led for the Opposition in the second reading debate. He drew attention to the fact that the bill was an important and hard-won piece of legislation that supported the human rights and freedoms of people with disability.

The Act served three main objectives: first, to enable the implementation of the National Disability Insurance Scheme, a revolutionary reform proudly delivered by a Labor government—I am very pleased to see the Labor Government in Canberra committing to continue that good work; second, to promote inclusion and improvement in the lives of people with disability; and, third, to recognise the human rights of people with disability, including by giving effect to Australia's ratification of the UN Convention on the Rights of Persons with Disabilities. The three objectives can be linked to the core purpose of the UN convention, which states:

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

In his contribution to debate on the Disability Inclusion Amendment Bill in 2014, my colleague the Hon. Mick Veitch expressed substantial concern about the future funding of the independent disability advocacy sector and, for a number of years, he was right to express those concerns. Disability advocacy at systemic and individual levels ensures that people with disability can have a voice at all levels of government and maintain control over their lives. Those services also enable people with a disability to have a say in the statutory review of the Disability Inclusion Act. I acknowledge that people with disability and their advocates fought hard for a number of years to get secure, long-term funding for disability advocacy services in New South Wales after the Government continually threatened to withdraw financial support. Thankfully, that money was finally secured in the 2020 budget, and Labor hopes that will continue in the future.

I turn now to matters covered within the bill. One important aspect that the Disability Inclusion Act introduced in New South Wales was the requirement that all public authorities have a disability inclusion action plan, or DIAP, which sets out the measures to ensure that people with disability can access general supports and services in the community. That is extremely important, and the philosophy behind it is very straightforward: People with disability should be able to participate fully in our community's mainstream services—such as by using its trains and attending its schools and hospitals—as a normal part of their lives. That is the way in which we must plan for and accommodate people with disability. The barriers to full inclusion are not on them; they are on us.

The Act also required the Department of Family and Community Services, so named at the time, to prepare a disability inclusion plan on behalf of the State that set out the whole-of-government goals to support the inclusion of people with disability in the community. True inclusion in this context means that people with disability can access accessible workplaces and services within government. Accessibility takes many forms, including ensuring physical accessibility; the budget and will for reasonable adjustments to be made, such as for equipment to be made available, for necessary flexibility to be offered and for information to be presented in an accessible way; and equitable changes to be made to level the playing field. Accessibility also means a safe and respectful place to work and be, where ignorant and ableist attitudes and behaviours are neither tolerated nor welcomed, and where people with disability are valued and equal members of the workplace and society.

The New South Wales public service should be the most accessible place to work and access services. The Government has access to all of the levers to make accessibility a priority and to become a leader for the private sector in driving comprehensive and profound change. Despite that, government services are still inaccessible to many people with disability in New South Wales in many ways. For example, a core tenet of our democracy is that every citizen should be able to cast an independent, secret and verifiable vote in elections. Despite that, blind and vision impaired citizens are forced to vote with the assistance of another person and are unable to verify that their voting intentions are reflected on the ballot paper. This was previously fixed with the introduction of iVote in New South Wales. For the first time, blind and vision impaired people were finally able to vote independently and secretly using screen reading technology.

During the local government elections in December last year, the iVote system became overloaded and was unable to be accessed by many voters. According to the Electoral Commissioner, we know now that there is no funding to repair iVote or to set up a system for the next State election to ensure that people who are blind or vision impaired can make a secret ballot. That is a step backwards. It is a shame on all of us that we provided that level of accessibility but are now taking it away. The other clear indicator of the inaccessibility of the New South Wales Government is the low rate at which people with disability are employed in the public sector, despite the Premier's Priority target of achieving 5.6 per cent of the total public sector workforce being people with disability by 2025. The Government has only three years to do that, and we have been talking about it for the past 10 years.

Despite the target being in place for a number of years, the percentage of public sector workers in New South Wales with disability remains at a stubborn 2.5 per cent, down from 3.8 per cent a decade ago—we have gone backwards. In the New South Wales working population, people with disability make up 7.2 per cent. The New South Wales public sector is shamefully behind. In striving to achieve accessibility under the Disability Inclusion Act, DIAPs have become an important aspect of the goals and directions of some government departments and entities, but in too many cases it is a tick-a-box exercise. I was honoured to serve as shadow Minister for Disability and Inclusion. At the time I engaged an intern in my office, Jackson Streeter, to complete a research project into the nature of the DIAP system and the targets and commitments within the plans of the New South Wales Government. Following a thorough analysis of the DIAPs of 10 government departments, five public authorities and 128 local councils, Jackson found that these plans generally lacked the substance they needed to facilitate change.

The scope of the DIAPs differed between departments and public authorities. Some departments used the DIAP process as an opportunity to look at both the accessibility of the workplace and the public services they delivered, while other departments would look at one aspect only and not the other. Jackson Streeter also found that a number of the DIAPs had long expired and that they had not been reviewed or renewed before the end date. There is no point in having legislation before the House that deals with disability inclusion if we do not deliver on the very modest commitments that are asked for in the bill.

Looking through those DIAPs, I was shocked to see how out of date they were. Targets in DIAPs are often vague, non-committal and intangible. Often they will revolve around raising awareness, increasing the number of disability programs, or that staff and managers feel more confident in their awareness of accessibility—all without any clear information as to how this will be achieved or metrics to know when it has been achieved. When targets in DIAPs were specific, they were often unambitious. For example, setting a target of having five interns with disability across the entire cluster is hardly ambitious. Aiming for 9 per cent of staff to have completed mental health training by 2025 is also hardly an ambitious target.

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

*Members*

#### **REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**The Hon. DAMIEN TUDEHOPE:** I advise the House that in the absence of the Hon. Bronnie Taylor, the Hon. Sarah Mitchell, the Minister for Education and Early Learning, will be taking questions on her behalf.

*Visitors*

#### **VISITORS**

**The PRESIDENT:** I welcome to my gallery this afternoon students from the Lachlan Macquarie Institute who are currently working as interns for various members this week. The students include Isabella Clarke in the office of the Hon. Scott Farlow, Elizabeth Bryce and Jonathan Worstencroft in the office of the Hon. Rod Roberts and the Hon. Mark Latham, and Danielle Ezard, who has been placed in the President's office. I hope they enjoy question time today and their experience in Parliament. I certainly wish them all the best in their studies and beyond.

*Questions Without Notice*

#### **SMALL BUSINESS FEES AND CHARGES REBATE SCHEME**

**The Hon. PENNY SHARPE (16:01):** My question without notice is directed to the Minister for Finance, and Minister for Employee Relations. Given the Small Business Fees and Charges Rebate scheme, which allows small businesses that use vehicles for work to claim up to \$2,000 in tolls, is due to expire on 30 June 2022, will the Minister guarantee that businesses will be able to continue to claim back tolls from this scheme after 1 July?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:01:5):** A nice question to try to find out what is in the budget—nice try! This morning we had a fantastic announcement by the Minister for Metropolitan Roads in relation to tolls.

**The Hon. Penny Sharpe:** Point of order: I am sure the Minister will have a dixer that deals with this matter, but my point of order relates to Standing Order 65 (5), direct relevance. The question is specifically about the Small Business Fees and Charges Rebate scheme, its future and the access of drivers to it. This morning's announcement did not deal with that matter.

**The Hon. Scott Farlow:** To the point of order: The question the Leader of the Opposition asked was about toll relief and how it applies. The Minister is being directly relevant by talking about the Government's toll relief program.

**The Hon. Penny Sharpe:** Further to the point of order: It is nice to see the Government Whip finally taking a point of order on behalf of the Government. However, the standing orders are extremely clear. We do not just get to pick a word out of the question; the stipulation is that the answer is directly relevant. The question is about the Small Business Fees and Charges Rebate scheme, not about the general policy around tolls.

**The PRESIDENT:** I had only just begun to listen to the Minister. I was categorising his comments as introductory. I will be interested to see how that develops.

**The Hon. DAMIEN TUDEHOPE:** They are introductory comments. I am delighted that we can continue the discussion of tolls because the announcement this morning about the benefits that will accrue to the motorists of New South Wales is an acknowledgement of the hard work of the Minister for Metropolitan Roads. More importantly, it delivers outstanding benefits for the people of this State. Guess what? Opposition members hate this because the only policy they ever thought they could do was—

**The Hon. Penny Sharpe:** Point of order: The Minister has now had a minute of preliminary matters. I ask him to be directly relevant to the question that has been asked.

**The PRESIDENT:** The revised standing orders have not changed the stipulation of direct relevance. I ask the Minister to be directly relevant.

**The Hon. DAMIEN TUDEHOPE:** As Opposition members struggle to develop policies in this area, I am sure that at some stage they will get together and say, "We need a policy that is better than putting a sign up over a freeway. We've got to do something better than that." However, in relation to this issue—

**The Hon. Daniel Mookhey:** It's not a freeway. There's nothing free about them.

**The PRESIDENT:** Order! The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** I say to members opposite that these issues will all be dealt with in the budget. Relief for motorists is high on the list of priorities of the New South Wales Government. It is front and centre for the Minister for Metropolitan Roads, who does an outstanding job of making sure that the people of New South Wales are given the best possible roads system in the country for the purposes of getting to and from work. She is fundamentally focused on making sure that we have a transport and roads system that gets people home to their families more quickly every night.

**The Hon. Penny Sharpe:** Point of order: The Minister is now flouting the ruling. I do not know why he refuses to be directly relevant but, whether he likes it or not, he is actually required to be.

**The PRESIDENT:** I uphold the point of order. While the Minister is using flowery language and cavaliering around the Chamber, I ask him to come back to a direct answer.

**The Hon. DAMIEN TUDEHOPE:** To the exact question, I remind the Hon. Penny Sharpe that she asked about a specific program.

**The Hon. Penny Sharpe:** I want a specific answer.

**The Hon. DAMIEN TUDEHOPE:** And my answer is that the details in relation to that will be disclosed as part of the Government's roads package in the budget. I invite Opposition members to read the budget documents and weep. Will the Parliamentary Budget Office assess the policies of the shadow Treasurer?

**The Hon. Daniel Mookhey:** Yes.

**The Hon. DAMIEN TUDEHOPE:** What—the one? [*Time expired.*]

## PUBLIC SECTOR WAGES POLICY

**The Hon. SHAYNE MALLARD (16:07):** My question is addressed to the Minister for Finance, and Minister for Employee Relations. How does the New South Wales Government's new public sector wages policy strike a fair and responsible balance for public sector workers and for the people of New South Wales?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:07):** I hope all Opposition members have seen it. I thank the member for his question. I welcome the enthusiastic support of Opposition members for the new wages cap, which has been lifted and which supports the public service of this State. In its public sector wage policy, the New South Wales Government seeks to strike the right balance between fair pay for public sector workers—

**The Hon. Mark Buttigieg:** What's inflation?

**The Hon. DAMIEN TUDEHOPE:** Is that a policy? I would like that policy. Let's announce the policy, mate.

**The Hon. Mark Buttigieg:** What's inflation? Tell us what the inflation rate is.

**The Hon. DAMIEN TUDEHOPE:** Is that your policy? Under the 2.5 per cent cap on annual wage rises in place since 2011, real wages for public sector workers rose by 5.6 per cent to December 2021 compared with 4 per cent for private sector workers. If public sector wages had been tied to inflation, as Opposition members would have us believe, they would be significantly lower than that today. After considering current economic conditions, the New South Wales Government has decided to give a real boost to public sector wages by lifting the cap on annual wage rises from 2.5 per cent to 3 per cent for 2022-23 and 2023-24. Workers who make a substantial contribution to productivity-enhancing reforms will be eligible for a further 0.5 per cent wage increase in 2023-24. This policy will deliver a wage rise of up to 6.5 per cent over the next two years.

NSW Health workers will also receive a \$3,000 one-off payment in recognition of their work on the front line of the COVID-19 pandemic. As the Health Services Union has noted, this translates to an 8.9 per cent increase in pay for a hospital cleaner, a 7.14 per cent increase for a P1 Year 1 paramedic and a 7.56 per cent increase for a Level 1 Year 1 allied health professional. The decision strikes a fair and reasonable balance, ensuring that the hardworking people of New South Wales—the taxpayers, who ultimately pay public sector wages—will also benefit from cost-of-living relief measures as well as from the central projects and programs.

I encourage the unions to sit down at the table with the New South Wales Government and negotiate a good outcome for their members under this policy. If the rolling strikes continue—and I ask the Opposition to join us in condemning those strikes—it will be evident that they are a political stunt designed by the prominent union officials who are also members of Labor's 2023 campaign committee—surprise, surprise. Now Labor, the unions and the shadow Minister for Industrial Relations have an opportunity to demonstrate their priorities to the people of New South Wales— *[Time expired.]*

## TOLL RELIEF SCHEME

**The Hon. JOHN GRAHAM (16:10):** My question without notice is directed to the Minister for Metropolitan Roads. How much money will the Government save when it withdraws the vehicle registration toll relief scheme?

**The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:11):** I thank the honourable member for his interest in the Perrottet-Toole Government's toll commitments. This is a government that is committed to securing a brighter future for New South Wales. We are not a policy-free zone; we have policies and we announce them. Why do we do that? That is because we build things. We announce them, we build them and we have tolling policies that take pressure off families and small businesses, leaving more money for them at the end of the week. We said that we would deliver a toll relief package as part of the budget; today we have announced exactly that. Opposition members only talk about the issue, and the only policy that they have come up with would have seen more motorists paying more. They have done nothing in this space. Motorists are able to get where they need to go—

**The Hon. John Graham:** Point of order: My point of order is direct relevance. It is quite a specific question. This Minister has been a serial offender. I ask you to draw her back to the question.

**The PRESIDENT:** The Minister's introductory comments have expired. The Minister will now direct her comments to the specific question.

**The Hon. NATALIE WARD:** Our tolling announcement today, unlike the crickets we hear from the other side of the Chamber—

**The PRESIDENT:** Order! The Minister has the call. She is having trouble with the microphone. The Minister will continue.

**The Hon. NATALIE WARD:** Let there be light. I think it works now. There is a brighter future for New South Wales, right here! Because of our motorways, motorists will be able to get to where they need to go more reliably, more quickly and more efficiently. We are getting them home to their families, which is where we want them to be, not stuck in traffic. We build motorways that are opposed by members opposite. They opposed the M2 as the road to nowhere. They said it would go nowhere—

**The Hon. John Graham:** Point of order—

**The PRESIDENT:** The point of order is upheld. The Minister will be directly relevant or complete her answer.

**The Hon. NATALIE WARD:** I note that the Government's tolling policy will be more generous, will reach more motorists, pay them more regularly and put more money back in their pockets. In relation to budget questions, the answers will be revealed in that part of the budget. The Opposition might try reading it and coming up with its own policies.

### COVID-19 INFRINGEMENT NOTICES

**Ms SUE HIGGINSON (16:14):** My question without notice is directed to the Hon. Sarah Mitchell, representing the Minister for Police, and concerns infringement notices issued during COVID-19 lockdowns. In light of the evidence of the disproportionate and unjust impacts on certain vulnerable groups of people, in particular children and First Nations people, will the Minister for Police now withdraw all fines, infringements, enforcement actions and court-elected actions related to the alleged infringement of COVID-19 public health orders? If not all, will he withdraw those related to people under the age of 21 and all First Nations people?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:14):** I thank the honourable member for question to me—her first to me—representing the Deputy Premier, and Minister for Police. I have some advice from the Minister for Police on this matter. I am advised that police across our State continue to engage with the community as part of COVID-19 operations and uphold the highest professional standards of policing in doing so. NSW Police Force officers have been asked to take a high-level enforcement approach to help shape people's behaviour, and I know that they will continue to positively engage and appropriately interact with all members of the public.

Importantly for the information of the honourable member, the Minister for Police has no authority to withdraw a penalty notice issued by police officer or review the circumstances in which it was issued. Members of the public are able to seek a review of the penalty notice directly with Revenue NSW and can obtain further information about this process on the Revenue NSW website or by calling (02) 7808 6934. This contact number provides members of the public with information about what their options may be, such as whether to request a review of the fine or electing to have the matter heard in court.

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

**The Hon. SARAH MITCHELL:** Where the policing response to the pandemic is concerned, NSW Police Force officers are authorised officers under the Public Health Act to enforce the public health orders in place at the time. While police officers use their discretion in each circumstance, they have the responsibility of enforcing the public health orders as appropriate. Fundamentally, community safety is the ultimate goal at this time, which includes reducing the spread of COVID-19 throughout our communities. The NSW Police Force takes its community engagement activities very seriously. Every local command works hard to build relationships with its immediate community, regardless of background.

While NSW Police Force officers have been asked to take a high-level enforcement approach to help shape people's behaviour, they will continue to positively engage and appropriately interact with those who may be from more disadvantaged communities. This includes working with community leaders to share what compliance looks like in these times and using multilingual services as much as possible. The NSW Police Force also maintains strategic directions that help guide its engagement in Aboriginal and multicultural communities, in addition to other community policing initiatives and programs.

**Ms SUE HIGGINSON (16:17):** I ask a supplementary question. Would the Minister elucidate on the answer? Is the answer no?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:17):** I'll pay that. As I said in my original answer to the member's question, on advice from the Minister for Police, the Minister for Police has no authority to withdraw a penalty notice that has been issued by a police officer or review the

circumstances in which it was issued. As I said in my original response, members of the public can seek that review of a penalty notice directly with Revenue NSW.

### MATHEMATICS STRATEGY

**The Hon. TAYLOR MARTIN (16:18):** My question is addressed to the Minister for Education and Early Learning. Will the Minister outline to the House how the New South Wales Government is continuing to encourage students to see the value of learning and engaging with maths?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:18):** We all like numbers. I think there are a few numbers happening over on the other side—members opposite may want to get aboard our Maths Trains Brains campaign.

**The Hon. Penny Sharpe:** The Nats are sorted; the Libs, not so much.

**The Hon. SARAH MITCHELL:** The Nats are done, so I can say that quite easily. Maths develops capabilities for life, as we all know, and provides lasting fundamental skills in problem-solving, analysis and reasoning. Having strong maths skills can open a world of possibilities for our students, both today and into the future. That is why the Government is proud to have recently launched the third phase of its seven-year maths strategy. It aims to strengthen maths teaching in public schools, ensure students understand the usefulness of maths and build a positive perception of maths in the community.

The first two phases of this strategy have already seen more than 4,000 maths teachers participate in evidence-based professional learning, over 100 teach.MathsNOW scholarships offered to STEM undergrads and industry professionals seeking a career change into teaching, ongoing mentoring of 36 current and 69 new primary teachers to complete a maths specialisation and increased student participation in stage six maths—particularly those from a disadvantaged background—with the development of a new numeracy course for students who in the past have not typically chosen to study maths.

The third phase is focused on changing perceptions of maths by engaging parents and carers to support their child's learning and engagement with maths. I am pleased to confirm to the House that there are new maths ambassadors. They are construction guru and reality TV star from *The Block*, Dan Reilly; legendary singer, songwriter and mother, Mahalia Barnes; and champion BMX racer, Kai Sakakibara. They have all outlined how important maths was to their varied and successful careers. These three new maths ambassadors join social influencers who will help champion our MathsTrainsBrains campaign through regular social posts, bespoke experiences and content creation.

In addition to these outstanding examples, a new updated maths hub will support parents and carers to feel more confident in talking with their children about maths. The hub will feature a dedicated culturally and linguistically diverse section across five languages. There are more than 30 new pieces of content related to financial literacy, maths in careers and maths in the modern world. I encourage every parent and carer to visit the hub to help them stimulate their child's curiosity and engagement with maths.

Finally, the new draft syllabuses for years 3 to 10 maths were recently released for public consultation as part of the vital curriculum reform agenda. The results of this consultation have already revealed positive feedback from teachers and stakeholders. The draft syllabuses continue to focus on strengthening maths and numeracy skills across every year level and build on the fundamental work already being implemented in K to year 2. Maths empowers students with the foundational skills and understanding needed to meet the demands of the communities they live and work in. I am proud of the work that the Government has done and continues to do in this space to help students with their maths.

### MARINE WILDLIFE RESCUE FUNDING

**The Hon. EMMA HURST (16:21):** My question is directed to the Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth, representing the Minister for Environment and Heritage. In the response to the committee report entitled *Use of exotic animals in circuses and the exhibition of cetaceans in New South Wales*, the Government stated:

A \$50,000 grant program is also being rolled out under the Marine Estate Management Strategy to support marine rescue and rehabilitation work across several groups. Funds will be distributed before 30 June 2021.

Will the Minister advise the House if the \$50,000 was distributed by the deadline of 30 June 2021 and which groups the funds were given to?

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (16:22):** I thank the honourable member for her important question, which I am happy to provide a detailed response to. Wildlife rescue and rehabilitation groups provide invaluable assistance to



NSW National Parks and Wildlife Service staff in responding to events where marine wildlife gets into trouble and requires assistance. The impacts of climate change, fishing, litter, vessel-based activities, recreational activities, land-based activities and industrial activities pose a cumulative threat to threatened and protected species in the marine estate. As part of the NSW Marine Estate Management Strategy 2018 the National Parks and Wildlife Service is the lead agency for initiative five, which aims to reduce impacts on threatened and protected species.

Under the strategy funding was provided to support marine wildlife rehabilitators with priority equipment needed for response to injured marine wildlife. Funding was also provided to increase their capacity to meet the standard requirements outlined in the code of practice for injured, sick and orphaned sea turtles and sea snakes. Funding of \$50,677.92 was provided to 11 licensed wildlife rehabilitation providers to assist them with marine wildlife rescue and rehabilitation. Five licenced wildlife rehabilitation providers received \$40,830.91 before 30 June 2021.

The Organisation for the Rescue and Research of Cetaceans in Australia received \$6,058.69 for four marine mammal rescue kits including 16 dolphin rescue slings. Australian Seabird and Turtle Rescue received \$15,050 for improved filtration for turtle rehabilitation tanks. The Dolphin Marine Conservation Park received \$1,544.55 for two chest freezers to store marine wildlife samples. The Sea Life Sydney Aquarium received \$9,547.49 for marine reptile rescue and rehabilitation equipment. The Taronga Conservation Society was allocated \$8,630.18 for rehabilitation equipment including heat lamps, water pumps and tanks.

A further \$9,847.01 of funding provided 35 custom-made turtle rescue slings to seven licenced wildlife rehabilitation providers for sea turtle rescue. These slings were ordered before 30 June 2021 and delivered to the rehabilitation groups in November 2021. The NSW Wildlife Information Rescue and Education Service received 20 slings, For Australian Wildlife Needing Aid NSW Inc. received six slings, Native Animal Trust Fund Inc. received two slings, the Dolphin Marine Conservation Park received two slings, Sydney Wildlife Rescue received two slings, Wildlife in Need of Care received two slings and the Tweed Valley Wildlife Carers Inc. received just the one sling.

The Government values the work of volunteer groups assisting in rescue and rehabilitation of marine fauna. The work is also highly valued by the New South Wales community more broadly. In acknowledging this important work the Government will continue to look at practical ways to support the work of the rescue and rehabilitation groups, as has occurred with this excellent Marine Estate Management Strategy funding.

### JERRABOMBERRA SCHOOLS

**The Hon. TARA MORIARTY (16:25):** My question without notice is directed to the Minister for Education and Early Learning. Will the Minister explain to the House why Jerrabomberra Public School students living north of Edwin Land Parkway will be excluded from enrolling at Jerrabomberra High School? Further, will the Minister now commit to allowing students living there to enrol on 17 June with the rest of Jerrabomberra?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:25):** I thank the honourable member for her question. I did not get a heads-up, but I had a sneaking suspicion that the Opposition might ask me about what is happening down at Jerrabomberra. The Leader of the Opposition and the Deputy Leader of the Opposition had a weekend jaunt and flew down to the regions to chat to people in the community, before coming back to Sydney. Members are well aware that the Government is investing heavily in new schools across the State including in the Monaro and Jerrabomberra. It is a brand new high school. It is very exciting. It is the first ever for that community and the Government cannot wait to deliver it. The member for Monaro, Nichole Overall, is a proud and strong advocate for her community. I acknowledge her predecessor, the former member for Monaro, who was also a strong advocate for his community.

There are three brand new schools in that area, which meant that the department had to look at the intake areas for those schools. I say in all seriousness that delivery of new infrastructure requires a review of intake areas to ensure that student numbers across the schools are balanced and that students are provided with access to high-quality educational offerings at all of those schools. In addition, a review allows us to manage staffing levels across the schools. The initial consultation regarding the intake areas for the schools in Queanbeyan was lacking, and I have acknowledged that. I acknowledge the advocacy of the member for Monaro, Nichole Overall. The member came to see me, with a big sense of urgency, on behalf of her community about that issue. It is why the department was instructed to re-engage with the local community.

The survey was run in late term one and the department has been reviewing the feedback. We will work closely with the community to ensure that the right balance is achieved and that it acknowledges the local area. I understand that parents and families in this area are passionate about the issue. They are being very well represented by the member for Monaro in relation to these issues. Over 1,000 submissions have been received

and it is important that they are all reviewed. We are genuine in undertaking consultation with the community. The intake area for Jerrabomberra Public School has reverted to the 2021 catchment.

I met with the member for Monaro again this morning. She has made the views of the community clear. I am confident that we will reach a sensible outcome for local schools and local families very soon. As I have said, it is easy for those opposite to fly in and fly out and to make commitments that they have no capacity to deliver. Drawing arbitrary lines on a map could do away with the entire process. It is a process. Those opposite walk into the Chamber and talk about overcrowded schools, demountables and play space. We are trying to get the right balance right for local school communities. It is important. It is important what happens at Jerrabomberra High School, it is important what happens at Queanbeyan High School and it is important what happens at Karabar High School. I am confident that we will achieve a good outcome for the families of Jerrabomberra.

#### TOLL RELIEF SCHEME

**The Hon. PETER POULOS (16:29):** My question is addressed to the Minister for Metropolitan Roads. Will the Minister update the House on how the New South Wales Government is boosting the family budget and providing toll relief to the people of New South Wales?

**The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:29):** I am glad the honourable member asked the question and I thank him for it and for his interest in this. The Toole-Perrottet Government is focused on securing a brighter future for New South Wales families and addressing cost-of-living pressures faced by families and small businesses across New South Wales. Today, as part of the 2022-23 budget, we announced the New South Wales Government's Toll Rebate Scheme. It is called policy. Our new toll relief scheme will provide more relief more often to more motorists. Around half a million motorists in New South Wales are expected to save hundreds of dollars on road tolls under the new relief scheme, which will help reduce cost-of-living pressures. Previously, around 200,000 people benefited from toll relief. The number of people getting toll relief will more than double—more than 300,000 extra people will benefit.

They will receive quarterly rebates paid straight into their bank accounts, based on the amount they spend on tolls. Under the new scheme, motorists will receive a 40 per cent rebate for tolls incurred once they have spent more than \$375 in a year. The maximum annual benefit for each customer will be \$750. That is real cash in their pockets. Opposition members might want to listen so they get their press releases right instead of making mistakes in them. Motorists who are eligible will still receive rego relief until 30 June 2023; they will get both. Opposition members might want to edit their press releases and get it right. This is a very important program and I have the facts with me. I am happy to be part of a government that delivers the programs we announce. That is in stark contrast to Labor members who have spent 11 years in Opposition and are still yet to put forward a single policy.

I apologise, we saw one policy today, a signs policy. They are going to put a sign up. That will help families with the cost of living. It has been a policy-free zone. The Labor spokesperson for roads was on 2GB last month saying, "Our record is clear," and he is right, it is clear. It is absolutely clear—and absent; there is nothing to their policy. It was Labor that brought in five of Sydney's 12 tolled roads. The Labor governments signed tolling contracts spanning the longest period of time in New South Wales. Labor introduced the tunnel funnel to try to force people to use its Cross City Tunnel, which failed twice, and ended up having to pay millions of dollars in compensation to the private operators to get the public road that it had closed to be reopened. Labor promised to remove tolls on the M4 and the M5, and then they did not. They changed their mind; they lied and they did not do it.

**The Hon. Damien Tudehope:** And you can never trust them again.

**The Hon. NATALIE WARD:** We can never trust them again. Unlike former Labor governments, this Government delivers for the people of New South Wales. I am pleased that motorists across Greater Sydney will benefit from today's announcement. [*Time expired.*]

#### COVID-19 AND TEACHERS' RETURN TO WORK

**The Hon. MARK LATHAM (16:32):** My question is directed to the Minister for Education and Early Learning. In the middle of a teacher shortage crisis in New South Wales, why is the Government paying qualified, experienced teachers who are "VACS non-attested", to stay home, with the Department of Education telling them, "You will not be expected to undertake work during this time"? How can teachers be doing nothing on full pay during a time of acute teacher shortages? Will the Minister bring those teachers back into their classrooms so that thousands of New South Wales students each day are no longer left unattended in the playground, multiple classes are not collapsed together, schools are no longer forced to close early and whole year groups are not told to stay home?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:33):** I thank the honourable member for his question on vaccination settings in New South Wales schools and what is currently happening with teachers who are not vaccinated. I will make a couple of points. The Department of Education is working with its workplace health and safety team, NSW Health and other key stakeholders to implement changes around vaccination requirements. To be clear, we are looking to shift away from those all-encompassing public health orders, which have lapsed in Education, to individualised risk-based assessments by individual employers. That work is happening at the moment. We are particularly working through appropriate measures for staff who work with more vulnerable students, including those in our schools for specific purposes and support unit classes.

Until that work is complete, the education secretary's directions remain in place for all of our school-based and corporate staff. We are doing this work, as I said, on what that risk-based assessment process will look like as a matter of priority. As such, all of the Professional and Ethical Standards [PES] investigations into noncompliance at this time have been paused while the work is completed. As I said, it is a health and safety requirement that we complete the risk-based assessment and consult with our staff on COVID-19 safety at schools.

As I said, we are being fair and reasonable. The PES investigations into around 370 unvaccinated or noncompliant staff have been paused. Those staff are completing alternative duties from home, pending the completion of a final policy. The alternative duties are being determined this week. They will be determined on a case-by-case basis for those individual members of staff depending on the role held by that staff member and the needs of the school and its system. Schools can continue to access casual teachers to maintain school operations while those substantive staff are on alternative duties. As I said, pausing those PES investigations is a fair and reasonable response while we work through the work health and safety risk assessment. I thank those members of staff for their cooperation while we do that.

**The Hon. MARK LATHAM (16:35):** I ask a supplementary question. Will the Minister elaborate on her mention of "alternative duties"? In particular, will she explain the advice that has gone to those teachers from the department? Answering the question "Will I receive work to do while on alternative duties?" the department orders that "Professional and Ethical Standards will be monitoring your alternative duties. You will not be expected to undertake work during this time." How can the alternative duty be no work? They are on gardening leave instead of being at schools teaching students.

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:36):** I refer to my original answer. The advice I have as of today is that the alternative duties are being determined by Professional and Ethical Standards this week. As I said, they will be done on a case-by-case basis depending on the role held by the staff member and the needs of their school and the system. That is the information I have.

**The Hon. WALT SECORD (16:36):** I ask a second supplementary question. The Minister referred often to "pauses" in her answer. How long will those pauses take?

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:37):** As I said in my original answer, we are working through our requirements under work health and safety for our risk-based assessments as an individual employer as a matter of priority. There is a need for us to make sure that we do the assessment properly and consult with our staff, and there are pretty clear practices that we need to follow. All government departments in New South Wales are doing this as we move—as I said in my original answer—from the public health orders to those individualised risk-based assessments by individual employers. I have made it clear to the department that this needs to be done as a matter of priority. We think it is important that we do our due diligence as required by the relevant legislation when it comes to work health and safety requirements.

I think it is important that pausing those PES investigations is fair and reasonable while we reach our position on what needs to be done in our school communities. We are doing that because we need to get it right. Opposition members can ask questions but we need to get this right, particularly to make sure we are conscious of the appropriate measures that may need to be in place for staff who work with more vulnerable students and who work in our schools for specific purposes. Students with additional needs can have underlying health complexities. We have support classes.

We have a very big education system in New South Wales. It is the largest in the Southern Hemisphere and it has a lot of students and staff. We need to make sure that we complete those risk assessments with diligence and get them right. I have made it clear to my agency that it has to be done as a matter of priority and it is being worked on as we speak. I am very happy to share more information on time frames with the Hon. Mark Latham, as we will with our school communities while that work is being completed.

#### COVID-19 AND NSW POLICE FORCE

**The Hon. WALT SECORD (16:38):** My question without notice is directed to the Leader of the Government, the Minister for Finance, and Minister for Employee Relations. What is the Government's response

to community concerns that more than 17,000 hardworking police officers, like Special Constable Patrick stationed in Sydney's south-west, who was spat on in Greenacre in March 2020 while enforcing the State's COVID public health orders, will not receive the COVID appreciation bonus?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:39):** The expert on envy is what I suggest this member has now become. The Government has delivered a recognition payment to frontline healthcare workers of this State that recognises the vital role they played in protecting us all. For this member to say, "But what about them?"—

**The Hon. Walt Secord:** If it's so vital then give it to them.

**The Hon. DAMIEN TUDEHOPE:** All he wants to do—

**The Hon. Walt Secord:** If they're so vital then give it to them.

**The Hon. DAMIEN TUDEHOPE:** Do not diminish—

**The Hon. Walt Secord:** If it's so vital, give it to them.

**The Hon. Shayne Mallard:** Point of order: I know some latitude is allowed for interjections, but it is disorderly for the member who asked the question to yell across the Chamber at the Minister. I ask that the member be called to order.

**The PRESIDENT:** I have been waiting for the Hon. Walt Secord to step out of line an extra time. I call the Hon. Walt Secord to order for the first time.

**The Hon. DAMIEN TUDEHOPE:** I say to the member to please not come into this House and diminish the role that those healthcare workers have played and the recognition that they deserve. He is trying to undermine the fair and responsible approach that we have taken to the wage rise that we have provided to public sector workers. That is what we have done, and this member comes into this House and says that is not good enough because we did not give someone else the recognition of a frontline healthcare worker. In many respects he wants to divide one worker against the other.

He should be joining the Government today in saying that this is a payment that was well deserved for every one of those healthcare workers who have done such a fantastic job protecting us all. He should not come to this place and try to divide one worker against another. We have introduced a responsible and fair approach to the manner in which we treat every public worker in this State. The wages policy that we just announced is designed to recognise all workers. There is not a person in this State who does not believe that those healthcare workers are not entitled to the recognition that we have paid them.

**The Hon. Walt Secord:** Help the others.

**The Hon. DAMIEN TUDEHOPE:** Next year this member will be saying, "Why don't we pay it to politicians?" Give me a break!

**The Hon. Walt Secord:** That's you guys.

**The Hon. DAMIEN TUDEHOPE:** If there is one person who does not deserve anything, it is you.

**The Hon. Walt Secord:** Secret pay rises.

**The PRESIDENT:** Order! The Minister will direct his comments through the Chair. The Hon. Walt Secord will restrain himself.

**The Hon. DAMIEN TUDEHOPE:** Whilst I recognise the fantastic role that police officers have played during the pandemic, I also recognise the fantastic role that all of our public sector workers have played. No-one in this place would deny that healthcare workers are in need and deserve to be recognised in the manner in which the Government has achieved.

## YOUTH PROGRAMS

**The Hon. LOU AMATO (16:42):** My question is addressed to the Minister for Families and Communities. Will the Minister update the House on how the New South Wales Government is investing in a brighter future for young people?

**The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:43):** I thank the honourable member for his question. The New South Wales Government has a strong record of supporting young people in our community, particularly diverting them away from the justice system. It is vital that we reduce the number of young people who come into contact with the justice system and assist them to make the positive changes to achieve their full potential. The New South Wales

Liberal-Nationals Government is delivering on a number of specialist programs, services and resources to assist young people to develop the knowledge, skills and attitudes to manage their lives effectively.

I am pleased to inform the House that, alongside the member for Coffs Harbour, Gurmeh Singh, I recently announced a \$9 million extension of our successful Youth on Track early intervention program. Youth on Track is the New South Wales Government's flagship early intervention scheme for 10- to 17-year-olds, providing vital support for young people who are at risk of being caught in the justice system. Since its inception in 2013, Youth on Track has supported over 350 young offenders, giving young people who have had a brush with the law the tools to stop them reoffending.

By intervening early, we are engaging and helping them with education, mental health services, family support and behavioural change that will significantly reduce their risk of reoffending. What makes this program so successful is the targeted support provided by case managers, who work closely with young people and their families, identifying triggers and supporting those with behavioural and mental health issues. The extension of the program will help more young people across New South Wales—whether they live in Albury, Coffs Harbour or Blacktown—to get back on track and reach their full potential.

A number of programs are operating across the State, including the Bail Assistance Line, which provides support to young people between 12 and 17, with a particular focus on people under 14 and those with Aboriginal and Torres Strait Islander backgrounds. A Place To Go, which is focused in western Sydney, provides support through a team of providers, such as therapeutic support for accommodation, case management and educational, legal and child protection professionals to work alongside young people to address challenges that they face.

The Broadmeadow Children's Court pilot provides 10- to 17-year-olds appearing before court with the pathways and support they need rather than having to go to a juvenile justice centre. The New South Wales Liberal-Nationals Government is investing significantly in the brighter future of young people to ensure that they have every opportunity and are supported to succeed. By investing in these young people now, we can help them to turn their lives around, and make a real difference and a positive, lasting change. We are investing in the future of these young people and the future of New South Wales.

#### ABORIGINAL WAR MEMORIAL

**Reverend the Hon. FRED NILE (16:46):** My question without notice is directed to the Minister for Aboriginal Affairs. In 2021 the Standing Committee on Social Issues recommended in its review of the Heritage Act the recommendation that I put forward to fund an Aboriginal war memorial. The Government's response stated that it supported the recommendation in principle. Will the Minister inform the Chamber what progress has been made towards the creation of an Aboriginal war memorial in New South Wales, and is there an expected time line of events?

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (16:47):** I thank the honourable member for his question. This is an important issue, and one that I care about. I had the privilege of attending and speaking at the Black Diggers March in Redfern on Anzac Day this year. It is a very significant and important community event, honouring Aboriginal service men and women and the contribution that they have made to the armed forces of Australia for many decades. I also had the privilege of attending the Indigenous veterans commemoration service on 27 May as part of National Reconciliation Week at the Anzac Memorial in Hyde Park.

The fundamental premise of the member's question is correct. A recommendation was made that the Government, in response to the recommendations from the upper House inquiry into the Heritage Act 1977, support in principle the establishment of an Aboriginal war memorial, which obviously would need to be subject to consultation with Aboriginal communities and a business case. I advise the House that the Department of Premier and Cabinet, the department of transport, Create NSW, Heritage NSW, Aboriginal Affairs, and the National Parks and Wildlife Service have established a Premier's Priority project steering committee to progress a number of significant key Aboriginal initiatives: for example, the permanent placement of the Aboriginal flag on the Sydney Harbour Bridge, the return of Me-Mel to traditional owners—last weekend I was proud to be on Me-Mel with the Premier to announce that \$43 million of the budget will go into it—and an Aboriginal cultural centre.

It will also consider the concept of an Aboriginal war memorial, including in-depth consultation with the Aboriginal community and, if supported, the development of a draft and final business case. It is important to note that community consultation is key here. It is clearly going to be complex and it is likely to be lengthy because potentially this will look at Australia's Aboriginal involvement in wars and conflict overseas. It could—and presumably would—recognise massacres and their locations as well, which will mean that it will require an even more substantive and deep level of engagement, interaction and consultation. The group that I have just outlined

will reach out to the Australian Government to discuss the memorial proposal, including funding opportunities. This is something that cannot be rushed. It is important—both of those elements are extremely important—and we need to get it right.

### INTEREST RATES

**The Hon. GREG DONNELLY (16:50):** My question is directed to the Leader of the Government and the Minister for Finance, and Minister for Employee Relations. What is the Minister's response to community concerns that the single biggest one-day rise in interest rates since February 2000, announced today, as well as spiking electricity rates, will dwarf the 0.5 per cent pay increase he announced yesterday?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:51):** I thank the member for his question. I echo the sentiments expressed yesterday by the Treasurer of Australia, Jim Chalmers, that this country is going through a difficult period in relation to the pressures on the economy.

**The Hon. Courtney Houssos:** Yes, but he just inherited it; you guys created it.

**The Hon. DAMIEN TUDEHOPE:** That is where I draw issue. In fact, if ever there was a government in power that one could trust with getting Australia—and New South Wales—through this—

**The Hon. Courtney Houssos:** Getting Australia? Yes, for sure.

**The Hon. DAMIEN TUDEHOPE:** No, no, we will see about that.

**The Hon. Courtney Houssos:** New South Wales? No way.

**The Hon. DAMIEN TUDEHOPE:** People can trust this Government to get New South Wales through economic difficulties because its commitment to the workers of this State is demonstrated by—

**The Hon. Greg Donnelly:** Point of order: My question was pretty clear and I have given the Minister a reasonable opportunity. It was seeking his clear response to community concerns. That was the nub of the question and I am waiting for him to commence answering it.

**The PRESIDENT:** I might point out, before the Minister takes the lectern, that the Minister's response was somewhat diverted from where it was directly relevant by someone from the Opposition benches. Perhaps we could hear the Minister, instead of responding to interjections, directly answering the question.

**The Hon. Mick Veitch:** It is disorderly.

**The Hon. DAMIEN TUDEHOPE:** Disorderly by me or by the member?

**The Hon. Mick Veitch:** By you. You should not respond to interjections.

**The PRESIDENT:** It is called an apportionment of blame. Please do not encourage the Minister. The Minister has the call.

**The Hon. DAMIEN TUDEHOPE:** The member is right. We do live in circumstances where there are significant pressures on the economy of this country, like there are on every economy throughout the world. Those opposite may have forgotten: We have just come out of a pandemic. They may have forgotten that. Their memory is short. They do not have any details of policies they would have. If the member would like to come in here and articulate a policy of economic recovery, we would be more than happy to engage in that debate because this is a place for the contest of ideas. All the ideas stem from one side; none from the other side. That is the way this place operates. We have the ideas; they have none. They question our ideas but have none to offer in reply.

**The Hon. Greg Donnelly:** Point of order—

**The PRESIDENT:** Order! The Minister will resume his seat.

**The Hon. Greg Donnelly:** My point of order relates to the matter of direct relevance and hopefully getting to the Minister's considered response about community concerns.

**The PRESIDENT:** I think the Minister was giving quite a wide-ranging response and indeed was in the realm of being directly relevant. I would encourage the Minister to further concentrate his efforts.

**The Hon. DAMIEN TUDEHOPE:** There is a significant impact on all world economies. Those opposite may have missed it, but there is a war between Russia and Ukraine. They may have missed that. There is a significant impact on energy prices at the moment. They may have missed that. All of those things are impacting on the way that this economy needs to be managed. What they ought to recognise is that the best managers of economies in crisis are conservative governments of the quality of this Government. I thank the member for his

question and I say to those in the community who have concerns: Trust us because we know how to do it. Those opposite have no idea. They have no idea. Where is the shadow Treasurer? *[Time expired.]*

**The Hon. GREG DONNELLY (16:55):** I ask a supplementary question. In light of the Minister's very clear answer about, "Trust me, I am the Minister", can he elucidate upon the basis of the trust and, more importantly, his response to the fact that there has been a record increase in interest rates?

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:55):** The member asks for my opinion. My opinion is that we have a track record in relation to delivering for the people of this State. If you look at the track record over the past 11 years that we have been in government and the record investments that we have made in infrastructure in this State, the record investments that we have made in schools and the record investment that we have made in hospitals, you will see that they are the indicators. They are the indicators of the manner in which this Government has, in fact, benefited the people of this State.

If the member asks for my opinion, I would say that we had 16 years of Labor doing nothing. The former Labor Government would sign contracts for infrastructure and then tear them up because it could not afford them. That is the way it does not do stuff. In fact, people should put their trust in those who are in government who have a track record of making promises that they will deliver for the people of New South Wales and then delivering policies in accordance with their promises. Let me give the member one clear example. He lives in a part of north-western Sydney where we were promised a rail system—

**The Hon. Penny Sharpe:** Point of order. My point of order relates to relevance. This is a question about interest rates and the Minister has not come even close to it. We let him go for quite a long time.

**The PRESIDENT:** As I remember, the supplementary question talked about trust and the reasons why we should trust the Minister. The Minister is expounding on that message of trust.

**The Hon. DAMIEN TUDEHOPE:** Exactly. I draw the members' attention to this: For 30-odd years those opposite promised a north-western rail link. Time and time again they announced it. They announced it five times. We announced it when we came to Government and we delivered it immediately. What happened when we wanted to build a freeway to the north-west of Sydney? What did those opposite do? This was the road to nowhere. That is what they called it. We delivered it. We delivered it for the people of this State. *[Time expired.]*

#### NEWELL HIGHWAY UPGRADE

**The Hon. WES FANG (16:59):** My question is addressed to the Minister for Regional Transport and Roads. Will the Minister update the House on the upgrades to the Newell Highway?

**The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (16:59):** I thank the honourable member for a very good question. The New South Wales Liberal-Nationals Government is building what matters to regional New South Wales.

**The PRESIDENT:** Order! I call the Hon. Rose Jackson to order for the first time. The Minister has the call.

**The Hon. SAM FARRAWAY:** This Government is building what matters to the daily lives of the communities of regional New South Wales. The sound economic management of Government members is allowing us to invest a record \$14.5 billion in projects that are needed now and will make the future brighter for residents in regional New South Wales. One shining example of how we are transforming the way we travel through regional New South Wales is the \$1.7 billion upgrade of the Newell Highway. Let me repeat that: \$1.7 billion is being invested to upgrade our State's longest highway, which stretches over 1,000 kilometres from the Victorian border at Tocumwal all the way to the Queensland border at Goondiwindi. The Newell Highway is absolutely critical to the supply chain of the eastern seaboard of this State and country.

**The PRESIDENT:** Order! The Minister will resume his seat. It is almost the end of question time. I know Opposition members are looking to crack on, but I am having trouble hearing the Minister. The Minister has the call.

**The Hon. SAM FARRAWAY:** Clearly those opposite do not care about the regions. They do not care about the State's longest highway, our freight sector, or industry and freight companies, because if they did—

**The Hon. Damien Tudehope:** Point of order: There are some very attentive people in the gallery today who must be ashamed of the way Opposition members are behaving in the Chamber. I know they are energised and concerned, but, Mr President, I ask you to call them to order collectively. The fact is that they do not like hearing the good news that is being delivered by the Minister.

**The PRESIDENT:** The Minister is taking a bit of latitude on his point of order. I call the Hon. Penny Sharpe to order for the first time. I call the Hon. John Graham to order for the first time. The Minister has the call.

**The Hon. SAM FARRAWAY:** Throw them out. It means that goods and services can be stocked in our supermarkets. It means that our retail outlets, cafes, restaurants and pubs can receive the produce and supplies they need to keep their doors open, particularly in the regions where we are seeing a tourism boost after the COVID-19 pandemic.

**The PRESIDENT:** I call the Hon. Mick Veitch to order for the first time. The Minister has the call.

**The Hon. SAM FARRAWAY:** Chuck him out, too. It is a \$1.7 billion upgrade, delivering overtaking lanes. We will see the \$200 million-plus Parkes Bypass and the new Dubbo Bridge. The Hon. Mick Veitch has always had plenty to say about the Dubbo Bridge. It will be the single largest heavy pavement upgrade—

**The PRESIDENT:** Order! I have called the Hon. Mick Veitch to order for the second time. Please do not make me call you to order for a third time. The Minister has the call.

**The Hon. SAM FARRAWAY:** There will be a \$227 million heavy pavement upgrade between Narrabri and Moree. The single largest investment in the history of this State is in the Newell Highway. Some 100,000 cubic metres of earth have already been moved for the 10.5-kilometre length of road at the Parkes Bypass. It is quite simple. Members on this side of the House—

**The Hon. John Graham:** Point of order: I ask you to draw the Minister's attention to the fact that he has 22 seconds left and we have not yet heard about the 11-kilometre tunnel.

**The PRESIDENT:** That is not a point of order. The Minister has the call.

**The Hon. SAM FARRAWAY:** The 11-kilometre tunnel is not part of the Newell Highway. That is how much Opposition members do not know about regional New South Wales. They have their highways wrong. They do not know which is the Newell Highway or the Great Western Highway. That is why they will never represent the regions: They do not know the difference between the Newell Highway and the Great Western Highway. That says it all. There is my campaign slogan for 2023: Mr Graham doesn't know the difference between the Newell Highway and the Great Western Highway. [*Time expired.*]

**The Hon. DAMIEN TUDEHOPE:** I would love question time to go on forever—

**The Hon. Mick Veitch:** Damien, don't mislead.

**The Hon. Penny Sharpe:** Don't mislead the House.

**The Hon. DAMIEN TUDEHOPE:** I'm not misleading.

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

#### *Personal Explanation*

#### **COVID-19 AND NSW POLICE FORCE**

**The Hon. WALT SECORD (17:04):** By leave: I wish to make a personal explanation. During question time the Minister for Finance misrepresented me in relation to the COVID appreciation bonus. I will correct the record. He claimed that I wanted to divide workers, but I want to bring workers together.

**Leave withdrawn.**

#### *Supplementary Questions for Written Answers*

#### **COVID-19 AND TEACHERS' RETURN TO WORK**

**The Hon. MARK LATHAM (17:05):** My supplementary question for written answer is directed to the Minister for Education and Early Learning. Given her statement in question time about alternative duties for the 370 teachers on full pay, will she now examine the material that has gone out from the department saying to those teachers, "You will not be expected to undertake work during this time"? Will the Minister correct that advice to the teachers or will she acknowledge that the alternative duties are, in fact, to do nothing?

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

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

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

That the House take note of answers to questions.



### COVID-19 AND TEACHERS' RETURN TO WORK

**The Hon. MARK LATHAM (17:06):** I come back to the point about critical teacher shortages in New South Wales, which are critical. This is a very big issue for parents and students. Students are sitting in the playground, unattended. Students are being told, "Don't come to school because we haven't got teachers here." Students are being told to go to the library and read a book instead of doing regular classes. Some schools are closing early because they cannot provide the teachers that are needed for a quality education. Ultimately, the admission of failure by the Minister for Education and Early Learning was her announcement on the weekend about fly-in, fly-out teachers. What an insult to country communities who expect full-time teachers to be based in their town, providing school services while also being part of the community.

For all the denial of the Minister that there really is no problem, the fly-in, fly-out proposal is the ultimate admission of a massive problem and a failure. The proposal is costly, impractical and an insult to country communities. How hard is it to have what really should be the beating heart of a country town, which is a functioning school with functioning teachers who are not only available 24/7 in the community but also who are teaching in schools between 9.00 a.m. and 3.00 p.m. from Monday to Friday? The Minister has it all wrong. There are 370 teachers being paid who have been instructed to do nothing. They are teachers who are "VACS non-attested".

I will again read the advice in an email that was sent to a teacher yesterday. The Minister is so poorly informed by her department and so confused about this that she is unaware of advice that went out yesterday. The question was asked in an attachment to the email, "Will I receive work to do while on alternative duties?" The department said, "PES will be monitoring your alternative duties. You will not be required to undertake work during this time." That is a contradiction. How can Professional and Ethical Standards be monitoring alternative duties if it says in the next sentence that no alternative duties are to be undertaken and that no work is expected during this time? It is backdating alternative duties—that is, gardening leave—to 13 May. That is a financial bonus for the 370 teachers.

Surely the point is that with a critical teacher shortage crisis in New South Wales, those 370 teachers should be standing in front of a classroom instead of standing in front of their flowerpots in their backyards at home. They are being given full pay for doing nothing. The Minister has shown that basically the department is incompetent and provides contradictory advice. She is unaware of how hopeless the department is and how badly she is being advised. It is vital that this is cleared up. Get those teachers into the classrooms. Students do not deserve fly-in, fly-out teachers; they deserve full-time teachers. Nearly 400 of them are available, so put them in front of a classroom.

### JERRABOMBERRA SCHOOLS

**The Hon. TARA MORIARTY (17:09):** I take note of the answer provided today by the Minister for Education and Early Learning to my question about the new Jerrabomberra High School. I have raised this issue a number of times in this place, and the community in Jerrabomberra are red-hot about it. They are more fired up about this issue than I ever saw them in my entire childhood growing up in that community. This high school is well supported by the community. It has been promised for as long as I have lived there, which has been since I was in primary school. The parents of children who live in the community are trying to resolve where their kids will be going to high school next year. Enrolments for the high school close next week, and it is supposed to open in time for the school year next year. Let us see if that actually happens, based on the farce that has occurred around the zoning.

The handling of the new school zone is one of the most ridiculous school zonings that I have ever seen in this State. It is a clear demonstration that this Government—certainly, the new member for Monaro—does not understand the community of Jerrabomberra at all. The Government does not understand the community of Queanbeyan. Let us see what happens. The Jerrabomberra P&C is watching this debate. It is meeting tonight. It has been calling on the Government to fix the issue for a year.

**The PRESIDENT:** Order! There have been a lot of interjections today. I ask members to cease making repetitive interjections. The Hon. Tara Moriarty has the call.

**The Hon. TARA MORIARTY:** Perhaps the Government should channel its energy into fixing this issue, instead of interjecting. The community, the P&C, the parents, the families and the kids have been calling out for this to be fixed for a year. The local member is missing in action.

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

**The PRESIDENT:** Order! I call the Hon. Bronnie Taylor to order for the first time. The Hon. Tara Moriarty has the call.

**The Hon. TARA MORIARTY:** In fact, I ask the Minister, who lives in the electorate, to sort this issue out because the local member cannot seem to do it. I am very fired up about this issue on behalf of the community. They have reached out to this Government through the local member, who again has failed to deal with it. They reached out to the Minister, who is not dealing with it. The enrolments have to be dealt with by next week. Half of the community are entitled to enrol; the other half are left wondering what will happen when they have been promised this school for years and years. It should be an exciting moment for the community. This high school is much needed. The community all want to be able to send their kids to the local school instead of sending them to Queanbeyan, Canberra and everywhere else. This issue needs to be sorted. I give a shout-out and my support to the P&C, which is meeting tonight to discuss the issue again. If the Government will not fix it, Labor will.

### **JERRABOMBERRA SCHOOLS**

#### **NEWELL HIGHWAY UPGRADE**

**The Hon. WES FANG (17:12):** Before I take note of the answer given by my good friend the Hon. Sam Faraway, not only to my question but also to that of Deputy Leader of the Opposition, which was an absolute clanger, I will address some of the comments made by the previous speaker, the Hon. Tara Moriarty. We know that the great education Minister who sits in this place will sort out the issue. I will tell the House why it will be sorted. It will be sorted because the local member, Nichole Overall, has been consistently meeting with the Minister. I know that the member met with the Minister again this morning to sort out the issue. Members opposite do not like that, and they are a bit energised because their mate Bryce Wilson lost the Monaro electorate twice. I am sorry, but he lost. He lost because the Nats on this side have a great record in that electorate. John Barilaro, a great Deputy Premier, led the Nats and was a great local member in that electorate, as Nichole Overall will be.

I now move to the question that I asked of the Hon. Sam Faraway. It is unfortunate that I did not get to hear the complete answer because of the absolute cacophony from members opposite. Why was there a cacophony? It was because they were so upset. They are upset because they do not get to travel over the Blue Mountains. They focus their time in Sydney. That was clear as day when the Hon. John Graham asked about the tunnel, getting the Great Western Highway and the Newell Highway mixed up. That shows the priorities of the Labor Party.

The Minister for Regional Transport and Roads informed the House that \$1.7 billion is being spent on the Newell Highway upgrade. I know that members opposite do not know where that is, but for those of us who live in rural and regional areas, it means a great deal. It means a great deal for those of us who travel on that road regularly. It means a great deal for those who are trying to move freight. It means a great deal for those who are trying to get their products, produce, food and fibre from paddock to plate. Forty overtaking lanes are being installed on the Newell Highway. Again, those opposite stuck in traffic jams do not know what it is like to have to overtake a truck or a B-double. But it means an absolute great deal for those of us who live in the regions—and 23 of those lanes have already been completed. I congratulate the Minister on knowing the difference between the Great Western Highway and the Newell Highway, and on delivering on the \$1.7 billion spending and the 40 overtaking lanes.

### **COVID-19 INFRINGEMENT NOTICES**

**Ms SUE HIGGINSON (17:15):** I take note of the answer given by the Hon. Sarah Mitchell, representing the Minister for Police, to my question about infringement notices issued during the COVID-19 lockdowns. I am afraid this has become an argument of semantics. The Minister stated that there is a process of review through Revenue NSW. I accept that that is true, but the Minister for Police absolutely has the power to take many actions that would alleviate the effect that the fines and enforcement actions are having. He could, for instance, work with his Cabinet colleagues to ensure that the prosecutions of the enforcement actions do not take place or otherwise find a way to make this manifestly unfair situation at least somewhat better for the people. Indeed, in the same way the enforcements were undertaken, following the powers created, it is just as possible for this process to work in reverse to withdraw the fines from those in our communities who have been punished severely because of their socio-economic status.

Given the evidence before us about the effect those fines are having on communities that are already struggling under increased cost-of-living pressures, it would be very appropriate for the Minister to consider using his considerable powers to help marginalised communities manage the fallout from the pandemic. Given the fact that the enforcement actions could result in loss of licences and confiscation of property, it is in the public interest to make sure that the communities of south-west Sydney, Walgett, Brewarrina, Wilcannia and other places around the State are not put at risk of having their livelihoods and personal property confiscated as a result of what were discriminatory policing practices.

The people in those communities suffered terribly during the lockdowns at the end of last year. Although the worst of the pandemic seems to be behind us at this point, it was always clear that policing our way out of a public health crisis was not the right course of action, especially as it has resulted in disadvantaged people paying a much greater price than those in the wealthy eastern suburbs. I again call on the Government, in good faith, to take the time required to assess what options are available to it and the Minister in making this unfair situation a little bit easier for the people who do not deserve to be made scapegoats on this issue.

### COVID-19 AND NSW POLICE FORCE

**The Hon. WALT SECORD (17:18):** As the shadow Minister for Police, I reflect on an answer given by the Leader of the Government relating to the COVID appreciation bonus. I asked for the Government's response to community concerns about why more than 17,000 hardworking police officers—like Special Constable Patrick, stationed in Sydney's south-west, who was spat upon in Greenacre in March 2020 while enforcing the State's COVID public health orders—are not receiving the COVID appreciation bonus. The answer given by the Leader of the Government was woeful and totally unconvincing. I call on the Premier and police Minister Paul Toole to explain why they have overlooked police in the so-called COVID appreciation bonus. Yesterday Mr Perrottet announced that every frontline healthcare worker would receive a COVID bonus payment to thank them for their COVID service, but he ignored the State's hardworking police officers.

NSW Police Force officers were everywhere during the pandemic. They enforced the endless, ever-changing public health orders. They managed the quarantine sites. They oversaw the lockdown orders and lockdown areas. They oversaw border controls. They then stepped in to manage the floods on the North Coast when Resilience NSW and the Perrottet Government were unable to do so.

While the announcement of the COVID bonus acknowledges the significant efforts of health staff during the pandemic, the Government appears to be pitting one group of workers against another. Earlier I tried to refer to this in my personal explanation. The Opposition wants to bring workers together, unlike the Government. In the course of their duties, the police were spat upon, abused and attacked by unhinged anti-vaxxer protesters. When asked to enforce the ever-changing public health orders, they did so without complaint. Come on, Premier, show some decency and give our hardworking State police officers a fair go. I thank the House for its consideration.

### TOLL RELIEF SCHEME

**The Hon. CHRIS RATH (17:20):** I take note of the answer given today by the Hon. Damien Tudehope, Minister for Finance, and also the answer given today by the Hon. Natalie Ward, Minister for Metropolitan Roads, both of which related to tolls. I thank the Government for its announcement today, which will be unveiled in the New South Wales 2022-23 budget, which will provide more relief more often to more motorists. Today's announcement is that motorists will receive a 40 per cent rebate for tolls incurred once they spend more than \$375 a year. Under the relief package, motorists can receive a maximum annual benefit of \$750, as outlined to the House by the Minister in question time.

Recently while reading through the newspapers I saw that the Leader of the Opposition, Chris Minns, was asked what he thought the next election would be fought on. He said, "Tolls, toll, tolls." Today members can see that the Government is delivering on tolls. We have taken the wind out of the sails of those opposite, which is why they are not happy today. Members on this side of the Chamber are delivering real toll relief. The position of members on the other side of the Chamber is for more signage, but we are delivering with toll relief.

The New South Wales Liberal-Nationals Government is committed to transforming the way we move around Sydney. Our motorways network plays a vital role in getting commuters where they need to be with a quicker and more reliable journey. Motorways provide increased road capacity, reduced congestion and improved travel times. Tolls enable motorways to be delivered years and even decades ahead of time, with the private sector absorbing the biggest initial costs. That is something those opposite once knew about.

Let us look at their record. When last in government NSW Labor signed tolling contracts spanning the longest time in New South Wales. The Eastern Distributor and Cross City Tunnel were signed by Labor for a period of 49 years, some five years longer than WestConnex. Labor brought in the first distance-based toll in New South Wales, the M7 motorway. Who was the deputy chief of staff to the then Minister? It was the Leader of the Opposition, Chris Minns. Labor delivered the Cross City Tunnel with a toll, the Lane Cove Tunnel with a toll, the M7 motorway tunnel with a toll, the Eastern Distributor and the Military Road off-ramp.

### TOLL RELIEF SCHEME

**The Hon. COURTNEY HOUSSOS (17:23):** I also take note of the answers provided today about the Government's toll announcement. The announcement was made with much fanfare, as they usually are, but let us

drill down to the detail and see what is on offer for motorists across the most tolled city on earth. The announcement provides for an actual annual benefit of \$750—but those opposite are taking away the existing rebate. What does that mean for the average motorist? It means the maximum benefit they will receive is \$350, but most motorists will receive less than \$200 in their pocket. Today on social media the public has already seen through it. In fact, they say that they will eat up the total benefit of today's announcement—a couple of hundred dollars—in a week.

The announced toll relief does not automatically flow through to motorists. They will have to apply for it. As we have seen time and again from this Government, those grants programs will be difficult to access and will be undersubscribed. New South Wales is facing a cost-of-living crisis. Today the Leader of the Government said that he agrees with the Treasurer, who said exactly that. Let us make one very clear distinction. The Treasurer of Australia, a man who I deeply respect, Dr Jim Chalmers, has inherited this situation. However, after a decade in government the New South Wales Government has created it. Let us talk about what is happening in western Sydney right now. The Government's own toll relief data shows that 17 of the top 20 tolled postcodes are in western Sydney. Some 13 of those top 20 tolled postcodes were in lockdown areas of concern. Drivers in Sydney right now pay over \$2.3 billion a year in tolls.

**The PRESIDENT:** Order! The Minister at the table will restrain himself. The Hon. Courtney Houssos has the call.

**The Hon. COURTNEY HOUSSOS:** Drivers take over 360 million toll-road trips a year, or over \$1 million a day. All that this Government is going to do is throw them mere cents in the dollar. There is more spin and there are more announcements, but there is no real toll relief for New South Wales motorists—and they have seen right through it.

**The Hon. Shayne Mallard:** Mr President—

**The PRESIDENT:** The Hon. Shayne Mallard has the call.

**The Hon. Courtney Houssos:** Mr President, before the Hon. Shayne Mallard starts his time I ask that you call the Minister at the table to order. That was a disgraceful display of constant interjections across the table—

**The Hon. Sam Faraway:** That is the pot calling the kettle black!

**The Hon. Courtney Houssos:** It was out of line.

**The Hon. Shayne Mallard:** Pot, kettle!

**The Hon. Courtney Houssos:** The Minister should be called to order.

**The PRESIDENT:** I call the Hon. Sam Faraway to order for the first time. I call the Hon. Shayne Mallard to order for the first time. The Hon. Shayne Mallard has the call.

#### **TOLL RELIEF SCHEME**

**The Hon. SHAYNE MALLARD (17:27):** I take note of answers given in question time by the Minister for Metropolitan Roads, the Hon. Natalie Ward, and, if I have time, Minister Tudehope, who canvassed some of the same areas regarding today's announcement by the Government of the \$750 in toll relief for motorists using tollways in Sydney. I note that Minister Faraway, when interjecting and rightly called to order, was making the point that the registration rebate will stay in place until 2023—something that was not discussed by the previous contributor, the Hon. Courtney Houssos.

What have we heard from those opposite on policies for toll relief? It has been all rhetoric but no policies. One policy that members heard today, in an interjection from an Opposition member, was for signs. In fact, the policy was referred to earlier in debate on a proposed bill. I interjected to suggest that the signs should state, "Who signed the contract?" Five of the eight tollway contracts were signed by Labor, and they are the worst five contracts in place. I am happy to amend that bill when it is debated to make that point clear. As the Hon. Chris Rath said, the motorways that we have built have greatly contributed to the efficiency of our State, journeys to work and local economies.

The Opposition is devoid of policies. Today the Leader of the Opposition in the other place made a social media post calling for members of the public to give him question ideas for question time. Opposition members have no policies to ask about. In fact, the Opposition leader turned up to the political inquiry into tollways, which was chaired by the Hon. John Graham—who that day did not make the big faux pas that he did today when he said that the tunnel for the Great Western Highway was on the Newell Highway. Nonetheless, the Opposition

leader gatecrashed our inquiry at Bexley. I listened to the press conference and there was not one policy announcement, not one policy detail.

I am getting irritated about the lack of policy and detail. When the Opposition leader was asked by journalists about when he would have information regarding the Opposition's toll package, he said he might not have that detail until after the election—running for cover. There are no policies, there are no specifics and it is embarrassing. It is embarrassing for the Hon. John Graham, who we know is a man of detail, that he has no policies. I will conclude on that because my time is almost over. Today's announcement is welcomed by the Government, and the Opposition is afraid of it.

### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. PETER POULOS (17:30):** I embrace the opportunity to speak in reply to the take-note debate. I will refer to a number of answers given today. I was particularly interested in a question that was directed to the Minister for Education and Early Learning on how the Government is encouraging students to see the value of learning and engaging with maths. Members opposite may benefit from this because the announcements made this week are all about maths. This Government is delivering benefits to working families. In her response, the Minister for Education showcased how Ambassador Schools are showing students where maths can take them in their future careers as part of the Government's campaign to change perceptions around maths among young people. Having strong maths skills can open a world of possibility for young people. Maths develops capabilities for life and provides students with lasting, fundamental skills in problem-solving, analysis and reasoning.

I was particularly encouraged by the answers provided by the Minister for Finance and the Minister for Metropolitan Roads in relation to announcements that were made this week—namely that the Government will put in place initiatives on a reasonable and fair basis to lift wages for public sector workers to 3 per cent per annum as well as to offer a further 0.5 per cent for workers who make a substantive contribution to productivity reforms. That will deliver up to a 6.5 per cent wage rise over the next two years. As the Minister for Metropolitan Roads highlighted, toll relief is on the way for working families. From 1 July this year the number of people getting toll relief will more than double. Almost 300,000 extra people will benefit from the Government's scheme. Motorists will save up to \$750 a year. Those initiatives are peppered with mathematical outcomes. Perhaps members opposite should embrace the opportunity to improve on their arithmetic and notice how working families are improving under the Perrottet-Toole Government.

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

**Motion agreed to.**

### *Deferred Answers*

### **WILDLIFE TRADE MANAGEMENT PLAN FOR THE COMMERCIAL HARVEST OF KANGAROOS**

In reply to **the Hon. MARK PEARSON** (10 May 2022).

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)—**The Minister provided the following response:

Wildlife Trade Management Plans are assessed according to the requirements of the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999. The Commonwealth Minister for the Environment approves them. There is no approval requirement under the Act for a New South Wales Minister.

The Wildlife Trade Management Plan for the Commercial Harvest of Kangaroos in New South Wales 2022-26 applies to all commercial kangaroo harvesting activities in New South Wales.

When a kangaroo is harvested for commercial purposes, whether they will be exported is unknown. Therefore, all commercially harvested kangaroos are managed in accordance with the Wildlife Trade Management Plan, applying the assumption that their end products may be exported.

### **NATIVE VEGETATION MAPPING**

In reply to **the Hon. MARK BANASIAK** (11 May 2022).

**The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads)—**The Minister provided the following response:

The Native Vegetation Regulatory Map is the responsibility of the Minister for Environment.

### **EXPIRED PETROLEUM EXPLORATION LICENCES**

In reply to **the Hon. ROBERT BORSACK** (11 May 2022).

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

The recent changes to remaining PELs are in line with what was announced last year as part of the future of gas statement.

All existing licences that remained under assessment have now been resolved, with parts of them reduced, others renewed, and several refused.

These determinations honour the commitment to reduce the area covered for exploration by 77 per cent and to support the Narrabri project.

#### **POWERHOUSE FASHION WEEK EVENT**

In reply to **the Hon. WALT SECORD** (12 May 2022).

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth)**—The Minister provided the following response:

The Powerhouse Museum hosted a runway show for Afterpay Australian Fashion Week 2022 in partnership with young New South Wales-based designer Jordan Gogos and his label Iordanes Spyridon Gogos.

The event was held on the evening of Thursday 12 May and it was not a black tie event.

The show was presented alongside a curated Powerhouse Late program, which featured a live stream of the runway show in the Powerhouse Theatre alongside artwork projections, documentary screenings and music curated by FBI Radio. The Powerhouse Late program was free and open to the public.

The Powerhouse workshop team collaborated on the creation of 15 sculptures, set pieces and wearable art objects, which were presented throughout the museum.

Nearly 60 collaborators worked on the project, demonstrating the key role our cultural institutions play in supporting and promoting local creative industries.

All costs associated with the runway event were absorbed within the existing Powerhouse operational budget.

The costs for the event are below \$100,000.

#### **KOSCIUSZKO NATIONAL PARK WILD HORSE MANAGEMENT**

In reply to **Reverend the Hon. FRED NILE** (12 May 2022).

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth)**—The Minister provided the following response:

On 30 May 2022 I had the privilege of visiting Kosciuszko National Park to discuss the important issue of wild horse management with a range of key stakeholders.

The removal of wild horses in Kosciuszko National Park is being undertaken in accordance with the 2021 Kosciuszko National Park Wild Horse Heritage Management Plan, which was prepared and adopted after extensive consultation to meet the requirements of the Kosciuszko Wild Horse Heritage Act 2018. Consistent with the plan, the removal of wild horses is being carried out in accordance with best practice animal welfare requirements.

The plan identifies the heritage value of sustainable wild horse populations in parts of Kosciuszko National Park and sets out how that heritage value will be protected while ensuring other environmental values of the park are maintained.

Monitoring will be undertaken over the life of the plan and includes annual surveys of the wild horse population to inform review of the plan after 30 June 2027.

#### **HEALTH SERVICES ELECTORAL MATERIALS**

In reply to **Ms CATE FAEHRMANN** (17 May 2022).

**The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health)**—The Minister provided the following response:

The Supreme Court case involving Justice Action in 2011 only related to distribution of material at the Forensic Hospital. It did not require any local health district to distribute the Just Us newsletter within mental health facilities.

Local health districts have local policies and procedures in place for distribution of materials within their mental health facilities. In line with those policies, they make their own determinations regarding the appropriateness of materials being distributed to their inpatients.

#### **COASTAL HARVESTABLE RIGHTS**

In reply to **Mr JUSTIN FIELD** (17 May 2022).

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth)**—The Minister provided the following response:

No.

**NIGHTS AT THE MUSEUM AND CHILD SAFETY**

In reply to **the Hon. ROBERT BORSAK** (17 May 2022).

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)**—The Minister provided the following response:

This question should be directed to the Minister for Police, Mr Paul Toole, MP, as it is a matter for the NSW Police Force.

**CUSTODIAL STRIP SEARCHES**

In reply to **Ms ABIGAIL BOYD** (17 May 2022).

**The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)**—The Minister provided the following response:

The New South Wales Government agrees with the NSW Ombudsman that body searches should only occur when absolutely necessary, and implemented in the least intrusive way possible.

In the Government's response to the Ombudsman's original 2021 report *Strip searches conducted after an incident at Frank Baxter Youth Justice Centre*, the former Minister for Families and Communities and Disability Services and the former Minister for Corrections acknowledged that body searches should be avoided whenever possible.

I am advised that the removal of incident response options through legislation changes could compromise the security, safety and good order of Youth Justice centres, staff and young people.

Youth Justice and Corrective Services have amended their memorandum of understanding, respective protocols, procedures and staff training to ensure that the least intrusive search method appropriate will be applied on the rare occasion when Corrective Services are called upon to respond to an incident. The default action in these situations will be for Youth Justice staff to implement partially clothed body searches, in accordance with the Youth Justice policy and the Children (Detention Centres) Regulations 2015 <https://legislation.nsw.gov.au/view/html/inforce/current/sl-2015-0474#sec.11A>.

X-ray body scanning is being implemented at Reiby and Cobham youth justice centres. This will replace partially clothed body searches in those two centres - improving security and reducing trauma. Youth Justice intends to implement X-ray body scanning in the remaining centres across New South Wales as soon as possible.

**NEW INTERCITY FLEET**

In reply to **the Hon. JOHN GRAHAM** (17 May 2022).

**The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads)**—The Minister provided the following response:

I met with Minister Tudehope after the press conference had taken place. It was in the afternoon after 2.30 p.m. on Thursday.

**FUTURE TRANSPORT STRATEGY: TOWARDS 2061**

In reply to **the Hon. ROSE JACKSON** (18 May 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 Future Transport Strategy: Towards 2061 report is a best practice outcome of reviewing long-term strategic documents every five years. This is a standard practice across Transport for NSW.

*Written Answers to Supplementary Questions***ARTHUR PHILLIP HIGH SCHOOL**

In reply to **the Hon. COURTNEY HOUSSOS** (19 May 2022).

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

Arthur Phillip High School has six lifts. When a call-out has been initiated due to a technical failure, this has generally only impacted one lift at a time and 39 out of 44 repairs have been resolved on the same day. One repair was resolved on the next day. One repair was resolved in three days. Three repairs required a major component to be replaced with longer wait times experienced due to supply chain issues associated with the COVID-19 pandemic.

School name	Lift number	Date
1. Arthur Phillip High School	Lift 4	29/01/2020
2. Arthur Phillip High School	Lift 5	29/01/2020
3. Arthur Phillip High School	Lift 5	5/02/2020
4. Arthur Phillip High School	Lift 1	5/02/2020

5. Arthur Phillip High School	Lift 5	13/02/2020
6. Arthur Phillip High School	Lift 5	12/03/2020
7. Arthur Phillip High School	Lift 5	17/03/2020
8. Arthur Phillip High School	Lift 5	17/03/2020
9. Arthur Phillip High School	Lift 1	23/04/2020
10. Arthur Phillip High School	Lift 6	4/05/2020
11. Arthur Phillip High School	Lift 3	19/05/2020
12. Arthur Phillip High School	Lift 3	2/06/2020
13. Arthur Phillip High School	Lift 6	9/06/2020
14. Arthur Phillip High School	Lift 1-6	9/06/2020
15. Arthur Phillip High School	Lift 4	10/06/2020
16. Arthur Phillip High School	Lift 6	10/06/2020
17. Arthur Phillip High School	Lift 5	12/06/2020
18. Arthur Phillip High School	Lift 3	19/06/2020
19. Arthur Phillip High School	Lift 3	24/06/2020
20. Arthur Phillip High School	Lift 6	29/06/2020
21. Arthur Phillip High School	Lift 3	4/08/2020
22. Arthur Phillip High School	Lift 3	10/08/2020
23. Arthur Phillip High School	Lift 3	21/08/2020
24. Arthur Phillip High School	Lift 6	25/08/2020
25. Arthur Phillip High School	Lift 6	31/08/2020
26. Arthur Phillip High School	Lift 1	7/09/2020
27. Arthur Phillip High School	Lift 1	2/09/2020
28. Arthur Phillip High School	Outside button broken	27/10/2020
29. Arthur Phillip High School	Lift 3	12/11/2020
30. Arthur Phillip High School	Lift 5	26/11/2020
31. Arthur Phillip High School	Lift 1	3/12/2020
32. Arthur Phillip High School	Lift 4	25/05/2021
33. Arthur Phillip High School	Lift 6	26/05/2021
34. Arthur Phillip High School	Lift 3	9/06/2021
35. Arthur Phillip High School	Lift 2	4/08/2021
36. Arthur Phillip High School	Lift 2 and 3	29/09/2021
37. Arthur Phillip High School	Lift 6	15/10/2021
38. Arthur Phillip High School	Lift 5	4/02/2022
39. Arthur Phillip High School	Lift 6	18/02/2022
40. Arthur Phillip High School	Lift 4	3/03/2022
41. Arthur Phillip High School	Lift 5	16/03/2022
42. Arthur Phillip High School	Lift 1	6/04/2022
43. Arthur Phillip High School	Lift 1 and 6	7/04/2022
44. Arthur Phillip High School	Lift 1	5/05/2022

*Bills*

**WORK HEALTH AND SAFETY AMENDMENT (INDUSTRIAL MANSLAUGHTER) BILL 2021**

**Messages**

**The PRESIDENT:** I report the receipt of a message from the Legislative Assembly informing the Legislative Council that six months have elapsed since the introduction of the Work Health and Safety



Amendment (Industrial Manslaughter) Bill 2021. In accordance with Standing Order 105 (3), the order of the day for the bill has lapsed.

*Committees*

**PORTFOLIO COMMITTEE NO. 3 - EDUCATION**

**Report and Government Response**

**Debate resumed from 16 February 2022.**

**The Hon. MARK LATHAM (17:35):** Portfolio Committee No. 3 – Education produced a very good report entitled *Future development of the NSW tertiary education sector*, and I note the President was deputy chair of the committee at the time of the inquiry. I acknowledge in the Chamber committee members the Hon. Courtney Houssos, the Hon. Anthony D'Adam and the Hon. Scott Farlow, who was going to contribute to debate. The committee worked hard on the report in a rare look for the Parliament on an anomaly: Even though our tertiary education sector is overwhelmingly funded by the Commonwealth, the State Parliament still has legislative responsibility for university institutions. As was raised at one time during COVID, technically, if any of the universities went belly up financially—that is, bankrupted—the State Government would take over their assets, land and other holdings. We still have an important responsibility for those universities.

The report shone a light on several of the problems and challenges. There was a range of views around the committee, but we covered most of the issues. The most pressing issue was that universities like the University of Sydney and the University of New South Wales have Chinese student income accounting for nearly 30 per cent of their overall revenue. That money has been used for empire building. It could have been put into enhancing domestic student teaching and support services or making higher education more affordable and accessible by reducing student debt, opening up lower socio-economic access to our universities. But, essentially, the universities have cashed in on the overseas student income and put it into their research complement, building up their international reputation without any guaranteed return to the taxpayer through those research empires.

It is an important issue for a number of reasons. One is obviously Australia's deteriorating relationship with China and the national security concerns therein, but another is basic financial management. Would not one want to diversify one's income sources? COVID showed us that when Chinese and other overseas income dried up, the universities had to fall back on Federal and State Government support way beyond earlier expectations. An important recommendation of the committee is that universities diversify their revenue base. At the time of the report, the Minister responsible was Mr Geoff Lee, but since then the Government has upgraded its ministerial arrangements within the portfolio of Skills and Training to have a greater focus on universities, employment creation and links to other State Government investments. The new Minister, Mr Alister Henskens, is doing a very good job in that regard.

I urge him to have a fresh look at our report and the recommendations and, in particular, to fund as much as possible best-practice conversion in the universities from pure theory and research into the development of products and jobs. When we talk about research and development [R&D], the big challenge for any university is to make that leap from pure research into the development of products, jobs and economic advantage. That is the best use of limited State funds. I am sure the Minister would support recommendation 5, which states:

That the NSW Government develop a model of precinct or 'industry cluster' planning to maximise the potential of its education, health, transport and regional development investments linked to universities, TAFE and private tertiary providers.

That cluster model is the best way of maximising economic growth. If one is funding the best practice initiatives in R&D, one is maximising jobs in New South Wales. The committee also examined one of the innovations of this Government that has been a great success, the country university centres [CUCs], which I know the Minister for Regional Health is committed to, along with other members of the National Party. The Minister has an abiding interest in the CUCs, which have been a very fine success.

Recommendation 17 calls on the Government to prioritise support for the CUCs, which are managed very well from top to bottom, to engage with the CUCs to determine where future centres should be located, and support them to provide career guidance and advisory services. In an era when we are expecting mass access to universities, not every country town can have a university campus so the CUCs have done tremendous work in providing university access, particularly for mature-age students—those who might be the first family member to access higher education. The CUCs really have been a good innovation.

I do not know if the Labor Party is opposing it or supporting it, but I found the committee members were very supportive. The former Federal Government was supportive, and hopefully that will continue with the new education Minister, Jason Clare. In today's public policies it is not often we see innovation that has actually worked. I believe the CUCs have been a stand-out among the higher education investments by the New South

Wales Government. Recommendation 21 calls on the New South Wales Government to engage with universities to make sure universities diversify their revenue base. Recommendation 23 calls for greater transparency and calls on the Government to beef up the powers of the New South Wales Auditor-General, who is doing very good job in a range of areas, to make sure that we have better data about overseas students and income sources.

Recommendation 36 is also important to ensure that universities do not run their own kangaroo court processes about allegations of sexual assault and harassment. We have an established criminal justice system in New South Wales. The Government funds that to the tune of billions of dollars and is always trying to improve it. That must be the first point of justice in dealing with that occurrence on university campuses or on the way to universities by public transport. Finally, recommendation 38 calls on the State Government to consider legislation that responds to the findings and recommendations of the Federal Joint Committee on Intelligence and Security, which inquired into the national security risks affecting the Australian higher education and research sector.

There has been a lot of concern about Chinese infiltration into our universities by inappropriate funding and reliance on those income sources based on the theory of diversifying. We must make sure that our national security is always protected. It is a pretty good report. I do not think Minister Lee necessarily took it seriously, as he should have, but I hope that the new Minister, Alistair Henskens, who has brought greater dedication to visiting university campuses, and who I think has been better received in the university sector, will pick up many of these recommendations and add them to his policy suite.

**The Hon. MARK BUTTIGIEG (17:42):** The committee's report made various recommendations concerning issues that have been the cause of recent industrial action taken by members of the National Tertiary Education Union [NTEU]. Union members have been striking and picketing over the insecure nature of their employment and the inadequate pay increases being unable to keep pace with inflation, as well as the fact that they are experiencing chronic work overload. I reiterate my support for university staff around the State who have been striking for better pay and conditions. I commend the NTEU, which has been fighting for improved conditions and wages. University staff are chronically overworked and need to be paid fairly. They should also have job security with adequate protections. Those workers deserve fair pay and conditions. The question is: What can the New South Wales Parliament do?

In terms of control and oversight responsibilities of the New South Wales Parliament, notwithstanding that universities by and large are federally funded, as my colleague the Hon. Mark Latham pointed out, I take members to item 1.1 of the report, which points out while the Federal Government is the main provider of funding for New South Wales universities, the New South Wales Government nevertheless plays a significant role in oversight, coordination and facilitation of the development of the State's tertiary education sector. The committee's inquiry investigated the levers that the New South Wales Government could better use to support the transparent operations and public benefit of higher education and advocate on issues that fall within the Australian Government. Item 1.2 of the report points out that the New South Wales Government is responsible for administering the legislative responsibilities of the State's public universities as well as ensuring ongoing engagement with the New South Wales Vice-Chancellors' Committee, other States, Territories and the Commonwealth Government on policy and implementation issues.

Universities are also the recipients of considerable tax exemptions. At the State level, that includes a legislative exemption from stamp duty, which is expressly exempted in the legislation under which each university operates: for instance, section 29A of the University of Sydney Act 1989, section 21A of the University of New South Wales Act 1989, and section 22A of the University of Technology Sydney Act 1989. Other exemptions arise from the charitable status of universities. Universities are registered charities with the Australian Charities and Not-for-profits Commission. Universities are exempt from transfer duty, stamp duty, major tax expenditures, general insurance duty, motor vehicle stamp duty, payroll tax, land tax and parking space levies. At item 2.31 the report states:

In June 2020, the Treasurer announced the NSW Government's Loan Guarantee Scheme, which offers commercial loan guarantees to universities valued at up to a total \$750 million. The Treasurer has stated that universities applying for loan guarantees will be asked to show how they intend to restructure university operations to make them more sustainable.

New South Wales has significant legislative responsibility for the State's universities at a not insignificant cost imposed to the State budget in the form of tax and levy exemptions. The problem is that the State does not have a commensurate line of sight over our universities. This is one of the issues that the report went to. It is an issue in which I am particularly interested, given the context to which I referred earlier about wage disparities, inequities and the lack of transparency over full-time equivalent positions and casualisation of the workforce.

Thus there is a compelling argument for direct accountability and oversight by the New South Wales Parliament in a sector that is not only a major employer in New South Wales but also provides a major source of income and economic growth and, perhaps most importantly, determines the future development of this State and the nation via that most crucial of public goods, higher education. I turn now to the matters of concern over the

university sector raised by university employees and their union, and how the report reflected on those issues. This issue has been well canvassed over the past weeks and months and prosecuted by the Opposition in this Chamber, so members will be aware that the cost of living has skyrocketed with inflation currently at 5.1 per cent—the highest rate in two decades.

Wages simply have not kept pace with inflation. Workers have experienced huge pay cuts as real wages have declined. The average pay rise for university staff across New South Wales has been only 2 per cent. In effect, university staff have received a real wage cut of some 3 per cent. Even as I speak today, the staff of the Western Sydney University were on strike for a decent pay rise. The university's current pay offer is 2 per cent, which is well below the inflation rate of 5.1 per cent at a time when that university posted a surplus of \$143 million and senior university staff earn over \$1 million salaries. I take the House to item 2.30, which is worth quoting:

The vast disparity between the salaries paid to senior university administrators and the casual and insecure payments made to so many of the staff who actually conduct the teaching and research in universities is a matter of real concern to the committee. If the role of universities is to create new knowledge and disseminate that knowledge to students then the people who do this critical work need to be valued and respected. The current system that sees University Vice Chancellors paid 25 or thirty times more than many of the people undertaking the core work of universities must be reviewed and the failure to do this by the governing bodies of universities is evidence of a failure of leadership. This is a matter that should be reviewed by the Auditor-General.

At paragraph 2.22, the report states:

During his evidence to the committee, Mr Troy Wright, Branch Assistant Secretary of the Community and Public Sector Union NSW, contended that the financial crisis experienced by universities was worsened by the Federal Government's refusal to allow universities to access wage-subsidies through the JobKeeper program.

At paragraph 2.24, the report states:

The committee notes that private tertiary education providers are eligible for JobKeeper subsidies. In answers to questions on notice, Alphacrucis advised the committee that as a private organisation and registered charity that experienced a 15 per cent loss in turnover, it was eligible for the JobKeeper payments. By the end of August 2020, it had received a JobKeeper subsidy of \$2,151,000 for 438 staff. However, Alphacrucis noted that private providers are not eligible for other government funding supports that universities may be entitled to.

The report states further:

**2.25** A significant consequence of the COVID-19 pandemic has been the large number of job losses and redundancies in the university sector. The scale of the changes to the employment profiles of universities in NSW has focused attention on the disparity between the salaries of senior university administrators and other university staff. Many of the Vice-Chancellors who appeared before the committee declined to provide their salary levels to the committee on the basis that the data would be publicly available in annual reports, however Professor Ian Jacobs from UNSW advised that he earns \$1.28 million per annum. Like many senior university administrators, Professor Jacobs is taking a 20 per cent salary reduction to assist with financial management of the pandemic's impact.

**2.26** When asked about his salary, Dr Michael Spence from the University of Sydney, said that:

'The University of Sydney is arguably the highest paying university in Australia in what is on average the highest paying university system in the world. When we were looking at the issue of potential salary reductions for COVID-19, we identified the 247 academic staff who were paid more than a quarter of a million dollars a year and the 45 administrators who were paid more than a quarter of a million dollars a year, so there is a lot of mythology around the notion that academics in Australia are underpaid.'

These are senior academics. The quote goes on:

'In fact, this is a generously paying system. That said, Australian vice-chancellors are very generously paid.'

During the inquiry, the committee heard evidence of the increasing levels of insecure employment.

I seek an extension of time.

**Leave granted.**

**The Hon. MARK BUTTIGIEG:** There are two aspects: the large disparity in wages where vice-chancellors and senior staff are paid millions of dollars while people who deliver the academic tuition at the coalface of service delivery cannot get a wage increase that keeps up with inflation. There is the spectre of insecure work through a casualised workforce that was opportunistically used during the pandemic to further outsource work and increase the insecurity of that employment. At paragraph 2.20 the report states:

During the inquiry, the committee heard evidence of the increasing levels of insecure employment through casual or contract-based university employment. Dr Cahill from the NTEU argued that universities have:

'... been exposed to significant market-based risks and one of the chief tools they have used to address this risk is to rely increasingly on insecure forms of work. Casual and fixed-term employees now comprise about two-thirds of all university workers. The nature of their employment rights means that they can be easily let go and, indeed, they were the first to lose their employment as universities responded to the onset of the pandemic. As the crisis has continued and deepened, ongoing staff have now had their jobs targeted for redundancy. At present universities in New South Wales have announced around 1,300 redundancies ...'

It is clear from the report that there is a high degree of missing and ambiguous data pertaining to the actual number of casuals in the workforce versus those who are employed full-time. The same can be said in respect of available data on the salary of senior staff. Given the legislative responsibility of the Government over universities in New South Wales and the financial relief provided in the State budget, it is imperative that recommendations in the report pertaining to those issues are implemented. There are recommendations which ask for specific reporting and transparency around the issues I have canvassed. Recommendations one, three, seven, 22 and 23 go directly to the issues I have highlighted. I congratulate the members of the committee for doing an excellent job. I commend the report to the House.

**The Hon. COURTNEY HOUSSOS (17:55):** I make a contribution to debate on the *Future development of the NSW tertiary education sector* report. I was a member of the committee. I am a passionate supporter of the university sector in New South Wales. Universities are incredible institutions in the pursuit of knowledge. Being centres of knowledge, they have a transformative effect on the lives of individual students, and they are key drivers for our economy. The university sector is remarkable for the role that education plays in the lives of individual students and for its benefits to the broader economy. It is a key part of the economic success of New South Wales. The COVID pandemic exposed the extent to which the sector has been underfunded by the Federal Government for such a long period. The committee heard evidence about the lack of Federal Government funding and the way it has been eroded over time. International students have been forced to fill that growing hole. It is commonly known that one of our key exports is international education, which is fantastic.

The committee heard plenty of evidence during the inquiry about how great it is for students who come here. It is fantastic for Australia's role in the region. It is great because we benefit from the cultural exchanges that occur with international students. Often those students stay, which is also fantastic. During the pandemic we saw how much this fantastic export has been underpinning the role of funding for our universities. It has underpinned our domestic undergraduates and our postgraduates. Concerningly it has also been underpinning our research and development, which is a key part of what universities need to do. That cross-subsidisation has occurred and I do not blame the universities; it is clear they saw an opportunity. The pandemic exposed the extent to which that has been occurring within our universities.

The worst thing was the critical ideological decision by the then Liberal-Nationals Government not to give these important public institutions access to JobKeeper. It was that decision that saw universities suffer huge financial consequences, to the extent that the New South Wales Government stepped in to offer commercial loans. The inquiry found that not many took up those loans. Those important public institutions could have had access to the really fantastic JobKeeper program. The Federal Government made the ideological decision to make it available not to public universities but to private institutions, which was absolutely disgraceful. As was talked about in the inquiry, the Commonwealth remains the primary funder and regulator. It is the position of New South Wales Labor that the Commonwealth should remain the primary funder and regulator of universities in New South Wales. New South Wales does have a role to play, as this Parliament established a number of the universities.

We believe the most important role for New South Wales is to play a greater role in coordinating, particularly in research, and we are seeing that in other States. I facilitated a round table of universities in 2018 well before the inquiry. That was an opportunity to get the universities together. When I told them I wanted to bring them together, a number of them said, "You are not going to be able to get everyone in the same room." We found that by being in the same room and having a conversation, a number of really constructive ways on how the New South Wales Government could assist our higher education sector and tertiary education sector were raised.

I turn now to some of the specific recommendations made by the committee. I pay tribute to the member for Blacktown and former mayor of Blacktown, who has driven the establishment of the Australian Catholic University campus at Blacktown. That will be a fantastic opportunity for students in Blacktown to receive a tertiary education in the heart of their suburb. Blacktown is a growing community, and that is a testament to Mr Stephen Bali's work. He has been the key driver behind the new campus. The committee made some recommendations on how the Government can support that.

The committee also made some recommendations around country university centres. I have visited a number of those. Committee members visited one in Goulburn. I went to the Broken Hill one when I was on other committee business. They are fantastic ways to facilitate tertiary education experiences and provide support, particularly for people who will never leave their communities. A lot of the people we spoke to, particularly in Goulburn, talked about how they were the first in their family to go to university; they would not leave to go to university. My only hesitation with country university centres, as I have stated publicly, is that we cannot expect all country kids to stay at home to go to university. Plenty of country kids, myself included, leave the country to study at university, and we should continue to encourage that. Country university centres have a role to play, but

they should not be the only university education available to rural and regional kids. It is really important that we continue to support kids if they want to move away and pursue higher education.

I reiterate my concerns raised in the report around the increasing casualisation of university staff. That was outlined in great detail by the Hon. Mark Buttigieg, and I concur with his comments. The casualisation of university staff is a concerning development in the way universities are being run. They need a clear and permanent workforce. While there will always be the need for visiting academics or current practitioners to go back to university to teach, the backbone of universities has to be a permanent workforce. Labor supports the transparency measures around staffing numbers, finances and international student figures. We particularly support giving the Auditor-General powers to appropriately audit universities. That is a really important step the Parliament can take for our universities.

I am a huge supporter of better coordination of the Higher Education Participation and Partnerships Program funding. We often say that a person cannot be what they cannot see. That program is designed to go into schools and allow students to understand what studying at university would be like. It is incredibly important, but we need better coordination to make sure that universities are not missing schools. It is really important that kids have the ability to see where they can go. Labor members agreed with large parts of the report. We did not support recommendations 36 and 37 relating to the procedures for dealing with sexual assault on campus. I have spoken many times in this Chamber about my incredible time living on campus at the University of New South Wales. I feel very fortunate.

**The Hon. Sarah Mitchell:** Hear, hear!

**The Hon. COURTNEY HOUSSOS:** I acknowledge my colleague who was at the Kensington Colleges at the same time. I spoke about it in my inaugural speech. I made lifelong friends there, as I know the education Minister did. It was where I got involved in politics. For a country kid moving to the city, the ready-made network of support made my transition to living in the city successful. When I saw other kids like me who did not have that support network, they struggled and some of them went home. I make that point because I have read and heard enough to know that the Hon. Sarah Mitchell's and my very positive experiences are not universal. I am absolutely horrified by some of the stories I have heard.

We must ensure that university campuses and colleges do everything they can to provide a safe, welcoming and supportive environment for students and that they have appropriate policies and procedures in place for when a complaint needs to be made or behaviour needs to be addressed. It is a very complex and contentious area. The committee did not receive a lot of evidence on the issue, particularly around the Broderick report and its implementation with the Human Rights Commission. That is why Labor members dissented on those particular recommendations. With those remarks, I commend the report to the House. Universities need more support and coordination. They are a fantastic institution and great drivers behind the New South Wales economy. More support and coordination from the New South Wales Government is very much welcome.

**The Hon. ANTHONY D'ADAM (18:05):** I contribute to the take-note debate on the report entitled *Future development of the NSW tertiary education sector*. Despite the report being tabled some time ago, it is interesting that many of the recommendations and issues canvassed in it still have significant currency. The key driver for initiating the inquiry was COVID's impact on overseas student enrolments at universities. The COVID-19 pandemic exposed the very significant dependence of the sector on overseas students' enrolments and the precarious financial position that created for significant contributors to economic activity in this State. The report highlights a number of issues.

One of the terms of reference was to look at the mission of the university sector. I am a great believer in a particular organisational school of thought called the resource theory of organisations. The basic guts of that proposition is that where an organisation derives its resources drives its focus and approach to its work. That is a very accurate description in many organisations I have had experience with. Where the money comes from is where the attention goes. One of the problems with the higher education sector is that as the reliance on international student income has grown, the focus of universities has moved in that direction to maximise that income stream, which has been to the detriment of other elements of the social mission that society has for its higher education sector. Higher education should primarily serve the interests of our community and not necessarily serve a wholly commercial purpose, which is increasingly happening to the sector.

My colleague referred to the rise in insecure employment, which is a direct product of the commercialisation of the university sector. Vice-chancellor salaries are a symptom of an increasingly commercial mindset that has emerged in the higher education sector and that is distorting its mission from serving our community. Employment is a major problem. The increasingly tenuous financial positions of universities have raised staffing pressures. The ongoing issue of disputation and the recent strike action occurring at a number of universities are coming to the fore as the commercial agendas of the universities come into conflict with the

long-term aspirations of the staff for tenure. We have lost the commitment in the universities sector to long-term academic tenure. It has been a fundamental of our university system that academics should be able to have secure employment so that they are able to exercise the academic freedoms that we believe are critical to having a system that is constructive and able to make a critical contribution to the operation of society.

One of the terms of reference that was an area of focus for the committee was the question of campus life and the student experience. When I was at university the campus life was very full and dynamic, and that was part of the overall learning experience. Many of the skills that I use in my life now are skills that I derived not through the formal curriculum delivered in lectures and tutorials but in the dynamics that I was exposed to and from the type of culture that existed on the campus that I attended. But as the commercial focus of universities has changed, the focus has been on the delivery of the content, to the detriment of campus life. With the shift to online learning, there has certainly been an increasing reliance on the online delivery of courses, primarily because it is cheaper. Lecturers can prerecord lectures, so they do not need as much lecture space and the like. They can deliver to more students more often. There is a cost benefit for the university, but that obviously diminishes the time that students spend on campus. That ultimately erodes the intangible element of the university experience, which is critical to the functioning of universities and certainly how I believe they should operate.

Members touched on the use of vertical universities as part of campus expansions or relocations that some universities are engaging in. That highlights the problem of the instrumental focus of the higher education sector. There is something to having proper, expansive campuses where students can mill around as opposed to them congregating in giant office blocks in CBDs, suburban areas or the Sydney CBD. We should rightly be concerned about that. Coming back to the primary scope of the State Government in the sector—and previous speakers have indicated that higher education is predominantly funded by the Commonwealth Government—and the shift in approach to the mission of universities, there is a critical function for the State Government, as the institutions are created by New South Wales statute and their governance arrangements are driven by State Government discretion.

Many of the appointments to university governing bodies are determined at a State Government level. There is a critical role for the State Government to evaluate whether the appointments that it makes to university governing boards are driving the commercialisation imperative and causing universities to shift away from the type of focus that is more inclined towards serving the best interests of the New South Wales community. It is a very good report. I commend the committee Chair and thank my colleagues who participated in the inquiry.

**The Hon. SCOTT FARLOW (18:13):** I take note of the Portfolio Committee No. 3 - Education report, which was chaired by the Hon. Mark Latham. As the Hon. Anthony D'Adam touched on, the inquiry came about at the onset of COVID, when the impact that COVID was having on our international students and, in particular, our universities sector was very clear. With that impact, there was a view that we had an over-reliance on international students in our tertiary education sector, and the committee was concerned with how we could look to change the focus of the sector and what the Government could do to not only support it but, more importantly, to also support the outcome of students.

The report made, I think, about 38 recommendations in all, so it is a fairly comprehensive report. One part of the commentary that I was concerned about was the impact of international students and that source of revenue, and the impact that had on what universities may be teaching or the influence that could be brought to bear from foreign governments on our tertiary sector. We heard evidence from Salvatore Babones from the University of Sydney, who is critical of this issue and its potential. But, in questioning him about some of the instances that he had seen, he offered no evidence of it in New South Wales, which all members of the House should be comforted by. He told the committee explicitly that when it came to New South Wales and, in particular, his institution of the University of Sydney, academic freedom was very strong. He pointed to the fact that he could appear before the committee, talking on the concerns that he had, and he received no criticism from his university about that. That is a very good thing for our education sector and heartening for all members.

Of course, the committee did not just focus on the traditional sandstone universities; it also focused on the role that regional universities have in New South Wales. We heard that they have a very different source revenue regarding international students. Some were at less than 25 per cent, compared with some universities whose revenue figures were near 50 per cent—particularly, I think, the University of Sydney and the University of New South Wales, whose source revenues from international students were near 50 per cent. The inquiry also looked at Country Universities Centres, which I think are a success story, particularly in being able to deliver first-in-family education and ensuring that people who would never have thought of university were able to get the opportunity to take part in university education. Mr Assistant President, I am sure it would please you to know that committee members went to the Country Universities Centre at Goulburn, which is co-located with the Goulburn TAFE campus. We heard some real-life stories of students who were working full-time in Goulburn who would not have otherwise had the opportunity to go to university.

Online and distance education is something that we are all used to now, and people in the bush have been used to it for many years. What we saw at the Country Universities Centre was a network around students to support them through their education, which could not be provided from online education. Throughout the inquiry we also saw the work of private providers in the space, including Alphacrucis College and its hub model. One of the report's recommendations is that the New South Wales Government supports that model, and the last budget provided support for Alphacrucis to roll out a pilot. Committee members saw the impact of institutions like this, which provide a different form of education that is very much aligned with getting people into teaching with particular institutions, effectively teaching the way that it wants to deliver education in line with the curriculum requirements and how that could be effective in delivering people into the workplace.

As the Hon. Anthony D'Adam reflected on, not having international students has certainly had a broad impact on our economy, which the committee may not have seen when the inquiry started. As the unemployment rate continues to fall as our economy opens up, one of the challenges that remains is the multiplier effect of international students in our universities as well as providing additional labour in our workforce. That has emerged as more of a problem since the inquiry, which, it must be remembered, largely took place after the first lockdown in New South Wales and before the Delta wave. So it was a bit of a different place then.

It was surprising to hear that, with so many universities, a lot of international students were able to be retained during COVID through online course delivery. That was particularly strong in the Chinese source market, but maybe not so much in some other markets where internet access in their home countries may not have been as great, or where they may have been looking for more from their education than just the quality of education and the esteem in which Australian universities are held, particularly universities within New South Wales. A lot of the recommendations that the committee made were reasonable recommendations that the Government certainly looked at.

I note the comments of the Hon. Mark Latham that they may not have been embraced as strongly as he would have liked, but I do think they provided some thought for the Government. The Government did listen and take up the challenge in relation to certain things, like the Alphacrucis hub model that I mentioned before and the country university centres. Despite saying those things, it is not all rosy. We heard some evidence of how the delivery of education was being manipulated somewhat in some places, in particular, the recommendation regarding the International English Language Testing System standard of 7.0 for admission to all university courses. That was one of the areas that required us to advocate to the Federal Government to pick up that challenge and increase it to 7.5 for language-intensive courses to ensure that all students were getting a good quality education. I think that is important, particularly for domestic students who are in courses.

The committee wanted more information on the financial models of universities and financial transparency. We believe that the New South Wales Parliament, which governs universities through legislation—although not funding—should have more information available to it to assess the dependence of universities on foreign source revenue and to see how universities are performing. I know members expressed some concern with the remuneration that occurred with some university campuses, particularly when it came to the top, which we have heard other members ventilate in this debate as well.

When we look at what our universities have gone through, it should be noted that in at least the first year of COVID we saw student revenue falling by 7 per cent. That is about \$250 million in 2020 compared with 2019. The total operating deficit for all consolidated university operations in New South Wales in 2020 was \$50.4 million, down 115 per cent from a \$346.9 million surplus in 2019. Universities have certainly done it tough over the past couple of years. From conversations I had on the weekend with some vice-chancellors, the good news is the university sector is bouncing back—and bouncing back strongly. The opening of borders is helping, but some countries are a little bit slower to recover in terms of their return to the country when it comes to international education.

Although our universities are well placed in their global reputation, they have lost ground internationally during this time. The United Kingdom and Canadian markets in particular, where borders were not closed, have moved ahead in recent years. Universities in New South Wales and Australia still have a task ahead to recover from the COVID-19 pandemic to bring back international students and to support our educational institutions and our broader economy as well. I commend the report to the House. I commend the Government for acting on some parts of the report that were certainly of interest to members, and I thank the Hon. Mark Latham for his stewardship of the inquiry.

**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****Reports**

**Debate on *Budget Process for Independent Oversight Bodies and the Parliament of New South Wales* called on and adjourned.**

**PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT****Reports**

**Debate resumed from 18 March 2021.**

**Ms CATE FAEHRMANN (18:24):** As Chair of Portfolio Committee No. 7 – Planning and Environment, I speak in debate on the report entitled *Rationale for, and impacts of, new dams and other water infrastructure in NSW: Part 1*. The impetus for this report seems a long time ago—well before the devastating floods that hit New South Wales. The report was handed down on 18 March 2021 and the Government response in September 2021. Dams are still on the agenda, or they are not on the agenda—who knows whether they are on the agenda—but the dams that were the subject of this inquiry, Wyangala and Dungowan, are certainly being talked about. Just recently the Government said that Mole River Dam was no longer being considered and, as we know, Infrastructure NSW recently suggested in its State Infrastructure Strategy update that the need for Wyangala and Dungowan dams potentially be reassessed, as well as the time frame if they are needed.

In late 2019 many regional towns were experiencing severe drought; they were approaching day zero. Tamworth, Dubbo, Orange and Bathurst had less than 10 months' town water supply. Cobar, Tenterfield, Nyngan and Bourke had less than six. That history is to remember when these projects were announced and why. On 13 October 2019 the Commonwealth and State governments announced \$1 billion in joint funding towards the projects that are the subject of this report—Wyangala, Dungowan and Mole River dams—plus a few others. Former Deputy Premier John Barilaro said at the time that he was confident that in the next 12 to 15 months we would see the bulldozers on the ground.

In November 2019 then water Minister, Melinda Pavey, introduced the New South Wales Water Supply (Critical Needs) Bill in order to designate those dam projects that were on the agenda as State significant infrastructure, arguing that a temporary pathway was urgently needed to authorise the dams during a time of unprecedented drought. That was all done with no business case or rationale for the projects other than announcements by the National Party. The Minister was also pushing ahead with the disastrous Menindee Lakes water savings project to recover water and, as she said, to meet commitments under the Murray-Darling Basin Plan.

There was significant community concern at the time that none of those projects had anything to do with water security and that they were announced by both the State and Commonwealth National Party Ministers based on no business case with no benefits for the community. We were also hearing from a lot of community members that they were fearful that the projects were, in fact, being thought up to secure certain National Party electorates as well as to give certain corporate irrigators what they were after. In response to community concerns about the way in which the dams had been announced, we launched this inquiry. We examined six water infrastructure projects: the Wyangala Dam wall raising project, the Mole River Dam project, the Dungowan Dam project, the Macquarie River re-regulating storage project, the Menindee Lakes Water Saving Project and the Western Weirs project.

Because of the magnitude of those projects, the committee agreed to look at Wyangala Dam and to issue a first report—Part 1—just on Wyangala Dam, which I am speaking to now. I recognise that time will cut me off, so I will come back to this during the next committee debate. As Chair of this inquiry, I thank the other members of the committee. We heard from many excellent water scientists, local farmers, floodplain graziers, First Nations representatives, local councillors, environmentalists and other stakeholders. We heard from farming families who had already started the conversations or had been approached by WaterNSW or the Government regarding acquisition of their property. They were incredibly concerned. That was in relation to Myall River and Dungowan Dam, but Myall River in particular.

After hearing from the witnesses I was absolutely convinced that the project to raise the wall for Wyangala Dam was unjustified and environmentally devastating and had issues with water security. The Wyangala Dam wall-raising project sought to address water security issues in the Lachlan Valley by increasing the capacity of the dam by 650 gigalitres at a cost of \$650 million to begin with. That is what the Government said. That was the cost when it was first announced.

I will talk about some of the potential impacts on downstream communities from raising the Wyangala Dam wall. Fish ecologists Dr Lee Baumgartner and Professor Martin Mallen-Cooper from the Institute for Land,



Water and Society at Charles Sturt University provided expert and excellent evidence on the fish species of the Murray-Darling Basin and the impact that dams generally have on fish and their habitat. They also spoke very powerfully about the impact of water diversion as a result of large-scale infrastructure.

We also heard about the devastating impacts the project would have on the traditional owners of the Wiradjuri nation, destroying some of their sacred sites and impacting culturally significant landscapes, such as the Great Cambung Swamp. The inquiry undertook a two-day site visit in February 2021, which included a tour and inspection of the Wyangala Dam itself and what would happen with raising the dam wall, as well as a flight over the lower Lachlan region, which included flying over the Great Cambung Swamp. That trip was absolutely incredible. Raising the dam wall would impact the vast network of wonderful wetlands and flood plains.

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

#### *Commemorations*

### **STOLEN GENERATIONS APOLOGY TWENTY-FIFTH ANNIVERSARY**

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

**Reverend the Hon. FRED NILE (20:00):** This is a solemn day that deserves the bipartisan respect and participation that it is getting. As such, I thank both the Minister for Aboriginal Affairs, the Hon. Ben Franklin, and the Leader of the Opposition in the Legislative Council, the Hon. Penny Sharpe, for their speeches earlier today. The parochial mindset of white Australian governments earlier in the colony saw the forced removal of Aboriginal children from their families. The number of stolen Aboriginal children is estimated to have been at least 100,000. This was an attempted cultural and racial genocide of the First Australians. Some children never saw their parents again. Such an atrocity must never be allowed to happen again.

The apology by the State Government 25 years ago was of vital importance to the healing process, as is truth-telling and reconciliation. My earnest prayer is that our Parliament continues to work on righting the wrongs of the past and delivering true justice to the Aboriginal community. Both sides of the Chamber in both Houses and their Federal counterparts have made positive steps to achieve this. I was pleased by the decision of the New South Wales Government to provide compensation to survivors of the Stolen Generations from 1 July 2017 to 30 June 2022.

As part of that package, the Government also provided funding for a healing fund that is being used for healing centres, memorials and other memorial places. Part of the healing and reconciliation process is establishing a legislative framework towards Indigenous self-determination. The needs of the First Nations are best understood by their own community and best delivered by their respectful partnerships between knowledge holders in the community and the Government. I finish my speech with a poem by legendary Gunditjmara and Bundjalung musician Archie Roach:

This story's right, this story's true  
I would not tell lies to you  
Like the promises they did not keep  
And how they fenced us in like sheep.  
Said to us come take our hand  
Sent us off to mission land.  
Taught us to read, to write and pray  
Then they took the children away,  
Took the children away,  
The children away.  
Snatched from their mother's breast  
Said this is for the best  
Took them away.

I am very pleased that this recognition of the Stolen Generations is occurring in the Parliament, particularly in this Chamber.

**The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (20:04):** I am pleased to make a contribution to this very important motion. I acknowledge my friend and colleague the Hon. Ben Franklin, who, as the Minister for Aboriginal Affairs, has moved an important motion recognising the apology made to Aboriginal people by this Parliament 25 years ago. It is also important as we do so in this debate that we acknowledge the injustices that continue to be faced by Aboriginal people in New South Wales now, and that is as important now as it was back in 1997.

But I also acknowledge that the apology 25 years ago has been followed by many commitments as well as many achievements by successive governments and Ministers in New South Wales over the past 25 years. Those commitments and achievements have been across political lines, and that should be acknowledged, but as a

Parliament we collectively acknowledge that more needs to be done. From my own perspective, I have been really proud to champion some of the efforts under this Government towards effective recognition as a member of the Legislative Council, a former Minister for Aboriginal Affairs and in my current role as education Minister.

I will touch on three things in my contribution. The first is the fact that I had the privilege—along with the Hon. Ben Franklin, the Hon. Natasha Maclaren-Jones and, indeed, other members in this House—to be a member of the committee that looked into reparations for the Stolen Generations, and the report was entitled *Unfinished Business*. It is not untrue for me to say that it really was a life-changing experience to be a member of that committee. For those of us who were part of that committee inquiry, to visit the sites of many of the former children's homes was an experience that will stay with us for life. We learned things on those trips that we can never and should never forget.

We had the privilege to know and to work with so many of those survivors, who opened their hearts up to us. They shared stories of pain. They shared stories of suffering and of unspeakable childhoods that no child should ever have to go through. It was incredibly humbling to be able to work with them. To make it clear, as members of the committee and as members in this place, we saw the need for reparations, to reawaken language and to see real and lasting recognition for the Stolen Generations. That report was very important to all of us who served on that committee. I did not know at the time, but it would also go on to become a big part of the work that I would do as a Minister.

As I said, I feel extremely privileged to have held the role of Minister for Aboriginal Affairs for just over two years, from January 2017 through to April 2019. I will say, hand on heart, that I met some of the best people I have ever known in my life while I had that role. I am sure that is something that the Hon. Ben Franklin would also attest to in his time in that portfolio. The reparations for the Stolen Generations was, of course, a big part of our committee work, and it was a big part of that recognition in the apology. I was really proud to be the Minister who delivered that, recognising that I was following in the footsteps of others and I was fortunate to just be in the position at that time.

The reparations are a scheme that delivers *ex gratia* payments of \$75,000 to the living Stolen Generations survivors, who were removed from their families and committed to the care of the NSW Aborigines Protection/Welfare Board. It is a payment made in recognition of the harm that those removals caused. The recipients of the scheme can also request a personal apology from a representative of the Government. In my experience, I know that that program has meant a lot to so many people. We all know that no amount of money can ever compensate, but what it can do and what it has proven to have done in New South Wales is recognise the pain, the suffering and the trauma.

As the Minister for Aboriginal Affairs, I vividly remember sitting at my desk upstairs in this very Parliament, knowing full well the history of this place and how far we have come over the years. I was reading people's stories as part of their applications where they were sharing some of the most horrific and most traumatic experiences you could ever imagine. Being able to sign off on those applications—and having those people then tell me the difference that it made for their families in their healing and the emotional impact of getting that personal apology from a representative of the New South Wales Government—was incredibly profound. It is making a difference. It was certainly about time that those reparations were delivered, and many members of the Stolen Generations have been able to access that support.

I must also acknowledge languages, and I particularly recognise the very clear message around languages lost from the committee's work in the inquiry. Again, we heard members of the Stolen Generations talk to us about members of their family being imprisoned for speaking in language, and the way that really so much was lost and needed to be reawakened when it came to language. I was fortunate to be involved in that during my time as Minister for Aboriginal Affairs, but I acknowledge my predecessor, the Hon. Leslie Williams, who started work in the Aboriginal languages space.

In 2017 this Chamber passed legislation to formally acknowledge that Aboriginal languages are part of the culture and identity of Aboriginal people. We established the Aboriginal Languages Trust and we also put together a strategic plan for the growth and development of Aboriginal languages. The passage of that legislation in this place on that day was momentous. I encourage any member of this Chamber who was not a member then to look at the *Hansard* or get a copy of the video of that day. For those of us who were members at that time, it made us acutely aware of the reason why we want to be here every day: to make lives better for our Aboriginal brothers and sisters who have been through so much trauma and pain. As members would remember, on that day we saw Aboriginal Elders be the first non-members to stand in this Chamber. Dr Ray Kelly addressed us in Dhungutti language. He also spoke in the second reading debate, the first time a non-member has ever done so in the hundreds of years of this Chamber's history. It was very significant and extremely powerful.

I also acknowledge the message stick, which I note is sitting on the table near the Clerks. I mention Aunty Irene Harrington, who was one of Elders who participated in the ceremony the day the Aboriginal Languages Bill 2017 was introduced to this place. She spoke in Bundjalung, the first language of the far North Coast of New South Wales. On that day she also very kindly presented to me the message stick that was used in the ceremony. It was created by her grandson and gifted to the upper House. The message stick embodies not just the Bundjalung culture but the journey of renewal of Aboriginal languages. At the time I expressed my gratitude to Aunty Irene for the message stick and for her leadership in the reawakening of the Bundjalung language. I also acknowledged why it is important. I said in *Hansard* at the time:

Message sticks have been used by first peoples for thousands of years to communicate between nations and within clans, to share good news, to welcome and to pass on information. They were carried on long journeys and passed through generations. They are physical manifestations of the languages that this bill seeks to acknowledge, nurture and grow.

I call out the Hon. Mick Veitch and former President Ajaka. The permanent display of the message stick in the Chamber, in a cabinet that all members pass every day when they enter this place, is a significant reminder to all of us of the two-way ongoing dialogue between the Aboriginal community and this Parliament. In 2018 this House resolved that not only would it be on permanent display but it would also be part of important ceremonial occasions, such as the opening of Parliament, or that it be placed on the table, as it is today, during important debates that are relevant to Aboriginal people right across New South Wales. The intention was that the message stick would not only become an important part of this House, which I am pleased to say it now is, but also be a constant reminder to all members of our commitment to the First Peoples of New South Wales.

Lastly, I will briefly touch on education. To be education Minister is an incredible honour and privilege, and I have an important role when it comes to Closing the Gap. I work closely with the Hon. Ben Franklin and our amazing partners in the NSW Aboriginal Education Consultative Group and the Coalition of Aboriginal Peak Organisations. Education is a critical enabler for Aboriginal students. It is the best way that we can help with a lot of the issues regarding Closing the Gap. It was a key theme that was raised with me during my time in the Aboriginal Affairs portfolio, but it is also consistently raised with me as Minister for Education and Early Learning. There is no doubt that Elders and members of the Aboriginal community can see the benefit of education that is culturally respectful, engages our Aboriginal students and sets them up for every success in life from birth.

I will continue to champion things such as our Ninganah No More program, which helps young Aboriginal students and other learners in our early childhood centres to learn and embrace Aboriginal language. When I went to preschool and primary school in Gunnedah we did not talk about the local Gamilaraay people. We did not speak an Aboriginal language. I would not have had any idea about that. Although I probably seem quite old, we are only talking about the eighties and nineties. Now my kids, who are eight and four years old, are at the same primary school and a local preschool. They learn words in language. Elders come in and they are part of it. The kids really start to understand that culture as non-Aboriginal students and there is respect, recognition and pride. I love it when my kids talk to me in Gamilaraay. Often they have conversations that I cannot understand—maybe that is the reason why they like doing it. It is so wonderful to see that change within a generation.

These are all key parts of how we embrace culture, and also how we support our Aboriginal students and early childhood littlest learners. We will continue to do this work. We acknowledge that we have a long way to go. However, today's anniversary and this debate is giving members an opportunity to acknowledge the intergenerational trauma and deep-seated agony that many people have gone through. They are giving us an opportunity to reaffirm our hope and the ongoing commitment of this Government and all members in this Chamber—I know this is very much a bipartisan position—to reconciliation, recognition and Closing the Gap, and to ensuring that we never, ever forget.

**The Hon. SHAOQUETT MOSELMANE (20:15):** I acknowledge the traditional owners of this land and pay my respects to their Elders past and present. I thank all involved in today's ceremony and those behind the scenes for making it such a success. I thank the Hon. Bob Carr for his vision and for his 18 June 1997 apology in response to the national inquiry into the Stolen Generations. Some 25 years later we are together again to commemorate the historic event, with more than 50 members of the Stolen Generations at the New South Wales Parliament. It has provided us all with an opportunity to once again shine the light on a period of cruelty Australia must never witness again.

I am grateful to Bob Carr; Peter Collins; Premier Perrottet; Opposition leader Chris Minns; the Hon. Ben Franklin, Minister for Aboriginal Affairs; and shadow Minister David Harris. I am grateful to the three speakers from the Stolen Generations: Uncle James Michael "Widdy" Welsh, Aunty Lorraine Peeters and Uncle Richard Dawes. I also thank all involved in the smoking ceremony, the young dancers and our parliamentary Aboriginal Liaison Officer, Steven Collins. Especially, I thank the Presiding Officers, the Clerks and staff of Parliament for making today a memorable day for all of us.

Today I felt proud, as I did in 2016 when we delivered the historic 270-page report entitled *Reparations for the Stolen Generations in New South Wales: Unfinished Business*. Everyone involved in the making of this report was sincere in their feelings for the plight of Indigenous Australians. Everyone wanted to ensure that we achieved the aims and objectives of those who were taken—stolen—and had their identity ripped from them and their lives destroyed. As they did at the time of our 2016 inquiry into reparations, the survivors of the Stolen Generations who today addressed Parliament in the Legislative Assembly wanted us to understand their hurt and continued suffering. They wanted us to acknowledge it and apologise, not only so that we recognise the wrongs done to them and to their children but to ensure that it is never repeated. They wanted action to guarantee that there was no repetition and they wanted practical measures to ensure there is restitution, and real and ongoing rehabilitation. They wanted, and rightly so, real financial and non-financial measures of compensation.

We spoke to Indigenous people who have long suffered untold oppression. We saw the misery in their eyes and we heard it in their voices. We felt it in their raw, painful memories—then and today. From day one of British invasion, ill-treatment of the Aboriginal people of this land never ceased. From the late 1800s right through to the 1970s, thousands of Aboriginal children were forcibly removed from their families and communities by the New South Wales Aborigines Welfare Board, the Aborigines Protection Board or through other means. Some children were placed in government-controlled training homes or non-government religious institutions, while others were fostered or adopted into white families.

The experiences of those who were removed were documented in detail by the Human Rights and Equal Opportunity Commission in the 1997 report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children, commonly known as the Bringing Them Home report. The Bringing Them Home report was an important juncture in Australia's history. It recommended that all of those who were affected by the Government's forcible removal policies be provided with financial and non-financial reparations, including an apology and monetary compensation. Despite the decades that have passed since the Bringing Them Home report was released, unfortunately there remains much unfinished business in terms of providing reparations to Stolen Generation survivors and their families in New South Wales.

The New South Wales Parliament and the Legislative Council in particular want to address the daily issues of identity, health care, trauma, intergenerational suffering and a host of other suffering that needs redress because it affects those who suffered, whether they be members of the Stolen Generations or their survivors and family members. No matter the passing of days and years, the pain continues to fester. We have heard it before and we heard it again today from Uncle James Michael "Widdy" Welsh, Number 36, as well as from Aunty Loraine Peeters.

I am proud of our Labor leadership in this space, from Professor the Hon. Bob Carr to former Minister for Aboriginal Affairs the Hon. Andrew Refshauge; from Federal Minister for Indigenous Australians, Linda Burney, to shadow Minister for Aboriginal Affairs, David Harris. I also acknowledge the work of the Hon. Sarah Mitchell, the former Minister for Aboriginal Affairs, particularly for her work on our committee. She ensured that the reparations report that was tabled in the Legislative Council received the recognition it deserved. I am proud to know that \$66.5 million has been paid to survivors. More must be paid to those who see themselves as the "forgotten ones", as indicated by Uncle Richard Dawes in his address to the Legislative Assembly this morning following the smoking ceremony.

Overcoming disadvantage is another huge hurdle. Many continue to suffer from the impacts of governments' past forced removal practices and policies, which not only has led to deep feelings of loss, resentment and trauma within Indigenous families and communities, but which has also left many without a sense of identity and some without the skills to effectively parent their own children. I am proud to be part of this twenty-fifth anniversary of the Stolen Generations apology, just as I was proud to be part of the committee that wrote the reparations report in 2016. I thank all of those involved in making today a successful commemoration.

**The Hon. MARK PEARSON (20:21):** On behalf of the Animal Justice Party I make a contribution to the Government's motion on the twenty-fifth anniversary of the apology to the Stolen Generations. Firstly, I acknowledge that I am speaking on the lands of the Eora nation. I pay my respects to the owners and custodians of these lands and to the Elders past and present, and note that sovereignty has never been ceded. On behalf of the Animal Justice Party, I express sadness and regret that many generations of Aboriginal and Torres Strait Islander children were forcibly removed and stolen from their loving families. They were deprived of growing up in their country and their culture, speaking their own language and learning the lore. I apologise for the deep harm caused to the children by being deprived of love, kinship and cultural identity. I apologise to the mothers and fathers who were cruelly deprived of experiencing the love and happiness of watching their children grow, flourish and learn about their culture and their place within it.

I cannot begin to comprehend the pain and suffering those children felt by being taken away from everyone and everything they knew. As if that was not horrendous enough, we know from numerous reports and eyewitness

accounts the stolen children faced years of racism, neglect and abuse, especially in those infamous institutions at the Cootamundra, Kinchela and Bomaderry children's homes. Too many lives were lost as a result of systemic racism and abuse. This intergenerational trauma is reflected in the unacceptably high rates of incarceration, unemployment, poor health, ongoing social disadvantage and disparity in life expectancy in comparison to other communities within our nation. Only when those disparities are closed will we know that the injustices and systemic discrimination have ended. Although we have moved on from the worst of those dark times, Aboriginal children are still taken into care far too often. The risk is that, even with the best intentions, children will be lost from their communities. We must do much more to assist Aboriginal and Torres Strait Islander communities to heal.

I appeal to the Government to fully implement the recommendations of the Unfinished Business report. I also reflect upon the tragedy that so many Aboriginal and Torres Strait Islander people passed away before the apology was made. Many continue to die without justice being done and without reparations being made. Uncle Max was a good friend of mine who died two months ago at the age of about 88. He told me that he was saved from being a stolen child when he was camping with his family near the South Coast and Kosciuszko area by a little willie wagtail that came to him and his family and danced frantically and in a panicked way all around them. His mother told him that it was a sign that trouble was coming, and they must flee. Indeed, the police were just around the corner. Uncle Max and his family fled the police, not only on that occasion but also on several others. The willie wagtail became his totem because of that. I finish with a quote on the importance of the apology from the Secretariat of National Aboriginal and Islander Child Care. It stated:

When we fail to recognise how the past lives on, we allow the injustices of the past to continue. Acknowledging what happened in the past, and saying sorry, is crucial to the healing that is needed—not only for members of the Stolen Generations, but for the whole community—

for ourselves.

**The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (20:27):** "The stolen years that are worth more than any treasure are irrecoverable." Those words appear on page 4 of the Bringing Them Home report. They form part of confidential submission No. 338 from a person in Victoria to the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. We do not know who said those words, but we know they resonate. We know they have meaning for Aboriginal people today, decades after they were spoken. They resonate for children, young people, parents, sisters, brothers, grandparents, cousins, aunts, uncles and friends because each time an Aboriginal child is removed, it affects not just the child, but also their family and community.

On the twenty-fifth anniversary of the apology, I acknowledge the trauma suffered by the Stolen Generation survivors here in New South Wales. I also acknowledge the members of the Stolen Generations who are no longer with us, who can no longer tell their stories, who can no longer guide us to a better system to make sure that all Aboriginal children in New South Wales are safe, protected and loved. Currently Aboriginal children are 12 times more likely to be in statutory care than non-Aboriginal children in New South Wales, four times more likely to be the subject of a risk of significant harm report and seven times more likely to be seen by a child protection caseworker from the Department of Communities and Justice. Those figures are sobering. For Aboriginal families and communities, they are heartbreaking. For members of the Stolen Generations, those numbers perpetuate the trauma of what they have gone through in the past.

Child protection is essential in civil society, and the service itself shows the fundamental value that children have for all of us in the community. While child protection is essential, it is not always perfect. The New South Wales Government is working to address the disproportionate number of Aboriginal children and young people in out-of-home care. We are doing this through a number of key initiatives being driven in New South Wales that span the entire nation as well, such as the 10-year national agreement on Closing the Gap. State-driven initiatives include the two Premier's Priorities of increasing permanency and reducing re-reporting of vulnerable children under the implementation of the recommendations from the 2019 Family is Culture independent review of Aboriginal children and young people in out-of-home care.

In relation to the Premier's Priorities, we are working to double the number of children leaving out-of-home care systems, ensuring that they are in permanent homes and decreasing the proportion of children re-reported at risk of harm. My department is also working to improve child protection reporting and assessment, specifically with casework. There are 25 recommendations in the Family is Culture review for change to child protection legislation and court procedures. Recently the department engaged with legal stakeholders and Aboriginal people across New South Wales to determine what we will be bringing forward. Feedback from those meetings will help determine the next steps. I also acknowledge the work that is being done to support four Stolen Generations organisations in our State. The Government partly funds these organisations to support survivors and their dependants.

Finally, I acknowledge the diversity in Aboriginal voices that we have heard in recent years. That diversity enriches our mainstream perspectives greatly towards moving beyond simply supporting Aboriginal communities and to help Aboriginal people protect and empower their own communities. In conclusion, I reiterate my commitment as Minister to support Aboriginal-led solutions for at-risk Aboriginal children, young people and their families in our communities. I hope we can get there by creating and sustaining a genuine partnership with Aboriginal people and Aboriginal community-controlled organisations. We do not want to say anymore that we are bringing them home. We want to say that Aboriginal children are at home, where they belong—safe, protected and loved by their families and communities.

**The Hon. WALT SECORD (20:31):** As Labor's spokesperson on Aboriginal Affairs and Treaty in the Legislative Council, I make a contribution to debate on the motion marking the twenty-fifth anniversary of the apology to survivors of the Stolen Generations and reaffirming that historic apology. I acknowledge the traditional owners of the land on which we gather and pay my respects to Elders past, present and emerging, and I state that sovereignty has never been ceded. I acknowledge that the Leader of the Opposition in the Legislative Council, the Hon. Penny Sharpe, and the Leader of the Opposition in the Legislative Assembly, Chris Minns, have already made substantial contributions on this matter, but I wish to formally associate myself with the motion.

Members would be aware that I was a ministerial staffer in former Premier Bob Carr's office during the historic and unreserved apology by then Premier Bob Carr almost a quarter of a century ago. On 18 June 1997 Mr Carr gave that apology in the New South Wales Parliament. I recall the drafting and re-drafting of that landmark speech. It was the first apology in any Australian State Parliament. It was a sincere and important step on the road to reconciliation. At the time, I recall the gut-wrenching stories of those who were ripped from their parents, siblings, kin, culture and country. Indigenous children were taken away from their mothers and families from the 1920s through to 1969 via formal government policy.

The New South Wales apology was in response to the national inquiry into the Stolen Generations and the Bringing Them Home report. Prior to the formal apology, there was strong advice from the New South Wales Cabinet Office against the apology. Senior bureaucrats tried to convince then Premier Bob Carr not to proceed with the apology. I vividly remember those conversations in level 40 of Governor Macquarie Tower. Mr Carr told his then chief of staff, Bruce Hawker, that it was the right thing to do and that he would do it—despite the advice from the Cabinet Office. He rejected the flimsy arguments from the Cabinet Office. For the record, there was no avalanche of claims. The original 1997 motion was seconded by the then Opposition leader, Peter Collins, in the spirit of bipartisanship. At that time, Mr Collins also showed great leadership in supporting the apology when there were forces within the New South Wales National Party at the time that did not want the apology. Mr Carr and Mr Collins prevailed.

When I came to this Chamber and presented my June 2011 inaugural speech in this Chamber, I remarked that the apology to the Stolen Generations was one of the many achievements of the Carr Government and I stood with that apology. Those who are familiar with my personal story will know that I grew up on an Indian reserve in southern Canada. My late father was a Mohawk-Ojibway First Nation person. While the situations of Canadian and Australian First Nations people are similar in many ways, they are not directly comparable. However, Canada and Australia both had Stolen Generations and a residential school system, and First Nations people in both countries experienced the pain that no child, parent or family should endure.

My late great-grandmother, Emma Laforme-Secord, was sent to a residential school near Brantford, Ontario. Upon the instructions of the reserve's official Indian agent, which was the Australian equivalent of a so-called protector, she was taken away to the institution after her mother passed away and was separated from her two brothers and her father. That institution was called the Mush Hole by First Nations people in the region of my father's tribe—a reference to the food provided to the children at the institution. As a child, I vividly remember parents, including my own grandmother on the reserve, saying as a threat to children that if they misbehaved, they would be taken away to the Mush Hole. My great-grandmother returned from the residential school to the reserve as a teenager with a baby son, who was our oldest uncle, Howard. He passed away many years ago. No-one ever spoke of the identity of his father or what happened at the residential school, but years later there was a family reference to a janitor at that school.

My great-grandmother's time in the residential school system shaped her life, and she carried this with her forever. Years later, she would have four other children—two who survived childhood, one of whom was my late grandfather. Earlier this year, as part of researching my father's family history, I happened to purchase a copy of the history of the Mush Hole, which was officially called the Mohawk Institute Residential School. To my surprise, I discovered that there were two other Secords who were sent to the residential school, which was set up in 1831, but I have no idea who they were or what their fate was. Some 15,000 students from 20 different First Nations communities were sent to the Mush Hole. Many of them were abducted from their homes and abused. Records indicate that there were 54 deaths at the residential school, but local police services said they did not

know where the individuals were actually buried. The Mush Hole was officially closed in 1970—a year after Australia closed its residential school system.

In conclusion, I return to Australia. For the record, I have lived in Australia longer than I lived in Canada; I have lived here almost 34 years. I support a formal treaty with First Nations people at the State and Federal levels. I support enshrining an Indigenous voice in the Constitution that allows Aboriginal and Torres Strait Islander people to have specific representation when the Government and the Parliament make decisions and laws that affect them. I also support truth-telling and confronting our nation's brutal history and past. We acknowledge that there is a role for symbolic recognition, such as welcome to country, formal apologies and commemorations, but that there must also be a practical track that improves health, social and educational outcomes—and closing the gap.

I emphasise one area highlighted recently, which is Aboriginal deaths in custody. When I arrived in Australia in September 1988, it was an area of public commentary, and in 1991 the Federal Government established the Royal Commission into Aboriginal Deaths in Custody. Sadly, three decades later we are still grappling with that same issue. It is an honour to speak to this motion and it is my fervent hope that relations between Aboriginal and non-Aboriginal Australians only continue to improve as we strive towards reconciliation, healing and self-determination. I also hope that the members of Australia's Stolen Generations and their families find their way home and are able to be at peace. As the New South Wales Carr Labor Government did all the way back in 1997 when we apologised to the Stolen Generations, it is now incumbent upon us again not to look back but to look forward and to be bold. That can start with the Perrottet Government supporting the newly elected Federal Albanese Labor Government as it works to implement the *Uluru Statement from the Heart*. I thank the House for its consideration.

**Ms SUE HIGGINSON (20:38):** I speak in support of the motion and acknowledge that 25 years ago the apology was the first small step in addressing forced removals of Aboriginal children from their families and all that means. I acknowledge the Stolen Generations past and present. I acknowledge the hard work, leadership, strength, pain and suffering of survivors and all those working to heal and end the injustice that is the Stolen Generations, which is continuing. I address the shameful reality that the policies that created the Stolen Generations did not end; they have just changed shape.

Aboriginal children are increasingly and disproportionately targeted by the out-of-home care system. I echo the words of Premier Bob Carr when he delivered the apology: "We are not dealing with some abstraction from the remote past. We are confronted with continuing, contemporary pain, grief and loss". Those words ring across the intervening quarter of a century. The fact remains that Aboriginal children are 16 times more likely to be taken away from their families than are non-Indigenous children, which is a rate higher than that which occurred previously.

I acknowledge the good work of this House, led by my colleague and former member of this place Ms Jan Barham, which resulted in the *Reparations for the Stolen Generations in NSW: Unfinished Business* report. I saw Jan just two days ago and she handed me a hard copy of that report. As I reread the 35 recommendations and the Government's 2020 response report, I was left knowing that First Nations people still do not have the main thing that is needed: self-determination of their lives, their culture and their land. The fact remains that too many First Nations people are not involved in or empowered to make decisions that impact their lives. Instead, day in and day out, they face a system that fails to understand them, their families and their culture.

In 2016 the New South Wales Government commissioned the *Family is Culture* report. The report was led by First Nations academic Professor Megan Davis. She was given unique access to the files and systems of the State protection system for 1,144 Aboriginal and Torres Strait Islander children who were in out-of-home care between 1 July 2015 and 30 June 2016. In October 2019, the *Family is Culture* report delivered 126 specific recommendations to reform the child protection system for First Nations children. That was in addition to well over 1,000 recommendations relating to individual cases. It is one of the most comprehensive reports I have ever read. The intellectual rigor, the knowledge, the heart, the spirit, the pain and the hope in and in between the words on the pages are profound.

Have we done that report and the people it intends to serve justice? No, we have not. From 2019 to 2020, 952 Aboriginal children were taken into care. That is up 2.7 per cent on the previous year, comprising 41.3 per cent of all children in out-of-home care in New South Wales. More than 1,100 of those children are on guardianship orders, which is a rise of more than 20 per cent on the previous year. While 74 per cent of all Aboriginal children in care are placed with an Aboriginal caregiver, these orders often mean they remain in care until the age of 18, with limited opportunity for restoration to their families. The trauma of family separation is too much. The removal of First Nations children severs cultural, spiritual and family ties and causes long-lasting trauma that continues for generations.

Today we heard the Government in this place say sorry again, 25 years since the first apology. We heard its heartfelt and genuine confession that it has not yet done justice. We saw the Government use this opportunity to announce more money, some \$15.3 million over four years for the establishment of memorials and keeping places. This effort is significantly diminished because we are still taking children from their families. We are stealing another generation right now. It is happening on our watch and we are doing it in the face of Professor Davis' report. We have been told what to do and how to do it. We need to stop taking children and understand that family is culture, and we must deliver. I thank the Government for bringing this motion to the House because it is a reminder that we have failed to follow through on the promises of the apology.

Very recently we got a glimpse of what we could do to make a real difference, right here in this place. On 23 February this year this House passed the Children and Young Persons (Care and Protection) Amendment (Family is Culture Review) Bill 2021. It did so notwithstanding the differences held politically and in spite of the current Government. It is understood that the Government now intends to bring its own, hopefully similar, bill to Parliament before the end of this year. The Government must rise above its politics. It is not enough to say the words "We are sorry" and announce money. It must action the apology that is 25 years old, stop taking the children from their families and allow First Nations families their culture and self-determination. I thank the House.

**The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (20:45):** I thank all members who have spoken to this motion today. First, I acknowledge the traditional owners of the land on which we are gathered, as I stand here today to commemorate 25 years since the New South Wales Government apology to the Stolen Generations. I recognise the strength and resilience of the Aboriginal people of this land. I acknowledge Elders past, present and emerging, and in particular I acknowledge survivors of the Stolen Generations and their descendants. Today's commemoration is a significant milestone in the history of New South Wales. It honours the resilience and self-determination of Aboriginal people and embraces the ongoing process of healing for our Aboriginal communities.

The New South Wales apology to the Aboriginal people of Australia for the separation of children from their families was a pivotal moment in the healing journey of Stolen Generations survivors. To have both sides of the Chamber join today to recognise this significant anniversary is reflective of the apology in 1997 that saw the Labor Government at the time lead the motion of apology to the Stolen Generations, supported by the Liberals and The Nationals Opposition. New South Wales was the first Australian Parliament to apologise, formally acknowledging the heartbreaking stories of the Stolen Generations. The suffering, grief and trauma experienced by the children of the Stolen Generations was insurmountable, having their language, land, culture and family ties ripped away from them. On behalf of the New South Wales Government, I am deeply sorry for the pain and suffering these actions caused and acknowledge the past wrongs, which still impact the health and wellbeing of all Indigenous peoples today.

The Government is committed to working in genuine partnership with Aboriginal people, communities and survivors of the Stolen Generations to address the mental anguish and health concerns caused by everlasting generational trauma and suffering. Nothing can give back what was taken away, but we can and will change future outcomes. In December 2020 the New South Wales Government published the NSW Health Aboriginal Mental Health and Wellbeing Strategy 2020-2025, which underpins our work on building and sustaining the Aboriginal mental health and wellbeing workforce. The strategy has a focus on strengthening partnerships with the Aboriginal community controlled health sector to reduce barriers to access and to deliver holistic, culturally safe and coordinated services. I take this moment to again acknowledge the significance of the twenty-fifth anniversary since the New South Wales Government apology to the Aboriginal people of Australia for the separation of children from their families. I am proud to be part of a Parliament that delivered that apology 25 years ago and continues to focus on improving outcomes for Aboriginal people, not only today but every single day.

**Ms CATE FAEHRMANN (20:48):** I first acknowledge that we stand here on the stolen lands of the Gadigal people and the numerous clans and groups of First Nations people on whose land we, as Upper House members of Parliament, conduct our work. Their custodianship of country and their connection to this land has run deep for more than 60,000 years. This is, was and always will be Aboriginal land. Sovereignty was never ceded. We have no treaties. I also acknowledge the clans and languages that have been lost since colonisation when these lands were invaded, marking the beginning of an injustice that continues to this day. I acknowledge the trauma and grief of the Stolen Generations losing their connections to family, identity, land, language and culture. There is no way for members to fully comprehend the trauma and grief that was the direct result of government decisions and policies.

We are marking the twenty-fifth anniversary of the New South Wales apology to the Aboriginal people of Australia for the separation of generations of Aboriginal people from their parents, communities and country. But First Nations kids are still being removed from their families. Aboriginal people make up approximately 3.6 per cent of the general population of New South Wales and 6 per cent of the under-18 population.



I acknowledge the contribution to this motion by my colleague Ms Sue Higginson, who led for The Greens in the Legislative Council. In 2019-20 Indigenous kids represented 41 per cent of all children in out-of-home care in New South Wales. That is 2.6 per cent more than the previous year. In total 6,688 Aboriginal children were in what is known as out-of-home care, which, as I said, is about 41 per cent of the total number of kids in the system. That is despite Aboriginal children only making up 6 per cent of Australia's under-18 population. That is a shocking statistic as we mark the twenty-fifth anniversary of the New South Wales apology.

Kids are still being removed from their families and that number is growing. Multiple reports have been commissioned to examine why the disproportionate use of separation powers on Aboriginal families is still happening, one of which is the *Family is Culture* report that has already been mentioned by many speakers to this motion. That report was commissioned by the New South Wales Government in 2016 and released in 2019 by its author Professor Megan Davis, who is a Cobble Cobble woman, constitutional lawyer and public law expert. Her report included a range of sweeping recommendations to fix a system that was described as often in breach of its own rules and which frequently found that department caseworkers regularly provided false or misleading information to the Children's Court, resulting in children who did not appear to be at risk of harm being removed from their families. Three years later many of the report's key, foundational recommendations have been ignored, remained in preliminary scoping or were said to be in progress.

I acknowledge the hard work of my colleague Mr David Shoebridge—soon to be Senator David Shoebridge—for his tireless work alongside the Aboriginal Legal Service and AbSec in drafting and successfully passing the Children and Young Persons (Care and Protection) Amendment (Family is Culture Review) Bill 2021. The bill was based on Ms Davis' recommendations and finally took action where the Government had failed to do so. I also acknowledge the inquiry into reparations for the Stolen Generations in New South Wales, chaired by my former colleague Jan Barham, who I know poured her heart and soul and hundreds of hours of work into that inquiry. The consensus cross-party report included a recommendation for a reparations scheme for Stolen Generations survivors.

In response, on 2 December 2016 the New South Wales Government announced that it would establish a reparation scheme for surviving children removed by the Aborigines Welfare Board. The glaringly obvious omission was that the committee did not limit the application of the scheme to those who were removed, made a ward of or placed into one of the board's homes. The New South Wales Government excluded those who were also removed from their families by a State entity and who identify as members of the Stolen Generations. The 1996 National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families entitled *Bringing them home* states that reparations should consist of:

1. acknowledgement and apology,
2. guarantees against repetition,
3. measures against restitution,
4. measures of rehabilitation, and
5. monetary compensation.

Reparations have not been adequately made while anybody is excluded from receiving the monetary compensation they should be entitled to and while First Nations children are still being forcefully removed from their families and communities. Indigenous kids are 16 times more likely to be taken from their families than their non-Indigenous counterparts. Twenty-five years after the New South Wales apology to the Stolen Generations, it is still happening and we have not adequately made reparations and apologised—because sorry means you do not do it again.

**The Hon. LOU AMATO (20:54):** I thank the Hon. Ben Franklin for this important motion. True sorrow springs forth from a repentant heart. For us to be truly sorry, we must acknowledge the wrongs each one of us has perpetrated against a brother or sister. We are all brothers and sisters, and the most noble of all pursuits is to truly love each other in spirit and deed. When I use the word "love", I am not referring to a feeling but to actions that respect the beauty and dignity of all people. In times past, many did not possess the spiritual maturity to understand the greatness of Australia's First Peoples. For tens of thousands of years, our First Peoples developed a deep spirituality that for many was esoteric in nature. In our ignorance and lack of knowledge, we failed to grasp the beauty of a people who had reached a place that many had not yet attained—spiritual maturity. In our ignorance we caused much suffering and in doing so impoverished our own hearts to the great knowledge and spiritual awareness that our First Peoples possessed. We have acknowledged that many of our past errors caused tragic suffering to our First Peoples.

Today we acknowledge that it has been 25 years since we took the first steps to taking responsibility with true sorrow for our past errors and the suffering we caused. There is still much work to be done, and we will

continue our goal to strengthen our efforts in moving forward together as a people united in peace. As our understanding of the unique and deeply spiritual culture of Indigenous Australians continues to grow, we have become mindful of how much we have lost. Our task is to work diligently to preserve what still remains. In the eighteenth century more than 250 First Nations languages were spoken. Some estimates put the number of languages spoken at more than 300. Sadly, we will never know the precise number and the loss to our cultural heritage.

In 2020, 90 per cent of the approximately 100 languages still spoken were considered endangered. The Australian Institute of Aboriginal and Torres Strait Islander Studies is actively engaged in the preservation of First Nations culture and language preservation. We look forward to a new Australia committed to preserving the unique cultural heritage of our Indigenous brothers and sisters. Again, I thank the Hon. Ben Franklin, and I thank all honourable members for their bipartisan support of this important motion, but I also thank my Indigenous brothers and sisters for their gracious acceptance of our apology for past wrongs and, more importantly, for their forgiveness.

**Mr JUSTIN FIELD (20:58):** I join all members in marking the twenty-fifth anniversary of the apology to Aboriginal people in Australia that was made in this Parliament. It is frightening to think that decisions taken in this House by our predecessors led to such horrific outcomes for so many Aboriginal children and their families and communities over such a long period. It is incredibly important that the apology was made 25 years ago. I think it is incredibly important that we reaffirm that unreserved apology to all Aboriginal people across New South Wales and Australia for the systemic injustice of separating Aboriginal children from their families and communities. Tonight we acknowledge, in a bipartisan way, the intergenerational trauma and deep-seated agony that those policies have caused, but they were very deliberate decisions taken by members of this place. They must ultimately lead us to reflect on the decisions that we make today with a very long view to their potential consequences.

Whilst we recognise the profound importance of the apology, many words have been spoken in the debate tonight that bring together a sense of shared commitment to reconciliation in New South Wales. It is really important to acknowledge, as it has been by other speakers, that we have a very long way to go when it comes to not only reconciliation but also seeking to address the intergenerational trauma that is felt by Aboriginal communities. I acknowledge that I live on the land of the Yuin people down on the South Coast. It is challenging to recognise just how modern and real these impacts are when the Bomaderry Aboriginal Children's Home only closed in 1980. I was born when the home was still open, so this is not an historical legacy; it is felt very strongly in the Shoalhaven because of how recent it was, and also because of the fact that so many Aboriginal people from different parts of the State were brought into the region. That, in and of itself, creates challenges for reconciliation in our community and for addressing those intergenerational challenges.

Last week I was in the forests around Callala having a look at the potential impact of a development down there. A Jerrinja tribal man was out with us explaining the significance of that forest to the Jerrinja. He was not an Elder but a very active and proud local Aboriginal man. He was exasperated by the fact that Aboriginal people have absolutely no say. So much of the area that they call their home and their country has been lost to private ownership. So much of the forest that sustained their culture has been lost to development. They have absolutely no say over the little bit that is left, and they are exasperated. We must all acknowledge that our system—the laws that took away, through the Stolen Generations, Aboriginal people's connection to country and family—cannot be restored until they have a much more active say in what happens on country today. That is very hard for us to grapple with when our laws are built primarily around the private ownership of land, but that is country to Aboriginal people.

So how do we deal with that? Only very recently I had a conversation with the Minister about some of these issues. I recognise that it is incredibly challenging, but we must grapple with the idea that there needs to be a red line. Somewhere there should be a threshold at which an impact on cultural heritage cannot happen. No matter who owns a development or how significant it might be, the significance of this culture is too great. There must also be a point at which we have consultation. Even if it does not tell us what we want to hear and even if it goes against what someone might want to do, we have to listen. We need to grapple with the significance to culture and to those who are grappling with these challenges that both the apology and the effort of reconciliation recognise. We do not have that in the law at the moment.

One part of the debate about floodplain harvesting that never comes to the fore is the importance of allocating cultural water. They don't have land; they don't have water. The two things are connected. It is not really part of the conversation. We are talking about downstream targets for the environment and for communities and how much gets kept upstream. Meanwhile, Aboriginal people are largely outside of the debate. Even though they are recognised under the Murray-Darling Basin Plan, ultimately they are not even part of the discussion that we are having in this place today. We have talked before about the fact that the cultural fishing provisions in the

Act have still not been proclaimed, now over a decade since both Houses of Parliament passed it, because we are not prepared to grapple with the challenges of the commercial fishing industry having to share a resource that they were largely given for free, which was taken off Aboriginal communities. It was not just a right to feed their family but also a right to generate an income to exist in our world.

We are not prepared to grapple with it. Even though we have thrown millions of dollars to perform in that sector, we could not find a few to build an Aboriginal business around an industry that sustained their culture for generations—cons. There are simple things that we can do. There are really changing things that we need to grapple with. Although we have all come together in a bipartisan way to acknowledge the twenty-fifth anniversary of the apology and to speak about reconciliation, we are still doing things every single day that go against that, quite clearly and obviously. I hope that today's debate and the recognition gives us all a bit more of a push to work out how we can find those simple ways to make things better, to make that reconciliation work and to try to address the intergenerational trauma that still exists because of the decisions taken historically. I commend the motion to the House.

**The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (21:06):** In reply: I will not speak for long but merely say this: Every speaker in the debate has emphasised what the debate is all about, that we are of one mind as a Parliament. We understand and know that there is much that we have to celebrate and to laud in terms of the achievement of the past 25 years, but there is so much more that we need to do. I am incredibly grateful for every contribution and I am privileged to hold the role of Minister for Aboriginal Affairs in this Government.

I make a commitment to every member of this Chamber and of the other place and to every Aboriginal person in this State to continue to do all I can, every day, for as long as I have the privilege of this portfolio, to advance the interests of Aboriginal people, to close the gap between Indigenous and non-Indigenous Australians and to do all I can—in my small way—to achieve some sort of genuine reconciliation with Aboriginal people in this State. The only way that that can be achieved is if good people from all sides of politics work together. That is exactly what we have seen today, both in this place and the other place. I hope that this a benchmark for how we operate on these issues into the future. I am deeply grateful to all members for their contributions and their support.

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

**Motion agreed to.**

*Adjournment Debate*

#### **ADJOURNMENT**

**The Hon. BEN FRANKLIN:** I move:

That this House do now adjourn.

#### **PORT KEMBLA COMMUNITY INVESTMENT FUND**

**The Hon. PETER POULOS (21:08):** On Wednesday 25 May 2022 I had the privilege as Parliamentary Secretary for Wollongong and the Illawarra, on behalf of the Deputy Premier and Minister for Regional New South Wales, Paul Toole, to announce that very shortly round five of the Port Kembla Community Investment Fund would open for applications. I was joined on the day at the very picturesque King George V Park in Port Kembla by the member for Wollongong, Paul Scully; Wollongong City Liberal councillor Alicia Aitken, who represents Ward 3; and Business Illawarra Executive Director Mr Adam Zarth. I particularly acknowledge the member for Wollongong and Councillor Aitken's consistent advocacy for their local communities.

Under round five, \$5 million will be made available for grants in local projects through three separate categories or streams focusing on community, business or environmental infrastructure. The three separate funding streams are allocated as follows: community infrastructure, \$2 million; business infrastructure, \$2 million; and environmental infrastructure, \$1 million. There is no doubt that \$5 million is a huge boost for the Illawarra, specifically aimed at Port Kembla, as defined by the 2505 postcode boundaries. The latest round will be significantly higher than previous rounds.

Members will recall that the New South Wales Government established the Port Kembla Community Investment Fund as an ongoing program linked to the long-term lease of Port Kembla. That reflects how this Government is philosophically wired. We recognise the significant financial uplift that is achieved by releasing the untapped benefits of enabling State assets to grow by transferring and sharing the wealth with other sectors of the economy. Embracing innovative financial funding options, as we have demonstrated, and collaborating with the market and the private sector continues to create massive social and economic dividends across New South Wales. The objective of the fund since its inception is to revitalise Port Kembla through enhanced activation in

connectivity of public infrastructure, precincts and community spaces; improved environmental air, land and waterway quality; and increased economic activity. Projects funded must positively contribute two or more of those desired outcomes, be fully completed within two years and commence within 12 months of a funding date being executed.

Applications for round five of the Port Kembla Community Investment Fund will open on 1 July 2022 and close on 31 August 2022. Eligible applicants will be able to apply for funding of between \$10,000 and \$500,000. This month in the lead-up to the opening stage when applications can be formally progressed, information session webinars will be held to help raise awareness. Since the fund was established in 2016, the program has delivered \$8 million to 57 projects, including school hall upgrades; surf club improvements; and the installation of public fitness equipment, sporting infrastructure and tourism development plants. Members can appreciate the context of injecting another \$5 million into the Port Kembla economy. The fund also focuses on transforming the economy of Port Kembla, putting it on a solid economic footing for the future.

Port Kembla is a key economic powerhouse and a major employment area in the Illawarra. The fund is all about giving back to the community by providing brand new infrastructure, restoring existing access and encouraging visitors and tourism. The benefits of the fund were on display while I visited King George V Park. Some six projects have already been supported under previous rounds for new infrastructure, such as grandstand seating, cricket nets and lighting. A total of \$650,259 has been allocated for projects, such as \$133,182 for playground shade sails and cricket sightcreens; \$63,095 for the Pumas soccer club's grandstand seating; and \$161,710 for the Port Kembla Cricket Club's pitch upgrade and retractable cricket nets.

One exciting project supported under round four was a commercial hydrogen refuelling station based at the Port Kembla industrial gas facility, Coregas. Coregas received \$500,000 to construct a refuelling station that will support Australia's first hydrogen-powered trucks which, in turn, will provide key insights and data for the first zero emission heavy road transport trial of its kind in Australia. The Coregas hydrogen refuelling station will see Port Kembla and the Illawarra continue to be a key economic area in New South Wales and place it at the forefront of technological innovation. I encourage the local community to submit their best and brightest ideas and assist Port Kembla to continue to thrive well and truly into the future. Further information about round five of the Port Kembla Community Investment Fund, including program guidelines and eligibility criteria, is available via [www.nsw.gov.au/PKCIF](http://www.nsw.gov.au/PKCIF).

## PUBLIC SECTOR WAGES

**The Hon. ADAM SEARLE (21:14):** I draw the attention of the House to the Essential Workers Summit held by Unions NSW on Sunday 5 June, involving workers and unions from the public sector. I congratulate Unions NSW and its affiliates on holding the summit. Those gathered called for the New South Wales Government, in its upcoming budget, to guarantee the following: the same pay for all workers performing the same job or same work across the New South Wales public sector, including in contracts issued by the New South Wales Government and its agencies; the right to negotiate fair pay rises to address steep increases in the cost of living by lifting the New South Wales legislated pay cap; investment in public services by growing the number of staff who provide those services to the community; the provision of quality jobs with security, skills training and fair conditions to attract and retain workers; and no further privatisation of public assets or services. I associate myself with those objectives.

I note that members of the Public Service Association are taking industrial action tomorrow, 8 June, in a day of action to get fair pay increases for workers who have been subject to the State's legislated pay cap. This action is only the most recent instance of workers taking action in support of fair pay this year. We have also seen health workers and rail workers take action to date. At the summit on Sunday, Professor David Peetz of Griffith University discussed his research and findings on the consequences of the wage cap put in place by the current Liberal-Nationals Government by legislation in 2011. I recommend his paper entitled *Wage norms and the link to public sector salary caps*, commissioned by Unions NSW, to anyone who is interested in these matters. It can be found at [www.unionsnsw.org.au/wp-content/uploads/2022/06/WAGE-NORMS-AND-THE-LINK-TO-PUBLIC-SECTOR-SALARY-CAPS\\_final.pdf](http://www.unionsnsw.org.au/wp-content/uploads/2022/06/WAGE-NORMS-AND-THE-LINK-TO-PUBLIC-SECTOR-SALARY-CAPS_final.pdf).

The Labor Opposition, which vigorously opposed the introduction of the wage cap in 2011, committed to removing it at the last State election in March 2019. As Labor's shadow Minister for Industrial Relations at that time, I had responsibility for drafting that policy. In 2020 the present Government oversaw cuts in the real wages of public sector workers with a 0.3 per cent wage increase, with inflation of around 3 per cent, while senior executives and agency heads were granted rises of up to 15 per cent by Ministers. Now, with inflation spiking, living costs increasing and an election less than a year away, the Government is aware that this double standard is a key issue in the community. As a result, it has now indicated that it will adjust the wage cap from 2.5 per cent to 3 per cent, but only for a limited time. This is a significant concession by the Government that the existing cap

is harsh and unfair, but a 0.5 per cent increase is inadequate in addressing the crisis of increasing living costs for workers and their families in New South Wales.

Professor Peetz's research shows that real wages fell by 2.6 per cent in the year to March quarter 2022 and real wages fell by around 4.1 per cent between the June quarter 2020 and the March quarter 2022. Real wages have been falling for six of the last seven quarters and are now lower than they were at the end of 2014. Where wages have grown since 2011, they have grown more slowly on average than increases in productivity, which has historically not been the case. Median public sector employees subject to the New South Wales wage cap will have suffered a real shortfall in pay of over \$30 per week and \$1,600 per year by the June quarter 2022. By 2024-25 that shortfall will increase to \$48 per week and \$2,500 annually. This is a pay cut of around \$6,000 over three years for the median public sector worker. The decline in real wages is coming at a time when the economy has experienced strong economic and employment growth and a record job vacancy rate. They are circumstances which usually lead to wages growth. That is not happening now.

Data shows that movements in both public and private sector wages are related, and that private sector outcomes are influenced by public sector wage movements. Wage outcomes in both sectors are influenced by a range of factors, including the availability of labour, particularly skilled labour; the operation of product markets; macroeconomic circumstances; and other factors. The major factor that is within the control of the New South Wales Government is public sector pay policy—the wage cap. The Governor of the Reserve Bank, Philip Lowe, said in August 2019, "Wage caps in the public sector are cementing low wage norms across the country." The effect of removing them would be to address the decline in real wages of public sector workers, increase wages in the private sector and increase State income, consumption and product.

As I put it during the 2020 wage cut, increases in public sector pay would stimulate the economy in every suburb, town and village across the State, creating more jobs, including in the private sector. Professor Peetz also found that the removal of the cap would improve the quality of State public services through lower staff turnover and absenteeism and lead to higher employee morale and motivation. It is not a huge leap to see that productivity would also increase. It would also assist in recruiting to the vacancies in both public and private sectors. In short, the Government should accept the logic of its recent policy shift, stop tinkering at the edges and just scrap the cap.

#### **BIRTH CERTIFICATES AND ABORIGINAL SENIORS**

**Reverend the Hon. FRED NILE (21:20):** I am pleased to give this adjournment speech on the subject of Aboriginal seniors without birth certificates. The date of 27 May 2022 marked the fifty-fifth anniversary of the 1967 referendum, in which Australians voted overwhelmingly to amend the Constitution. The amendment recognised Aboriginals as human beings and not just fauna and flora. First Australians were then included in the Australian census. The referendum should have marked an end to the invisibility of our First Nations people; however, what escaped detection was that many had been born without birth certificates, rendering them unaccounted for and disadvantaged in many other forms. From the early 1950s all Aboriginal births were required to be registered, so those affected were mainly those now aged 70 years and over.

Some Aboriginal people were born in remote areas where records were lost or destroyed or where the need for registration was simply overlooked. Even in contemporary Queensland, one out of six Aboriginal children born are not registered. Many of those undocumented Aboriginal seniors have also come from Stolen Generations. The lack of birth certificates marred their entire lives. As children they were not able to enrol at school and as adults they could not access government benefits, vote or obtain driver's licences. As seniors they have not been accurately included when medical services, hospitals, nursing homes and palliative care resources have been reassigned. This unintentional institutional discrimination leaves shortfalls in the communities where they dwell.

The presence of barriers to accessing those services due to lack of birth registration or birth certificates has increased issues faced by Aboriginal seniors. The Aboriginal community at large is statistically vulnerable to disadvantage in our society. The Western Australian Government has set up a special amnesty for Aboriginal seniors to register their births. An amendment to the Registration of Births, Deaths and Marriages Act in December 1990 was designed to enable people whose births were never registered to become registered and obtain a birth certificate. A review of the initiatives of the Western Australian Government should be completed to see if similar progress can be made in our State of New South Wales, which I strongly urge the Government to consider.

#### **NSW LABOR POLICIES**

**The Hon. CHRIS RATH (21:24):** All politics, no plan. That is the creed of Chris Minns and the platform that NSW Labor brings to next year's election. The people of New South Wales have incessantly heard the shrill political pointscoring from Labor on tolls, buses and infrastructure. But the ensuing question is clear: What does

Labor propose to do differently once in government? The answer is surprisingly simple: absolutely nothing. Labor has no plan on tolls, no plan on buses and no plan on infrastructure.

On tolls, Chris Minns has repeatedly stated that "families are under enough pressure", and that "we need to stop the toll mania". But he is not going to rip up the contracts with Transurban. Even the Labor Party is not irresponsible enough to venture down that path of sovereign risk. So what cost relief has Chris Minns promised motorists exactly? Well, none. NSW Labor does not have a real strategy for addressing the cost of tolls on drivers across the State. It only has a political strategy.

But the Government has a plan. Today Minister Natalie Ward announced a toll relief of up to \$750 per year, in addition to our existing relief on vehicle registrations for 2022-23 and the cashback scheme on the M5. No doubt Labor members feel a little deflated today. I read in *The Daily Telegraph* recently that Chris Minns thought that the top issues at the next election would be "tolls, tolls, tolls", so members opposite probably feel like the wind has been taken out of their sails with today's exceptional announcement. We on this side of the House are delivering real toll relief; those opposite are promising some extra toll signage.

But Labor's hypocrisy is even further explained by its record. NSW Labor gave us the M7 toll, the Lane Cove Tunnel toll, the Eastern Distributor toll and the Cross City Tunnel toll. It negotiated and signed those contracts. It gave us the most expensive stretch of road in the State's history, the Military Road off ramp, at an equivalent cost of \$8.90 per kilometre. Labor introduced New South Wales' first distance-based toll, the M7 motorway toll. And who was the deputy chief of staff to Minister Carl Scully overseeing that project? It was Mr Tolls himself, Chris Minns.

Regarding bus privatisations, NSW Labor has been eager to describe privatised networks as "disastrous" and "outrageous". Members of the Opposition have commenced an upper House inquiry into the privatisation of the network. Yet, once again, simple research quickly reveals that nowhere is a plan outlined to counteract the supposedly disastrous privatisations. It is all just political pointscoring, while Labor hopes that people will forget that it will not rip up the contracts with the private bus providers and that Labor was the proponent of privatisation when it was last in government. It yet again reeks of hypocrisy. Whether voters vote Liberal or Labor at the next State election—

**The Hon. Ben Franklin:** Or The Nationals.

**The Hon. CHRIS RATH:** —or the National Party, they will get the same efficient, safe, green and innovative, privately operated bus services with high customer satisfaction rates. Once again, on buses Chris Minns is all politics, no plan. Regarding infrastructure spending, recently Chris Minns was questioned in a television interview on the projects his government would commit to, if elected. When asked if he could name just one project that he would fund that is different to what is already committed to by this Government, he failed to identify a single specific project. He has been the Leader of the Opposition for over a year. He has had plenty of time to develop his plans. But on infrastructure, as with every other issue he raises, Chris Minns would prefer political grandstanding rather than propose any alternative. He is all politics, no plan.

#### **POLICE ASSOCIATION OF NSW BIENNALE CONFERENCE**

**The Hon. WALT SECORD (21:28):** The Police Association of NSW biennale conference was held in Wollongong on 24 May. It was an honour to attend my first conference in the role of shadow Minister for Police, as the association has been the voice of New South Wales police officers for more than a century. I congratulate incoming president Kevin Morton, who has 32 years' experience as a frontline police officer, and acknowledge outgoing president Tony King for his service. Over the years, the association and Mr King have become synonymous. He joined the police in 1989 and has risen to the rank of Detective Senior Constable in his 33 years, serving in Fairfield, Moree, Deniliquin and Grafton.

We also have a new police commissioner since last conference, Karen Webb, who is the first female police commissioner in New South Wales. She and her team have Labor's bipartisan support, and I acknowledge the work of former police commissioner Mick Fuller. His retirement was well earned but turned out to be brief, as he has already been called back into service as part of the floods inquiry. In addition, I briefly cite the hard work and dedication of Mr Tony Bear, who is manager for relationships and strategy at the association. It was also the last address that Labor leader Chris Minns gave to the Police Association before the election.

In the coming nine months we will have much more to say about issues relating directly to police and to the policies and budget decisions that affect policing in New South Wales. One of the issues to emerge at the conference was the matter of police recruitment and the costs associated with studying to become a police officer. New South Wales is the only State where aspiring cops have to spend thousands of dollars and months of their lives to join the force, and those costs are prohibitive. The June training course was cancelled because not enough

people applied, and we hope the Perrottet Government responds in the budget. As well as the Minister for Police, Paul Toole, we were joined by my fellow Labor MPs Ryan Park, Paul Scully and Dr Hugh McDermott.

Those who know me would be well aware that I was media director for Premier Bob Carr for 10 years and was with him when he unveiled the NSW Police Wall of Remembrance in the Domain. My experience in that government has led me to seek the role of police Minister, which I aspire to fill in a manner similar to the late Minister for Police Paul Whelan. He was the State's longest-serving police Minister, serving from 1995 to 2001, and he was a strong voice for police in the Carr ministries. He represented officers and fought for their needs and resources in Cabinet, the corridors and the media. Those who know me realise that I am on the conservative side of the Labor Party, particularly when it comes to law enforcement questions, but I cannot be pigeonholed. I supported the harsher protest laws targeting those who block infrastructure, including ports. I supported the extension of the drug prohibition orders statewide and other tough measures.

Growing up as a bicultural child on an Indian reserve in southern Canada taught me about the need for police to be able to help protect the community and, most importantly, taught me that the police were not the enemy. It was a tough childhood, I promise. My upbringing brought me many insights into the relationships between poverty, opportunity and interaction with law enforcement. My father was one of 10 children in a two-bedroom house without running water or sanitation, and he served time as a juvenile for car theft. Fortunately, marrying my mother changed him forever. He got straight and they were married for almost 55 years. My father's story serves as a constant reminder to me that young people deserve a second chance. Police on the reserve were there to protect the vulnerable, and that message should be understood across political lines.

The past two years have seen extraordinary demands made of police, quite apart from the enormity of the natural disasters, in which police worked so hard. In addition to the tremendous amount of work police perform in day-to-day law enforcement duties, we also asked police to enforce the exceptional public health orders necessitated by the COVID-19 pandemic. The Government's orders sometimes changed many times per day. At budget estimates hearings I presented just three months' worth of those public health orders and they came to 1,415 pages, and yet the force led on. Police faced pressure from all quarters and they did an incredibly challenging job keeping New South Wales residents safe. Their service and sacrifice have not gone unnoticed and will not be forgotten by Labor.

Police are asked to do one of the toughest jobs in New South Wales, and we must give them the legal framework and resources to get the job done. Finally, after this gruelling two years, I am also conscious of cost-of-living pressures, particularly for officers who cannot afford to live in the areas they are policing. As I said earlier, we will have much more to say about issues relating directly to police, and to policies and budget decisions that affect policing in New South Wales. I thank the House for its consideration.

### DUCK MEAT INDUSTRY

**The Hon. EMMA HURST (21:32):** More than eight million ducks are farmed and killed in the Australian duck meat industry. In New South Wales there is no legal requirement to provide ducks with water to swim, preen or bathe. Our laws are failing. The term "like a duck out of water" means someone out of their natural or normal environment and for the animals in the duck farming industry, that is their daily reality. Ducks are aquatic animals that require water to clean themselves, regulate their temperature and take pressure off their joints. Depriving them of something as fundamental as water can lead to severe health problems such as lameness, dislocated joints, broken bones, splay legs, heat stress and keratoconjunctivitis—a serious eye condition that causes blindness.

The cruelty in the industry is on par with battery cages used in egg farming. The life of a duck in intensive agribusiness is hard to think about. She will be deprived of water her whole life. She is a semi-aquatic animal who will never be able to even dip her head into water to clean her eyes. She will likely try to preen herself without water and ingest the faeces that are stuck to her feathers. She has weak leg and thigh joints, as they are designed for a life on water, so sometimes she will find it hard to stand and will be forced to sit in the build-up of weeks of faeces in a windowless shed, where the ammonia from the faecal matter will burn through her feathers and then through her skin. Her only access to water will be through nipple drinkers that are designed for chickens, not ducks.

One of the saddest things I have ever heard is that ducks rescued from agribusiness will not leave the water once given access to it. Such is her desperation for it, she will cling to it like it may never come back. Researchers call this post-inhibitory rebound, and it is similar to sleep deprivation in humans. But for most ducks in the animal agribusiness industry, the first time they experience water it will be electrified and fry their brain. At the slaughterhouse they will be hung upside down and have their heads dipped into an electrified water bath before their throats are cut open.

Ducks in the animal agribusiness industry are also bred to grow unusually large in a short period of time. The weight gain, in combination with a life of standing on solid ground with weaker leg and thigh joints, often sees ducks falling backwards and paddling in the air. Their juvenile wings are unable to give them the strength to re-erect themselves. Despite being hardy birds, the conditions in which they are housed invite disease. The most shocking is *Riemerella anatipestifer*. I have seen many facilities affected by this hideous bacterial pathogen that can spread to thousands of birds on one property. Footage shows ducks with severe tremors, their heads twisted backwards while they walk in circles.

The animal agribusiness industry is always keen to talk about truth in labelling. Let us talk about truth in labelling, because the duck meat industry has a lot to answer for. The two major duck meat companies in Australia are Luv-a-Duck and Pepe's Ducks. Some years ago I called on the ACCC to prosecute Pepe's Ducks because it used the terms "open range" and "grown nature's way". I argued that the ducks were intensively factory farmed inside windowless sheds with no access to the outside or to any surface water, which is as far from nature's way or open range as one can get.

The ACCC listened and the courts agreed. Pepe's Ducks was fined \$400,000 for false, misleading and deceptive conduct. I then called on the ACCC to prosecute Luv-a-Duck. This company used statements like "grown and grain fed in the spacious Wimmera Wheatlands." Of course, the ducks were confined to intensive sheds where they had no access to any spacious wheatlands. That led to another duck meat company being fined for misleading the public. Luv-a-Duck was fined \$375,000 for false, misleading and deceptive conduct.

To date, the lack of public knowledge about the way ducks are farmed in Australia has operated to maintain grossly inadequate welfare practices. A history of deceptive advertising and an almost total lack of animal protection laws has caused the suffering of millions on ducks. As long as water deprivation remains legal in the animal agribusiness industry, animals will continue to suffer on a monumental scale. It is time to stop turning a blind eye to these cruelties and to expose this industry for its total lack of care for these sentient animals.

**The DEPUTY PRESIDENT (The Hon. Wes Fang):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 21:38 until Wednesday 8 June 2022 at 10:00.**