



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Thursday 9 June 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday 9 June 2022

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

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

Motions

WORLD BEE DAY

The Hon. PENNY SHARPE (10:02): I move:

- (1) That this House notes that:
 - (a) Friday 20 May 2022 is World Bee Day; and
 - (b) the day was established by the United Nations to acknowledge and emphasise the importance of protecting bees, other pollinators and their habitats.
- (2) That this House further notes:
 - (a) that nearly two-thirds of Australia's agricultural production benefits from bee pollination;
 - (b) that bees are critical to the food security, biodiversity and the health of the Australian ecosystem; and
 - (c) however, that the number and diversity of bee populations are being threatened by the destruction of their natural habitat, intensive farming practices, the effects of climate change, and pests and diseases.
- (3) That this House calls on the New South Wales Government to investigate the potential damage floods have caused to already struggling bee populations and protect New South Wales from further impacts of climate change.

Motion agreed to.

ENDANGERED SPECIES DAY

The Hon. PENNY SHARPE (10:02): I move:

- (1) That this House notes that 20 May 2022 is the seventeenth annual Endangered Species Day, which celebrates global action towards the protection of endangered flora and fauna species.
- (2) That this House further notes that:
 - (a) in the *NSW State of the Environment Report 2021*, an additional 18 species were listed as a threatened population in New South Wales over the past three years;
 - (b) the black-striped wallaby, brush-tailed rock-wallaby and yellow-footed rock-wallaby are among the fauna that remain listed as endangered in New South Wales; and
 - (c) almost 1,000 other species of plants and animals are at risk of extinction due to degradation and altered habitat regimes, climate change, disease, pollution, displacement and invasive species.
- (3) That this House calls on the New South Wales Government to:
 - (a) take urgent action to mitigate threatening processes that continue to increase the risk of extinction for all flora and fauna in New South Wales; and
 - (b) ensure that greater monitoring and conservation efforts are taken to rebuild endangered species populations and stabilise further loss of biodiversity in New South Wales.

Motion agreed to.

WORLD FISH MIGRATION DAY

The Hon. PENNY SHARPE (10:03): I move:

- (1) That this House notes that 21 May 2022 is World Fish Migration Day, which provides an opportunity to create awareness about the importance of migratory fish and free-flowing rivers.
- (2) That this House notes that:
 - (a) in the *NSW State of the Environment Report 2021*, freshwater fish communities remain in poor or very poor condition across New South Wales; and
 - (b) fish communities in the Murray-Darling Basin are at risk of further health decline due to invasive species, climate change, habitat degradation and barriers to fish passages.

- (3) That this House further notes that:
 - (a) climate change is adding additional stressors to fish migration; and
 - (b) the number of fish kill reports increased to 79 during 2019 and 2020 due to climate-driven processes, including floods, drought and temperature stress.
- (4) That this House calls on the New South Wales Government to:
 - (a) take urgent action to stabilise the shrinking distribution of fish populations; and
 - (b) ensure that greater efforts are taken to prevent and mitigate negative climate impacts on declining fish communities in New South Wales.

Motion agreed to.

INTERNATIONAL DAY FOR BIOLOGICAL DIVERSITY

The Hon. PENNY SHARPE (10:03): I move:

- (1) That this House notes that:
 - (a) Sunday 22 May 2022 is International Day for Biological Diversity, which celebrates the creation of the Convention on Biological Diversity;
 - (b) this UN agreement led to international action to protect and conserve areas rich in biodiversity and natural heritage; and
 - (c) the theme for 2022 is "Building a shared future for all life", in an effort to garner support for the post-2020 global biodiversity framework, which seeks to act as a stepping stone toward the UN's 2050 vision of "living in harmony with nature".
- (2) That this House further notes that:
 - (a) biodiversity is critical to the function and survival of our ecosystem, but has been in decline for years;
 - (b) the species extinction rate is occurring at 100 times the natural rate and scientists estimate that this acceleration will continue to a rate between 1,000 and 10,000 in the decades to come; and
 - (c) this reality has been exacerbated by pollution, habitat destruction and over-harvesting of resources.
- (3) That this House calls on the New South Wales Government to take immediate action to protect our unique environment, and uphold the targets and values of Australia's Biodiversity Conservation Strategy 2010-2030.

Motion agreed to.

RECONCILIATION WEEK

The Hon. PENNY SHARPE (10:04): I move:

- (1) That this House notes that National Reconciliation Week took place from 27 May to 3 June 2022 with the theme "Be Brave, Make Change".
- (2) That this House further notes that:
 - (a) 3 June 2022 marked 30 years since the historic Mabo decision was delivered by the Australian High Court, which declared terra nullius a legal fiction and paved the way for native title;
 - (b) the new Federal Labor Government, elected 21 May 2022, has committed to delivering Voice, Treaty and Truth instilled in the Uluru Statement from the Heart, which will first establish a First Nations Voice to Parliament enshrined in the Constitution;
 - (c) New South Wales has signed up to the National Agreement on Closing the Gap, committing to urgent targets to improve the lives of First Nations people; and
 - (d) on 1 June 2022 the Hon. Linda Burney, MP, a former member and Minister in the other place, became the first Aboriginal woman to become a Federal Minister in Australian history.
- (3) That this House calls on the Government to:
 - (a) acknowledge First Nations people as the original custodians of the lands and waters of New South Wales;
 - (b) give First Nations people a greater say in the decisions that affect them;
 - (c) endorse the Federal Government's support for the Uluru Statement from the Heart; and
 - (d) work in partnership with the Federal Government to establish Voice, Treaty and Truth for First Nations people in New South Wales.

Motion agreed to.

WORLD OCEANS DAY

The Hon. PENNY SHARPE (10:04): I move:

- (1) That this House notes that:
 - (a) United Nations World Oceans Day will be held on 8 June to raise awareness of the benefits humankind derives from the ocean, as well as our responsibility to use its resource sustainably; and
 - (b) this year the focus will be on the revitalisation of the ocean and the collective action that will be necessary to accomplish this.
- (2) That this House further notes that:
 - (a) every second breath we take comes from the ocean, our oceans feed billions of people and 80 per cent of the world's biodiversity is hosted by our oceans; and
 - (b) pollution, overfishing, bycatch and the effects of climate change are pushing the health of our oceans to breaking point.
- (3) That this House calls on the Government to take immediate and meaningful action against climate change to protect our oceans from further warming.

Motion agreed to.

Documents

ERARING POWER STATION

Tabling of Documents Reported to be Not Privileged

The Hon. MARK LATHAM: I move:

- (1) That, in view of the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, dated 2 June 2022, on the disputed claim of privilege regarding Eraring Power Station, this House orders that the NSW Treasury documents in the return to order received by the Clerk on 16 May 2022, considered by the Independent Legal Arbiter not to be privileged, be laid upon the table by the Clerk.
- (2) That, on tabling, the documents are authorised to be published.

Motion agreed to.

ERARING POWER STATION

Tabling of Documents Reported to be Not Privileged

The CLERK: According to the resolution of the House this day, I table documents identified as not privileged in the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, QC, dated 2 June 2022, on the disputed claim of privilege on papers relating to the Eraring Power Station.

Visitors

VISITORS

The PRESIDENT: I welcome into the gallery guests of the Hon. Courtney Houssos: Elizabeth Perham and Professor Rosalind Dixon from the University of New South Wales; and Isobel Dixon-Holden, who is doing work experience in the office of Courtney Houssos. I am sure that is a very rich and rewarding experience. I welcome one and all.

Business of the House

POSTPONEMENT OF BUSINESS

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

- (1) Business of the House notices of motions Nos 1 to 3, standing in the name of Ms Abigail Boyd, until Thursday 23 June 2022.

Matter of Public Importance

ENERGY AND COST OF LIVING

Ms ABIGAIL BOYD: I move:

That the following matter of public importance be discussed forthwith:

The energy crisis and its impact on cost-of-living pressures.

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

Motion agreed to.

Ms ABIGAIL BOYD (10:14): The east coast energy market is experiencing extraordinarily high prices. Wholesale prices are reaching eye-wateringly high levels, with gas prices surging so much in recent weeks it has

necessitated the extraordinary intervention of the regulator to impose a mandated price cap on wholesale gas prices at \$40 per gigajoule. The mandated price cap is still in the order of magnitudes higher than the price consumers are used to, typically at \$6 to \$12 per gigajoule. The price cap expires tomorrow, 10 June. Electricity bills are one of the top three most concerning bills for all Australians, and that was so even before the current energy crisis and resulting bill spiral. Climate change impacts on temperatures and extreme weather events will, in all likelihood, affect the amount of energy required for households in coming decades. We need a whole-of-system approach to eradicate energy poverty as we transition through decarbonisation. We must bake in a holistic commitment to improving energy affordability through demand-side measures, to ensure that everyone in this State has a prosperous and safe future.

Misinformation abounds regarding our current energy price crisis. European conflict as well as falls in coal generation and insufficient wind and solar have all been at the receiving end of the finger-pointing, with gas industry representatives blaming the cataclysmic gas prices on an unusually high amount of gas having to be directed into power generation to bail out the shortcomings of other energy sources. While it is true that production from coal-fired power has fallen due to local physical supply issues related to extreme weather events and mechanical failures, the overwhelming majority of the trends toward reduced use of coal for our energy supply has been an uptake in wind and solar generation. That increased generation capacity from renewables has helped to shore up a degree of the unreliable coal generation. Coal generators have been suffering increasingly frequent, severe and long-lasting outages and breakdowns as a result of years of inadequate government oversight, and a lack of requirements to adopt best practice modernising upgrades.

Exposure to international market prices is the true reason for high prices. Coal and gas companies, which exist solely to operate at a profit, can and do charge domestic consumers international market prices for locally extracted resources. As in the late 2010s, the gas industry is spinning the lie that there is a shortage of gas in Australia that is driving up prices and that we must open up more supply to bring gas prices down. The demand for gas power generation in 2022 is not in any way unusually high compared to the past five years. May figures are still registering lower than those seen in 2017. All of the figures are within the bounds of what could be expected over the past five years. It is incomprehensible that the past few months have exceeded the supply capabilities of the gas industry. The only change is a tighter international energy market. With potential profits to be made overseas, the people of New South Wales are paying a premium to keep their lights on.

Since deregulation and privatisation began in the early 1990s, energy pricing and billing in Australia has become increasingly inequitable and complicated. From 1 July 2019, in response to spiralling energy prices through the late 2010s, consumers in Queensland, New South Wales, South Australia and Victoria were covered by new energy pricing laws and regulations. Default offers sought to cut power bills by protecting consumers from price gouging and by helping consumers to get a fair deal. Those protections were only necessary because consumers had been exposed to the deliberately inscrutable and opaque price-gouging and profit-maximising predilections of the capitalist class through government decisions in the first place.

In New South Wales, South Australia and south-east Queensland, customers became covered by the Australian Energy Regulator's default market offer [DMO]. The DMO is the maximum price an electricity retailer can charge a standing offer customer each year. Its objective is to reduce unjustifiably high standing offer prices and to continue to protect consumers from unreasonable prices, which is a worthy objective. But not all default offers are built the same. The Victorian Government took a different direction and implemented a Victorian default offer [VDO], the price of which is set by the State's Essential Services Commission. The stated objective of the VDO is to reflect a reasonable or competitive price, providing an important safeguard for customers who may be on a standing offer contract and disengaged from the market.

Unlike the VDO, the DMO that applies in New South Wales is not designed to be a competitive deal. It merely acts as a guardrail to some of the worst excesses of price-gouging energy retailers, while still buying wholesale into the flawed logic of the markets. The VDO for 2022-23 was released a few weeks ago and has increased energy bills for Victorians by 5 per cent. Factoring in the most recent inflation figures, the default offer is close to unchanged in real terms. Compare that to the 18.3 per cent increase—or 12.1 per cent in real terms—that we are facing in New South Wales, it becomes painfully obvious that we are not being well served by our current regulatory regime. To reiterate, the logic of the regulatory regime under which New South Wales energy prices are regulated has no intention of setting a competitive or attractive cost for consumers. Rather, it is geared in an industry-facing manner to encourage competition between retailers. The logic of competition-driven improvements is clearly failing to protect the interests of New South Wales consumers.

A considerable portion of the price difference between the DMO and VDO is the retail margin that is baked into the price. The Australian Energy Regulator's chosen retail margin—that is, the legislatively baked in minimum profit margin for energy retailers—is 10 per cent for residential customers and 15 per cent for small business customers. The Essential Services Commission in Victoria, the Independent Competition and Regulatory

Commission in the Australian Capital Territory and the Office of the Tasmanian Economic Regulator all use a retail margin between 5.3 per cent and 5.7 per cent for standing offer customers in their regions. This 5 per cent to 10 per cent difference in the price being paid by New South Wales consumers is impossible to justify, and it is clear that the DMO is failing in its stated objective of protecting customers from unjustifiably high retail prices, specifically unjustifiable retail margins.

Most customers are not on the DMO, and have instead signed up to some form of market offer with a retailer. But in New South Wales, around 10 per cent of residential customers and a little less than 20 per cent of small business customers are still on the DMO standard rate, which is to say that they are being charged at an uncompetitive but legally sanctioned rate. The Australian Energy Market Commission and Australian Competition and Consumer Commission have noted that many customers on the standing offer are supplied under a retailer's obligation to supply—for example, if a poor credit history means other retailers will not supply them. The system is designed in such a way that those who may be doing it toughest are forced into the most inequitable and unaffordable energy plans, locking them into a vicious cycle of energy poverty that only exacerbates these vulnerabilities in a destructive feedback loop.

The majority of customers on standing offers are served by the tier 1 retailers: AGL Energy, EnergyAustralia and Origin Energy. Coincidentally, these retailers also own their own generation resources and thus benefit from more favourable wholesale prices, granting them access to even greater profit margins. Information from the New South Wales Government's energy rebates annual report shows that between 8 per cent to 10 per cent of all people currently receiving financial assistance for their energy bills are on the standard offer, representing terrible value for money both for consumers and for this Government. That people suffering the highest levels of energy poverty are just as likely to remain on the standard offer as others also proves the failure in the logic of the DMO's objective to encourage plan switching for those paying the highest prices. There are certain systemic barriers that will prevent people from feeling informed and equipped enough to participate in the energy market, and the Government is not doing enough to assist people to access the least exploitative energy contracts.

There is a clear and present need for urgent intervention to assist people who are struggling with the overwhelming burden of astronomical energy price increases. Short-term assistance payments may be necessary, but they should be formulated in such a way that they do not just subsidise the windfall profits of the fossil fuel industry. In the medium and longer term, urgent work must be undertaken to build energy resilience back into our households. Studies suggest that between 5 per cent and 29 per cent of the Australian population experiences energy poverty to varying degrees and cannot access adequate, affordable, reliable, high-quality and safe energy services to support their development and capacity to lead a decent life. As our decarbonisation accelerates, without a just transition—both industrially as well as at home—we run the risk of widening the gulf of energy inequality.

A key factor in this equation is poor home energy efficiency, with a demonstrable difference in the amount of insulation in the homes of people who are financially comfortable and those who are not. There are also barriers to low-income households obtaining the benefits of solar. They are more likely to be renters and so cannot install solar and their landlords currently have limited incentive to install it. If they do own their own home, they are unlikely to have the spare money available to invest in purchasing solar. They are also more likely to live in a unit or apartment, where the decision to install solar is similarly not theirs to make.

Just yesterday, Australia's energy Ministers met to discuss potential solutions to the energy crisis. The result was a relief in many ways. While it is refreshing to no longer have a Federal Government that tries to solve every problem by simply throwing more money directly at the fossil fuel industry, the agreement appears to fall far short of what is needed to relieve the burden on Australian households caused by soaring energy prices. At the meeting there was recognition that it was a mistake not to have coordinated the transition away from reliance on fossil fuels to renewables—who knew?—and a commitment, at last, to develop a national transition plan. But that is as good as it got.

The Ministers also agreed to empower the Australian Energy Market Operator to procure gas on the open market and to keep it in storage facilities already in place around the country, to be released during shortages. To me, that sounds very much like a response that requires governments to bear the price and risk of securing more energy, while letting the energy retailers and wholesalers off scot-free. There is also no clear explanation as to how a capacity mechanism would have provided consumers with any protection from our current market conditions. As I have already said, there is no actual shortage of gas supply, and generators will still seek to recover short-run costs—costs that will be elevated while market-wide fuel costs are also high.

European capacity markets provide an exact example of this problem. European consumers are still left exposed to escalating prices due to international market prices. Creating a capacity market, essentially big fossil fuel batteries, will likely only serve to prolong the life of dangerous fossil fuel industries while stymying further

penetration of renewables. The Labor-Greens Government in the Australian Capital Territory has—unsurprisingly—led the way when it comes to transitioning away from a reliance on fossil fuels and has now achieved its long-term vision, powering the Territory with 100 per cent renewable energy. The average electricity bill in the Australian Capital Territory will actually fall this year, unlike in New South Wales. The quicker we follow suit, the quicker electricity prices here will fall.

Of course, much of this current crisis could have been avoided by not selling off the State's energy assets. As The Greens have said countless times, when you privatise an essential public service, you put the people of New South Wales at the mercy of private corporations when it comes to fulfilling their most basic needs. This misguided delirium for privatisation, demonstrated not just by this Coalition Government but also by the Labor Government before it, has left us in a position where we have to navigate complicated market mechanisms simply to ensure that people in our State have enough heat to warm themselves. The Queensland Government has offered an energy rebate of \$175, available to all households in the State. It is able to do that because it is the owner and operator of its own coal-fired power stations, and so it is benefitting from the windfall profits of surging wholesale prices. Because the generators remain in public hands, that windfall profit can be recirculated back into the economy to directly assist the people of the State.

Compare that with the situation we find ourselves in with entirely privatised energy generation and distribution in New South Wales. If we were to attempt to make similar support provisions available to the people of this State, we would, in effect, be paying for it twice and lining the already deep and well-lined pockets of major fossil fuel companies with further profits. Until we break the unholy matrimony between governments hell-bent on selling off every public asset we own and a private sector that greedily jumps on every opportunity to snatch up our essential infrastructure for its own profits, we will keep seeing crises like these. We should never have sold off our energy assets. The smart thing to do now, in the interests of generations to come, is to take back control of this essential service.

In the meantime, we must urgently address the additional cost-of-living pressures created by the energy crisis. Energy poverty is a real and pressing concern in New South Wales. In extreme heat and cold events, those without air conditioning or heating are at extreme risk, with more people dying in Sydney from cold temperatures than in Sweden. Inefficient building design, lack of insulation, obstacles to accessing rooftop solar and the use of standard offer contracts, particularly for those less likely to be able to pay their bills, all contribute to energy poverty in our State. With one in five renters on very low incomes unable to afford to keep their homes warm in winter even before this latest energy crisis, we are looking at significant numbers of people dying or turning up to our hospitals with health issues caused by the cold this winter.

The New South Wales Government's energy rebate and assistance schemes are far from adequate and fall well below the assistance being provided by governments in other States. The New South Wales Government's Energy Accounts Payment Assistance [EAPA] scheme has been publicly touted by the Liberal-Nationals Government as the centrepiece of its financial assistance to households, but this voucher scheme fails to address the true scope and longevity of this crisis. EAPA vouchers are currently provided to fewer than 60,000 households in New South Wales due to the strict accessibility criteria—namely, that you must demonstrate that you are either already disconnected or on the brink of disconnection as a result of failure to pay an energy bill, or that you are going without basic needs in order to pay your energy bill.

The cost of providing energy relief and acting to solve this crisis and preventing it from ever happening again should be borne by those who have benefited from the policy mistakes of successive Australian and State governments—that is, the fossil fuel companies. A windfall gains tax on the extra gas profits being raked in by gas exporters would be one appropriate measure to build future resilience and curb some of the worst of this exploitative wealth transfer from public hands into the private purse. There is no quick answer to this problem of the Government's own making, but we must urgently act to apply an energy equity and resilience framework to all our decisions if we are to have any hope of navigating this crisis in a way that works for the people of New South Wales.

The Hon. PETER POULOS (10:28): The New South Wales Government is committed to securing a more affordable, sustainable and reliable energy future, and to helping households and businesses reduce the burden of higher energy costs. Those goals are being challenged by rising wholesale and retail electricity and gas prices across Australia, driven largely by external factors. National energy bodies have primarily attributed the price increases to strong international demand for coal and gas, combined with a greater than normal number of outages from coal-fired power generators as well as La Niña weather impacts, which are affecting quantities of scheduled coal deliveries.

Domestic gas prices have surged higher, reflecting the effects of high international prices, partly influenced by the conflict in Ukraine. However, there are sufficient supplies in the east coast market to meet current energy needs. At the start of the conflict in Ukraine, domestic gas prices initially remained below international prices, but

since the start of May, prices have become more interlinked with the international prices due to rising demand for liquefied natural gas, low storages and a tighter supply-and-demand balance. During March, April and May a number of units at coal-fired power stations were offline due to maintenance, including catch-up maintenance, not being able to be performed during COVID lockdowns or unplanned outages. That required more gas-powered generation than normal to meet peak electricity demand levels.

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

The Hon. PETER POULOS: In addition, some power stations have experienced difficulty securing alternative coal supplies due to their normal supply sources being impacted by weather conditions, lower coal production levels and poor coal quality. The NSW Chief Scientist and Engineer has confirmed New South Wales is well placed to deal with energy reliability and security risks. Additionally, the *2021 Electricity Statement of Opportunities* of the Australian Energy Market Operator [AEMO] was updated on 14 April 2022 to account for the early retirement of the Eraring Power Station. The updated report shows the New South Wales electricity system is fundamentally resilient and capable of managing the accelerating transition away from coal-fired generation. The report demonstrates that if we stick to our plans under the Electricity Infrastructure Roadmap to invest in new batteries, transmission and generation and make it easier for the private sector to do the same, New South Wales will manage the phase-out of coal-fired electricity generation without putting reliability at risk.

The New South Wales Government recognises that the increase in wholesale gas and electricity prices is placing significant cost pressures on energy market participants as well as consumers. On 25 May 2022 the Australian Energy Regulator initiated the Retailer of Last Resort process for electricity retailer Pooled Energy. That process facilitated the transfer of customers to ensure the continued supply of essential energy services to those customers. On 31 May 2022 electricity retailer ReAmped encouraged its more than 70,000 customers across the national electricity market to switch to other retailers for their electricity supply on the basis that its retail prices are expected to potentially double in the coming weeks. A number of electricity retailers—including Diamond Energy, Amber Electric and Nectr—have announced they are not taking on new customers at this time in the face of increased and volatile wholesale prices. The default market offer, set by the Australian Energy Regulator, acts as an electricity price cap for customers on standing offer contracts and acts as a reference price for all electricity contracts. The final default market offer prices for the 2022-23 financial year were recently approved by the Australian Energy Regulator.

The New South Wales Government is working closely with market bodies, the Commonwealth, other governments and market participants to assess and manage the conditions that are being driven primarily by high international prices for gas and coal as a result of the conflict in Ukraine. The New South Wales Government has already taken steps to support increased gas supply and availability. The Government has approved the development of projects such as the Moomba to Sydney Pipeline compressor expansion, the Narrabri Gas Project and the Port Kembla Energy Terminal that will allow the delivery of extra gas to meet the forecast energy demands of New South Wales and south-east Australia into the future. The Government is also working with the AEMO and continuing to assess a range of possible measures to provide more immediate responses to the evolving situation.

Following the suspension of Weston Energy on 24 May 2022, the Treasurer, and Minister for Energy, issued a ministerial direction to AEMO, which facilitated more spot market gas at the Sydney short-term trading market. The direction enabled AEMO to move from an administered price to a wholesale price cap to align with other markets, which then encouraged more gas to be traded. The Government's action reduced the risk of a gas shortfall caused by price separation. The Government is exploring coal supply issues affecting base load generators to identify exact constraints and the powers available to support timely and secure supply through the next few months. The Office of Energy and Climate Change is engaging on coal freight train delivery issues within the New South Wales rail network, including with Transport for NSW and Sydney Trains.

Just yesterday Commonwealth, State and Territory energy Ministers met to receive briefings from the market bodies and discuss immediate actions to be taken and to investigate other long-term actions to add confidence to the market and build its future resilience. Energy Ministers were united in recognising that the current situation is complex and is liable to change quickly. The Ministers agreed to accelerate the final design of a capacity mechanism, which is expected to guarantee investment in base load gas, pumped hydro, batteries, coal and renewables generation by requiring energy retailers to lock in supply contracts with power companies in advance.

When the latest default market offer amounts were announced, the New South Wales Government increased the amount of support available by more than 25 per cent for households experiencing short-term financial hardship with their energy bills. That extra assistance is part of a \$330 million annual package that the Government is providing through six energy rebates to support low-income and vulnerable New South Wales

households with their energy costs, while the Energy Accounts Payment Assistance [EAPA] scheme helps customers in financial hardship due to a short-term crisis or emergency to stay connected to energy services.

EAPA provides \$50 digital vouchers directly to retailers to pay customers' bills. The limits per application have been temporarily increased from \$300 to \$400 to support customers facing rising energy costs from 30 May this year. EAPA customers can receive up to \$400 per application for electricity and up to \$400 per application for gas bills twice a year. That means the annual limit for those vouchers has increased from \$1,200 to \$1,600 per household. From July 2020 to June 2021, the New South Wales energy rebates reduced household electricity bills for recipients by an average of 20 per cent and gas bills by an average of 15 per cent. Yesterday the Government released its \$128 million Energy Bill Buster package, which outlines further measures and initiatives to support energy affordability for low-income and vulnerable households.

The New South Wales Government is committed to reducing the burden of energy costs for households and businesses. The NSW Electricity Strategy sets out how the Government will secure a sustainable, reliable and affordable electricity future. The New South Wales Government is working hard to manage the energy market transition and move towards a cheaper, cleaner and more reliable electricity sector. The biggest risk to energy prices is failing to replace coal-fired power stations before they close. The NSW Electricity Infrastructure Roadmap is focused on replacement, and that is why we are confident it is the best way to keep prices as low as possible. By legislating the road map, Australia's largest renewable energy plan, our State is well placed to not only keep the lights on but also lower energy prices.

The road map sets out our 20-year plan to deliver generation, storage, firming and transmission infrastructure to ensure that New South Wales continues to have reliable and affordable energy. The best way to put downward pressure on prices is to increase energy supply. The New South Wales Government is accelerating the delivery of the road map to do just that. We are investing \$84 million to accelerate the implementation of the road map and a further \$47.5 million has been committed to expand the pipeline of pumped hydro projects in New South Wales. This funding is on top of the record \$380 million announced in the 2021-22 budget and will support the delivery of critical infrastructure that will put downward pressure on energy prices.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I advise members that the microphone on the lectern farthest to my right appears to be playing up and is cutting in and out. Members may wish to use another microphone when making contributions. The Leader of the Opposition has the call.

The Hon. PENNY SHARPE (10:40): On behalf of the Opposition, I speak on this matter of public importance regarding the energy crisis and its impact on cost-of-living pressures. I listened very carefully to the Parliamentary Secretary's contribution. At no point did he talk about people—a person who is currently dealing with this energy crisis and the cost-of-living pressure. Before I get into the details of what is often a very dry discussion around energy regulation, I will reflect on some of the people who I have met or know who are genuinely feeling the crunch of rising costs. A friend of mine who lives in Lismore lost both her family business and her house in the floods. This week she received a \$550 electricity bill for January to March this year. She does not have any electricity at her house but she is receiving bills. The amount is also double what she would normally pay. She has no income. They have no business. She is feeling not only the energy crisis but also the lack of a flood response from this Government.

We have small businesses that have been pushed to the wall as a result of COVID and a range of other things that are now receiving bills. They have had no rent relief, yet their rents are going up. Everything that is coming into their store is going up in price. Their customers cannot afford to pay the extra prices as inflation goes up. They too are being pushed to the wall and wondering how on earth they are going to pay a bill when it comes in. Members know that there are older people in this community sitting in their homes without any heating on because they cannot afford the bill, and they are lucky if they've got blankets. Last week the floods inquiry visited Wardell. When you drive around that town it looks quite nice, but if you look closely you will see houses that are uninhabitable because they are full of mould.

We have people living in wet tents in their carport, if they are lucky to have one, with two energy outlets, no heating and a massive lack of blankets. These are real people. Families are deciding whether their kids can go on excursions—which they are finally allowed to go on after two years of COVID—because they do not know how they are going to pay their electricity and gas bills. This crisis is about real people and real businesses. Our large manufacturing businesses cannot operate with the current prices. They are laying off staff. They are doing incredible things such as bringing people into work overnight because they have to pay spot prices for their energy charges. This crisis is feeding into really serious outcomes for people. It is a great shame to hear a Government member stand in this Chamber and give a very dry speech about consumers, participants and regulation while having zero empathy for what this means for real families as they literally have those conversations today.

Yesterday Government members spent most of their time congratulating themselves on how well they were tackling the State's cost-of-living crisis. This discussion is an important opportunity to bring the Government back to reality. As I said, the reality is that we are having an energy crisis that is feeding into a wider cost-of-living crisis. Yesterday the energy Minister—I am not sure whether he proclaims himself to be the greatest energy Minister of all time yet—said he had a plan to send Putin's power prices packing. I found that fascinating. I was so pleased he had the gall to mention Putin. Six months ago he committed to get the State's money out of the Putin regime and \$30 million that he cannot divest is just sitting there because he failed to act. The hubris from this Government on these matters is gobsmacking. I realise I have digressed.

The energy price crisis was emerging before the crisis in Ukraine. Prices for Australian thermal coal have been above the boom level of US\$100 per tonne for the past nine months. The spot price is currently US\$330 per tonne; today I think it is probably even more. Coal and gas prices have been driven up not only by the war in Ukraine but outages in aging coal-fired power stations and the impact of the pandemic on supply chains. Failure to act on moving to renewable energy is the other reason we are so underprepared and dealing with this crunch right now. For over a decade there has been denial—and active resistance—of the need to do this and we are only just now getting it together. Liberal-Nationals governments at both State and Federal level have dragged their feet and New South Wales is feeling the consequences, with only 26 per cent of our power being generated by renewables. We have no resilience built into our local energy grid to avoid huge costs being passed on to families.

Where does that leave us? So far in June the current average wholesale price in New South Wales has been an eye-watering \$470 per megawatt hour, up nearly 50 per cent from the already sky-high level of \$320 per megawatt hour averaged over May. From July households will face increases in their power bills of between 8.5 per cent and 18.3 per cent, following the Australian Energy Regulator's decision to lift the standard electricity price after generation cost by close to half. Across New South Wales the annual electricity bill is \$1,424. There are a number of other variables, but the bottom line is that families will face an increase of between \$119 to \$369. New South Wales small businesses will face an increase of at least \$690 and up to \$1,130. Households and small businesses in western Sydney already pay more and are seeing the biggest increases in prices across the State.

The prices we are exposed to are informed by the output mix. A number of coal-fired power stations being offline means a larger mix of the output is being filled by gas. More specifically in New South Wales, Bayswater unit three and Liddell unit four have been out of service for the whole period. Last Tuesday Eraring unit three returned to service, as did Mount Piper unit two on Saturday. AGL has stated that unit four at Liddell Power Station was taken out of service three weeks ago due to a malfunction with a generator transformer; the unit is expected to return to service in the second half of July. AGL is also carrying out some planned major maintenance and an upgrade at Bayswater.

Last week Origin reported that the output of the country's biggest generator, Eraring, would be severely curtailed by mine problems at its main supplier of coal, Centennial. Coal output fell 52 per cent over 24 hours and 55 per cent over a rolling seven-day average. This is where Putin comes in. Gas prices have risen dramatically because of the increased global demand as the world tries to sanction Russia for the war in Ukraine and reduce reliance on Russian gas. More gas in the mix means those higher prices are feeding into higher energy bills. We have to also realise that most of the gas in Australia is destined for overseas and not for local markets, which has a significant impact.

I will spend the rest of my contribution talking about the failures that the New South Wales Government has put in place to help people deal with the very difficult transition that is occurring. First of all, I note the energy Ministers met yesterday. What a breath of fresh air to have Chris Bowen in the chair, bringing people together, planning for a future for renewables and dealing with the bumpy ride that we are going through. The Federal Government is looking seriously at other cost-of-living measures that it can use to help. I will talk first about the bill buster announcement, which is great—if you can access it. Let us remember that the current solar programs are less than 50 per cent subscribed. Let us talk again about the self-proclaimed "greatest environment Minister of all time"—he said it again yesterday. He announced that a million households are eligible for that new rebate, but the funding is only for 30,000 people, or 3 per cent. We can make big announcements and talk about how we are helping a million people, but it is absolute and utter rubbish. It is 3 per cent of that if you are lucky, and it will be very challenging to support people through that very complicated process.

The program to provide solar to low-income households predicted that some 3,000 people would sign up, but there have only been just over 1,200. We must talk about Energy Accounts Payment Assistance vouchers and other concessions, which are chronically underspent and very difficult to access. That goes to the point that the Government loves a splashy headline, but it is not there to work with vulnerable people or even ordinary families who need support to get through winter to pay their bills and not be stressed by the energy crisis. The Government

must get serious in terms of support and outreach by helping make it easier for people to apply for those rebates. There is no point in having them if there is no intention of ever spending the money. I thank The Greens for the motion. The energy crisis is serious and there are no short-term fixes. But we can do much to support people through this. The Government must do better.

The Hon. MARK LATHAM (10:51): The motion before the House is unusual for The Greens, given that they complain about the energy crisis and cost-of-living pressures that they helped create. It is the greatest own goal since Escobar. Obviously in the absence of Mr David Shoebridge, Greens members are kicking the wrong way because Ms Abigail Boyd's whole proposition was that we have run out of supply and prices are going up—well, of course, that is economics 101. If the supply goes down and demand goes up, the prices skyrocket. But who is the author of diminishing supply? Which party wanted to wipe out all the coal seam gas in New South Wales? The Greens. And now it is all gone with the help of Labor, the Liberal Party and the National Party.

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

The Hon. MARK LATHAM: Which party opposed the Santos project at Narrabri? The Greens—"No gas for New South Wales!" To the credit of the Government, it has been a slow process and it has been delayed by four or five years, but it might actually happen one day. The Greens only need to look at their own press releases and social media feeds to know they are in part the authors of the lack of supply, which has left New South Wales in the ridiculous situation where we are 5 per cent self-sufficient in gas. Under the Baird Government, New South Wales—the biggest State in the Commonwealth, with plenty of gas in the ground—closed the coal seam gas industry and delayed Narrabri, which The Greens cheered on. They are very happy. In fact, their only point of dissatisfaction is that 5 per cent self-sufficiency is too high. They think it should be zero because they opposed the gas peaking plant at Kurri Kurri and they opposed the gas peaking plant at Tallawarra to keep the lights on and supply—that word "supply", or more electricity—

Ms Abigail Boyd: It's not about supply.

The Hon. MARK LATHAM: The member now interjects to say it is not about supply. She is not only kicking the wrong way but also contradicting her own speech. The speech was all about supply and how, apparently, we have too much supply.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! I remind the Hon. Mark Latham that responding to interjections is disorderly. Members must direct their comments through the Chair and must not interject. This will be an orderly debate. The Hon. Mark Latham has the call.

The Hon. MARK LATHAM: I was struck by an important point of parliamentary process in which a member of Parliament, who gave a speech arguing for increased supply, interjected to say that it is not about supply. Not only are The Greens the Escobar of the matter of public importance [MPI], they contradict themselves in the space of half an hour. They are completely dazed and confused about their energy policy. On other aspects of supply, Ms Abigail Boyd spoke about competition-driven improvement. What sort of competition are The Greens advocating for? They are advocating for a 100 per cent renewable system, a monopoly on supply from renewables—no competition from gas or coal. They continue the ban on nuclear, so there is no competition from nuclear either. When Ms Abigail Boyd talks about competition-driven improvement, she actually means a monopoly, energy unreliability and higher prices through renewables.

The MPI from The Greens is a shambles. We only need look at the recent coverage of the energy crisis that we have in winter. Of course, it will be much worse in summer if we have a really hot summer—the past two summers have not been like that, but if the next one returns to normal then, in terms of the energy crisis, we ain't seen anything yet. As for the Minister proclaiming himself to be the Muhammad Ali of the environment, in truth he floats like a bee and stings like a butterfly—he is all rope-a-dope. He is yet to lay a punch for the benefit of consumers. The Muhammad Ali of the New South Wales Parliament is living in a complete state of delusion and, as I pointed out in my earlier motion, he is also misleading the Parliament as to what he knew about the early closure of Eraring. If we are relying on Matt Kean to get us out of trouble, we are certainly in huge strife.

We must look at the recent publicity about where the costs are being borne in the energy crisis. Frank Calabria, the head of Origin Energy—they are closing Eraring early in 2025—has said that the full cost to Australia of a green energy transition is \$120 trillion. The biggest energy company in the country has said that the full cost to our nation of the policy that is advocated for by The Greens, the National Party, the Liberal Party and the Labor Party is \$120 trillion. One could not write enough noughts on a bit of paper to work out the scale of the money we are talking about. Of course, the burden is met in part by taxpayers, who fund the Government's largess for renewables, and most particularly by consumers. Ms Abigail Boyd mentioned the announcement about yesterday's energy Ministers meeting. She said, "Oh, how good that they all cooperated!" What did they cooperate

on? They cooperated on the introduction of a capacity mechanism, which means the retailers pay the generators to keep the lights on.

Of course, the retailers pass the cost straight on to the consumers as part of that \$120 trillion, so a capacity mechanism means higher prices—that is what it is code for. Now that Chris Bowen is Federal energy Minister instead of Angus Taylor, we have higher prices. They have all cheered on a capacity mechanism where the retailers are going to pay for the generators to keep running and for the coal-fired power stations—I mean, the contradiction of these people. One minute Matt Kean says that coal has to go—last year he told *Four Corners* that all fossil fuels, including gas, oil and coal, must be gone in the middle of the 2030s, so in 2035—yet now he is saying that we need more coal. This Muhammad Ali is punching himself with his contradictions. Yesterday on the *Sunrise* morning program he said, "More coal, no gas." What sense is there in any of that?

Matt Kean is running a merry-go-round on energy policy. One day coal is on the merry-go-round, the next it is off; one day gas is on the merry-go-round, the next it is off; and then one day renewables are on. It is a complete and utter shambles. We only need to look at the documents that were tabled in Parliament this morning to see the scale of the shambles. The documents from the MPI, which point to the misleading information that was provided to me and the Leader of the Opposition in this place at budget estimates hearings, also highlight the shambles of the Kean energy policy. Origin Energy has submitted a graph highlighting the danger to the energy security target. New South Wales will be on the borderline of blackouts in 2024, 2026 and 2030, according to the Origin Energy graph, and that works on the assumption that Snowy 2.0 is delivered in 2025, when construction is due for completion. Of course, no-one thinks it will be completed by then. It will be subject to delays—most particularly, the delay in putting in the HumeLink.

A completed Snowy 2.0 is of no use to anyone unless it is connected to the grid through HumeLink for the benefit of Sydney and the rest of New South Wales. Even Paul Broad, who runs Snowy 2.0, has said he fears that HumeLink will slide into 2025. If it slides into 2025, New South Wales will slide into blackouts according to the Origin Energy document. That is the reality that we are talking about. The green energy transition, which will cost \$120 trillion in the short to medium term, is a transition to blackouts—no energy, no lights, no traffic lights and no functioning civic institutions like hospitals. You name it, they are all closing down. Households and businesses will also be affected.

This is the reality that has been highlighted in the documents. For all the Kean ministerial energy advisers, who crawled all over Project Phoenix and those graphs, none of them contradicted it. They all accepted that is going to happen. Furthermore, in the emails and the memos that were written, we only have to look at the commentary to see how dangerous the Matt Kean energy plan will become because Origin submitted to the Government, with no contradiction:

When the closure announcement is made [for Eraring] AEMO will forecast a reliability shortfall.

That is what it said. Eraring would lead to a shortfall in electricity reliability and the Australian Energy Market Operator [AEMO] would own up to that. So Origin, which knows a fair bit about its own power station and electricity supply, is pointing to the danger of blackouts. The most damning of all for the Government is the file note that was written by James Hay, who is chief executive of the Energy Corporation and chief executive of energy and climate change advice to Matt Kean from the department, on 29 September last year. Following a discussion with Scott Perkins, who he has known for many years and who is the independent non-executive chairman of Origin Energy, James Hay wrote:

We recognised neither the Roadmap nor post 2025 [reforms] will be ready in time for Origin's timelines for Eraring.

Eraring is closing in 2025 and the chief energy adviser to the New South Wales Government says there is nothing to replace it. We will lose 25 per cent of our electricity supply in this State and the road map or the other reforms will not be ready. That can only mean blackouts. The replacement has been much vaunted—we sat up all night debating the Kean energy bill and the Parliamentary Secretary made all the same promises. If we drop 25 per cent of electricity supply, the truth, which was not in the Parliamentary Secretary's speech, is what the chief energy adviser is saying: that this road map and the replacement supply from renewables will not be ready for the closure of Eraring in 2025 and the peak danger for blackouts that is articulated by Origin. The rest of the document goes on to state:

Battery is hard as the offer appears to be just 2 hours—

He is not pointing to that. Then, most damning of all, he is pointing out that basically no pumped hydro schemes are available over the next four or five years to fill the gap. Kean misleads, he is inadequate and he will drive this State into blackouts. [*Time expired.*]

The Hon. JOHN GRAHAM (11:01): I thank Ms Abigail Boyd for raising this issue, which is crucial at the moment for the State and for the country. I recognise that people have talked about a lot of the short-term

issues that have really driven this crisis at the moment, which is the reason we are debating it today. They have been well spelt out in the Chamber. There are issues at Eraring, at Liddell and at Bayswater. There have been mixed signals on gas and coal from this Government from presumably "the greatest" energy Minister ever. The Parliamentary Secretary explained well the retail chaos. New South Wales customers are very confused as a result of the messages they get from their retail suppliers. The Government repeatedly and publicly has wanted to talk about the war in Ukraine. The State and the current Treasurer are actively funding Putin and Putin's Russia with our people's investments, but the Treasurer has put that aside.

The Hon. Penny Sharpe: Which he said he would do something about.

The Hon. JOHN GRAHAM: He said he would do something about that. It has not happened and we will take a bath financially now if he does. Putting that aside, it is clear that what is going on relates far more to the long-term pressures on the electricity system and the real inaction of this Government over its 12 years in office, and we are now seeing that come home to roost. In my view the real issue is the fact that the Government has been slow to move on having a plan. I call on the Government to deal with this issue in a long-term way while focusing on the short-term crisis. My real frustration with this issue is the same as that felt by the Leader of the Opposition: Who cops it in the neck? It is working people who are really suffering.

People are sitting around the kitchen table, struggling to work out how to pay their energy bills in the face of all the other bills they have arriving in the mail. People are choosing whether or not to turn on the heater now, in June—or wait until the middle of winter. They will be choosing whether or not they can heat their house because the bills keep coming and they simply cannot afford to pay them. If there is no resolution to this issue, the workers who are employed by some of those big employers will soon be out of work. My real frustration is that working people will cop it in the neck. What has the New South Wales Government done in the face of that? The Treasurer has made a whole lot of promises but there has been very little delivery. I remind members of the promises that were made when we first debated this road map. Matt Kean promised that annual electricity bills between 2023 and 2024 would be \$130 lower for households or \$430 lower for businesses.

We were assured that prices were coming down but what has happened is that they have headed in exactly the opposite direction. The Treasurer has failed to recognise the volatility we are facing as a State, and he has failed to be honest about the challenges that the State and the country face on this issue. That has made the situation worse. What has happened is quite shocking. Those default market offers as at 26 May will increase 2.9 per cent to 12.1 per cent above inflation. That will mean an increase of at least \$119 to \$369. That is what is coming down the line after the promise of lower prices. Higher prices are on the way for those default market offers. That is the concern. I refer to the Government's promises on energy rebates. We heard from the Parliamentary Secretary about the six schemes in place, and all of them are undersubscribed. The promise that hope is on the way is based on the hundreds of millions of dollars that should be there, but as at 30 June 2021 the New South Wales Government had underspent on energy rebates for low-income earners by around \$205 million.

This is another example of the Government's headline schemes just not going out the door; they are not helping people. Moreover, at that point it was \$205 million short. The cost-of-living crisis is real. It is not just increasing energy prices. It is the fact that mortgage rates have increased suddenly and dramatically, and the price of petrol has increased. I am conscious that the Federal Government has to make a decision on excise in September. The price of groceries is on the way up and the cost of tolls is increasing. One of the other issues the Opposition has pursued strongly is that tolls are getting worse. They will increase by more than double the usual amount on 1 July. This week the Government has made a very big deal of its step forward on toll relief, but we rapidly found out that it was one step forward and one step back—possibly two steps back—as another toll program was ripped away.

The Hon. Sarah Mitchell: Point of order: I hesitate to interrupt the Hon. John Graham but this matter of public importance debate is about energy. It is not about roads and tolls. I ask you to direct the member to confine his remarks to the leave of the motion.

The Hon. Penny Sharpe: To the point of order: The matter of public importance is also about the cost-of-living pressures, which is pretty broad and includes toll charges and levies.

The Hon. Sarah Mitchell: Further to the point of order: It states, "The energy crisis and its impact on cost-of-living pressures."

The DEPUTY PRESIDENT (The Hon. Wes Fang): I accept the assertion of the Leader of the Opposition that the motion states, "impact on cost-of-living pressures". But in the preceding part it states, "The energy crisis and its impact on cost-of-living pressures." I uphold the Minister's point of order. I draw the Hon. John Graham back to the substantive part of the motion.

The Hon. JOHN GRAHAM: The similarity between those two issues—the energy crisis and tolls—is that they are problems of the Government's own making. The energy crisis is a problem of the Government's own making. For years we have been told on tolls and energy that, "There's no problem here." Well, there is a problem if you are a working family. There is a problem if you are trying to pay the bills and the Government's denials are only making matters worse. In conclusion, I simply make the point that a better way to deal with this would be to look at some of the long-term issues that we can deal with in Parliament. We have to deal with the immediate crisis but we should also recognise that this is an important economic lever for the State. As a State, there are few things we can do to set up the long-term economy of New South Wales more than dealing with this issue. We must be conscious of the long-term trends. This volatility will get worse. As the oil market starts to concentrate, the Organization of the Petroleum Exporting Countries [OPEC] and Russia will control not just 45 per cent of the oil market but 57 per cent by 2040.

There will be more volatility in energy but the prospects are quite good for a State like New South Wales that is able to mine some of the key precursor metals that are needed for this energy transformation. The prospects are good in New South Wales if we get that right. It requires a long-term plan. This Government never had one and then it came in with one too late. We know how long that takes. In that debate we talked about the fact that it takes 10 years to set up one of these renewable energy zones. It takes eight years to set up large-scale pumped hydro. This Government simply started too late, it made very big promises and now those promises are coming home to roost. It made very big announcements about what help would be there, but massively undersubscribed if you are a normal family in New South Wales. This morning I was pleased to see Labor leader Chris Minns calling for rules to ensure that gas projects keep gas here. That is a sensible lever that has been pulled in Western Australia. We should be talking about it in New South Wales. We should have those sorts of long-term discussions.

We should act in a bipartisan way where we can. That is the view the Opposition took when legislation was before this Chamber. I have to say: Do not let that hide our real concern about this Minister and his inability to deliver in this area. Do not let that hide our real scepticism about the promises that are being made that are not being delivered for working people in this State. That is where the Opposition is coming from. I thank Ms Abigail Boyd for raising this issue today. It is urgent. It is urgent because of inaction over 12 years. That is the real problem here. Labor is up-front about the fact that these will be difficult problems to solve. The Opposition has tried to set out in its election policy some real paths through here and the Government adopted some of those measures. The Government has to implement them urgently, it has to implement them competently, and that simply has not happened.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (11:11): What we are hearing today is unfortunately politics. There is an attempt to reframe this entire debate because we are now 10 months away from an election. What we know when we actually reflect back on the day after the day that we debated this bill is that the New South Wales Government is in fact taking real action on the challenges facing the energy market by building the energy generation to secure our State's future. The Electricity Infrastructure Roadmap, which received support from almost all sides of this Chamber, is our coordinated plan to deliver an affordable, reliable and clean energy future for this State.

This Government knows that the road map will help replace the generation capacity produced by four out of five of New South Wales' existing fleet of coal-fired power station generation plants, which are scheduled to retire in less than 15 years. The Government knows that it needs to bring new generation and storage capacity online in an orderly manner as soon as possible, and that is exactly what it is doing. This road map will deliver at least five renewable energy zones across the State, which will become the power stations of the future. The Government will continue to adapt to changing external circumstances to ensure our energy system is reliable and low cost into the future.

How do we know this? We know this because we are already doing it. We showed this in our response to the announcement of the early closure of the Eraring Power Station, including the announcement of our commitment to build the largest standby network battery in the Southern Hemisphere. It is a 700 megawatt Waratah super battery. Now the market is reacting to extraordinary international pressures—international pressures that my friend and colleague the Hon. John Graham alluded to and agreed to on coal and gas supply, and prices that are not related to the New South Wales power station closures.

The road map provides tools to help respond to just these events, as well as a vision to ensure that over time we will never have the same vulnerability to such uncontrollable international events again. It is something I would have thought both the Leader of the Opposition and the Deputy Leader of the Opposition would support and applaud. We totally acknowledge that the current crisis, driven as it is by overwhelming international events, will have significant impacts on New South Wales businesses and consumers. As the Leader of the Opposition alluded to, we are working closely with governments across Australia to put in place measures to reduce the

impacts of that. In New South Wales the road map is providing us with additional tools to address the medium- and the long-term management of risks such as this, which are being discussed in such detail today.

Let us talk about some of those. Let us start with consumer protections. Let us start with the individuals that the Leader of the Opposition was so keen to have referred to in this debate, as they should appropriately be. The road map is designed to help protect consumers from the impact of changes to electricity prices while simultaneously improving the reliability of the system. We know that changes in electricity prices have significant impact on households and businesses—that is patently apparent. The road map will put downward pressure on prices by ensuring that they are lower than they would otherwise have been without the road map.

The Deputy Leader of the Opposition referred to the fact that the Government claimed savings under the road map would be around \$130 a year on average lower for typical households between 2023 and 2040. He in fact used those timing parameters and then he complained that there were problems with prices at the moment. If he had listened to himself, he would realise that his own time parameters started at 2023. That is in fact the point. Obviously, as he said, this is going to take time. Obviously, downward pressure will come, particularly taking into account the current international circumstances. We have made a commitment that the 17-year time frame will see those prices come down compared to if the road map was not implemented.

We know that wholesale electricity prices will be \$23 a megawatt hour higher on average from 2023 to 2043 and more than double in the years after power stations retire without the energy road map. Bringing renewable energy generation and storage online through the road map will avoid the extreme price spikes that would otherwise occur due to the closure of these major power stations. Under the road map, importantly, the new plant is intended to be built before the old generation retires. That is how we do the transition in an appropriate and orderly way. It ensures that price spikes do not happen and it ensures the reliability of the grid for all New South Wales households and businesses.

Deputy President Fang, I know that regional New South Wales is close to your heart. We know that regional New South Wales has an abundance of renewable energy resources. We have a number of competitive advantages that give New South Wales a once-in-a-generation chance to modernise our electricity system. These are the declining costs of renewable energy generation, advances in storage and firming technologies, and a skilled workforce. We discussed all of these issues ad nauseam for hours in this debate two years ago.

We have areas perfectly suited for long duration energy storage projects, such as pumped hydro, in many locations across the State. With the road map we are setting up our economy to be even more globally competitive. We know that the road map will unlock \$32 billion of timely and coordinated private sector investment and support over 6,300 construction jobs and 2,800 ongoing jobs by 2030. Jobs are individuals, individuals are lives and lives are exactly what the Leader of the Opposition was talking about, and we are making them better. As the world moves to decarbonise, a range of new industries will emerge, such as renewable energy manufacturing, green steel, green ammonia and green hydrogen. This Government is committed—utterly committed—to capturing those job opportunities created by these modern, new industries within the State. As was referred to by the Deputy Leader of the Opposition, this place made improvements to the Electricity Infrastructure Investment Bill 2020 as it passed through the Chamber.

One improvement was very dear to my heart: to ensure that local First Nations communities benefit from these developments. First Nations guidelines, I am delighted to say, have been developed with Aboriginal representatives from government and from the community. They are designed to increase employment and income opportunities for Aboriginal people in communities in the construction and operation of the new electricity infrastructure delivered in New South Wales under the road map. The Treasurer, and Minister for Energy, expects these to be published in the coming weeks.

Other significant improvements will see key advisory functions established for the road map. I am pleased to report that earlier this year the Treasurer appointed Dr Mark Apthorpe as the Energy Infrastructure Jobs Advocate. Dr Apthorpe will advise the Minister on strategies and incentives for the energy sector in this State and will look for ways to encourage investment, workforce development, employment, education and training opportunities. He will concentrate his efforts on the Hunter, the Central Coast, the Illawarra, the Far West, south-west, New England and Central West regions of New South Wales. He will also provide advice on road, rail and port infrastructure required in those regions to promote export opportunities for generation, storage and network technology.

I am delighted to say that the Renewable Energy Sector Board has also been appointed and has been reporting on its activities as required and is set to deliver its plan. The jobs advocate and the sector board are working together to ensure that local workers and businesses, particularly in the regions, can benefit from the opportunities in the Electricity Infrastructure Roadmap. The Minister is only able to approve the board's plan when it is recommended by the Independent Pricing and Regulatory Tribunal. The Minister looks forward to

receiving the outcome of IPART's assessment. The Consumer Trustee and the Minister will take the Renewable Energy Sector Board's plan into account in undertaking our functions under the Electricity Infrastructure Investment Act 2020.

Clearly New South Wales is well positioned to transform the State's electricity sector into one that is cheap, clean and reliable, and much more resilient to the types of international events like those raised in today's debate that are driving the current crisis in gas and coal supplies to businesses and generators. The road map is a whole-of-system approach providing coordinated investment in new generation, transmission, long duration storage and firming projects. It will deliver transmission infrastructure at scale in the regions best suited to hosting them—regions that are home to the Deputy President and me.

The road map is a pathway for generation and storage projects to become integral and substantial additions to the communities and economies of our renewable energy zones. It de-risks investment in pumped hydro, which are crucial energy storage projects that have long-lead times and significant up-front capital requirements. It does all that while reducing costs and moving towards a cleaner and more sustainable energy system. Is it complex? Yes. Will it take time? Yes. But nothing put to this debate says that the plan is not working in a methodical, ordered and appropriate way. The road map sets up our State to manage pressures like those we are currently seeing across Australia and the world. The Government will continue to manage those pressures in a responsible, appropriate and reliable way, which will deliver for many years in the future.

Mr JUSTIN FIELD (11:21): I contribute to debate on the matter of public importance about the impact of energy prices on the cost of living. A lot of public discussion has happened in directly affected households and businesses but I suspect that a lot of the pain is yet to be felt, as the bills will roll in over the next quarter or so. Members should also recognise the compounding impact that has been created. The rise in electricity and energy costs for businesses comes at a time when the cost of housing, either for renters or recent homebuyers, is at a high point. Recent homebuyers have added fear as they are looking down the barrel of multiple rate rises over the rest of the year and possibly into next year. Food prices are also escalating, in part because of energy prices, and fuel prices are at record highs as well. Those compounding impacts make all of this worse.

Understanding why Australia is in this situation is important to learn lessons and to talk about what we will do going forward. The reality is that much of it was totally avoidable. The energy area has seen a policy failure. Much of that policy failure has been at the Federal level though, in part, there has been a slowness to move at the State level in New South Wales. Australia is one of the largest coal- and gas-exporting nations on earth. Most people do not understand why we have such readily available energy resources in both fossil fuels, coal and gas, and also in renewables, yet we are paying some of the highest prices in the world for electricity and energy more generally.

That suggests we do not have the balance right in the use of those public resources, the opportunity for businesses to exploit them and the costs that consumers pay for them. We do not have that balance right. We have an imperative to move away from fossil fuels because of the climate and pollution, but we have cheap energy resources in fossil fuels and renewable energy yet we are paying the most. That is now starting to hurt businesses and households acutely. That is a policy failure. Someone is doing very well at the expense of households and businesses, and I think it is on governments to address why that has been allowed to happen because of its disruptive impact on our lives and on our economy.

I come from Gladstone. My parents can see the three liquefied natural gas plants built in the past decade on Curtis Island from their backyard. I was heavily involved in the public discussion and debate about whether or not we should allow that massive expansion of coal seam gas and other unconventional gas developments in Queensland at the time, which made opening up the east coast gas market to the international market possible. In many of the documents produced at the time that have since been uncovered, the major gas producers were clearly doing this with a very specific intention.

They wanted to open up the east coast to the international market because prices would inevitably increase and it would increase the value of the gas reserves in the ground over which they had control, including those being used to supply domestic markets. They opened up those gas reserves knowing full well that would increase the cost for domestic consumers. Governments knew that, because people were in Parliament at the time. Jeremy Buckingham, in particular, who I worked for at the time, was calling out that very risk and calling for a domestic gas reservation policy back in 2013 because it was seen as inevitable that this was going to be the consequence of opening up the east coast gas market.

We do not have a supply issue when it comes to coal or gas. We have a price problem because we have allowed the industry to dictate the terms. The reality now is that local businesses and local energy companies that have to buy or contract volumes of gas to create electricity have to compete on the global market. When we add

in global instability like the war in Russia, or other dynamics with respect to the changing energy balance around the world, we then become unacceptably vulnerable to those price shocks.

It was entirely possible for us to quarantine some of that resource for domestic markets to ensure that a portion of that was only going to have to compete at a domestic scale and to guarantee long-term prices for consumers and businesses to have more certainty in the future. How do we know that is possible? We just need to look at the ACT, which moved to 100 per cent renewable energy. It locked in long-term contracts and underwrote the economics of the move as it signed an agreement with a renewable energy company to say, "We will guarantee to buy the energy that you create." That underwrote their ability to build the renewable energy.

The Hon. Lou Amato: It is a small place.

Mr JUSTIN FIELD: It is a small place, small scale. Let us scale it up. We are fortunate that Australia has the single greatest access to renewable energy resources in the world. We have the landscape for renewable energy, the solar resource and the wind resource. The ACT signed an agreement that effectively underwrote the capital expenditure of those businesses and it locked in a price that gave certainty to households and businesses. The ACT is not exposed to the price shock, so we know that is a possibility. Look at WA and the fact that it has a huge gas export market but it was wise enough. Alan Carpenter talked about the experience of that and why it was hard but important. It has locked in more certainty for households and businesses around energy. I imagine a large number of households have substantial solar systems, and maybe some of them are fortunate enough to have the capital to build them with some government support in household solar systems and battery systems. They will not be as exposed to the price shocks. Some businesses were able to make that economic decision as well. A suite of tools was available to us to mitigate the risks, but policy failures have badly exposed the economy.

In conclusion, we need to make this transition because of a climate imperative. That will be challenging. We started late in New South Wales. In fact, Beyond Zero Emissions put together its 10-year plan to transition Australia's electricity system to 100 per cent renewable about a decade ago. If governments had listened then, with the available technology at the time, we would have been a long way down the road. New South Wales really only started recently. In part, that was delayed because of the climate wars, particularly within the Federal Coalition. The best time to start this was 10 years ago; the second best time is now. So let's do it. It will still be hard, but we must do it because there is a climate imperative. We must do it because the people who did it now have more certainty and a guarantee of cheaper electricity, and that will underpin our economy into the future.

Delaying this any more by trying to keep the door open to coal and gas through allowing more exploration and new projects to be developed in New South Wales will only prolong the inevitable, which is continually increasing the prices of electricity and energy supply in New South Wales. It will prolong the decline in emissions from fossil fuels, which we need to do as quickly as possible to avoid catastrophic climate change in the future. This is an important debate, but we cannot lose sight of why we are making this energy transition. We will need to deal with the urgent requirement to support households and businesses. We can recognise the failures of the past but we need urgent action now. We cannot lose sight of why we must make the transition to a renewable energy future as fast as possible.

The Hon. ADAM SEARLE (11:31): I contribute to debate on energy and cost of living. At the outset, let me say that I vigorously disagree with the previous speaker when he said that much of this crisis was avoidable. In fact, all of it was avoidable. I had the great honour of being Labor's spokesperson on energy from 2014 to 2021 and the spokesperson on industry and resources from 2015 to 2019, so I am no stranger to these issues. Recently the former Premier of Western Australia, Colin Barnett, said that the rest of Australia should have adopted a gas reservation policy, like Western Australia did, and there would therefore be no problem accessing affordable gas for households and businesses on the eastern seaboard. Of course, he is not the first person to make that observation. There has been a long-running campaign for such a policy by the Australian Workers' Union.

In 2014 I was a member of this House's inquiry into the price of gas and other liquid fuels, which reported in February 2015. Recommendation 4 was that the New South Wales Government should spearhead a move at the Council of Australian Governments to create a domestic gas reservation policy for the eastern seaboard. The record shows that the current Government has done nothing since that time. This is not some far-out proposition. In fact, every gas-producing nation has a version of a domestic gas reservation policy, whether it is a public interest test or a reservation policy—however it is described—to make sure that those countries that produce the gas get the benefit first and foremost for their industry and their citizens. We are, of course, awash with gas—I think we are now the largest gas producing and exporting country—and yet, not for the first time, we are reflecting on the madness of our market, which has businesses and households struggling to pay for and obtain gas at affordable prices.

Gas is not the only energy source that we have in abundance that we are struggling to obtain. Members will remember the crisis in October 2017 of the Springvale mine, which was not able to retain its planning approval

to keep operating and providing coal supplies to Mount Piper Power Station, which generated 11 per cent of the State's electricity. In fact, at that time Ms Sue Higginson was the principal solicitor at the Environmental Defenders Office. She represented the plaintiffs in the Land and Environment Court who ensured that the coal company lost its planning approval because it had not complied with the conditions of approval. The Parliament had to step in and, in the process, we discovered that Mount Piper was struggling to obtain coal at affordable prices. There was the problem of having coal interrupted at Springvale, but there were no other coal suppliers that the power station could readily point to. It turned out that many of our coal-fired power stations were struggling to obtain coal because 90 per cent of the coal we produce is exported.

I remember Jeremy Buckingham, a former member of this House, saying—perhaps only tongue in cheek—"Forget a gas reservation policy. Maybe New South Wales needs to have a coal reservation policy." While it was tongue in cheek, it made the very serious point that just as we were not getting affordable gas because it was being exported, the coal-fired power stations were struggling to obtain coal. That is not the only problem. Since 2015 I have been saying in this place and publicly that our coal-fired power stations are aging and becoming unreliable and, therefore, we will have to replace them sooner rather than later. I reflect on the contribution by the Hon. Ben Franklin, who must be the hardest working man in showbiz.

The Hon. Penny Sharpe: Is he the greatest, though?

The Hon. ADAM SEARLE: I acknowledge that interjection. He extolled the virtues of the Government's Electricity Infrastructure Roadmap, about which I take no issue because, of course, the policy inspiration for that came from Labor's 2019 energy policy. As I said at the time when we debated that, we are moving on these issues 10 years later than we should have, and that is creating the crisis of affordability that households and businesses are now struggling with. But there are other contributions to the crisis created by this State Government. In 2013 the Government sold Mount Piper and Wallerawang power stations and allowed the new private owner of Wallerawang to immediately close the power station, without requiring it to replace the 1,000 megawatts of electricity being produced.

In 2014 the same New South Wales Government sold Bayswater and Liddell to AGL, even though the Australian Competition and Consumer Commission warned that that would reduce competition in the retail market and lead to higher prices. Guess what? That is what happened. In 2014 the New South Wales Government deregulated retail electricity prices, and just three months later the three big electricity retailers were charging two to three times more to sell electricity to citizens in this State than the regulated retailer in the Australian Capital Territory. Within a year retailers were charging 10 per cent to 15 per cent more for electricity, and since then we have seen ballooning electricity prices for both homes and businesses.

The three companies that own the generators own most of the retailers. This enormous market concentration was created by the policies of the current Liberal-Nationals State Government, which have caused and exacerbated the cost spikes that we are experiencing. None of what we are experiencing in New South Wales was inevitable. It was foreseeable, it was avoidable and it was brought about by this Government's policies. Frankly, it has nothing to do with the war in Ukraine or issues in other States. We have enough resources in this State to make sure that our homes and businesses are not crippled by escalating energy prices. The Government has been fully warned by members on this side of the House, and in other places, about the problems. It was not just inaction that led to this; through privatisation and market concentration this Government proactively created the problem.

In 2017, as Labor's shadow Minister for Energy and Climate Change, I outlined a policy on re-regulating electricity prices by ensuring greater scrutiny of the super profits being made by the energy companies. It was not about setting a price; it was about making what the energy companies do more transparent to hold them to account and, where they were making super profits, to have mechanisms in place to make sure that those profits were returned to householders and businesses. Lest this be thought of as some kind of great socialist intervention, I remind members that the Motor Accident Injuries Act 2017, which was sponsored by this Government, created a regulatory power to enable the State Insurance Regulatory Authority to quantify and recover excess profits made by private sector insurers and return them as premium savings to policyholders. Labor proposed the same in the energy market in September 2017. I will not go through the mechanisms. In July 2018 the ACCC—that noted socialist outfit—produced a blueprint for the Federal Government that bore a striking resemblance to the policy that Labor had outlined.

The Morrison Government said that it would intervene and implement that if the electricity companies did not do the right thing. Of course, it never did. Members opposite have not acted and the Federal Government under the previous regime did not act, and so there is more upward pressure on electricity prices. Again, it was totally foreseeable and avoidable. It is created by policies pursued by the current Liberal-Nationals Government in New South Wales. Businesses are now having difficulty sourcing gas for their industrial processes. Households, including my household, are going to be paying through the nose this winter to keep their homes warm and to

cook. It is not good enough. Energy is abundant in the State and nation. This is happening because we have treated energy like a commodity—we have decided that it is like Coke or Pepsi or milk or mylk. It is just a matter of choice.

Energy is essential for homes and businesses, and we have not treated it that way. We have created a market that has led to this catastrophic market failure. It is hitting households and businesses hard, which will hit households even harder because those businesses will either go out of business or have to lay off staff or withhold pay rises. That is all being compounded by the current Government's wages policy, which is inflicting a wage cut on 430,000 hardworking State employees at a time when inflation is getting out of control, and not because of excess demand. The Reserve Bank raising interest rates will not dampen demand, which is what it is supposed to do. Inflation problems are being caused by supply chain problems, which is caused in part by the Ukraine situation. This Government was asleep at the wheel for a decade, as was the Government in Canberra. It was not so much asleep but actively hostile towards the solution. This Government should be held to account for those failures. It has come to the party, but far too late.

The Hon. SCOTT FARLOW (11:41): The Government has not been asleep at the wheel; it is making positive and proactive policies in this space. That has been witnessed in the Chamber. The Hon. John Graham asked, "What is the Government doing to address this cost-of-living issue?" Like many things, the Government is doing so much to address that issue. Every year the New South Wales Government invests around \$330 million in energy social programs to support over 900,000 households to reduce the impact of their energy bills. That includes providing six energy rebates as ongoing support to roughly one-third of households. The Chamber has heard about the Low Income Household Rebate, the Gas Rebate, the Family Energy Rebate, the Seniors Energy Rebate, the Life Support Energy Rebate and the Medical Energy Rebate. Just yesterday the Chamber heard about how the Government will ensure that eligible households can access up to \$1,600 per year.

It gets better. As part of the 2022-23 budget, the package will help thousands of New South Wales families boost their household budget with a free solar system or home appliance upgrade. Home owners who receive the Low Income Household Rebate will soon be eligible to choose a free, fully installed solar system that can save up to \$600 per year, instead of the annual \$285 rebate. People who receive the Seniors Energy Rebate, the Gas Rebate or the Low Income Household Rebate and live in apartments will be able to receive energy-efficient fridges, dryers and air conditioners valued at up to \$4,000 instead of receiving their energy rebate. Around one million households are eligible for that program.

The Hon. John Graham said, "This is very similar to tolls." The only similarity to tolls is that the Government has a great policy on tolls, which was announced earlier this week by the Minister for Metropolitan Roads. The Government has a policy on energy as well. That is different to members opposite, who do not have any policy in this space. It is easy to sit on the other side of the Chamber and whinge and carp, but it is not easy to come up with policy. Their runway is coming to an end. Alex Smith from *The Sydney Morning Herald* and James O'Doherty from *The Daily Telegraph* were saying today that they are on the clock. It is time to develop policies. It is time to come into this Chamber and not just whinge and carp but come up with positive solutions for the people of New South Wales. The Opposition leader in the past has put up wholesale energy costs and equated them to retail costs. It is time to come into this Chamber and put up or shut up.

Ms ABIGAIL BOYD (11:44): In reply: Members stayed fairly to type during this debate, unfortunately. I thank everyone for their contributions. I will start with the contribution by the Hon. Penny Sharpe, who rightly pointed out that this issue is about actual people. It does not matter how much the Government crows about headline rebate figures that do not seem to actually make it to anybody. It does not matter how much the Government crows about the success or the greatest energy road map that Australia has seen—blah, blah, blah. It does not matter how many times those things are said. People who are wondering whether they are going to eat or heat their house tonight do not care what the Government is saying. They care about what they can feel, and it is cold right now.

As we debate in what has been another disappointing level of politics, people are anxious and wondering how they will pay their next energy bill. I thank the Hon. Penny Sharpe for bringing those real-life stories to the debate. There is a disconnect between the headlines, the announcements and the show business, as the Hon. Adam Searle said, and what people are experiencing in their homes. I encourage Government members to go outside of their little bubbles and visit people who are not as lucky to be on the same high salaries or live in houses that are built to the best design standards. I encourage them to visit people who are unable to insulate their homes in the same way and ask them if the relief package is of any value to them.

In response to the Hon. Peter Poulos, the energy assistance package that was announced the other day includes \$330 million. I believe the 2020-21 amount was \$293 million. That is an additional \$37 million through the Energy Accounts Payment Assistance scheme. Factoring in inflation, that is only about \$30 million.

Queensland has \$585 million. That highlights what a State Government can do when it has some control over its energy assets as opposed to how boxed in it can be when it has sold off all of its energy assets and infrastructure.

In his contribution, the Hon. John Graham drew an analogy between this issue and tolls. The Government has boxed itself in so that whenever it wants to provide cost-of-living pressure relief to people who are suffering from high tolls, it also has to line the pockets of Transurban because of the privatisation deals it has made. It is the exact same thing when it comes to energy bills. In order to provide relief, we are lining the pockets of fossil fuel companies that have already handsomely profited from the extraction of fossil fuels, the destruction of our climate and now from playing in a market that has increased the cost-of-living pressures for the people of New South Wales.

As Mr Justin Field commented, that was entirely avoidable and absolutely foreseeable. I take the Hon. Adam Searle's point that Labor has had policies on this issue. The Greens have been banging on about this for a good 30 years. I really wish that some of what I said went into the Hon. Mark Latham's head. I do not know if he was not listening or if he was simply saying what he wanted to say anyway. Clearly I never said in my original contribution that this issue is caused by supply. The whole point is that there is not a lack of supply. That is not the problem. The problem is the price issues in the market, due mainly to a decision to allow the eastern seaboard to be connected to international gas prices as well as our failure to transition towards renewable energy in a much quicker way. The issue has nothing to do with supply.

I will not labour on the Hon. Mark Latham's contribution, in which he misrepresented much of what I originally said. I encourage him to read today's *Hansard* so that he can be more accurately informed about what has led to this energy crisis. I will comment on the contribution from the Hon. Ben Franklin, who said the discussion is about politics. I love that comment. The Greens get that criticism quite a lot. We are talking about the issues of the day in Parliament and being accused of making something political or talking politics. My goodness! I, for one, do not apologise for talking politics in Parliament, and I would encourage any member who wants to express their political views in this place to continue to do so. We are not talking about the energy crisis and its impact on people across the State—who, again, are really struggling—because we are 10 months away from an election. We are talking about it because it is happening now and it is the responsibility of this Government to deal with it now.

Again, all the headlines in the world will not help if the people who need support most are not feeling it. They are feeling this crisis because of this Government's policy decisions over the past 13-odd years, particularly the decision to leave us completely at the mercy of the private market when it comes to our energy sources. It is very simple. I think I have covered the comments of most members who contributed to the discussion. I thank all those members for their contributions. I introduced this matter of public importance because it is political and because there is a political solution to it. That requires this Government to stop with the headlines and make sure that the relief it announces is getting to the people who need it, because that is not happening.

Discussion concluded.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. LOU AMATO: I move:

That Government business orders of the day Nos 1 to 4 be postponed until a later hour.

Motion agreed to.

Bills

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2022

Second Reading Speech

The Hon. LOU AMATO (11:53): On behalf of the Hon. Damien Tudehope: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2022 continues the statutory law revision program, which has been in place for more than 35 years and is integral to maintaining the quality of the New South Wales statute book. As the provisions of the bill are minor and uncontroversial, and it is substantially the same speech that was delivered in the other place, I seek leave to incorporate the remainder of the second reading speech in *Hansard*.

Leave granted.

Schedule 1

Schedule 1 to the bill contains policy changes of a minor and non-controversial nature.

The schedule gives effect to proposals that are too inconsequential to warrant the introduction of a separate amending bill.

In this bill, the schedule contains amendments to three Acts.

Firstly, the schedule amends the Public Works and Procurement Act 1912 to introduce a delegation power.

The new power allows for the relevant Minister or the Constructing Authority to delegate functions under the Act to a government agency, government agency employee or to a person or class of persons authorised under the regulations.

This amendment updates the 110-year-old Act to reflect current legislative practices about powers of delegation, allowing the Minister and the Constructing Authority to delegate functions in a way that better reflects modern governance practices.

Secondly, the schedule amends the Subordinate Legislation Act 1989 to postpone the automatic repeal of statutory rules.

The Subordinate Legislation Act 1989 provides for a mechanism for statutory rules to remain in force until a specified date.

Four regulations are postponed this year.

The Heritage Regulation 2012 is postponed in light of the preparation of a bill as part of the Government's response to Report No. 59 – Review of the Heritage Act 1977 by the Legislative Council's Standing Committee on Social Issues.

The Animal Welfare Bill 2022, which has been released for public consultation, has prompted the postponement of the remake of the Prevention of Cruelty to Animals Regulation 2012. The bill, if enacted, will replace the Act under which the regulation is made and therefore its automatic repeal should be postponed until new regulations can be made.

The Public Interest Disclosures Regulation 2011 is also postponed by this amendment to account for the recently passed Public Interest Disclosures Act 2022, which will repeal and replace that regulation.

The amendment also provides for the postponement of the automatic repeal of the Poisons and Therapeutic Goods Regulation 2008. This postponement exists in the current schedule to the Subordinate Legislation Act 1989 and will be continued by this provision.

Finally, schedule 1 amends the Western Sydney University Act 1997.

This amendment provides for a member of the Board of Trustees of Western Sydney University to be appointed by the board to preside at meetings of a committee constituted by the board.

The amendment is considered appropriate to allow for the good governance of the committees constituted by the board.

Schedule 2

Schedule 2 deals with purely statute law matters consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill.

Examples of amendments in those schedules include correction of typographical errors, removing duplicate punctuation, inserting missing punctuation and corrections of cross-referencing errors.

Schedule 3

Schedule 3 contains general savings, transitional and other provisions.

This includes a provision that deals with the effect of amendments on amending provisions.

This schedule also includes a provision allowing for regulations to be made that are of a savings or transitional nature.

I hope that members will appreciate the uncontroversial nature of the provisions contained in the bill.

However, if any amendment causes concern or requires clarification, it should be brought to my attention.

If any other amendments cause concern or require clarification, it should be urgently brought to my attention.

If necessary, I will arrange for Government staff to provide additional information on the matters raised.

If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill.

I commend the bill to the House.

Second Reading Debate

Ms ABIGAIL BOYD (11:54): On behalf of The Greens, I indicate that we support the Statue Law (Miscellaneous Provisions) Bill 2022. It is largely uncontroversial. I will speak briefly to schedule 1.2 [2], which amends the Subordinate Legislation Act 1989 to extend the date of automatic repeal of three regulations while the Government is developing legislation that would replace the primary legislation under which they sit. One of those regulations is the Prevention of Cruelty to Animals Regulation 2012, which sits under the Prevention of Cruelty to Animals Act [POCTAA]. The Government has stated that because the Animal Welfare Bill 2022, if passed, will replace POCTAA, it is premature to remake the subordinate legislation. Not only has the Animal Welfare Bill not even been given notice of in this Parliament, the Government's review into animal welfare, which has led to the bill, is years overdue. I have serious doubts we will see the regulatory overhaul that we have been promised before the conclusion of the term of this Parliament.

The Standing Committee on State Development has been inquiring into the draft Animal Welfare Bill. As a participating member on the inquiry, it has become increasingly obvious to me that the Government has no intention to try to find a pathway through the policy disagreements. It will instead bring to this place a largely unamended bill that no side of politics is happy with, while throwing its hands in the air and crying, "We tried", leading to the outcome of a largely unchanged regulatory framework. While we support the Government extending the lifespan of the regulations—since we have no other choice in the absence of any other updated regulation—we do so with significant cynicism. We call on the Minister for Agriculture to do better than his predecessor and to get on with the job of updating our animal welfare laws.

The Hon. PENNY SHARPE (11:55): The Opposition does not oppose the Statute Law (Miscellaneous Provisions) Bill 2022. The bill is largely uncontroversial. I note that it is the first bill before the House that contains a statement of public interest [SPI]. I believe that it is an important step forward, and I welcome the Minister and his department preparing the statement of public interest for the bill. The statement of public interest, which I will cover in my contribution, explains more to me about miscellaneous bills—the way in which they are formed and what they are intended to do—than I have known in the 15 years I have been in this Parliament.

In some ways, it is a very good start. To be honest, I am surprised that there even is a statement of public interest in what is usually considered an uncontroversial type of bill. It has added real value to how we deliberate, and I look forward to future statements of public interest being brought forward at the beginning of our deliberations. As members would know, the statement of public interest asks a series of questions, the first of which is about need. Why is the policy needed? What is the evidence and stakeholder input? The statement of public interest for this bill advises us the following:

The State Law Revision Program (**SLR Program**) is administered by the Department of Premier and Cabinet (**DPC**) and the Parliamentary Counsel's Office (**PCO**) in accordance with DPC Circular ...

The SLR Program involves the regular and ongoing review of the NSW statute book to rectify any issues that are identified and appropriate for inclusion in a SLR Program ...

The SLR Program typically results in a Bill being prepared each Budget and Spring sitting period of Parliament. SLR Program Bills contain only:

- minor amendments proposed by government agencies
- minor amendments by way of pure statute law revision proposed by the Parliamentary Counsel
- repeals of obsolete or unnecessary Acts (subject to any remaining operative provisions being transferred to other appropriate Acts), proposed by government agencies or the Parliamentary Counsel
- savings and transitional provisions

Amendments proposed by agencies must be approved by the relevant Minister, must be non-controversial, and contain no more than policy changes.

The SPI also lists the matters that are inappropriate for inclusion, and I hope that Ministers are paying attention because we have previously seen some of those trying to be snuck through. The matters that are not supposed to be in a SLR program bill include:

- amendments increasing sentences of imprisonment for offences or creating offences punishable by imprisonment
- amendments increasing monetary penalties by very high amounts
- amendments that prejudice the private rights of any person
- amendments retrospectively imposing liabilities on any person
- amendments to Acts dealing with controversial subject matter
- amendments that have been the subject of disputes between agencies, or that require considerable whole of government consideration
- lengthy or voluminous amendments.

SLR Program Bills are comprised of legislative amendments that would not otherwise be significant enough to warrant separate amending legislation.

SLR Program Bills ensure that the NSW statute book remains current and accurate. The use of periodic SLR Program Bills allows for proposals from across all Ministerial portfolios to be consolidated into a single omnibus Bill. This is the most effective and efficient way for the NSW Parliament to consider such amendments.

The statement of public interest also answers the question of what the policy objective is. As I said, essentially it is about making sure that our statute book is accurate, coherent and up to date. It also answers the question of what the alternative policies are. It states:

Statute law revision can only be achieved through legislative amendment.

If consolidated omnibus SLR Program Bills were not brought forward by the Government regularly, the alternative options would be for the Parliament to consider a high number—

of separate, independent, inconsequential bills.

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

Visitors

VISITORS

The PRESIDENT: I welcome to my gallery Timothy Fong, a fourth-year student at the University of Sydney studying politics, international relations and economics. He is a guest of the Hon. Shaoquett Moselmane.

Rulings

QUESTIONS AND ANSWERS DIRECT RELEVANCE

The PRESIDENT (12:00): In light of points of order taken recently during question time, I remind all honourable members of the terms of Standing Order 65 (5) and the approach that I will be taking to its application. Standing Order 65 (5) provides:

An answer must be directly relevant to a question.

Answers have been required to be directly relevant since May 2019. I remind honourable members of the ruling of President Ajaka on 28 May 2019, shortly after the current rule came into force. President Ajaka indicated that, based on the dictionary definitions of the two words "directly" and "relevant", answers are "required to go straight to the point in a direct manner without ambiguity". I endorse that formulation, with the qualification that a brief preamble that provides relevant context will generally be permitted. Immediately following a brief preamble, a Minister will be expected to go straight to the nub of the question and provide the answer. President Ajaka also indicated:

A Minister should resume his or her seat if they do not have the information to answer the question.

I also endorse that comment and approach. Where a Minister does not demonstrate that they are seriously attempting to answer a question, I will require the Minister to resume their seat. Finally, I also note President Ajaka's observation about questions, which I think is particularly pertinent. He said:

A specific question requires a specific answer. A very broad question, or a question framed in terms of political pointscore, does not require a more specific answer than is contained in the question.

If members expect "directly relevant" answers to questions, they should avoid loading questions with unnecessary extraneous material. A direct question naturally lends itself to a direct answer.

Questions Without Notice

NEW INTERCITY FLEET

The Hon. PENNY SHARPE (12:03): My very specific question requiring a directly relevant answer is directed to the Minister for Finance, and Minister for Employee Relations. Given that transport department secretary Rob Sharp and chief operating officer Howard Collins confirmed in budget estimates hearings that the cost of the proposed modifications to the new intercity fleet would be a lot less than \$1 billion, why did the Minister contradict the sworn testimony of senior public servants when he said that it will cost over \$1 billion of taxpayers' funds?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:03): I thank the Leader of the Opposition for her question and the opportunity to address this issue in this place. The union representatives on the opposite side of the Chamber come to this place to do the bidding of the unions and ask questions on their behalf. Let us analyse this. There is an issue to be decided in relation to running the safest railway fleet in Australia and the world. A safe railway fleet of trains is sitting in mothballs for the purposes of servicing the people of New South Wales and not being operated by the union movement, for which members opposite—

The Hon. Mark Buttigieg: Because you don't want to make them safe.

The Hon. DAMIEN TUDEHOPE: There he is! The Hon. Mark Buttigieg is in the Chamber on behalf of the Electrical Trades Union. He cannot help himself. I will talk about the testimony that has been given about the cost of the alteration—

The Hon. John Graham: Why don't you fix it?

The Hon. DAMIEN TUDEHOPE: It is not fixing; it is destroying. To talk about "fixing" a perfectly safe fleet of trains is just outrageous. To ask the people of New South Wales to spend \$1 billion on those costs—

The Hon. Mark Buttigieg: Is it \$1 billion?

The Hon. DAMIEN TUDEHOPE: I just said it, and I will repeat it: The cost is \$1 billion.

The Hon. John Graham: That's not what Transport says.

The Hon. DAMIEN TUDEHOPE: The Opposition might not understand that, but a costing was done by Transport for the work that the Rail, Tram and Bus Union wants done on a perfectly safe fleet of trains.

The PRESIDENT: Order! The Minister has the call.

The Hon. DAMIEN TUDEHOPE: There are a number of components to the cost of fixing those trains. Members opposite should listen up. It is perfectly simple. There are direct costs and there are prolongation costs, which Transport has assessed. To the extent that evidence was given about direct costs, that is one figure. There is another figure for the prolongation cost. I do not resile from what I have said, but the total cost of the project to do this work, including the direct costs, the prolongation costs and the contingencies related to this contract, has been assessed by Transport, not by me. [*Time expired.*]

The Hon. PENNY SHARPE (12:07): I ask a supplementary question. The Minister was finally getting a little bit directly relevant towards the end of his answer. Will the Minister elucidate whether he has received specific advice from Transport for NSW that confirms the statements he made yesterday that the cost of modifications to the new intercity fleet is more than \$1 billion?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:07): I did not think I could be plainer. There is an old notion that there are none so ignorant as those who do not want to hear or listen. In many respects, I just explained in some detail that the cost to the people of New South Wales of doing this work, when taking into account the direct cost of the work, which has been specified—

The Hon. Penny Sharpe: Is that more than \$1 billion?

The Hon. DAMIEN TUDEHOPE: You did not ask me that.

The Hon. Penny Sharpe: That is exactly what I just asked you.

The Hon. DAMIEN TUDEHOPE: You did not ask me that.

The Hon. Penny Sharpe: You were not listening. Those who are ignorant—

The PRESIDENT: Order! The Minister has the call.

The Hon. DAMIEN TUDEHOPE: The Hon. Penny Sharpe did not ask me that. The cost to the people of New South Wales of doing this work—being direct costs, prolongation costs and contingency costs, all of which have been assessed by Transport for NSW—is the figure I relied on. I do not go out and make these figures up.

The Hon. Walt Secord: Yes, you do.

The PRESIDENT: Order! The Minister has the call.

The Hon. DAMIEN TUDEHOPE: It was interesting to hear Ray Hadley say there is a "dill" on the other side of the Chamber when I was listening to the radio this morning. He called the Hon. Walt Secord a dill.

The Hon. Penny Sharpe: Point of order: My point of order relates to direct relevance. Clearly the Leader of the Government has not been listening to your learned rulings. He must be directly relevant to the question asked, which was about the cost of modifications.

The PRESIDENT: I uphold the point of order. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I invite members opposite to accept that the Government is considering union demands to carry out rectification work on trains that are perfectly safe to run on the tracks. It is not being done for any reason—

The Hon. Mark Buttigieg: You say it is safe.

The Hon. DAMIEN TUDEHOPE: No. The Office of the National Rail Safety Regulator has said that these trains are safe and ready to run, so do not say that. This is a political campaign. [*Time expired.*]

Ms ABIGAIL BOYD (12:10): I ask a second supplementary question. Given the evidence we received in budget estimates of prolongation, maintenance, modification and storage costs, and given that those figures

either individually or together do not add up to \$1 billion, will the Minister please elucidate on his answer to explain exactly how much of the maintenance costs are direct and how much relates to prolongation?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:10): I have explained that Transport for NSW has advised me the total cost of the package is over \$1 billion. The Minister for Transport is now talking about \$1 billion. This political, industrial campaign to sabotage these trains is using the people of New South Wales and the taxpayers of New South Wales—

The Hon. Courtney Houssos: Point of order: Mr President, just before question time, you ruled on direct relevance when providing answers in question time. The Minister may continue with his ideological diatribe in his introductory remarks, but the question asked specifically for a breakdown of the costs between maintenance and prolongation. The Minister either does or does not have the information. He can provide the answer to the House.

The PRESIDENT: Order! I uphold the point of order. The Minister may either provide the breakdown or resume his seat.

The Hon. DAMIEN TUDEHOPE: The member attended budget estimates hearings. She asked questions of Transport officials for the breakdown of those figures. Those figures were available in budget estimates. I will not go through those figures in this place without that documentation. The officials had that documentation. I continue to rely on submissions I made to the House in which I said that those figures were provided by Transport. Members may recall the discussion around auditing those figures to make sure—

The Hon. Anthony D'Adam: Point of order: I take a point of order on direct relevance. The Minister clearly has an answer. He articulated the distinction between the two costs.

The Hon. DAMIEN TUDEHOPE: More than two.

The Hon. Anthony D'Adam: The Minister made that distinction. It is not open to him to decide not to answer the question. He must be directly relevant, he must answer the question and he must be accountable to the House.

The PRESIDENT: Does the Minister have anything to add to the point of order?

The Hon. DAMIEN TUDEHOPE: To the point of order: I will answer the question the way I want to. Opposition members can ask questions the way they want to.

The PRESIDENT: The Minister will resume his seat. The Minister must be directly relevant in answering the question. He has perambulated around the circumstances. Given the initial question and the supplementary questions, the Minister will provide any particular information on the partitioning of those costs. I will not entertain anything more. If the Minister does not have further information, he can remain seated or take the question on notice.

The Hon. DAMIEN TUDEHOPE: No, I will not take the question on notice. The answer that I will continue to give is that Ms Abigail Boyd was provided with various figures by Transport officials at budget estimates. In fact, those figures were verified. [*Time expired.*]

MAKE NO DOUBT CAMPAIGN

The Hon. SHAYNE MALLARD (12:14): I address my question to the Minister for Women's Safety and the Prevention of Domestic and Sexual Violence. Will the Minister update the House on how the New South Wales Government is informing the community about the new consent laws that came into effect on 1 June 2022?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:14): I thank the Hon. Shayne Mallard for his question in relation to this important campaign, for which I am pleased and privileged to be the responsible Minister. I thank the Government for its support of the campaign, and particularly the Attorney General for ensuring that it went ahead. The Perrottet-Toole Government has a strong record of working to protect New South Wales citizens from sexual violence. The Make No Doubt campaign, which launched on 25 May 2022, accompanies the important consent laws that were introduced by the Government and passed last November. We are committed to continuing to educate the community to always seek consent before engaging in sexual activity.

No law can ever erase the trauma of sexual assault, but we have listened to the calls for change, we have listened to the brave contributions of victim-survivors and we have implemented this much-needed reform. I acknowledge the continued advocacy and bravery of Saxon Mullins of Rape and Sexual Assault Research and Advocacy, and Chanel Contos of Teach Us Consent, her groundbreaking work. I commend them for their bravery, vision and commitment to the cause. One of the best ways to achieve prevention is education. The Make No Doubt

campaign builds on our important work to address harmful attitudes that continue to contribute to non-consensual sexual activity and sexual assault.

When we asked young people what they wanted from a sexual consent campaign, they told us that it had to be clear, practical and positive. That is what we have achieved with the Make No Doubt campaign. It is crucial that our community understands sexual consent because consent is vital for respectful relationships. The absence of consent is a key element of sexual assault. These videos help to empower young people to build confidence around checking consent every time they engage in sexual activity. The requirement to seek consent is not onerous. It does not make consensual sex illegal; it does not require a written agreement or script.

It is a matter of common sense and respect, and that message is made clear in the videos. Everyone deserves to be safe, and the vital campaign will ensure that everyone in the community can learn about the importance of consent. I am proud to be part of the Perrottet-Toole Government, which has delivered this vital legislative reform. It is a priority of the Government to address sexual violence in New South Wales.

MOTORIST SATISFACTION SURVEY

The Hon. JOHN GRAHAM (12:17): I direct my question to the Minister for Metropolitan Roads. Given the Government awarded a \$156,200 contract to a market research agency tasked with surveying motorists' satisfaction with enforcement cameras and given the Minister has told Transport for NSW to shut down the survey, how much will taxpayers still have to pay?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:18): To ensure that I am clear, could I please see the question? I thank the honourable member for his interest in this important work by Transport for NSW. It is important that our road safety projects continue to roll out across the network so that we see our one-in-100-year low in the road toll. That is an important component of what we do. Of course, mobile speed cameras monitor the road network and encourage drivers to stay under the speed limit at all times.

The Hon. John Graham: Point of order: I take a point of order on direct relevance. The Minister should be directly relevant to the specific question.

The PRESIDENT: I will allow the Minister a few moments to make some introductory comments, but then she must come quickly to the nub of the question, which relates to the contract for market research.

The Hon. NATALIE WARD: Mr President, thank you, and I appreciate the clarification. It is important that the Government continue this work as part of its road safety strategy. That is all I was making clear: We engage in community consultation because we know that speeding kills. It contributes 40 per cent to the State's deaths and serious injuries, and that is not acceptable to the Government. To be specific, the contract of the speed camera survey was awarded to Kantar Public Australia on 28 April 2022. On 24 May 2022 I requested Transport for NSW cease the survey into public sentiment for speed cameras. It is important to engage with the community on all of our initiatives because we hear regularly from members of Parliament and our constituents about what they want in their communities, so part of our engagement is to ensure that we are gauging that sentiment from the community.

Many members have contacted me with specific requirements in their electorates about school crossings or road safety. My position is that there are more cost-effective ways to receive that community feedback, including through existing government websites. There are cheaper and faster ways with technology to obtain feedback—just ask Victor Dominello, who, at a moment's notice, will invent an app for us to get feedback. I requested Transport for NSW to explore those opportunities further. Of course, negotiations are currently underway to repurpose that contract to carry out other road safety evaluation work. It is important that we continue that work but that we do that in a sensible and responsible way. That is what we do when we listen to our communities. That is what we do when we have a program.

The Hon. John Graham: Point of order: Again, my point of order relates to direct relevance. Mr President, I ask you to bring the Minister straight to the point without ambiguity. The question is really about how much taxpayers will still have to pay of that \$156,000.

The PRESIDENT: I uphold the point of order. The Minister will come to the nub of the question: how much taxpayers will have to pay.

The Hon. NATALIE WARD: Certainly, Mr President. I was trying to outline the current status of those negotiations for the member. The answer is very clear: Those negotiations are underway between the contractor company and Transport for NSW to provide those services.

The Hon. JOHN GRAHAM (12:21): I ask a supplementary question. Will the Minister elucidate on the part of her answer about the ongoing negotiations? Does the Minister mean that at the moment we are on the hook for the full \$156,000 contract? Is that what we are to understand?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:21): I do not think I can be any more specific or clear about this issue. We have said this publicly. We have repurposed the contract. Those negotiations are underway, as members would expect, between the contractor and Transport for NSW. Those negotiations are currently underway to repurpose that contract to carry out other road safety evaluation work. This Government always provides value for taxpayer dollars. That is front of mind, which is why our Government does what it does. I refer to my previous answer on anything else.

TOLL RELIEF SCHEME

Ms ABIGAIL BOYD (12:22): My question is directed to the Minister for Metropolitan Roads. Given rising costs of living and the unreasonable burden that Sydney's toll roads are having on the residents of New South Wales, does the Government regret its decisions to privatise our toll roads using contracts that effectively box the Government in to having little option but to line the pockets of Transurban in order to provide toll relief for drivers?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:22): I am pleased to be part of the Perrottet Government, which is committed to securing a brighter future for New South Wales by taking pressure off families and small business, and leaving more money for them at the end of the week. The Government said it would deliver a toll relief package as part of the budget, and that is exactly what we do as a Government. I am proud to be part of a government that has eight motorways delivered or in delivery. We want to get people across New South Wales reliably, efficiently and effectively, and we have done that by building it. We do not just talk about it; we deliver it. We do not just draft the press release. We actually have a plan with Infrastructure NSW and with gateways. We announce it and then we build it. That is what we have done in New South Wales.

Ms Abigail Boyd: Point of order: The point of order relates to direct relevance. There are two things in the question. The first is whether the Government regrets, not whether the Minister is proud; and the second one is whether the Government regrets boxing itself in so that, when it provides toll relief, effectively it lines the pockets of Transurban.

The Hon. Wes Fang: To the point of order: I think Ms Abigail Boyd just explained to the House the exact point that the Minister is making. There are a number of parts in her wideranging question. When a Minister is directly relevant to the answer, the Minister can be directly relevant to any one of those parts, which the Minister was doing.

The PRESIDENT: I think the Minister was being directly relevant. Being proud is a direct response to a lack of regret. The Minister has the call.

The Hon. NATALIE WARD: Thank you, Mr President and the Hon. Wes Fang. It is pleasing that we had the Parliamentary Friends of France event last night, and in those famous words, I have no regrets. I am very proud. I have no regrets. I have been part of a government that not only delivers but continues to have foresight to set up New South Wales for success. I am proud of being a part of a government that delivers. We make sure—unlike members opposite, who just talk about toll relief, opening motorways and a road that goes to nowhere—we built that road, the M2, so that people can get where they are meant to go, quickly and efficiently.

We have seen thousands of cars on the M2. That roadway relieves congestion and takes other people off local roads to free up those roads and get people where they need to go. We want families to not be stuck in traffic. We want them to be getting across New South Wales, getting their kids to school, getting to work and getting home to their families at night. That is what we do while we continue to provide that cost-of-living relief to families. We know family budgets are tight right now and we are making sure that we are putting money back into the pockets of more motorists more often across all of our toll roads.

We do not apologise for being very clear that our focus is on cost of living for families while we continue to build the motorway network. Drivers are able to get up to \$750 back in their pockets from any of those roadways. Once they spend \$350, they start to get that relief immediately. That is across all of our roads, in addition to the M5 cashback and the registration relief. The Government continues to make sure that families are at the centre of this while we roll out our large infrastructure projects. We are proud of that. We have a plan for that across New South Wales to ensure that families everywhere can get where they need to go quickly and effectively.

I am pleased that we will continue to have our approach to motorways that ensures we can deliver them in partnership with the private sector, years—and even decades—ahead of schedule. With the private sector absorbing the biggest initial cost with the biggest risk, the Government continues to free up capacity to build hospitals and hundreds of either new or upgraded schools across New South Wales to support our regions and to do everything that we need to do to work for New South Wales. [*Time expired.*]

NORTHERN RIVERS FLOODS AND REGIONAL ROADS

The Hon. SCOTT BARRETT (12:27): My question is addressed to the Minister for Regional Transport and Roads. Will the Minister update the House on what the New South Wales Government is doing to support communities around the State 100 days on from the floods?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:27): I thank the Hon. Scott Barrett for his incredibly important question. Everyone in this Chamber has spoken on, or would remember, or would have seen the devastating scenes 100 days or a bit over three months ago in northern New South Wales. We saw images of people having to evacuate and make their way to the roofs of their homes until help arrived, and we saw businesses destroyed. Sadly, we also saw that people had passed away through that event. But now, three months on since those unprecedented floods that devastated New South Wales, we are starting to see a road to recovery.

Throughout that event we saw multiple pieces of signage destroyed, and damage to bridges and culverts. A total of 167 landslips impacted roads across the northern New South Wales network. We have a damage bill of more than \$1.4 billion for State, local and regional roads, including parts of regional rail. We know that the greatest impact of that disaster was on the residents of the Northern Rivers and northern New South Wales. It has been heartening to see the enormous statewide effort to reconnect communities and get people's lives as back to normal as possible. It will be a huge challenge because there is no sense of total normality for them, but we hope to get them back to living their normal lives as soon as possible. It is important that for the first time in history the Government has developed a Betterment Fund for the North Coast communities when they rebuild their roads and transport infrastructure. There is \$312 million in partnership with the Commonwealth Government, \$156 million—50 per cent—of which has been contributed by the New South Wales Government. This will really help regional communities to regain connectivity, with improved roads and transport infrastructure, ensuring that we will actually build back better.

Transport for NSW has gone above and beyond in this recovery. Geotechnical advisers and engineers have been on the ground to help affected communities assess and scope and to restore connectivity to impacted parts of the network. Crews are still on the roads and have gone above and beyond to deliver in short time frames and get the northern part of our State moving again. We have completed 70 per cent of the repairs to the more than 2,100 kilometres of flood-damaged roads in our State network. Across the State, 59 of the 100 damaged bridges have been repaired and two-thirds of the 167 landslips have been addressed. Crews completed three months of work on the Macquarie Pass in just five weeks, with additional resources poured into the project, restoring the major link between the Illawarra and the Southern Highlands. Between February and May more than 50,000 potholes were addressed; some 24,000 of them were addressed and completed in April alone. This is an incredible effort to reconnect our communities, reopen our transport network and get our State moving.

HEALTHCARE WORKERS

Ms CATE FAEHRMANN (12:30): My question is directed to the Minister for Regional Health. How many of the 10,000 new healthcare workers announced by the Government will be deployed in regional New South Wales? How does the Government intend to recruit those healthcare workers after it gave them a real wage cut of 2.1 per cent this year and around 8.2 per cent over the past three years?

The Hon. Walt Secord: Come on, Bronnie!

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:31): Yes, I'm coming, Walter. Thank you very much for your encouragement. I thank the honourable member for her question. What an exciting announcement it was about all these new staff for the NSW Health system. It was very exciting, and I am really looking forward to it. It was incredible to be at the palliative care announcement today as well, but that is not directly relevant to the question. I will get back to the question before I am called to order.

The question that the honourable member asked was about the number of healthcare workers going to the rural and regional workforce. Usually about 40 per cent to 45 per cent of that number will end up in the rural and regional NSW Health workforce, but we are going to be very thorough and really look at each local health district. We will look at where the gaps are and where we need to fill them, and really target the workforce into those areas. The new staff will give a lot of relief and support to the hardworking health workforce that is there already,

and that will help with all the pressure that the health workforce has been under of late. I am really pleased by this announcement.

The health inquiry that both the honourable member and I took part in really highlighted the workforce issues that we are facing. When we talk about recruitment, we must also talk about retention and how important it is. I was recently talking to a registered nurse at Hay. She is an incredible woman, now in her seventies. The Nurses and Midwives' Association brought her in via Microsoft Teams to talk to me. We need to keep people like her in the system. As I discussed yesterday, we have a pipeline of new graduate nurses who are coming in and working in the regions and really enjoying their professional careers, but need to be supported by people like clinical nurse educators to ensure that someone with experience is working with them so that they can enhance and bring on their practice.

Between 2012 and 2021, the rural workforce has increased by 10,123. That is an increase of about 25.3 per cent, which is very significant. While it is easy to talk about numbers, it is really about talking to people on the ground. Those people are consistently telling us that we need more staff and we need those gaps to be filled, so I am very pleased about this announcement. I think it is a great thing. I have been talking to heaps of my colleagues on the ground who have really welcomed this announcement. Now the rubber hits the road. We need to fill these positions and keep moving ahead to make sure that we continue as one of the most internationally recognised health services in the world.

Ms CATE FAHRMANN (12:34): I ask a supplementary question. Would the Minister elucidate the part of her answer where she said that she had identified workforce issues, including retention, in regional New South Wales? If retention is the issue, to go back to my original question, how does the Government intend to recruit those healthcare workers after giving them a real wage cut of 2.1 per cent this year and around 8.2 per cent over the past three years? We know that nurses, particularly in regional New South Wales, are exhausted. Retention is exactly the issue. They are getting actual wage cuts under this Government. How does the Government intend to deal with that?

The Hon. Damien Tudehope: Point of order: This is question time, not commentary time. To the extent that you require Ministers to answer questions, questions should be questions and should not be accompanied by commentary. This member and others are prolific in asking questions and then adding a significant amount of commentary around them. I ask you to rule in relation to members who ask questions that include significant amounts of commentary.

Ms Cate Faehrmann: To the point of order: We have one minute to ask the question. I sought elucidation of the response the Minister provided in terms of workforce retention. My question at the end was about the wage cut. The question I asked did not include commentary; it was all focused on getting to the point, which was the question around real wage cuts.

The PRESIDENT: I do not uphold the point of order. The member was providing necessary context in relation to the answer that was given by the Minister. The Minister has the call.

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:36): I thank the member for her supplementary question. As I said, it was a great announcement about the increased workforce. I note that in my answer I spoke about retention and how important it is. I completely recognise that. This package is about securing the funding for those positions. I would ask the honourable member to please watch this space. As members know, I could not be happier or more thrilled to be the first ever Minister for Regional Health in New South Wales. I have stated categorically that I think retention is absolutely an issue within the workforce. It is something I care very deeply about, particularly for the rural and regional workforce. I will not be making any announcements in question time, but I will be delighted for Ms Cate Faehrmann to watch this space and will speak to her about it very soon.

The Hon. MARK LATHAM (12:37): I ask a second supplementary question. Will the Minister elaborate on her answer concerning the great announcement and turning it into a reality and watching this space? In turning it into a reality, going forward, and ensuring that the 10,000 new medical professionals are hired in practice and fulfil their role, what lessons has the Minister learned from the promise that was given by the Government at the last election in 2019 to recruit 5,000 new medical professionals in New South Wales, when the Government did not get to even half that number?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:38): I thank the honourable member for his second supplementary question. The great majority of those positions have indeed been filled, but I will also say that there are challenges with the workforce. I have categorically stated that many times in this place. The point is that if you do not actually—

The Hon. Mark Latham: Point of order: My point of order is on direct relevance.

The PRESIDENT: I hear the member's point of order. I believe the Minister was making directly relevant and, to a point, introductory comments. The Minister has the call.

The Hon. BRONNIE TAYLOR: The point is if you are not going to try to recruit and look at getting a workforce because you think you are not going to fill it, it is the chicken and the egg. It is like when we started our Safeguards Teams for mental health for youth and adolescents. For the first time ever in the country there are youth and adolescent mental health teams. The advice would be "It is going to be really hard to fill those, Minister." So then what? Do I just not do it, or not try to do it? What you do is create these positions, create these career pathways, create these amazing professional opportunities and keep going. You keep looking at how you are going to provide that. I have been working hard on some retention strategies that we will be using, which I will be announcing soon. This is a good day for rural and regional New South Wales and a good day for the New South Wales health system.

The Hon. Mark Latham: Point of order—

The Hon. Damien Tudehope: The Minister has finished her answer.

The Hon. Mark Latham: My point of order is on direct relevance. The question was about lessons the Government had learned from its last failed promise in this place. The Minister did not address any of it.

The PRESIDENT: Has the Minister finished her answer?

The Hon. Bronnie Taylor: I am finished.

The PRESIDENT: The Minister has finished her answer.

STUDENT EDUCATION STANDARDS

The Hon. COURTNEY HOUSSOS (12:39): My question without notice is directed to the Minister for Education and Early Learning. Given the Department of Education's 2021 annual report shows that more than one in five New South Wales public school students have fallen below the lowest acceptable standard in reading and numeracy, what is the Minister's response to community concerns about her recent decision not to publish the latest education standards data until after the State election?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:40): I thank the honourable member for her question into the recently released report from the Department of Education, particularly the part of the question where she talks about student outcomes and standards. I say right at the beginning that the annual report reflects both the Premier's Priorities for education and also the other targets that we have in New South Wales: to be Australia's best education system and one of the finest in the world.

[Opposition members interjected.]

The PRESIDENT: Order! The Minister has the call.

The Hon. SARAH MITCHELL: It is important that we set ambitious targets for the system to improve the outcomes of our students. The annual report outlines some of the challenges that the department overcame in 2021. It should not be a surprise to anybody in this Chamber that we were dealing with the COVID-19 wave and with lockdowns in the second half of the year. We were also dealing with the extraordinary challenges around communities affected by bushfires and floods in 2020. We know that it has been a very challenging time for our school communities. There is no question about that.

We also have our School Success Model, an innovative program learning from the best to broaden our teaching practices across the sectors so that students and staff can reach their full potential. A range of strategies and work is in place to make sure that we see improvements in every school each and every day. As I said earlier, we know that the disrupted learning in 2021 caused by COVID-19 and communities still recovering from natural disasters has affected the anticipated trajectory to meet some education targets. We know that, and we have been up-front about that. Our school communities, our principals and our teachers will talk to you about that every time you visit a school: how it has been a hard couple of years and how we have to make sure we help our students get back on track. Of course, that is going to affect some of the targets that we have set.

The annual report is transparent. It is transparent about these targets and it is transparent about our efforts to meet them. Our educational targets are deliberately aspirational. Our ultimate goal is to ensure improvement for all students in our schools. That will continue to be what we strive for. That will continue to be how we support our school communities to make sure that each and every student at every public school in New South Wales has the ability to be their best. We have so much work happening in terms of streamlining of our curriculum and the School Success Model. In terms of the targets that are set and transparency in annual reports through our school

communities, any parent on any given day can talk to their school about their child's progress. There is a lot of transparency when it comes to data and outcomes in education. We very proudly stand behind that.

The Hon. COURTNEY HOUSSOS (12:43): I ask a supplementary question. Will the Minister elucidate that part of her answer where she spoke about the ultimate goal being to improve schools each and every day? Will she explain why the department is refusing to release the most up-to-date data about that progress until after the next election?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:43): As I said in my earlier response, there is a lot of transparency when it comes to educational data in New South Wales. There is a lot contained within the annual report. As I said, any parent has the opportunity to speak to their school about their child's progress or about how the school is tracking against their targets. We have the School Success Model. For the first time ever in New South Wales every single school has a range of targets set, which are aspirational targets, to make sure that we are aiming to be better and better every time.

As I said at the outset, the reality is that we are very transparent. We have had a tough couple of years. Our teachers are working incredibly hard to help our students catch up and to help our students readjust to being back in the classroom after what has been a difficult time. I would also say that we are still going through a difficult time. We have a lot of impacts from COVID and flu in our school communities now. It has not been an easy time. What we should all be doing collectively is saying that we appreciate what our teachers are doing, we know how hard they are working and we know that each and every day they are focused on the outcomes of students, as is this Government and as am I as Minister. Transparency of data and outcomes in education is absolutely available for any student, for any parent, for anybody who is interested in education in this State.

The Hon. MARK LATHAM (12:44): I ask a second supplementary question. With the Minister's reference to the importance of transparency, data measurement, targets and accountability to parents—if that is all true—will she elaborate why on 3 May this year she announced as follows, "External validation which requires schools to provide evidence of improvement to external assessors will be deferred until 2023"? Why is the Minister again hiding behind COVID and not having these validations prior to the next election?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:45): We are not hiding behind anything. What we have done is make a series of decisions for our school communities to allow—

The Hon. Courtney Houssos: To hide the data until after the election.

The PRESIDENT: Order! The Minister has the call

The Hon. SARAH MITCHELL: There is rank hypocrisy from those opposite. We talk about teacher workload, we talk about the challenges of COVID, we talk about what school communities are going through right now and what we have done. I visit schools all the time.

The Hon. Courtney Houssos: You announced your targets after COVID, and you are not prepared to put it out.

The PRESIDENT: Order!

The Hon. Scott Farlow: Point of order—

The PRESIDENT: I warn the Hon. Courtney Houssos to cease interjecting. I warn her that she will be called to order. The Minister has the call.

The Hon. SARAH MITCHELL: They have all talked about the challenges post-COVID of getting kids back into school and of getting them back into the routine. We back the profession. We understand that it is very important. There is a lot on our schools' plates at the moment and there is a lot on teachers' plates at the moment. Every principal will talk to you about the additional admin.

The Hon. Courtney Houssos: You released a program and now you will not release the data.

The Hon. SARAH MITCHELL: They do not like it. In one breath it is, "What are you doing to support teachers"—

The PRESIDENT: Order! I call the Hon. Courtney Houssos to order for the first time. The Minister has the call.

The Hon. SARAH MITCHELL: In one breath it is, "What are you doing to support teachers when it comes to the admin burden and workload?" And when we make decisions in consultation with the profession to say, "You know what? We're going to allow you more time to do this external validation"—

The Hon. Walt Secord: I thought you were better than this.

[*Opposition members interjected.*]

The Hon. Scott Farlow: Point of order —

The Hon. SARAH MITCHELL: You do not know what you are talking about. It is so embarrassing.

The Hon. Scott Farlow: The interjection baton has been passing from the Hon. Courtney Houssos to the Hon. Walt Secord. I ask that those members be called to order.

The Hon. Walt Secord: Point of order: The baton was not passed to me. The Minister should admit that she was caught out.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the first time. Those gratuitous comments are completely out of order and not helpful in any way to the debate.

The Hon. SARAH MITCHELL: As I said, in one breath those opposite are saying, "What are you doing to support teachers? What are you doing to recognise workload?" What we are doing is speaking to the profession. As I said, the external validation process is one that schools take seriously. There is a lot of administration in relation to that. Every single principal that I have spoken to since we have made the announcement that we will delay that to give them time to focus on their kids' wellbeing and catching up post-COVID welcomes it. Talk about being out of touch—those opposite have absolutely no idea what those in school communities are going through, what principals are asking for or what teachers are asking for. We absolutely stand behind decisions that we have made to take some of the things off their plate and to clear the decks while we try to recover from an extremely disruptive period in education in New South Wales. Those opposite are just embarrassing in how little they know, understand or care. [*Time expired.*]

VIVID SYDNEY

The Hon. SCOTT FARLOW (12:48): My question is addressed to the Minister for Finance, and Minister for Employee Relations. How is the New South Wales Government helping return joy to the City of Sydney through Destination NSW's twelfth Vivid Sydney?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:48): It is an appropriate question when we are having such a vibrant question time. I thank the member for his question. After being postponed and cancelled through 2020 and 2021, how exciting it is—and all those opposite will agree—to see Vivid Sydney return to light up Sydney again from 27 May to 18 June.

The Hon. Penny Sharpe: Thanks, Nathan Rees.

The Hon. John Graham: A great Labor festival.

The Hon. Penny Sharpe: I remember you guys mocking it.

The Hon. DAMIEN TUDEHOPE: Well, it was never like it is now. During the 23 days of Vivid, this year's awe-inspiring program includes 50 dazzling light installations, 87 ideas talks and immersive workshops, and 111 electric music events, which is a far cry from its original concept. For example, all-female group The Boys light up the Sydney Opera House. Vivid Sydney 2022 is activating and energising Circular Quay, Sydney's CBD, The Rocks, Walsh Bay, Barangaroo, Darling Harbour, Darling Quarter and Darling Square, as well as welcoming the return of Taronga Zoo and Luna Park. After doing it tough over the past two years, live performance venues, bars, restaurants, cafes, retailers and other attractions, hotels and businesses in the city are getting a real boost from the record crowds participating in Vivid.

The 435,000 people who flocked to the city for the opening weekend of Vivid helped lift hotel occupancy rates in the Sydney CBD to 83 per cent, exceeding 80 per cent for the first time since the start of the COVID-19 pandemic. With a total of 1.2 million visitors to date, Vivid has had thousands of families take the opportunity to visit the displays along the eight-kilometre Light Walk from Sydney Opera House to Central Station. I remind members that the Light Walk is open every night from 6.00 p.m. to 11.00 p.m. until Vivid concludes on Saturday 18 June. When the lights of Vivid are turned off, the joy will continue and no doubt increase into next week when the 2022-23 budget is delivered on Tuesday 21 June. Later at the party, MPs will rave. I note that that date is also the winter solstice, and every day after that will get brighter and brighter. After two years of doing it tough, we all need something or someone to light up our life. With apologies to Debbie Byrne:

So many nights I'd sit by my window
Waiting for someone—

Matt Kean, perhaps—

to sing me his song
So many dreams I kept deep inside me

Alone in the dark but now you've come along
And you light up my life
You give me hope to carry on
You light up my days and fill my nights with song

POKER MACHINES AND MONEY LAUNDERING

Mr JUSTIN FIELD (12:52): My question without notice is directed to the Hon. Ben Franklin, representing the Minister for Hospitality and Racing. I refer to recent media that revealed a joint Liquor & Gaming NSW, NSW Crime Commission and Australian Criminal Intelligence Commission data and surveillance operation last year, which concluded that there is:

... little doubt that electronic gaming machines are being used for large scale money laundering by organised criminal groups in NSW.

One story by Linda Silmalis, entitled "\$60,400 dirty to clean in less than two hours", stated:

The report made a series of recommendations to further tackle money laundering.

What were the recommendations? Since the report was provided, what action has the Government taken to act on the recommendations?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (12:53): I thank the honourable member for his question. Having been in this place for over seven years, I acknowledge that he has been focused on those issues for that entire time and, I suspect, for many years previously. In direct response to his question, I inform the House that I am advised that the report in question was drafted in November last year but, contrary to media reports, made no recommendations. Following the completion of the report, the NSW Crime Commission and the Independent Liquor & Gaming Authority announced a joint inquiry into money laundering in hotels and clubs. That inquiry will pay particular reference to the use of electronic gaming machines and will identify potential vulnerabilities within the regulations and the legislation governing gaming machines, which could be exploited for the purpose of money laundering.

The inquiry will furnish reports about matters relating to money laundering through electronic gaming machines for the Government, pursuant to section 10 (1) (e) of the Crime Commission Act 2012, section 59AA of the Australian Crime Commission Act 2002, and the various provisions of the Gaming and Liquor Administration Act 2007, the Gaming Machines Act 2001, the Registered Clubs Act 1976 and the Liquor Act 2007. The Government is awaiting any recommendations for reform from the outcomes of that inquiry. In the meantime, Liquor & Gaming NSW and its law enforcement partners will continue to monitor venues for criminal activity and undertake investigations where necessary.

Mr JUSTIN FIELD (12:54): I ask a supplementary question. Will the Minister elucidate his answer where he indicated that the Government will continue to monitor suspicious transactions? Given that the report was given to the Government in November last year and it identified large-scale money laundering in New South Wales through poker machines in pubs and clubs, does Liquor & Gaming NSW have sufficient resources to identify and act on those suspicious gaming machine transactions?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth) (12:55): I refer to my original answer. Two things are happening. There has been a report, which is now being considered. An appropriate inquiry is being undertaken which will consider all of the potential recommendations that could be made in order to achieve the outcomes that I suspect many in this place want to achieve. In the meantime, Liquor & Gaming NSW and its law enforcement partners will continue to monitor venues for any criminal activity. They will continue to undertake investigations where necessary and will do so for the good of New South Wales.

DENILIQVIN HOSPITAL

The Hon. MICK VEITCH (12:55): My question without notice is directed to the Minister for Regional Health. Given the Government has pledged \$80 million to Temora Hospital, which happens to be in the Nationals-held electorate of Cootamundra, will the Minister please advise the House why only \$3.2 million has been allocated to Deniliquin Hospital despite the fact Deniliquin has a larger population?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:56): I thank the honourable member for his question regarding funding for Deniliquin Hospital. As members are aware, the recommendations on capital funding and expenditure and upgrading of hospitals are done by the local health districts, which provide a list of capital investment and infrastructure requirements that are needed in terms of their local health district. They then give those to the Government and the Government prioritises them in accordance with need. That funding of \$80 million was given to Temora, and

the community is so excited about it and really looking forward to it. The local mayor, Councillor Rick Firman, is absolutely thrilled and excited about the new investment.

With Deniliquin, I recently spoke to Mayor Peta Betts about things that are happening in that region and we are really excited about it. There will be an announcement that the clinical services plan is starting to look at that for Deniliquin Hospital as well so that we can do effective planning and make sure we meet the requirements that are needed. I have visited Deniliquin Hospital quite a few times, as I am sure the Hon. Mick Veitch has—probably more times than me, I imagine—and the town as well. We are absolutely working on all of that. Those are done on priorities and needs and recommendations from the local health district.

HOMELESSNESS

The Hon. WES FANG (12:57): My question is addressed to the Minister for Families and Communities, and Minister for Disability Services. Will the Minister please update the House on the recent steps taken by the New South Wales Government to help reduce street homelessness?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:58): I thank the honourable member for his question. I am pleased to announce that last week I joined the member for Heathcote, Lee Evans—

The Hon. Walt Secord: Point of order: The Minister very clearly said, "I announce". Under the standing orders, that is a ministerial statement, and therefore the Opposition should get equal time.

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

The Hon. NATASHA MACLAREN-JONES: As I was saying, last week I joined the member for Heathcote, Lee Evans—who is a great advocate not only for addressing homelessness but for all services in his electorate—to support people sleeping rough. In the Royal National Park we announced the launch of the Journey on Home app, which is a \$2.3 million custom-built mobile app to assist our assertive outreach teams to improve service delivery for people who are sleeping rough. Assertive outreach is an evidence-based approach to combat street homelessness. Our housing staff, specialist caseworkers and health professionals conduct patrols to engage proactively with people who are experiencing street homelessness, providing a pathway to stable, long-term accommodation. Our teams work with individuals to gain their trust and build the necessary rapport to be able to appropriately link them to the services that they need.

The Journey on Home app will significantly reduce the manual pressures and administration on our teams, ensuring that they are freed up to engage with people who are sleeping rough. I acknowledge the teams that I have been able to join, particularly at City of Sydney and in the Tweed, alongside Geoff Provest. It was a good opportunity to go out on evening patrol, see the mobile van and engage with some of the people who are sleeping rough. As I have said in this Chamber a number of times, one of the key things when engaging with people who are sleeping rough is building relationships. These teams do an amazing job. It can often take over 100 times to engage someone to take on accommodation.

Last month I was with Geoff Lee in Parramatta, where we launched a proactive campaign to work with local organisations and the police to engage with people sleeping rough and raise awareness, because addressing homelessness is all of our responsibility. It is about working with local government, community organisations and the State Government to advocate to ensure that people are aware of the Link2home programs and the accommodation that is available. As I said before, this app is about supporting our staff, ensuring that they have the resources they need and, most importantly, are able to feed that information back in real time to support our teams. Our street patrols have supported over 9,500 people across the State, providing support and assistance into accommodation.

Supplementary Questions for Written Answers

SCHOOL SUCCESS MODEL

The Hon. COURTNEY HOUSSOS (13:02): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Will the Minister commit to releasing the performance data on her signature education policy, the School Success Model, before the next election?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. JOHN GRAHAM: I move:

That the House take note of answers to questions.

MOTORIST SATISFACTION SURVEY
NORTHERN RIVERS FLOODS AND REGIONAL ROADS
NEW INTERCITY FLEET
TOLL RELIEF SCHEME
VIVID SYDNEY

The Hon. JOHN GRAHAM (13:02): When it comes to transport, the wheels have fallen off for this Government. I hardly know where to start, but I will start with mobile speed cameras. During question time the Minister revealed that we have cancelled the motorists' satisfaction survey but taxpayers are still paying the cost. It has been repurposed and taxpayers will still pay the cost of the survey. How did it happen in the first place that we are surveying drivers to ask them what they think about the Government's mobile speed camera program? Ten minutes on talkback radio would have told the Minister what people think. In my experience as an MP, I know there is no shortage of free advice from the public about what they think about this Government's mobile speed camera program. They hate it and they hate the changes. Now the survey has been repurposed, and it will continue. Don't tell Matt Kean. He will be out there trying to get quantitative backup for his claim, his belief, that he is the greatest environment Minister in the nation's history. Keep this away from Matt Kean is my advice.

Regarding the Northern Rivers floods, I acknowledge the work of the Minister for Regional Transport and Roads. Listen to what the Minister has said about the scale of the challenge that now faces the State. There has been \$1.4 billion worth of damage in a short couple of weeks. Think about what both major parties promised at the last election, which was \$1 billion extra for roads and bridges over the next four years. That is a major commitment, but it was dwarfed in a single couple of weeks of rain and flood events across the State. The scale of the challenge now is massive. When it came to trains, the Leader of the Government outlined the cost of the delay and the cost of getting on with the job of fixing the carriages. The scandal that we heard at budget estimates was that the cost of delay is far bigger than the cost of getting on with the job. The cost of the delay is what I call the Andrew Constance factor in sitting down and not fixing this issue. It would have been far quicker and far cheaper to fix this, move on and get the trains on the tracks. That has not happened.

I will deal with the Government's tolls package, which has fallen flat. We have found out it is one step forward, one step back—gaining toll relief but losing free registration. The Opposition worries that it could be two steps back if the Government scraps its small business fees rebate. People can claim that for tolls, but the Government will not guarantee that the program will continue. The fear of the Opposition is that it could be one step forward and two steps back on tolls as other programs are scrapped. I thank Nathan Rees for kicking off Vivid. It has got bigger, but it had to start somewhere. Finally, Mr President, the Opposition respects the ruling that you made at the start of question time. We will attempt to work within it to make this forum work.

PUMPED HYDRO

The Hon. MARK LATHAM (13:05): I take note of the answers to questions on notice Nos 4981 and 5139 concerning pumped hydro storage for the electricity grid in New South Wales. The Muhammad Ali impersonator Matt Kean, who only ever punches himself, waxes lyrical, as he has in the past 48 hours, about pumped hydro storage coming to the rescue to avoid the blackouts that Origin Energy and others have forecast for electricity shortage.

The Hon. Greg Donnelly: What about "pumped ego"?

The Hon. MARK LATHAM: He is all rope-a-dope and no impact, Matt Kean. Origin Energy has forecast blackouts in New South Wales becoming acute in 2026. Pumped hydro is supposed to save us, but the documents that were released this morning as a result of a Standing Order 52 motion show that the evidence is clear that this is another mirage, it is another Kean chimera, designed to mislead the public, the Parliament, businesses and consumers about the reliability of our electricity grid. After the discussions with the head of Origin Energy, the chief energy adviser, head of Energy NSW James Hay, wrote a note to file. The last dot point stated that Shoalhaven, where Origin was looking for money to expand its hydro—but it did not get it—is an example that is different from a battery at this time. The significant point comes where Hay writes:

... there are few if any other long duration storage projects shovel ready to help meet timeline—

That is, the end of Eraring and the loss of 25 per cent of electricity capacity in 2025—

but there may be some in 4-5 years with pumped hydro grants.

He says that they discussed the construction risks of that, which are that New South Wales has not built a drinking water dam in 30 years. The prospect of The Greens not finding a brown-headed frog at a place where you build a dam at the top and the bottom of a hill for pumped hydro is very remote. There will be enough environmental and

construction difficulties with building two dams for one pumped hydro scheme, let alone the multiple dams that are needed to keep the lights on. The truth is out from James Hay that this Government does not have any shovel-ready hydro projects in sight to meet the time line for the end of Eraring and the prospect of blackouts in 2026. The best it can say is that there may be some in five years' time if we load up the grants substantially enough. That takes us to 2027, with all the delays in environmental processes and construction to build pumped hydro. It is another Matt Kean fraud.

MAKE NO DOUBT CAMPAIGN

NEW INTERCITY FLEET

The Hon. SHAYNE MALLARD (13:08): I take note of the answer of Minister Ward on the very important topic of the consent campaign that coincides with the legislation that was nearly unanimously passed by this House. As Minister Ward said during question time today, the Government has a strong track record of protecting people from sexual abuse and is trying to build on that. The Make No Doubt campaign was launched in May 2022 and accompanies the important consent laws that this House debated and the Government introduced earlier this year.

The best way to achieve prevention is education, rather than enforcement laws to change behaviour. The Make No Doubt campaign will continue to build on the Government's important work to address harmful attitudes that contribute to non-consensual sexual activity and, tragically, sexual assaults. Young people told us that the Make No Doubt campaign must be clear, practical and positive, and that has been achieved. Everyone deserves to be safe. It is a vital change that ensures that everyone in the community is learning about the importance of consent. I am sure that answer and this issue have the support of the House.

I turn now to the answer given by Minister Tudehope to the first question asked today about an issue dear to my heart—the intercity fleet and the \$1 billion to modify the trains. I correct anyone who uses the words "make them safer" or "repair them". It is to modify the trains that have been cleared as safe to be used. A \$2.8 billion fleet is being held to ransom in rail yards in Newcastle by the railway unions. They are rusting away. That is blackmail by the Labor unions. It is really about the abolition of the obsolete rail guard. Anyone who follows the history of this train knows that the new trains no longer have a rail guard and the rail unions have been going off about that since the beginning.

I live in the Blue Mountains and it is affecting the Blue Mountains community. They are travelling in 40-year-old V-set trains. The guards lock themselves in and do not come out and help when there is trouble. I know people who have knocked on the doors and asked for help, but they could not get it. They are 40-year-old trains in the Blue Mountains. Whilst they comply with safety, they are not as safe as the brand-new trains. That is obvious. The new trains are safer and much more accessible. I have been on the prototype and had a look at them. They have full accessibility and bicycle storage. Ironically for the Labor Opposition, they even have phone chargers, which those opposite are trumpeting as some sort of great thing. The outrage concerns what could have been done with the \$1 billion for which the unions are blackmailing the taxpayers. [*Time expired.*]

STUDENT EDUCATION STANDARDS

The Hon. COURTNEY HOUSSOS (13:11): I take note of the answer provided by the Minister for Education and Early Learning today about the secret decision—the slipping it out the door—that the Government will not be delivering on its own signature policy. Just to recap, on 6 December 2020 the Minister announced the School Success Model that was designed to replace the Local Schools, Local Decisions policy. It would use targets to ensure shared responsibility for student success. It was the signature education policy of this education Minister. Why did we need it?

In December 2019 New South Wales failed to meet the Organisation for Economic Co-operation and Development average in maths for the first time. It was not always that way. In 2001 New South Wales topped the world with the Australian Capital Territory and Finland. But in 2019 there was the biggest drop ever by an Australian State in reading and science. We were declining not just in comparison to the rest of the world and the rest of Australia. A year 9 student in 2019 was five months behind the same year 9 student in 2011. That is the legacy of this Liberal-Nationals Government.

It has now been discovered that the Government has delayed the progress of this important performance starter until after the next election. Then the Minister comes into the Chamber today and says that the Government is relieving the burden on teachers and that this is something teachers should be thanking it for. How did it make that big announcement? Was there a nice drop to the Herald or the telly or some fantastic feature on Channel 9 news? No. A quiet press release was put up on the New South Wales Education Standards Authority website. To be fair, there are a couple of good things in the press release that will help our teachers. But in amongst that the Government slipped in the fact that it is walking away from its own signature policy.

The Minister came into the Chamber today and said that NSW Labor is somehow attacking teachers by telling the Government that it must stand up to its own performance targets. Let me say this: No-one has fought harder for the schoolteachers in New South Wales over the past two years during the pandemic than NSW Labor. Our shadow Minister, Prue Car, has been a constant voice for the increased pressure that teachers find themselves under. We have raised in this House the Gallop report that showed the intensification of work for teachers, not just because of the pandemic but because this Government cut the support workers, the curriculum experts and the wellbeing experts who were providing support to teachers across the State. Instead of hiring new staff to support our teachers and instead of taking actual structural reform, this Government has no plan for teacher shortages, improving student outcomes or overcrowded schools. [*Time expired.*]

POKER MACHINES AND MONEY LAUNDERING

Mr JUSTIN FIELD (13:15): I take note of the answer given to my question about a report that has been flagged recently in the media. It is a report that was conducted and provided to the Government as a result of a data analysis and surveillance operation by Liquor & Gaming NSW, the NSW Crime Commission and the Australian Criminal Intelligence Commission to look at the extent of money laundering in poker machines in New South Wales clubs and pubs. I asked a question of the Government today about what recommendations fell out of that report and what action the Government had taken to act on those recommendations. The Government gave a semantic response. There were no recommendations.

I have the report in front of me. It points specifically to future avenues that are available for the Government to take to reduce or at least identify and have success with anti-money laundering in New South Wales and electronic gaming machine-licensed premises. It points to six specific areas and future avenues of action to identify and reduce the incidence of money laundering by organised criminals through poker machines in New South Wales. Targeting different methodologies is one. It only looked at instances of suspicious transactions where someone put in \$5,000 cash and immediately withdrew it without gambling it. It did not look at small losses of 20 per cent and 30 per cent. It recognised that the data from the Star and Crown Casino could be incorporated into the data analysis work in the future. That is one important recommendation. It looked at enhanced targeting profiles that could be developed to identify where suspicious transactions were linked to money laundering.

It recommended that there be a greater focus on regional New South Wales. It indicated that it did not have the resources to do the analysis on money laundering that was happening in regional New South Wales because of the extent of the suspicious transactions in metropolitan Sydney. There was a need to look at venue infiltration and the fact that responsible service of alcohol and responsible gaming cardholders linked to organised crime could be operating in those venues and acting as facilitators. It also highlighted that professional facilitators were involved in what it described as "jurisdictional crossover" that needed analysis and understanding, including that lawyers, real estate agents and accountants were actively involved in facilitating organised criminal groups laundering money to the tune of millions of dollars through poker machines. The Government is playing with words. Its response ignores the fact that it has been sitting on recommendations for over six months on how to deal with this issue in New South Wales.

HEALTHCARE WORKERS

The Hon. LOU AMATO (13:18): I take note of how the New South Wales Government is supporting people who are at the end of their life. Today the Minister for Women, Minister for Regional Health, and Minister for Mental Health, the Hon. Bronnie Taylor, spoke about an incredible announcement this morning that the Government is delivering \$743 million to enhance end-of-life palliative care. I thank the Minister for her update on that landmark announcement. That investment in end-of-life care is substantial and comprehensive, demonstrating that this Government takes the welfare of the people of New South Wales very seriously.

The Government is committed to excellent palliative care, not only in our major cities but also in our rural and regional areas. Whether it be the inpatient settings, including the two new palliative care units to be built at Westmead Hospital and Nepean Hospital, or the boost to outpatient services, particularly in our regions, the community can be assured that the Government will support them. I congratulate the Minister and the Government on this outstanding announcement, including funding to employ an extra 600 nurses, allied health professionals, doctors and support staff. It is not only about supporting the patient; it is about supporting families. Well done to the Premier, the Treasurer, the Minister for Health and the Minister for Regional Health on this important announcement.

STUDENT EDUCATION STANDARDS

The Hon. WALT SECORD (13:19): I participate in the take-note debate in response to the education Minister's answer on education standards and the Government's decision to hide the State's falling results. I often say that education is a great leveller in an unfair society, so I am deeply disappointed by the Minister's response.

Education standards have fallen and continue to fall under this Government. This week's twenty-fifth anniversary of the apology to the Stolen Generations reminded me of the many achievements of the Carr Government. One of those achievements was a world-class education system. In 2001, I vividly remember the excitement when the OECD's global educational assessments revealed New South Wales and the Australian Capital Territory were equal firsts with Finland. The Carr Government developed policies that helped students, parents and teachers lift standards. It targeted students who were falling behind—in fact, it gave them one-to-one instruction—and it lifted and improved numeracy and literacy standards.

That is why I am so disappointed with the Perrottet Government's most recent results and its decision to hide them. We are now experiencing the lowest education standards in more than 20 years. New South Wales used to lead Australia. We used to be first in English, science and maths. We are now sixth in reading, fifth in science and fifth in maths. A recent international study showed that only half of students possess elementary skills needed for maths, and in December 2019 New South Wales failed to achieve the OECD average in maths. As for overseas comparisons, we used to lead the pack. We are now behind China, Singapore, Estonia, Canada, Finland, Ireland, Korea, Poland, Sweden, New Zealand, United Kingdom and Japan. That is extraordinary. Professor Geoff Masters said it best in *NSW Curriculum Review*:

New South Wales students slipped from being among the highest performers in the world in 2000 to being near the OECD average in 2018.

That is extraordinary. Those are not my words or the words of a politician. They are the words of an educational expert. What is this Government's response to that? It hides the data. It does not publish the data and it hides behind COVID. Parents and teachers want those results and we owe it to the next generation entering the workforce. They should know that they need to see improvements and have support in the community. Parents have a right to know. As I often say, education is a great leveller in an unfair society. One of the best things that we can do for future generations is to provide them an education that will prepare them for the future.

MOTORIST SATISFACTION SURVEY

TOLL ROADS

The Hon. WES FANG (13:22): I take note of answers given today by my good friend and colleague the Minister for Metropolitan Roads to questions on the motorists' satisfaction survey, road tolling and speed cameras. We know that members opposite like to steal people's homework. On the issue of speed cameras, they have very much been looking over my shoulder. On the day that Minister Constance announced the issue of speed cameras, who was the first person to criticise that decision? Was it the shadow roads Minister? No. Was it a member of the crossbench? No, it was me. On that day, the Hon. Walt Secord asked a question to the Minister and contributed to the take-note debate, along with the Hon. Penny Sharpe, in this place. Clayton Barr also asked a question in the other place. I might add he was a shadow Minister at the time and, unfortunately, is not now. I am not sure why.

We know that members opposite like to criticise but then copy my work. They have basically taken what I have said and tried to claim it as theirs. But sometimes it can go the other way. Perhaps when we do it, we should own up as well. The Minister for Metropolitan Roads might have copied Labor's homework just a little bit, because guess who initiated surveys of motorists in 2010? It was the Labor Party that initiated surveys of motorists in 2010.

The Hon. Adam Searle: Point of order: The honourable member was pointing at me when he said that. I wasn't even here in 2010.

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

The Hon. WES FANG: Labor was the instigator of motorist surveys, so I wonder if its members will find the conscience to criticise their own people, like I did. But they will not because the unions tell them that they cannot.

HOMELESSNESS

The Hon. ROSE JACKSON (13:25): I take note of the answer given today by Minister Natasha Maclaren-Jones on ending homelessness. The Minister talked about the recent launch of the Journey on Home app, which is a good idea. Like all good ideas, someone else already had it. It is a shame that the Minister invested so much time, energy and effort in a government app that basically ripped off the work of Jewish House founder, Rabbi Mendel Kastel, who in fact had already invested a lot of time with the End Street Sleeping Collaboration into exactly the same piece of work. It does not mean it is not a good idea. It means that some credit should have been given to the community organisations that have done that work. Speaking of community organisations, the Minister acknowledged that ending street homelessness is a challenge. It is a difficult process and it requires a

partnership—a partnership between the Government and community organisations. But that is not what we have seen from this Government at all.

In fact, this Government's approach to working with the essential homelessness service providers—at least in Martin Place—has been to repeatedly issue them with parking infringements. Yes, that is right. The Government issued parking infringements to organisations distributing jackets to Sydney's homeless community for the freezing winter, or the footpath library, which offers homeless people a chance to read a book. Possibly worst of all, the Sydney Local Health District-funded Kirketon Road mobile health van was fined whilst giving COVID tests to the homeless communities. An organisation run by NSW Health was issued a parking infringement for parking on Martin Place while trying to give COVID tests to the homeless community. Those fines are hundreds and hundreds of dollars. For many of the small, volunteer community organisations, they just do not have that money.

I give credit to the Minister for Finance, who has indicated that he is willing to review those parking fines. I thank him for giving those organisations the opportunity to request a review of the fines that they received. But it is absolutely outrageous that the New South Wales police are in Martin Place under the instructions of the Government. The Government runs Martin Place; the Government has been in charge of Martin Place ever since the Tent Embassy in 2017. It changed the law and took control of Martin Place. It now has police issuing parking infringements to organisations giving jackets and blankets to people trying to survive Sydney's freezing winter at 7.30 p.m. on a Tuesday when it is pouring with rain. If that is the kind of partnership that community organisations can expect from this Government, we are a long way off solving street homelessness.

NEWELL HIGHWAY UPGRADE

The Hon. PETER PRIMROSE (13:28): I take note of answers to my written questions Nos 5706, 5707 and 5708. I will refer to the related answers by the Minister for Regional Transport and Roads to a question from the Hon. Wes Fang on Tuesday regarding the Newell Highway upgrade. On Tuesday the Minister tried his best to present previously announced funding for the Newell as new money. The problem is that it is not, and repackaging those previous announcements together will not make them additional new funding.

Even more troubling is that the funding for the Newell Highway is part of the NSW Infrastructure Pipeline of Projects, specifically those listed under the "in planning" tab on the webpage. This is precisely the same pipeline that the Premier has announced is being reviewed by the Government, project by project. The people who use the State's longest highway, from Tocumwal to Goondiwindi, cannot be sure when, or even if, any or all the promised upgrades—

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

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. PETER POULOS (13:29): As I close this take-note debate I reflect on the answers provided by a number of Ministers. I recognise the efforts of the Minister for Women's Safety and the Prevention of Domestic and Sexual Violence in relation to the Make No Doubt campaign, which was launched on 25 May. The campaign will reinforce to the community the importance of the new consent laws, which no doubt all honourable members wholeheartedly endorse.

The Minister for Regional Transport and Roads was asked how the Government has been responding to the incredible challenge that communities have faced over the past 100 days since the floods. There is no doubt that our road network has suffered extensive damage during the natural disasters, so it has been great to hear that in the 100 days since those floods there has been an incredible amount of work in collaboration with councils to clean up and repair many of these roads to reconnect our communities.

Investing in regional communities continues to be a priority for the Government. We are committed to building safer, more efficient and reliable journeys for those travelling in, around and through regional New South Wales. As Parliamentary Secretary for Wollongong and the Illawarra, I recognise the numerous challenges across the Illawarra. If one factors in the traditional time frames it has been encouraging to see how quickly some of these roads have been restored to enable communities once again to access these important networks.

Finally, in response to a question the Minister for Finance updated the House about Vivid Sydney. It is very encouraging that some 1.2 million people have come to the CBD during the first 13 days of the 23-day Vivid Sydney festival. There has been a significant boost for live music venues, restaurants and hotels. Some hotels hit an 83 per cent occupancy rate on the first weekend of Vivid Sydney. But most importantly, the Minister reminded members that on 21 June there will be something very vivid for all of us to reflect on. There will be an energised

light on the hill when the Treasurer delivers this Government's futureproofing and very exciting budget—a great budget from a great Treasurer enabling more progress in this great State.

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

Motion agreed to.

Deferred Answers

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:

I am advised no correspondence from parents regarding the lift operation has been received by the Principal at Arthur Phillip High School or the Director of Educational Leadership. There have been a number of telephone enquiries from parents to the school about the lift operation, the exact number has not been recorded as they were enquiries and not complaints.

I am also advised that no correspondence from parents regarding construction noise has been received by the Principal at Arthur Phillip High School or the Director of Educational Leadership.

GRIFFITH BASE HOSPITAL AND COVID

In reply to **Ms CATE FAEHRMANN** (19 May 2022).

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

Following a COVID-19 illness, a midwife was risk assessed and tested, and following a negative test, was able to return to work. Any suggestion that a midwife at Griffith Base Hospital was forced to work while COVID positive is false. As per NSW Health advice, staff are able to return to work on after seven days following appropriate risk assessment and management.

GREYHOUND WELFARE AND INTEGRITY COMMISSION

In reply to **the Hon. ROBERT BORSACK** (19 May 2022).

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

The Integrity Hearings Panel [IHP] comprises a maximum of three decision makers. However, it is permissible for the IHP to make disciplinary decision when only two members are involved. This has occurred on at least 20 occasions.

It is not unusual for two members of the IHP to sit and make decisions due to requests from participants to recuse members from decisions or due to staff availability.

Written Answers to Supplementary Questions

ICARE PROFITS

In reply to **the Hon. DANIEL MOOKHEY** (8 June 2022).

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

The Accounting Funding Ratio [AF ratio] is calculated as the value of the assets divided by the value of liabilities from the balance sheet. The accounting ratio for the Nominal Insurer was 93 per cent at 31 March 2022.

The economic funding ratio is measured using a discount rate based on expected investment returns, as is done when setting premiums. The Economic Funding Ratio [EF ratio] for the Nominal Insurer was 108 per cent as at 31 March 2022.

In his independent review of icare and State Insurance and Care Governance Act 2015, the Hon. Robert McDougall stated at paragraph 657 "the focus on the accounting position as a measure of the real-world health of the NI seems to me to be questionable. An assessment that measured assets and liabilities, and hence financial sustainability, using the EF ratio rather than the AF ratio, would in my view lead to a more realistic appraisal".

This approach recommended by the McDougall review has been accepted by the New South Wales Government and icare.

INVERELL HOSPITAL

In reply to **the Hon. ROD ROBERTS** (8 June 2022).

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

COVID is one of a variety of unforeseen factors that can result in a change to pre-planned rosters. During the 10-day period referenced there were a variety of reasons that resulted in the abnormal roster of doctors. One doctor had an unforeseen accident during this

period. Another doctor caught COVID-19 and had to isolate. Another doctor was away for pre-planned annual leave. A short relief doctor was secured in their absence on the weekend of the 30 April.

As I said in my original answer, patient safety is put at the forefront of every decision made in our local health districts.

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

The PRESIDENT: According to the resolution of the House of 8 June 2022, proceedings are now interrupted to enable the order of the day for the resumption of the adjourned debate on the condolence motion relating to the Hon. Max Frederick Willis, RFD, to be called on forthwith and to take precedence of all other business on the *Notice Paper* until adjourned or concluded.

Condolences

THE HON. MAX FREDERICK WILLIS, RFD, A FORMER PRESIDENT AND MEMBER OF THE LEGISLATIVE COUNCIL

Debate resumed from 12 October 2021.

The PRESIDENT: I welcome into the President's gallery Ms Catherine Angell, Ms Joanne Loughlin and Mr David Willis, children of the former member and former President, as well as his niece, Elizabeth Willis. You are all very welcome today. I am also pleased to welcome into my gallery the Hon. John Hannaford, former member of this place—for the second or third time this week; Mr Jim Longley, former member for Pittwater; and Mr John Evans, PSM, former Clerk of the Parliaments, who is well known to many in this Chamber. All guests are here with us in the House this afternoon to hear the condolence debate in honour of Mr Willis' significant contribution to this House and to the State of New South Wales.

The Hon. SHAYNE MALLARD (15:04): I thank the Leader of the Government in this place and members of the House for allowing me to make a contribution. I take up where the Hon. Don Harwin, former Leader of the Government in this place and good friend of the Hon. Max Willis, left off. He moved the condolence motion on the eve of the Delta COVID pandemic, which then disrupted our Parliament and our lives. That interruption and the Hon. Don Harwin's subsequent retirement gives me the unexpected privilege to lead for the Government on the motion honouring the contribution of the former President of this place. The motion of the Hon. Don Harwin stated:

- (1) That this House express and place on record its deep sense of the loss sustained to the State and this House by the death on 18 August 2021 of the Hon. Max Frederick Willis, RFD, a member of the House from 1970 to 1999 and President of the House from 1991 to 1998.
- (2) That this resolution be communicated by the President to his family.

First, I acknowledge the family of Max Willis are in attendance today, including daughters Catherine Angell and Joanne Loughlin, son David Willis and niece Elizabeth Willis, who is the daughter of another great Liberal and former Premier of this State, Sir Eric Willis. A warm welcome to you all. As any member of this place will tell you, it is impossible to do our job without the love and support, and indeed without the sacrifice, of family and friends. Thank you for all you did to support Max Willis in his long service here. The simple yet eloquent notice that was placed in *The Sydney Morning Herald* upon the death of Max Willis stated:

Relict of his beloved wife Wendy. Beloved father of Catherine, Sarah, David and Joanne and father-in-law of Paul, Gareth and Oliver. Devoted grandfather of Bryce, Imogen, Layton, Archer and Finn.

It is an impressive Willis clan. I acknowledge the former members who are in attendance today, the Hon. John Hannaford and the Hon. Jim Longley, and thank them for attending. I note that I received numerous apologies from former colleagues and staff members, though I will not list them all. Max Willis passed away in August 2021. He was a member of the Legislative Council for 28 years from 1970 to 1999 and President for almost seven years. Max was born in 1935 in Murwillumbah, a small town on the Tweed River near the New South Wales and Queensland border. The son of a butter factory worker, he was not born into affluence or any particular privilege. Growing up in the first half of the twentieth century, Max was one of those people the Liberal Party was established to represent—one of Menzies' "forgotten people".

Max clearly came from a family of community and public service-minded people. His older brother, Sir Eric—who Max described as his hero—served in the other place as the member for Earlwood from 1950 to 1978 and as Premier of New South Wales for a short period of time in 1976. I occasionally met Sir Eric when he visited Max in his time here as President and saw the affection between the two brothers, who had shared their career journey with each other. Max was school captain of Murwillumbah High School. He is one of several people from Murwillumbah or the Tweed district who have served the Legislative Council. They include Harry Budd, a former President; John Johnson, a former President; Anne Symonds, a former member; and John Evans, a former Clerk of the House, who is in the President's gallery. I owe him a debt for much of the research for my contribution—and apologise for plagiarising.

Max served in this Chamber for nearly 29 years, but his sense of duty and public service began much earlier in life. In 1953, at the tender age of 18, Max joined what was then the Citizen Military Forces, which is now known as the Australian Army Reserve. Max spent over 30 years as a reservist and attained the rank of brigadier. He was a founding member of the legendary Earlwood Young Liberals, which was the first branch established in Australia and includes amongst its alumni former Prime Minister John Howard, former Foreign Minister Marise Payne, our friend the Hon. John Ryan and the Hon. Don Harwin himself.

After completing high school in Murwillumbah, Max set off for Sydney to study a Bachelor of Laws at the University of Sydney. After completing his studies in 1957, he was admitted as a solicitor and worked at Serisier, Willis and Bowring, a local Miranda firm that still operates today. Max worked as a successful solicitor for 12 years before being elected to the Legislative Council in 1970 to complete the term of Labor member Christopher Love. Members of the Legislative Council were elected differently in those days. The Legislative Assembly and Legislative Council elected members.

Max was 34 years old when he was elected, making him the second youngest member of the Legislative Council. He noted in his valedictory address that at one point he and another young member, the Hon. Clyde Parker, who was also in his 30s, had calculated that when the two of them entered the House they "reduced the average age of the House from something like 75 to 73 years old". Max was a member before reconstitution of the House to a fully elected House in 1978. He reflected upon the House he entered, noting it was less political and more noblesse oblige. He said, "One was not expected to rock the boat—it was not the kind of thing one did in the Legislative Council, much more the behaviour of the other place." He observed the sitting hours here were not onerous. He said, "We came here at 4.00 p.m. two days a week and we left at about 9.00 p.m., had dinner and went home." I think the hard adjournment sessional orders are heading that direction! And of course he was expected to wait at least three years before making his "maiden speech".

Max was one of the 10 members of the Legislative Council at the historic Free Conference of both Houses in 1988 to resolve the deadlock between the Houses over the reform of the Legislative Council. The Free Conference negotiated a compromise with the Wran Government Legislative Assembly members on the outcome of the method of election and reform of the Legislative Council. At the Free Conference, Wran conceded on the method of voting and a quota system. Max regarded that as a significant win for the Legislative Council as it largely made it very difficult for a government of the day to gain a majority in the Legislative Council. During his time in this place, Max served as a shadow Minister across a number of portfolios: education, tourism, environment and planning. In 1977 Max was appointed Deputy Leader of the Opposition in the Legislative Council and a year and a half later he became Leader of the Opposition in the Legislative Council.

The 1980s were a difficult time to be an elected Liberal in New South Wales. The Labor Party held government for almost 12 years, with sizeable majorities for much of that time. An effective opposition was therefore an important balance against the excesses of the government of the day, particularly in the house of review. When the Greiner Government came to office following the March 1988 election, the Legislative Council established two standing committees on 9 June 1988.

Max was the first chair of the inaugural Standing Committee on Social Issues and, as chair of that committee, he made a significant contribution to the committee's first inquiry into access to adoption information. He often cited the unanimous groundbreaking report as his number one achievement in public office. I note that the Hon. Fred Nile, who is a long-term member of that committee, served on that first social issues committee's historic inquiry and that far-reaching report. I thank Reverend the Hon. Fred Nile for that. The subsequent publication of the report opened up adoption information and affected nearly one million people directly and indirectly. Those reforms continue to play a role in family reunions and, importantly, inform family histories today.

In his valedictory speech Max noted that he was pleased to see that this place remained a house of review, despite the significant changes that were made to the structure of it during his term. Looking at the number of inquiries currently underway, it seems that that approach continues today. In 1991 Max was elected President of the Legislative Council, replacing Labor member John "Johno" Johnson and becoming the second consecutive President born in Murwillumbah. That may be a bit of a hint. Max served as President for seven years under three different Premiers. During the 1990s the Legislative Council tested its powers to order the production of documents to the House. Max was President when Michael Egan was found guilty of contempt of the House on 2 May 1996 for failing to table papers relating to the Lake Cowal goldmines. President Willis famously ordered the Usher of the Black Rod, Warren Cahill, to remove Egan from the Chamber and out onto the footpath in Macquarie Street—a deliberate provocation, which subsequently resulted in legal action by Egan.

The decision of the High Court in *Egan v Willis and Cahill* in 1988 was a defining moment in recognising the powers of the Legislative Council to order the production of documents from the Executive Government. It was the political tactics and cleverness of the then Leader of the Opposition, the Hon. John Hannaford, together

with the procedural knowledge and drafting of the then Clerk of the House, John Evans—both of whom are in the Chamber today—and the brilliance of Senior Counsel Brett Walker in advocating arguments of the Legislative Council before the courts that really counted. In his 2016 oral history, Max reflected upon the powers of this House, particularly those acquired then, noting without direct attribution to any contemporary activities of the House, "if you have got a power, you diminish that power if you overuse it; you sustain the power if you use it prudently." Those are wise words indeed.

As President of the Legislative Council, Max was a great defender of the institution of Parliament against the intrusion of the Executive Government. In March 1992 the Government published a report by Minister Tim Moore and Roger Wilkins of the Cabinet Office on the management of Parliament. The report proposed wideranging reforms of the management of the Parliament, including a parliamentary commission comprising members of both Houses to manage the affairs of the Parliament. The Government introduced a Parliament Management Bill to give effect to that proposal. The bill was referred to a joint committee where Max was highly critical of the proposed structure and its subordination of the administration of the Legislative Council to that of the Legislative Assembly. The committee recommended that the bill be withdrawn and proposed a non-legislative parliamentary management board structure, similar to what we have today. The proposal was interrupted by a general election and was never revisited again. In his contribution to the New South Wales Legislative Council's Oral History Project, Max said of his time in the Legislative Council:

The Moore-Wilkins report was nothing more than a blatant attempt by Roger Wilkins and Tim Moore to hobble the presiding officers and the independence of Parliament by controlling their resources. If the two presiding officers of the day—myself and Speaker Rozzoli—had not, much to the chagrin of our ministerial colleagues, rounded up the troops in Parliament and said, "Hey, this ain't on", it would have happened.

Max was a staunch monarchist, and there was much more pomp and pageantry on the official openings of the Parliament by the Governor. On 20 February 1992 Max was President when Her Majesty Queen Elizabeth II opened the session of the Fiftieth Parliament. Max, like the Black Rod, was resplendent in official dress of knee breeches, buckle shoes and tailcoat with lace cuffs and jabot. Afterwards Her Majesty unveiled a portrait of herself in the Fountain Court, which we all admire, to commemorate the fortieth year of Her Majesty's reign and the Fiftieth Parliament in New South Wales since responsible government. Max instigated the portrait by arranging sponsorship and for royal portrait artist Mara McGregor to paint it. With good humour Max referred to one such challenge of that opening in his valedictory address, recounting the difficulty he encountered in teaching the Usher of the Black Rod at the time to march backwards.

It is no secret that Max was never a fan of the media, nor they of him. He came under much criticism in the media in 1997 following the ceremonial opening of Parliament with the usual parade of judges in robes, university chancellors, and military guards of honour by the three armed services in Macquarie Street, and indeed a RAAF flyover. He pulled a lot of strings as a brigadier. I recall one opening of Parliament that included a huge television screen on Macquarie Street, bagpipe bands, police horses and a proposed ceremonial military gun salute from South Head. I do not think that last part eventuated. Max was also instrumental in forging the partnership with the Solomon Islands Parliament, which continues today as a twinning partnership—a great legacy. Max was awarded the Cross of Solomon Islands in recognition of his contribution to that nation. I was appointed executive officer, or what is today termed the chief of staff, to President Willis in 1993.

I succeeded Trent Zimmerman and was succeeded by Jason Collins. As noted by Max in his valedictory speech, coincidentally we were all Young Liberals State presidents, and often a pain in the side, but an investment by him in the young and future contributors to our State. I thank him for that. There are too many stories to tell from my time with President Willis, from Max and I being present in the officials' stand at the apparent assassination attempt on Prince Charles at Darling Harbour during his visit to the Parliament, with Max exclaiming to me, "Oh God! Not here!" through to hosting the Governor of Guangdong, our sister State, both in Sydney and all the way to Canberra to visit foreign Minister Gareth Evans, to the morning we partied hard after winning the bid for the Sydney Olympics. They are great memories from a great boss, a great mentor and a friend to the end.

I learnt firsthand in that time that Max had a very high regard for the staff of the Legislative Council, particularly the Clerks, such as John Evans, Lynn Lovelock and David Blunt—to name just a few—and the important role of protecting the institutions of Parliament and of this place. He once said to me that politicians come and go from this place, but the dynasty of the Clerks continues forever, maintaining the majesty of the institution that underpins democratic government. He also once said to me, jokingly, that even if there was a nuclear holocaust, the Clerks would emerge and reassemble the Parliament and continue the institution. Max was a much-respected member of the Liberal Party. He was a warrior in many internal party affairs. He was active in the highly contentious period in the 1980s and 1990s when external influences were attempting to hijack Menzies' Liberal Party and drive it further to the hard right of the political spectrum. I alluded to that period when honouring Max's contemporary, the Hon. John Jobling.

Max and his contemporaries, like Virginia Chadwick, John Hannaford, Ted Pickering and others, then and later, fought the good fight to keep the New South Wales Liberal Party a right of centre party, based on the ideals of Menzies' liberalism. His work and their work laid the safeguards that reinforced the long-term stable party structures that delivered successive New South Wales governments from Greiner to O'Farrell and to today's Perrottet Government, and indeed helped to contribute to the stability of the long-lived Howard Federal Government. I pay tribute to him and them for their courage and service to the party.

Max was an incredibly stylish man who enjoyed entertaining. Many will remember him for the dining in the President's suite with red-bordered bone china crockery, crystal drinkware and silver table centrepieces which, I recall, he availed to all members of this place, if ever requested. As President, he exploited the prestige of the President's dining room to host events for people from many walks of life, including the judiciary, law reformers, civil libertarians, social issues campaigners, academics and, importantly, many visiting heads of state and diplomats. Of course, he always included formal invitations to a variety of members of this place as guests at all such occasions.

Regrettably, it was one of those last dinners, which he hosted to acknowledge the retirement of the Hon. Liz Kirby, that led to his misfortune as President. On 25 June 1988 the House was debating the removal of Justice Bruce from the Supreme Court. When the debate came to a vote late that evening, the President slurred his words in proposing the question before the House. Justice Bruce was not removed in the vote, but the media were present and clamoured over the incident the next morning, with the result that Max tendered his resignation as President to the Governor, to be succeeded by Virginia Chadwick.

In his valedictory speech, Max quoted former United Kingdom Prime Minister Harold Macmillan, saying, "You will not find in politics, ever, fairness or gratitude." I think that is a bit harsh. I am afraid that I am going to have to disagree with my former boss. I am proud to be standing here today expressing my gratitude to Max Willis on behalf of myself, the many other Liberal Party members and members of this House he inspired and helped along their journey, and the many people of New South Wales his public service positively impacted. I return to the simple but powerful notice in *The Sydney Morning Herald*, where I started. It reads:

The Hon Max Frederick WILLIS, RFD ED CSI

...

6 December 1935 - 18 August 2021

...

Lawyer, Parliamentarian, Citizen soldier

Vale, President Willis.

The Hon. PENNY SHARPE (15:20): On behalf of the Opposition, I acknowledge and extend my condolences to the family of the Hon. Max Frederick Willis, who are here today. I repeat our collective thanks for the fact that they let him serve in the way that he was able to for so many years. Families really feel the brunt when one of their family members chooses to work in public service. Max Willis was born in Murwillumbah, New South Wales, in December 1935, and was educated at Murwillumbah High School. Before entering Parliament, Max Willis joined the Citizen Military Forces in 1953 and was commissioned in 1958. He became a solicitor, graduating with a Bachelor of Laws from the University of Sydney in 1958. Prior to entering Parliament, Max married Wendy Booth and the two went on to have four children.

The Hon. Max Willis served in this place for nearly 30 years, from 2 September 1970 until 5 March 1999. He served as President of the Legislative Council for nearly seven years. He was the Deputy Leader of the Opposition from 1977 to 1978 and then Leader of the Opposition from 1978 to 1981. For his parliamentary service he was awarded the Centenary Medal in 2001. A proud member of the Liberal Party, the Hon. Max Willis served in various shadow ministerial portfolios, including education, tourism, environment and planning. While in Parliament, the Hon. Max Willis served a parallel career as a citizen soldier, also seeing regimental service as a rifle company commander in the 4th Battalion of the Royal New South Wales Regiment. He rose to the rank of brigadier and was the commanding officer of the University of New South Wales regiment from 1972 to 1975. The Hon. Max Willis completed his military service in 1986, having served 33 years in the Army Reserve. For his service, he was awarded the Reserve Forces Decoration, the Efficiency Decoration, the National Medal and the Australian Defence Medal.

The Hon. Max Willis participated in the oral history project of the Legislative Council in 2013, where he discussed his work with our present Clerk, David Blunt, and the former manager of the Parliament's research service and parliamentary historian, Dr David Clune. The Hon. Shayne Mallard drew on some of those reflections. Having read the oral history transcript, I think that the Hon. Max Willis really lived through the fundamental changes to the role of the Legislative Council. He saw it change from a room of appointed men who came together

on a part-time basis to oversee and review the work of our bicameral Parliament, to the fully fledged democratic organisation it is today—driving governments crazy holding committee inquiries that are very strong and making recommendations all the time. The Hon. Max Willis was there at the beginning, and it is worth looking at his reflections on how it changed over time. It is quite a read.

It is interesting that he thought he did his best work in Parliament when he was on a committee about adoption. Think about how long he spent here and the various things that he was involved in, and the stories that he could tell about this place and the characters within it and the work that we do. The fact that he saw the adoption inquiry as one of his most important contributions to public life says a lot about the power and the importance of our committees. It also says a lot about his role in establishing them and conducting the kind of inquiries that fundamentally changed policy and practice in this State.

I acknowledge the work of the Hon. Max Willis on what we now know and love as Standing Order 52 motions. Think about the work that has happened since that time and the accountability that this House is able to place on Executive Government. It really was a fight worth having. He did have that fight, and we thank him for it. One day, when the members of the Opposition are on the other side of the Chamber, we may rue the day of that—but, at the moment, we love it. Another important precedent that the Hon. Max Willis was involved in was the banning of animals from the Legislative Council Chamber. People may not know this but one year, when the Democrats had members in this House, the Hon. Richard Jones decided to bring a dingo puppy into the Chamber.

The Hon. Bronnie Taylor: Aww.

The Hon. PENNY SHARPE: It would have been awesome, actually. I wish the Hon. Mark Pearson was here to hear this. The Hon. Max Willis was most unimpressed when Richard Jones brought the puppy into the Chamber, and there was an immediate ban on any animals within the precinct for any time. There is actually an ongoing rule that, unless it is a service animal or has special permission, there can be no animals in the building. After the past election I received a very stern email from the Department of Parliamentary Services for having an unauthorised koala in the building. I can thank Max Willis for the rule that does not allow me to bring koalas into the Parliament.

Finally, being President of this place is a challenging role for anyone who sits in the chair. In upholding the democratic rights of all the members, they often clash with some of the tendencies of their own Government in how they do that job. We know that the Hon. Max Willis was prepared to do what was necessary to uphold the dignity and the role of this Chamber, and we thank him for that. The Hon. Max Willis retired from the Legislative Council on 5 March 1999. I extend my condolences and thanks to his family. Vale, Max Willis.

Reverend the Hon. FRED NILE (15:27): It is my great privilege to contribute to debate on this condolence motion for the Hon. Max Frederick Willis, who was a great friend of mine. We shared many similar interests. His interest was particularly with the Army Reserve, and so was mine. He was promoted eventually to Brigadier Willis, one of the highest positions in the Army Reserve. I thank the Hon. Shayne Mallard for bringing forward this condolence motion to remember a great statesman. The Hon. Max Willis served multiple terms in office, which was a testament to the selfless service he gave to the people of New South Wales. He knew how to listen to the constituents and deliver what they were promised. He was both affable, engaging and, above all, a man of great integrity.

I got to know Max Willis over the 18 years that our parliamentary service overlapped. We bonded over our shared experiences in the Army Reserve, which trains you to be disciplined and instils in you a sense of duty and honour. These are the traits that I saw loud and clear in the Hon. Max Willis as we worked together on many pieces of legislation.

The great and good work of this small-town boy from Murwillumbah saw him elevated to the position of President of the Legislative Council from 1991 to 1998. His brilliant career will be remembered by us all, particularly by me. But good deeds alone are not enough to enter the Kingdom of Heaven. Being a man of faith, he placed his soul in the hands of God, not only in this life but the next. As I remember the Hon. Max Willis, I am reminded of the letter to the Thessalonians 4:13-18. It is the apostle Paul speaking to the church of Thessalonians in Macedonia. It states:

13 But I do not want you to be ignorant, brethren, concerning those who have fallen asleep, lest you sorrow as others who have no hope.

14 For if we believe that Jesus died and rose again, even so God will bring with Him those who sleep in Jesus.

15 For this we say to you by the word of the Lord, that we who are alive and remain until the coming of the Lord will by no means precede those who are asleep.

16 For the Lord Himself will descend from heaven with a shout, with the voice of an archangel, and with the trumpet of God. And the dead in Christ will rise first.

17 Then we who are alive and remain shall be caught up together with them in the clouds to meet the Lord in the air. And thus we shall always be with the Lord.

18 Therefore comfort one another with these words.

I express my condolences to the members of Max Willis' family who are here today, his wife and children. I thank them for their support for this condolence motion today, as it is very important that his family be here. Thank you and God bless you.

The Hon. CHRIS RATH (15:32): I speak in favour of the condolence motion initially moved by the Hon. Don Harwin and now taken up by the Hon. Shayne Mallard, paying tribute to my friend the late the Hon. Max Willis, RFD, ED, CSI. I knew Max Willis only for the last few years of his life, but he became a friend and mentor. It was Liberal Party stalwarts Marilyn Cameron and Jason Collins who first introduced me to Max through encouraging me to become involved in the Commonwealth Day Council and the Australia Youth Trust. Max was the President of the Australia Youth Trust for around two decades and was a tireless supporter of providing financial support to relief programs for young people suffering from poverty, illness, exploitation and abuse in developing Commonwealth countries. I was incredibly proud when Max, over a few beverages, asked me to become his secretary on the Australia Youth Trust.

In particular, Max's generosity was directed to the Pacific Islands. I remember two Commonwealth Day annual lunches here at Parliament House when Max raised an incredible amount of money for rainwater tanks in the Solomon Islands. The most powerful part of Max's fundraising was bringing to the lunch the people from Ura village in Malaita province, Solomon Islands, who were going to directly benefit from the rainwater tanks. I remember one woman from Ura village explaining to us how despite an incredible amount of rainfall, the village had very little drinkable water and very poor sanitation. She explained to us how poor water and sanitation services disproportionately impacted women. The World Bank outlines that only 18 per cent of rural households in the Solomon Islands have access to basic sanitation. Max wanted to do something about that and I know that through his tireless efforts he made life better for the impoverished and the marginalised in the Solomon Islands.

For his most conspicuous and outstanding service to advancing the wellbeing of the people of the Solomon Islands, Max was awarded the Cross of Solomon Islands. There may be only 50 members of this award at any one time and the Court of St James has placed it on par with a British knighthood. In 1970 Max was appointed to this place as a member of the Liberal Party. He served the people of New South Wales from within this Chamber for almost 29 years, including as a deputy leader, leader, and then as President for seven years. By the time I met Max he was no longer actively involved in Liberal Party politicking, so I really only know him through working together on the Australia Youth Trust. I wish I knew him for longer, to hear his experiences and his old war stories from the party and from this place. I would like to extend my condolences to Mr Willis' family for the loss of their dear loved one. I also take this opportunity to thank Mr Willis for his love for and dedication to serving the people of New South Wales and Australia. Vale my good friend, Max Willis.

The Hon. CATHERINE CUSACK (15:35): I simply wish to add my condolences to Max Willis' family. I first met Max as a Young Liberal. He sponsored, supported and encouraged all of us without any agenda. It was simply consistent with his values and what I regard as the traditional Liberal values, representing all of those things that I fell in love with in the Liberal Party when I joined as a very young person. Max came to my maiden speech and he sent me emails of encouragement. We did not overlap in the party room. It was always said of him that he never had very much to say in the party room, so when he did speak up everybody stopped and listened to the wisdom of Max Willis. It always cut through and his guidance was always completely on the money in terms of reminding the party of who we are and what we are seeking to do. On the occasions that he did so, the issue was incredibly important. I have such admiration for him. I thank him for his mentorship and his example in the Liberal Party. He is sorely missed. I acknowledge the members of his family and the loss sustained to them and also to the Liberal Party and the values that we hold dear.

The Hon. JOHN GRAHAM (15:37): I will make two brief points. The first has been made by the Hon. Shayne Mallard. As a brief resident of the Tweed Valley, I cannot help but agree that it is remarkable that three Presidents of this Chamber in a row were from the Tweed and Murwillumbah. They are on the wall here: Budd, Johnson, Willis. It spans 32 years from 1966 through to 1998. It is remarkable for such a small but beautiful town in such a far-flung part of our State to have those three officers serve this Chamber in such an important role. I thank the Hon. Shayne Mallard for raising it. It really is worth dwelling on. Secondly, I single out one achievement that stood out to me and that was Max Willis' chairmanship of the committee that recommended a ban on tobacco sponsorship of sporting events in 1990. Looking back, it seems like such a sensible move and a commonsense thing to do, but at that early time it was a great example of the work of the committees of this House and the work of a member such as Max Willis in driving that agenda. It is worth remarking on.

The Hon. SHAYNE MALLARD (15:39): In reply: I thank members for their contribution to the debate. It is a Government motion, which is a tradition when a presiding officer dies, and it is an important motion. I am

glad that the Hon. John Graham pointed to Mr Willis' name on the wall overlooking the Chamber. I am sure he might have liked a bust but he got his name on that wall forever and we look up at it and the other names. I thank the Leader of the Opposition, the Hon. Penny Sharpe, for her contribution. I thank Reverend the Hon. Fred Nile for his heartfelt contribution. I acknowledge him as a contemporary on the first Social Issues Committee and on the current one, which is amazing. The youngest member of the House, or the newest member of the House, the Hon. Chris Rath, reinforced Max Willis as a mentor.

The Hon. Penny Sharpe: He is not the youngest.

The Hon. SHAYNE MALLARD: The newest. He reinforced the message of Max Willis as a mentor, which the Hon. Catherine Cusack and I also did in our contributions. He was a mentor right up to the end of his life, as we heard from the Hon. Chris Rath. The Hon. John Graham drew members' attention to the Tweed connection. I acknowledge that he is the Labor Party's de facto historian and it is good he acknowledges that as well. On the issue of Commonwealth Day, I meant to say that the regular magnificent display of flags out the front was an initiative of President Willis and the flags flown out the front when all the dignitaries visit was an initiative of President Willis. There are many legacies that continue. With those words, I convey my condolences to the family again and thank them for their contribution to sacrifice and share President Willis with us and the people of New South Wales through that long period. I commend the motion to the House.

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

Motion agreed to.

Members and officers of the House stood in their places as a mark of respect.

Business of the House

NOTICES OF MOTIONS

The Hon. DAMIEN TUDEHOPE: By leave: Pursuant to Standing Order 71, I give notice of a motion relating to an amendment to the resolution of continuing effect authorising the broadcast of proceedings to allow live captioning.

Bills

PARLIAMENTARY BUDGET OFFICER AMENDMENT BILL 2022

First Reading

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

The Hon. DANIEL MOOKHEY: I move:

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

Motion agreed to.

The Hon. DANIEL MOOKHEY (15:44): I move:

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

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (15:44): The convention of the House is that we would not oppose that motion, but I make some observations. The Government supports the Parliamentary Budget Officer Amendment Bill 2022 and is happy to have it debated today and pass it today because it is a Labor bill which has some merit. Labor had taken some two weeks to talk to crossbench MPs about the bill but gave the Government about 53 minutes' notice before the bill was introduced into the Legislative Assembly. The bill was moved by way of a suspension of standing and sessional orders because it was an urgent bill. Labor wanted it done immediately, and there is some merit in getting it done immediately because they want the Parliamentary Budget Officer to start on 1 July, which the Government agreed to. To get that all done requires the passing of the bill to allow the presiding officers to establish and advertise for the appropriate people to be employed in the office.

The Government was ready to give the bill time to be debated this afternoon because of the urgency that Labor saw in the bill. The Government was prepared to accept the suspension of standing and sessional orders to allow it to be debated today, as was done in the Legislative Assembly. The Government accepted that and allowed it to be debated. However, now the bill is in the Legislative Council, Labor wants the debate to happen next week. Why was there urgency in the Legislative Assembly if it is not urgent in this House? Today is the day to bring the bill on for debate.

The Hon. John Graham: We will take up the offer next week.

The Hon. DAMIEN TUDEHOPE: No, bring it on today. Bring it on this afternoon because if it was urgent in the lower House, it should be urgent in this House. Labor went to so much trouble in the lower House to get the standing and sessional orders suspended and get the debate they wanted. They put aside all other business of the House in the Legislative Assembly this morning to get the bill done, and they succeeded. They bring it to this House and all of a sudden they do not want it done anymore. One can only ask why. It could be that they have concerns about transparency, which I understand. They are a party that is concerned about transparency; that is okay.

The bill was urgent in the lower House. The Government was prepared for the bill to be debated in this House this afternoon to ensure the Parliamentary Budget Officer was set up and ready to go on time so that the wishes of the honourable member could be acceded to. The amazing thing is that I made some comment on the bill earlier this week and the Hon. Daniel Mookhey asked, "Are you supporting it?" Of course we are. We have nothing to hide. We want the bill brought on and debated today, but it is Labor's bill. They have the ability to bring it on this afternoon and get it debated.

Ms ABIGAIL BOYD (15:48): I make a brief contribution to the motion. The Greens support the Hon. Daniel Mookhey's motion, but it is important that members look at exactly what is happening with the motion. The lower House has had a bit of shifting sand because the Government does not have quite the control it used to have. That House has had a change of standing orders, which has allowed, for the first time, for a majority of members to decide that the standing orders should be suspended to bring on business.

From my perspective, I think having that level of reflection on the composition of parties in the lower House is fantastic. Having now experienced that in the lower House and having had a suspension moved against it, the Government's move to object to the motion before the House is a childish tit for tat. It does not do anybody any favours and it does not make us look good. This sort of game playing from the Government in this House needs to stop.

The Hon. Wes Fang: We don't play games.

The Hon. Sam Faraway: Game playing? What's going on here?

Ms ABIGAIL BOYD: There is no game playing? The Government is trying to introduce a private member's bill on a day for Government business. That does not happen in this House. I reiterate that this House is the master of its own destiny. Thankfully we do not have a majority of Government members here. The Greens will not support any moves to debate the bill today.

The Hon. PENNY SHARPE (15:50): We have spent way too much time on this already. It should have been a basic motion where we set down the Labor bill to be debated when we choose. Government members are contemplating taking control of crossbench or Opposition bills. That is not a wise decision. I note that they have not taken that path today, but they cannot tell me that they have not thought about it. The point is straightforward: The Opposition has a very important bill about the Parliamentary Budget Office. It is about transparency and telling the people of New South Wales, before the next election, how our promises are costed and how they are dealt with. We take that process very seriously.

I am concerned by the glee in some of the comments made by the Leader of the Government that indicate a slide into not having a serious discussion about the role of the Parliamentary Budget Office. Instead, the Government is trying to play politics and is trying to game the system into how the Parliamentary Budget Office is managed. I note with concern that that is not a good turn of events. However, the motion is very straightforward. The Opposition wants to debate the bill in the next sitting week. I urge members to support it.

The Hon. Damien Tudehope: Point of order. I just need to clarify—

The PRESIDENT: Are you taking a point of order?

The Hon. Penny Sharpe: What is the point of order?

The Hon. Damien Tudehope: The point of order is that the Leader of the Opposition made an assertion that the Government had considered a particular position regarding things we might have done with the bill. That is completely untrue.

The PRESIDENT: There is no point of order.

The Hon. DANIEL MOOKHEY (15:51): In reply: I welcome the opportunity to debate the question of whether or not the second reading of the bill stands as an order of the day for the next sitting day. It is not conventional to do that, but the House is the master of its own destiny. I am glad that the Leader of the Government

had the opportunity to put his view. Neither side of the House should play politics with a bill relating to the Parliamentary Budget Office. The bill applies to both sides of politics.

The PRESIDENT: Order! The Hon. Daniel Mookhey has the call.

The Hon. DANIEL MOOKHEY: As a result of the work of Labor and crossbench colleagues in the other place, for the first time in history crossbench members may have the opportunity to get access to the Parliamentary Budget Office. We are not debating the bill right now, but we should not be playing politics with how this Parliament deliberates.

The PRESIDENT: Order! The Hon. Daniel Mookhey has the call.

The Hon. DANIEL MOOKHEY: My first point is that we should not be playing politics with the bill. My second point is that when a bill is received from the other place, the ordinary practice is that it stand as an order of the day unless there are compelling reasons to do otherwise. That is particularly the case for private members' business. The reason is that bills are often changed and amended in the other place. For members to properly consider those amendments from the other place—even to read them—requires time.

Members of this House might seek to amend the bill. They should have the opportunity of using the Parliamentary Counsel's Office staff to write those amendments for the House to consider. That convention has been respected by the House for Government bills, private members' bills and crossbench bills. The proposed amendments to the bill in the other place should be considered by this House, but that requires time. The Opposition is not suggesting anything other than what is the usual practice, which is to give members the opportunity to read the bill, consider it in the first instance, develop any amendments they make seek to move and then introduce it so we can debate it. It is important that members have that right.

The PRESIDENT: Order!

The Hon. DANIEL MOOKHEY: The convention for Government bills is that the Government determines when those bills are debated. According to today's *Notice Paper*, we were meant to debate first the Children's Guardian Amendment Bill 2022 and the Child Protection (Working with Children) Amendment Bill 2022. We were then to debate the Disability Inclusion Amendment Bill 2022 and then the State Insurance and Care Legislation Amendment Bill 2022. Despite those bills being Government orders of the day, it took the view to adjust the order. When it did that, the Opposition did not object; it is their day.

As a result, today the Government is not introducing the State Insurance and Care Legislation Amendment Bill 2022 despite giving members notice that it was meant to be the third order of the day. We did not jeopardise that because we respect the convention. If Government members want to speak about what is urgent, I would say that the State Insurance and Care Legislation Amendment Bill is, but Opposition members did not say we want to debate it now so we will move an amendment. We respect the prerogatives.

However, I cannot help observe that four Government bills have been on the *Notice Paper* for more than a year. Despite being notified every day that a debate is coming on—for example, the Tax Administration Amendment (Combating Wage Theft) Bill 2021. Each time the Government postponed it, the Opposition never objected. Since 13 October 2021 the Government has postponed debate on the NSW Generations Funds Amendment Bill 2021 and we have not objected. The bill that holds the record is the Planning Legislation Amendment Bill 2019. Minister Taylor gave notice of that bill on 6 August 2019. The Opposition has been looking forward to debate on that bill, but since 6 August 2019 the Leader of the Government and his predecessors have postponed it. Each time we have not objected because we respect the convention that the Government sets its agenda on Government business days. Equally, the crossbench and Opposition deserve the same right and prerogative for private members' bills.

In moving my motion, all I am doing is suggesting that the House set debate on the bill as an order of the day for the next sitting day. The House should follow its usual practice of giving members the opportunity of reading the bill and developing amendments, if possible. That is it. I cannot help but remind the Leader of the Government, who was heard in silence, that it is not a bill to politicise. It is an important bill that allows both sides of politics, and now the crossbench, to present their policies as they seek a mandate from the people of New South Wales next March. The bill should not be politicised in the manner in which the Government is seeming to do. We should treat the bill as a mature House. I recommend that the House set down the second reading of the bill as an order of the day for the next sitting day.

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

Motion agreed to.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2022**Second Reading Debate****Debate resumed from an earlier hour.**

The Hon. PENNY SHARPE (15:59): Before lunch I was reflecting on this being the first time the House has dealt with the presentation of a statement of public interest [SPI] for a bill. I was thanking the Government for the effort that has been taken in what is usually quite an innocuous bill. However, I will go through the statement of public interest. I finish my contribution by outlining what the Government has stated through the SPI on the bill. It has answered the questions of the objective of the bill and why it is in the public interest. Those are key questions but they are not often answered about bills before this place. The Government provided the following advice in the SPI:

The SLR Program and the resulting Bills ensure that the NSW statute book remains accurate and current.

There is a strong public interest in ensuring the accuracy, coherence and quality of NSW legislation.

It also answered the question about what alternative policies and mechanisms were considered in advance of the bill. The Attorney General's department said:

Statute law revision can only be achieved through legislative amendment.

There is no other way to tidy up legislation for innocuous things. It occurs through that process. It further states:

If consolidated omnibus SLR Program Bills were not brought forward by the Government regularly, the alternative options would be for the Parliament to consider a high number of separate amendment Bills, or to not make legislative amendments to correct identified issues.

Essentially, our statute law would be out of date. The statement of public interest also asked for an analysis of the pros and cons and benefits and costs of each of the options. It states:

If the amendments were not made, this would result in issues addressed by statute law revision – such as the correction of any typographical issues or redundant or obsolete references – to remain unaddressed.

If the SLR Program Bills were not used to deal with these amendments, it is likely that the Parliament would otherwise have to dedicate significant time and resources to considering a high number of separate amending Bills.

The use of the SLR Program Bills is considered the most effective and efficient way for the NSW Parliament to consider such amendments.

There is also information that has never been provided before, which I have not known in the 15 years that I have been in this place. The statement of public interest states what the timetable and steps are for the policy's rollout and who will administer it. It states:

The SLR Program is administered by DPC and the PCO in accordance with the DPC Circular.

The internal timetables for Ministers and agencies to put forward proposals for inclusion in a SLR Program Bill are set out in the DPC Circular.

Ministers and agencies instruct the PCO on the commencement of each separate proposal ... Once the relevant provisions of the Bill commence, the amendments to the target legislation take effect.

Ministers responsible for administering the legislation being amended, and the agencies who support those Ministers, advise stakeholders of the minor amendments where relevant.

Finally, it asked about consultation and the views that were sought of affected stakeholders. It states:

Relevant Ministers and agencies are responsible for consulting with any relevant stakeholders before a proposal is put forward for inclusion in the SLR program. Proposals are only included in a SLR Program Bill if they are non-controversial and contain no more than minor changes.

Labor clearly supports the Statute Law (Miscellaneous Provisions) Bill 2022, but we particularly support the new addition to the way in which we consider government bills in this place—that is, through the provision of the statement of public interest. We welcome the Government's embrace of that change and look forward to better and more informed decision-making through that process into the future.

The Hon. EMMA HURST (16:03): On behalf of the Animal Justice Party, I contribute to debate on the Statute Law (Miscellaneous Provisions) Bill 2022. While the Animal Justice Party does not oppose the bill, I place on record my serious concern and frustration that the review and remaking of the Prevention of Cruelty to Animals Regulation 2012 has been postponed five times, to the point where the Minister for Agriculture could no longer postpone it himself and had to come to this House to beg for a further extension of time to September 2023. Every time the regulation has come up for review since 2017, the New South Wales Government has sought to defer remaking the regulations on the basis that some major review of animal protection laws was just about happen, and so it would be premature to remake the regulation. But here we are five years later in 2022 and nothing has

come to fruition. The Liberal-Nationals Government is once again seeking more time, with promises that reform is just around the corner.

That delay is simply unacceptable. The animal protection laws and regulations in New South Wales are woefully out of date. Every day that the outdated laws and regulations remain in place, the lives of animals are put at risk. This year the Government has finally managed to make some progress and produce a draft animal welfare bill. But after five years of promises, it is a total let-down. The legislation has not had a substantive overhaul since it was introduced in the 1970s and 1980s. Rather than a sweeping reform, the draft bill largely replicates the existing legislation and has been almost universally criticised by stakeholders across the spectrum for failing to meet modern community expectations and animal welfare science.

It is hard to imagine that such a controversial bill, which is still being reviewed by an upper House committee, will be introduced and passed through both Houses before the end of this term of Parliament—not to mention the regulations, a draft of which has not been finalised or consulted on whatsoever. I am concerned that, when the regulations expire in September 2023, the Minister of the day—whoever that may be—will once again come hat in hand to this House to ask for another extension. That is simply unacceptable. The New South Wales Government must do better and act swiftly to enact real, substantive reforms that better protect animals in this State.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:06): In reply: I acknowledge the observations made by the Hon. Emma Hurst. They were well made, but not within my province. The most important contribution to debate on the bill was made by the Leader of the Opposition in her embrace of the new statement of public interest, which now accompanies government bills. Maybe it should accompany Opposition bills. Anyway, that has not happened.

The Hon. Penny Sharpe: It's a trial.

The Hon. DAMIEN TUDEHOPE: Yes, it is. In relation to the observations made by the Leader of the Opposition, there is significant benefit to the statement of public interest. When the standing orders were amended I made the observation that it was important to give clarity to the things being done or sought to be achieved in the bills before the House. It gives members the opportunity to interrogate potential aspects of bills that were obscure. It facilitates a better understanding of the implementation of the legislation and a better understanding of those who have drafted and participated in its preparation. I welcome the contribution made by the Leader of the Opposition. I heartily endorse the statement of public interest that accompanies the bill. I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. DAMIEN TUDEHOPE: I move:

That this bill be now read a third time.

Motion agreed to.

CHILDREN'S GUARDIAN AMENDMENT BILL 2022

CHILD PROTECTION (WORKING WITH CHILDREN) AMENDMENT BILL 2022

Second Reading Debate

Debate resumed from 19 May 2022.

The Hon. PENNY SHARPE (16:09): On behalf of the Opposition and representing my colleague in the other place Kate Washington, MP, shadow Minister for Family and Community Services, and Disability Inclusion, I speak in debate on the Children's Guardian Amendment Bill 2022 and the Child Protection (Working with Children) Amendment Bill 2022, moved in cognate. The bills seek to achieve important changes in New South Wales for children in their safety and protection from harm when they should be kept safe. Labor supports the bills.

The Royal Commission into Institutional Responses to Child Sexual Abuse heard stories from over 16,000 people about children who had a right to be safe and kept from harm but were not. Those stories told of governments, institutions and organisations that failed those children; that promised to keep children safe from harm but did not; that frequently unknowingly, and sometimes knowingly, exposed children to perpetrators of sexual abuse who had sexually abused other children. The royal commission reported:

It is a fundamental breach of the trust that children are entitled to place in adults. It is one of the most traumatic and potentially damaging experiences and can have lifelong adverse consequences.

...

... it is a national tragedy, perpetrated over generations within many of our most trusted institutions.

With great courage and determination, victims and survivors told their stories to the royal commission to effect change and urgent reforms. They succeeded. These bills arise from the recommendations from the royal commission and form a part of New South Wales' role in implementing its urgent and much-needed recommended reforms to protect children from harm. I will now turn to the detail of the bills.

The Children's Guardian Amendment Bill seeks to strengthen and streamline the role of the Children's Guardian across its regulation of three types and provides for codes of practice to ensure that statutory out-of-home care and adoption service providers are consistently brought within scope of the Child Safe Scheme, which emerged from the recommendations of the royal commission and requires certain child-related organisations to better prevent and respond to child abuse. There are 10 standards within the Child Safe Standards. They include embedding child safety into organisational leadership, governance and culture, informing and involving families, that people working with children are suitable and supported, and more.

Importantly, standard 2 requires that children participate in decisions affecting them and are taken seriously. Not only does that emerge from the royal commission, but it is also an important principle emerging from the UN Convention on the Rights of the Child, to which Australia is a signatory. It is essential to include out-of-home care and adoption services within the Child Safe Scheme. The children who have contact with these kinds of organisations are often extremely vulnerable and have already experienced significant trauma. Those children and young people deserve to have their safety from harm further guaranteed, have their views taken seriously and be actively involved in decisions made about their lives.

The bill also makes some changes to the way voluntary out-of-home care is regulated. Voluntary out-of-home care is a voluntary arrangement between a parent and an organisation to receive overnight care away from their usual home. That might include an overnight stay in a group home, in respite care or in a hotel, short-term accommodation through the NDIS, an overnight stay with another family, longer term residential care or other kinds of care. It is an important option for families who need help overnight, short term or longer term in caring for their children. Currently, voluntary out-of-home care is regulated within two frameworks: the registration scheme and the Child Safe Scheme. The Children's Guardian Amendment Bill will bring that type of care into the Child Safe Scheme alone to make regulation hopefully simpler, more efficient and more streamlined.

The second bill being moved in cognate, the Child Protection (Working with Children) Amendment Bill, makes an important change to enable New South Wales to be in line with other States throughout Australia on a national database for information about people working with children. It should never be the case that if a person is found to be unsafe or inappropriate to work with children because they pose a risk to those children, they could just go across State lines and work with kids. Unfortunately, there have been examples of that occurring. The royal commission recommended a national database of Working with Children Check information to ensure that information could be shared between jurisdictions. The amendment bill seeks to implement that recommendation and brings New South Wales into line with Western Australia, Victoria, South Australia and soon Queensland in implementing similar legislation.

The changes in our laws emerging from recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse will protect children from harm. Even where changes seem slightly abstract or bureaucratic, they can do an enormous amount to ensure that organisations in New South Wales that have contact with children are instilling the principles of child safety into every piece of their culture, policy and practice. I acknowledge the organisations that have consulted with Labor on these bills: the Association of Children's Welfare Agencies, Fams, AbSec, and People with Disability Australia. I also thank the Children's Guardian and her office for providing guidance.

Finally, I extend my thanks and acknowledgement to the victims and survivors of child sexual abuse who offered their stories to the royal commission and helped make this important change. I say to them that it is because of you, your voices, your stories and the incredible sacrifices you made by reliving your most traumatic experiences, that the Government is able to change the laws to make sure it is far less likely that other children have to experience what you went through.

Ms ABIGAIL BOYD (16:14): On behalf of The Greens, I speak in support of the Children's Guardian Amendment Bill 2022 and the Child Protection (Working with Children) Amendment Bill 2022. The necessary amendments in the bills complement the reforms to the Children's Guardian actioned in 2019, which responded to the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse. The Greens have long supported an overhaul and a reform to our child protection systems, which for too long have

failed to adequately serve the interests of all children in our State. The proposed amendments to the Children's Guardian Act will ensure a more consistent framework for service providers, including those providing out-of-home care, adoption and respite care.

In particular, The Greens welcome the moving of accreditation provision from regulation into primary legislation as a part of the streamlining process. The Greens welcome the implementation of a national reference system, which will allow necessary information to be shared across jurisdictions to protect children and prevent further abuse in the system. Corresponding legislation is already in place across the majority of jurisdictions in Australia. The model has long been supported by stakeholders and follows the recommendations of the royal commission. It is important to ensure that the system is put in place carefully, with particular focus given to circumstances concerning child sexual abuse.

Several non-government organisations have been integral in pushing for urgent reform to our child protection systems over the past 10 years, including Barnardos, Fams, the Association of Children's Welfare Agencies, the Public Service Association, Samaritans, the Australian Services Union, Youth Action, and Grandmothers Against Removals. Further and ongoing consultation at every step is vital to ensure that the scope of our child protection laws and regulations is comprehensive and serves the interests of all children in our State, particularly those who are most vulnerable and too often slip through the cracks.

The Hon. SCOTT FARLOW (16:16): I speak in support of the Children's Guardian Amendment Bill 2022 and the Child Protection (Working with Children) Amendment Bill 2022. I commend the Minister, my good friend the Hon. Natasha Maclaren-Jones, her office and the Children's Guardian for their strategic approach to expand the scope of the Child Safe Scheme to include designated agencies and adoption service providers. The Child Safe Scheme commenced on 1 February 2022 and for the first time in any jurisdiction brought together the vision of the Royal Commission into Institutional Responses to Child Sexual Abuse for a central regulator with responsibility for the Working with Children Check, the reportable conduct scheme and a regulatory child safe scheme.

In late 2020 the Office of the Children's Guardian conducted public consultation on the exposure draft of the Children's Guardian Amendment (Child Safe Scheme) Bill. Designated agencies and adoption service providers were included within the scope of the scheme, which was supported by the sector. The Child Safe Standards, recommended by the royal commission, are based on its findings and extensive research on the qualities and characteristics of child-safe organisations. The standards are designed to be implemented by organisations in different ways, according to the needs of the children and young people with whom they work. Bringing the statutory out-of-home care and adoption sector into the Child Safe Scheme will ensure that child-safe standards inform practice with children and young people and their families, along the child protection continuum. It will also provide a shared understanding across all child-related services about what it means to be child safe.

The royal commission found that consistent messaging about approaches to child safety can assist organisations to be more efficient and effective in implementing strategies to protect children and young people. Many statutory out-of-home care and adoption service providers deliver a range of child-related services and programs, which are already within the scope of the Child Safe Scheme. Bringing the sector into the Child Safe Scheme will reduce regulatory burden on those agencies that would otherwise need to operate under two sets of mandatory standards. The Child Safe scheme takes a capability-building approach to inform and educate sectors on why it is important to implement the standards. The Children's Guardian Amendment Bill 2022 provides that compliance with the Child Safe Standards will become a requirement for accreditation.

In implementing the Child Safe Standards, agencies will continue to meet the needs of children and young people in statutory out-of-home care and adoption arrangements. Extending the scope of the Child Safe Scheme to out-of-home care and adoption providers will ensure that the Child Safe Standards set the foundations for all of the Children's Guardian's regulatory functions. It will deliver on the Government's commitment to implementing the recommendations of the royal commission. It will set clear and consistent expectations for organisations that provide services to children and young people. Importantly, it will provide clear and unambiguous messages to children and young people about their right to be safe. I congratulate the Minister on this important reform. I commend the bills to the House.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:19): In reply: Firstly, I acknowledge the Hon. Taylor Martin, who delivered the second reading speech on my behalf. Unfortunately I had COVID at the time and was unable to do so.

The Hon. Penny Sharpe: Hopefully you are better.

The Hon. NATASHA MACLAREN-JONES: I am better now, although I am still getting there. I also acknowledge the Hon. Penny Sharpe and Ms Abigail Boyd for their contributions to the second reading debate.

The Children's Guardian Amendment Bill 2022 delivers on the Government's commitment to continuous improvement of a safe environment for children. This bill will ensure that the accreditation scheme for the designated agency and adoption service providers reflects contemporary service provision in line with modern legislative drafting. It will also streamline the current voluntary out-of-home care regulation framework under the Child Safe Scheme; further implement the research and recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse relating to the scope and best practice regulation; and build upon reviews following consultation conducted by the Office of the Children's Guardian on various principal functions.

The Child Protection (Working with Children) Amendment Bill 2022 reflects the Government's commitment to contemporary Working with Children Check legislation that implements to the letter the spirit and intent of the royal commission's recommendation. The bill will secure timely and appropriate cross-jurisdictional information exchange by ensuring the Children's Guardian can access, use and disclose all relevant risk information. It will also facilitate a culture of safe information sharing by ensuring alignment with the National Standards for Working with Children Checks and clarify and strengthen the Children's Guardian administration of the Working with Children Check scheme.

As my colleague the Hon. Taylor Martin said in the second reading speech, our vision is to move towards sector-wide cultural change to ensure safe places for children. Together, these bills will continue to ensure that the New South Wales child-safe framework is robust, fit for purpose, integrated and consistent with the recommendations of the royal commission. I note that the Animal Justice Party will be moving an amendment in the Committee of the Whole and the Government will be supporting that amendment. I will speak to that later.

I thank the staff of the Office of the Children's Guardian, led by chief legal counsel Sharminie Niles, and Jagadish Gorrepati from my office for their assistance in relation to these bills. I also acknowledge the dedication of the Children's Guardian and her office to protecting children and young people in organisations across our State, ensuring the care, safety and wellbeing of our children and young people stands central to who we are as a society. I commend the bills to the House.

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

Motion agreed to.

In Committee

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will deal first with the Children's Guardian Amendment Bill 2022 as a whole. No amendments to this bill have been proposed. The question is that the bill as read be agreed to.

Motion agreed to.

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will now deal with the Child Protection (Working with Children) Amendment Bill 2022 as a whole. I have before me one amendment: Animal Justice Party amendment No.1 on sheet c2022-111A.

The Hon. EMMA HURST (16:24): I move Animal Justice Party amendment No. 1 on sheet c2022-111A:

No. 1 **Disqualifying offence**

Page 7, Schedule 1. Insert after line 4—

[18] **Schedule 2, clause 1(1)(xa)**

Insert after clause 1(1)(x)—

(xa) an offence under the *Crimes Act 1900*, section 547E,

This amendment seeks to make section 547E of the Crimes Act 1900, which criminalises the production, dissemination and possession of animal crush and bestiality material, a disqualifying offence under schedule 2 to the Child Protection (Working with Children) Act 2012. This would mean that someone convicted of this offence would be unable to obtain a Working with Children Check and should not be allowed to work with children. The Animal Justice Party has been advocating for change in this area for some time. When I was elected I was shocked to find that many serious animal cruelty offences were not disqualifying offences under the Working with Children Check scheme, meaning that animal abusers were potentially being allowed to work with children. Clearly this is not something the community supports. It would be horrified to know it was occurring, particularly given the abundant research showing the strong link between animal abuse and child abuse.

I took this issue to the New South Wales Government and, last year, the former families and communities Minister introduced a bill that made a number of animal cruelty offences "disqualifying" and "trigger" offences

under schedules 1 and 2 to the working with children Act. I thank the New South Wales Government for working with me on this important change. Since that bill passed, the Parliament passed a further amendment to the Crimes Act to prohibit the production, dissemination and possession of animal crush and bestiality material. This is obviously very disturbing material which, unfortunately, also has links to child abuse. According to media reports on recent police raids, this disturbing material has often been found alongside child abuse material.

Producing, disseminating or possessing child abuse material is already a disqualifying offence under the working with children Act. Given this, it makes sense to also include the offence of producing, disseminating or possessing crush and bestiality material as a disqualifying offence. This is really just a tidy-up amendment to ensure this offence is captured and is not a controversial change. A person convicted of producing, disseminating or possessing animal crush or bestiality material should not be allowed to work with children, and this amendment will ensure that.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:27): The Government supports this amendment. I acknowledge the work of the Hon. Emma Hurst and members of the Animal Justice Party. As she said, this amendment would make the production, dissemination and possession of bestiality and animal crush material an offence. The effect of including this section in the Crimes Act 1900 in schedule 2 to the Child Protection (Working with Children) Act 2012 is that this would be a disqualifying offence.

The Hon. PENNY SHARPE (16:27): Labor supports this amendment. We thank the Animal Justice Party for moving it, and for its continued campaign in relation to this material and the suitability of people who use it to work with children. As members know, the bestiality and animal crush laws are relatively new in relation to the Crimes Act 1900. However, the Opposition believes it is important, given that we have made these changes, that they be included within the Child Protection (Working with Children) Amendment Bill 2022.

Ms ABIGAIL BOYD (16:28): On behalf of The Greens, I support the Animal Justice Party amendment. The connection between perpetrators who produce bestiality and animal crush material and child abusers is significant and has been studied by expert stakeholders. There is evidence to indicate that those who have been discovered as possessing bestiality videos have on many occasions also been charged with possession of child abuse material. This amendment will ensure that the national reference system will be as comprehensive as possible by including within the provisions for a disqualifying offence a clause concerning individuals who have been previously charged with the production or dissemination of bestiality or animal crush material. By doing so, we can ensure that people who have already been charged with animal abuse offences are prevented from going on to commit further violent acts of child abuse.

The CHAIR (The Hon. Wes Fang): The Hon. Emma Hurst has moved Animal Justice Party amendment No. 1 on sheet c2022-111A. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Wes Fang): The question is that the Child Protection (Working with Children) Amendment Bill 2022 as amended be agreed to.

Motion agreed to.

The Hon. NATASHA MACLAREN-JONES: I move:

That the Chair do now leave the chair and report the Children's Guardian Amendment Bill 2022 without amendment, and the Child Protection (Working with Children) Amendment Bill 2022 as amended.

Motion agreed to.

Adoption of Report

The Hon. NATASHA MACLAREN-JONES: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. NATASHA MACLAREN-JONES: I move:

That these bills be now read a third time.

Motion agreed to.

DISABILITY INCLUSION AMENDMENT BILL 2022**Second Reading Debate****Debate resumed from 7 June 2022.**

The Hon. PENNY SHARPE (16:32): I take up my contribution to debate on the Disability Inclusion Amendment Bill from 7 June 2022. I had been reflecting on my time as shadow Minister for Disability Inclusion, during which I asked an intern, Jackson Streeter, to review the disability inclusion action plans [DIAPs] that were in place. Jackson made some fairly obvious and disappointing, though not surprising, observations on the quality of DIAPs. Essentially their quality depends on the commitment of the people who put them together. Jackson reviewed a lot of those DIAPs and found that many were very vague, had little ambition in terms of any serious attempt at full disability inclusion and were out of date, and that some of them were barely more than tick-a-box exercises—though not all.

Some of the DIAPs that were reviewed showed how an organisation could embrace disability inclusion at a front-facing, customer service level for people who may wish to use government services, and also internally, in the way the workforce is treated, by ensuring that people with disability found no barriers to working within those organisations. We know that can be done better and we really hope it is improved. The review of those DIAPs also found a lack of formal review and reporting processes, which meant that even when targets were measurable and specific, there were no accountability processes to ensure they were met. There were also no requirements for monitoring and evaluation to ensure that the departments knew whether they were meeting their targets. Those shortcomings were also identified by a formal review of the New South Wales DIAP system by the Sax Institute in 2019. Its report stated:

Reporting was widely recognised as problematic. Much reporting was anecdotal with little sense of impact or outcomes. Stakeholders were also concerned that there was limited documentation of challenges and limitations. Balancing reporting requirements to deliver valuable and meaningful data without overburdening agencies was identified as a key challenge.

While those issues were picked up in the statutory review of the Disability Inclusion Act, it is disappointing that the recommendations of the statutory review and the amendments made by the bill are limited to just two basic changes to the DIAP system. One change is that the State Disability Inclusion Plan and DIAPs are to be remade, rather than simply reviewed, every four years. While that is important, and Labor welcomes it, it is a shame the bill does not incorporate further requirements to the purpose, monitoring and evaluation process around DIAPs. The Government spent much time asking community organisations and others to report on their data and to monitor and evaluate their programs, but we are not asking the same of DIAPs.

Although not required by the bill, in undertaking the renewal process Labor encourages departments to examine the plans to make sure they are set up to succeed rather than fail. That includes setting ambitious, measurable targets that are developed in consultation with people with disability to achieve actual outcomes in making their services and workplaces genuinely accessible. Second, the bill also requires DIAPs to be provided in at least one format that is accessible to people with disability. That should not be a tall ask given that uploading a document in a searchable and readable format is inherently accessible, particularly to those who use screen reading technology. I encourage departments to think laterally and exceed that requirement.

Many other elements of accessibility include writing information in plain English, offering Auslan interpretation for written information and ensuring information is presented in a text colour on a contrasting background—to name a few. The remaining amendments under the Disability Inclusion Amendment Bill include repealing provisions in the principal Act that have become obsolete with the full implementation of the NDIS and retaining sections of the Act relating to disability service standards. As I have mentioned, the Opposition supports the bill and will not stand in the way of its modest reforms being implemented. However, the bill could have delivered much more to make New South Wales more accessible to people with disability. Labor urges the New South Wales Government to be more ambitious in achieving that aim.

Ms ABIGAIL BOYD (16:37): On behalf of The Greens, I speak in support of the Disability Inclusion Amendment Bill 2022, although I indicate I will move a number of amendments to strengthen the bill and the Disability Inclusion Act 2014 in the Committee stage. People with disability are entitled to the same fundamental rights, freedoms and responsibilities as other members of the community. The Disability Inclusion Act was groundbreaking legislation in that for the first time the rights of people with disability in New South Wales were enshrined in law. However, as was covered significantly during debate on the original bill at the time, the Act gives the Government the ability to pick and choose which rights it wishes to afford people with disability and when. Australia has ratified the United Nations Convention on the Rights of Persons with Disabilities, yet the objects of the Act require the support of the rights enshrined in this convention only "to the extent reasonably practicable". That is not good enough.

The Greens will seek to remedy that gross insult to people with disability and to strengthen other parts of the objects and principles of the Act. The Disability Inclusion Amendment Bill responds to the recommendations of the 2020 statutory review of the Disability Inclusion Act 2014. The review found that, with the exception of now-redundant sections of the Act relating to the NDIS, the Act's policy objectives are still valid and there is room to improve the implementation of the objectives. The Greens support the amendment of the Act to require the Government and public authorities to renew the State Disability Inclusion Plan and disability inclusion action plans respectively every four years.

The Greens also support the requirement to publish these plans in formats accessible to people with disability. However, we believe that there is room to further improve monitoring, consultation, evaluation and reporting and we will be moving amendments to do so. The Disability Inclusion Act came about while the NDIS was still in development and it was made clear that the intention of the original Disability Inclusion Bill 2014 was for the management of the provision of disability supports to be handed over to the NDIS when it became fully operational. For this reason, we also support the substantial deletion of parts 4 and 5 of the Act.

However, in the light of well-documented failures of the NDIS due to bureaucracy, coverage and the policy and budgetary choices made by Federal governments, The Greens have concerns about the complete repeal of the ability to provide financial assistance to individual people with disability, and we will be working closely with the disability advocacy sector to monitor the impact of this change.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:40): In reply: Before I comment on the bill in detail, I acknowledge the contribution to the debate of the Leader of the Opposition and Ms Abigail Boyd. The Disability Inclusion Amendment Bill 2022 will make amendments to the Disability Inclusion Act 2014 to implement the recommendations of the report on the statutory review of the Disability Inclusion Act 2014. In particular, the bill will strengthen the role of disability planning within New South Wales and also ensure that disability inclusion plans of our State and public authorities are not just regularly remade but also renewed.

These reinvigorated plans will also be made publicly available in one or more formats accessible to people with disability. The bill also will update the Act to ensure its contemporary relevance in the vastly changing landscape of disability supports and services in New South Wales since it was first passed in 2014. In particular, the bill does that by removing the many provisions rendered obsolete by the full implementation in mid-2018 of the National Disability Insurance Scheme. I commend the bill to the House.

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

Motion agreed to.

In Committee

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will deal with the bill as a whole. I have one sheet of amendments: The Greens amendments on sheet c2022-108A.

Ms ABIGAIL BOYD (16:42): I move The Greens amendment No. 1 on sheet c2022-108A:

No. 1 Objects of Act

Page 3, Schedule 1. Insert after line 2—

[1A] Section 3 Objects of Act

Insert before section 3(a)—

- (a1) to uphold the purposes and principles of the *United Nations Convention on the Rights of Persons with Disabilities*,

[1B] Section 3(e)

Omit the paragraph.

This amendment seeks to bring the Disability Inclusion Act in line with the United Nations Convention on the Rights of Persons with Disabilities by striking from the fifth object of the Act the words "to the extent reasonably practicable" and replacing "support" with "uphold". It also seeks to promote it to the first object from being the fifth object. Australia ratified the United Nations Convention on the Rights of Persons with Disabilities in 2008, which is now 14 years ago. We have an obligation to uphold the convention's principles in totality, not just when it is convenient to, but these words allow the Government to make unaccountable decisions about when it wants to care about these obligations.

There is no framework as to what "reasonably practicable" means: Reasonable to whom? On whose terms? Reasonable to people with a disability? When there is international and national recognition that people with disability should have equal access to the rights and freedoms of other members of the community, we should not be affording the Government the ability to make its own call about whether providing equality to people with disability is worth it to its budget bottom line, or to the bottom line of its stakeholders and donors.

The amendment has been supported by the Ageing and Disability Commission's submission to the statutory review of the Disability Inclusion Act as well as by submissions from organisations such as Local Government NSW and the Physical Disability Council of NSW. I also note that the Hon. Mick Veitch as well as The Greens former member Ms Jan Barham both moved amendments to the original bill to that effect when it was debated in 2014. This amendment is not controversial, only inconvenient for the Government. There is no reason to continue to provide an out to our international human rights obligations. I commend the amendment to the Committee.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:44): The Government does not support the amendment. Our view is that it is not needed as the Act already includes reference to the convention and its purposes and principles under its objects. Section 3 (e), which is proposed to be amended, already states that one of the objects of the Act is "to support, to the extent reasonably practicable, the purposes and principles of the *United Nations Convention on the Rights of Persons with Disabilities*". Therefore, there is no need to remove one section to replace it with another as the existing one already complies with the convention.

The existing reference in section 3 (e) of the Act to "to the extent reasonably practicable" in relation to the object of supporting the purposes and principles of the convention is appropriate for the content of the Act, which focuses on preparing disability inclusion plans. It is also worth noting that the Disability Inclusion Act is only one aspect of how New South Wales complies with the convention. Also, as a result, the Act does not need to be exhaustive in how it describes compliance with the convention.

The Hon. PENNY SHARPE (16:45): I listened carefully to The Greens proposed amendment. Labor does not support the amendment. We believe what is currently in the Act is reasonable, given the issues around the preparation of disability inclusion action plans [DIAPs]. We think it is appropriate in there. But, as a general principle, we would like to see far more recognition of conventions within a lot more legislation.

Ms ABIGAIL BOYD (16:45): I will comment briefly to state my disappointment that we could not get support for this amendment from the Opposition, given that the Hon. Mick Veitch had moved an almost identical amendment in 2014. But I accept the way things are going.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 1 on sheet c2022-108A. The question is that the amendment be agreed to.

Amendment negated.

Ms ABIGAIL BOYD (16:46): I move The Greens amendment No. 2 on sheet c2022-108A:

No. 2 **Objects of Act**

Page 3, Schedule 1. Insert after line 2—

[1C] **Sections 3(b) and 4(3)**

Insert ", political" after "social" wherever occurring.

This amendment inserts into the objects and general principles of the Act the right to political participation in line with the United Nations Convention on the Rights of Persons with Disabilities. Currently, the objects and general principles echo the convention in relation to social and economic rights of people with disability but failed to extend the reflection of the convention to political rights.

Governments worldwide have historically politically disenfranchised people with disability. From failures to provide accessible political communications to the exclusion from the voting roll of people with perceived or actual intellectual or psychosocial disability under outdated and offensive unsound mind clauses. This is still happening in New South Wales today. We can and should do better—in fact we have an obligation to do better. People with disability have a right to political enfranchisement under the United Nations Convention on the Rights of Persons with Disabilities and this should be reflected in the Disability Inclusion Act.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:47): The Government does not support this amendment. The convention includes a large list of rights for people with disability. A number of those are already specifically referred to in the Disability Inclusion Act. The reference to the convention is sufficient in the objects of the Act to cover the breadth of rights of people with disability and what they have access to. Therefore, the amendment is not necessary.

The Hon. PENNY SHARPE (16:48): Labor does not support this amendment. We believe that the issues of political inclusion are already picked up through social and economic inclusion, but I make the point that even having the words there does not guarantee that it will occur. In my second reading contribution I noted the problem we have with the removal of iVote for blind citizens and people with vision impairment and their ability to participate in a secret ballot as part of an election. We see that as a fundamental part of disability inclusion. I again urge the Government to find a solution that ensures the right to participate in a secret ballot for people with vision impairment or blindness and to take seriously democratic participation in relation to inclusion.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 2 on sheet c2022-108A. The question is that the amendment be agreed to.

Amendment negatived.

Ms ABIGAIL BOYD (16:49): By leave: I move The Greens amendments Nos 3 and 4 on sheet c2022-108A in globo:

No. 3 **General principles**

Page 3, Schedule 1. Insert after line 2—

[1D] Section 4 General principles

Insert after section (4)(1)—

(1A) People with disability have the same fundamental human rights and responsibilities as other members of the community.

No. 4 **General principles**

Page 3, Schedule 1. Insert after line 2—

[1E] Section 4 General principles

Omit subsection 4(10). Insert instead—

(10) People with disability have the right to pursue complaints and access justice.

Amendment No. 3 inserts into the general principles of the Act an affirmation that people with disability have the same fundamental human rights and responsibilities as other members of the community to act as an overarching statement that directly links to the Convention on the Rights of Persons with Disabilities through which the other principles can be read. Amendment No. 4 expands general principle 10 to include not just the right to pursue complaints but also to access justice. This brings this principle more directly in line with article 13 of the Convention on the Rights of Persons with Disabilities, which concerns access to justice. This is an important distinction for two reasons: First, the use of the word "justice" includes the justice system in addition to the narrow service and care context in which complaints are applicable; secondly, "access" captures the need to make accommodations that facilitate the accessibility needs.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:50): The Government does not support amendment No. 3. Reference to the Convention on the Rights of Persons with Disabilities in the objects of the Act makes it unnecessary to include an additional general principle that broadly specifies human rights and responsibilities. A large number of subcategories of human rights are already included in the general principles in section 4. The Government does not support amendment No. 4. The amendment is not needed, as the general reference to the Convention on the Rights of Persons with Disabilities in the objects of the Act is sufficient to cover all rights covered by that convention. It is unnecessary to include an additional element in the general principles that specifies access to justice in the Act, as this is only applicable to functions of a limited number of public authorities.

The Hon. PENNY SHARPE (16:51): Labor does not support these amendments. They replicate section 3 (a) of the Act, which states:

(a) to acknowledge that people with disability have the same human rights as other members of the community and that the State and the community have a responsibility to facilitate the exercise of those rights,

Labor believes the Act currently leaves no doubt on this principle and we believe the amendments are unnecessary.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendments Nos 3 and 4 on sheet c2022-108A. The question is that the amendments be agreed to.

Amendments negatived.

Ms ABIGAIL BOYD (16:52): I move The Greens amendment No. 5 on sheet c2022-108A:

No. 5 **Principles recognising the needs of particular groups**

Page 3, Schedule 1. Insert after line 2—

[1F] Section 5 Principles recognising the needs of particular groups

Insert after section 5(5)—

(5A) Supports and services provided to LGBTIQ+ people with disability are to be provided in a way that—

- (a) addresses the needs of LGBTIQ+ people with disability, and
- (b) is informed by consultation with LGBTIQ+ people with disability.

This amendment inserts into the principles recognising the needs of particular groups the recognition of LGBTIQ+ people. I note that general principle (6) of the Act states that:

People with disability have the right to respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs.

The statutory review into the Act found that this is sufficient recognition of the needs of LGBTIQ+ people with disability. LGBTIQ+ with disability—like Aboriginal and Torres Strait Islander people with disability, people with disability from culturally and linguistically diverse backgrounds, women with disability and children with disability, all of whom are recognised under section 5—are at particular risk of discrimination and marginalisation and barriers to inclusion. For example, access to health treatment is a point of particular concern for LGBTIQ+ people with disability. For those reasons it is necessary to amend this section.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:54): The Government does not support this amendment. The report of the statutory review of the Act in November 2020 found that the recognition of LGBTIQ+ people is already addressed in section 4 (6) of the Act. It states:

(6) People with disability have the right to respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs.

The review found that the current wording was sufficient.

The Hon. PENNY SHARPE (16:54): Labor supports this amendment. All of the other categories are currently types of people as outlined by Ms Abigail Boyd, including Aboriginal and Torres Strait Islander people, culturally and linguistically diverse people, women and children. I bring to the attention of the House in this very place this week, the Government, in partnership with ACON, was going through the work that is being done on the LGBTIQ+ health strategy that has been developed by this Government. It is a very detailed document that talks about the very issues that are raised in this amendment about the intersectionality of a lot of issues for the LGBTIQ+ community within health. Those of us who spend a lot of time talking to and listening to people with disability—who also happen to be part of the LGBTIQ+ community—can tell you a litany of issues that they face, not just because they have a disability but also because they are gay, lesbian, bisexual, transgender or queer.

This is not an unreasonable amendment. This picks up what the Government has said in numerous other documents that it is committed to. I do not understand why the Government is not supporting it. We recognise that it is an issue. This is a very particular group that is extremely marginalised and, given we recognise other populations very significantly, I do not understand why the Government would not want to do this in the way that it treats everyone else. I urge the Government to rethink whether this is necessary and to think about the other commitments it has made in other plans of government, particularly in health. There is a lot of crossover here. Labor thinks that the various stakeholders, including People with Disability Australia, strongly support this amendment. They believe it is important and I am really quite perplexed as to why the Government is not supporting this.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 5 on sheet c2022-108A. The question is that the amendment be agreed to.

The Committee divided.

Ayes20
Noes19
Majority.....1

AYES

Boyd (teller)
Buttigieg
D'Adam
Donnelly

Higginson
Houssos
Hurst
Jackson

Nile
Pearson
Primrose
Searle

AYES

Faehrmann (teller)
Field
Graham

Mookhey
Moriarty
Moselmane

Secord
Sharpe

NOES

Amato
Banasiak
Barrett (teller)
Borsak
Cusack
Farlow (teller)
Farraway

Franklin
Latham
Maclaren-Jones
Martin
Mason-Cox
Mitchell

Poulos
Rath
Roberts
Taylor
Tudehope
Ward

PAIRS

Veitch

Mallard

Amendment agreed to.

Ms ABIGAIL BOYD (17:07): I move The Greens amendment No. 6 on sheet c2022-108A:

No. 6 **Definition of public authority**

Page 3, Schedule 1. Insert after line 11—

[2A] **Section 7 Definitions**

Insert after section 7(1), definition of *public authority*, paragraph (a)—

(a1) a NSW Government agency,

The amendment clarifies that all government agencies, not just government departments, are legislatively required to develop disability inclusion action plans. That will then include agencies like TAFE NSW and all emergency services. Many government agencies already develop disability inclusion action plans and therefore the amendment does not significantly increase the workload of the agencies. It ensures there is a demonstrated commitment to the Convention on the Rights of Persons with Disabilities.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:07): The Government does not support the amendment. Changing the definition of "public authority" to include "a NSW Government agency" would suddenly and significantly expand the number of organisations required to undertake disability inclusion actions plans in division 3 of the Act. That would impose a significant burden on what are frequently very small and temporary agencies without their knowledge, consultation or education. A legislative amendment to mandate disability inclusion action plans on government agencies would have significant consequences for their resources. Before imposing such a legislative requirement, those agencies would need to be consulted to determine their size, lifespan and purpose, as well as their resources and ability to effectively create a meaningful disability inclusion action plan. An audit of all public service agencies would be needed to determine which agencies would be covered by the change.

Schedule 1 to the Government Sector Employment Act 2013 prescribes "Executive agencies related to Departments" and "Separate agencies". Many government agencies are small or temporary bodies set up for a particular purpose, and they might find the provision of their own plans disproportionate to their budget and staffing levels, while their public interface might be minimal. Imposing the requirement to develop their own plans increases red tape without any public benefit and diverts resources away from the tasks those agencies are designed to do. The agencies that form part of the proposed broader definition were not consulted specifically on the requirements to develop a disability inclusion action plan. I note the current Act allows those agencies to have a plan, even if they are not required to do so. The regulations also allow other entities to be prescribed as public authorities, and have done so in the past. Regulations are an appropriate mechanism to add any further government entities, after due consideration and consultation.

The Hon. PENNY SHARPE (17:09): Labor does not support the amendment. It would have the effect of forcing all government agencies, regardless of their size, to satisfy the entirety of section 12 of the Act, which is about creating their own inclusion plan. We do not believe that that is required for very small agencies and

would be an overreach. The departments that oversee this are already subject to the requirements of section 12 of the Act.

Ms ABIGAIL BOYD (17:10): I will make the quick reflection that the amendment would include agencies like TAFE NSW and all emergency services, not just small agencies. I understand that the amendment will not be supported, but I hope it will be reconsidered in the future.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 6 on sheet c2022-108A. The question is that the amendment be agreed to.

Amendment negatived.

Ms ABIGAIL BOYD (17:11): By leave: I move The Greens amendments Nos 7 and 10 on sheet c2022-108A in globo:

No. 7 State Disability Inclusion Plan

Page 3, Schedule 1. Insert after line 13—

[3A] Section 10(1)

Omit ", and" from section 10(1)(a). Insert instead—

(the government goals), and

- (a1) sets out the steps necessary to achieve the government goals, including—
 - (i) who is responsible for the implementation of the government goals, and
 - (ii) the period within which the government goals must be achieved, and
 - (iii) the metrics that will be used to determine the impact of the implementation of the government goals on people with disability, and

No. 10 Review of State Disability Inclusion Plan

Page 3, Schedule 1. Insert after line 21—

[6A] Section 11(2)

Omit the subsection. Insert instead—

- (2) The purpose of the review is to—
 - (a) assess the whole of government progress towards implementing the government goals set out in the State Disability Inclusion Plan, and
 - (b) if the government goals were not implemented or achieved— determine the reasons why the government goals were not achieved or implemented, and
 - (c) evaluate the effectiveness of the government goals, and
 - (d) identify changes required to the State Disability Inclusion Plan in order to ensure the Plan—
 - (i) supports the inclusion in the community of people with disability, and
 - (ii) improves access to mainstream services and community facilities by people with disability.

These amendments add requirements for the comprehensive evaluation of State Disability Inclusion Plan progress, not just its review and remaking. In particular, amendment No. 7 strengthens accountability for implementing the plan by requiring the publishing of information about who is responsible for the implementation of each of the plan's goals, the time line for each goal and the metrics that will be used to determine the impact on people with disability. Amendment No. 10 builds on that by strengthening the plan's review process. Instead of simply ensuring the plan continues to support the inclusion of people with disability in the community, the review will require an assessment of progress, including determining reasons goals were not achieved or implemented, if that is the case; evaluation of the effectiveness of the goals; and identification of changes required in the plan.

That will prevent the review process simply becoming a box-ticking exercise by ensuring that the Government is required to evaluate the effectiveness of the identified strategies, identify any changes that are required to the plans and establish how any barriers to achieving the goals will be overcome. A number of statutory review submissions, including from the Ageing and Disability Commission, called for a strengthening of the review requirements in the Act. The Physical Disability Council of NSW put it well in its submission when it wrote:

There is currently very little accountability, and no provision for who is responsible for reporting on the DIP, nor how or when reporting must occur. This means it is difficult to know whether the targets are being met. PDCN believes there needs to more accountability and monitoring to ensure the DIP does not become a stagnant, perfunctory piece of writing.

A DIP should outline not only the State's vision for disability inclusion, but also the impact and outcomes sought, the steps necessary to achieve these, where responsibility for implementation should be vested, specific actions and targets on when these actions are to be achieved and the consequences if targets are not met.

Any framework developed should also articulate the mechanism by which outcomes will be measured – again, we consider that the outcomes should be based on *positive impacts on persons with disability*, not the completion of projects ...

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:13): The Government does not support amendment No.7. The amendments are overly prescriptive about how the State Disability Inclusion Plan should be developed and limit flexibility in the approach to the development of a State plan. The responsibility for the implementation of government goals rests with the department that is leading the relevant piece of work. For example, the delivery of the Education Disability Strategy is led by Education. The State plan covers a four-year period. Goals within the plan may have a different time frame depending on the nature of the goal. The disability inclusion action plan that accompanies the State plan provides a time frame for each project in the current plan. The State plan also contains a range of goals that are delivered across the New South Wales Government. The metrics for implementation vary depending on the nature of the goal.

The New South Wales Government will report on the progress of the State plan ahead of the development of the next plan in 2025. Imposing rigid and prescriptive requirements on the development of the plan may have the unintended effect of limiting or narrowing the goals that have been committed to. On the provisions requiring a State plan, the report of the statutory review of the Act found:

... potential improvements to implementation of the Act may increase its effectiveness, but do not require legislative amendment. These include revising the planning guidelines ...

The Government does not support amendment No. 10, which it also sees as overly prescriptive. Existing section 11 (2) of the Disability Inclusion Act 2014 sets out the purpose of the review of the State Disability Inclusion Plan to ensure that the whole-of-government goals that are set out in the State plan continue to support the inclusion of people with disability in the community, and to improve access to mainstream services and community facilities by people with disability. It is not necessary for legislation to prescribe the methodology for the review.

The Hon. PENNY SHARPE (17:15): Labor understands, and is quite sympathetic towards, what The Greens are trying to do with the amendments. However, we believe they are too prescriptive. In my contribution to the second reading debate I talked about the review of DIAPs that my office undertook and the challenges that already exist—without more oversight and monitoring.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment Nos 7 and 10 on sheet c2022-108A in globo. The question is that the amendments be agreed to.

Amendments negatived.

Ms ABIGAIL BOYD (17:16): I move The Greens amendment No. 8 on sheet c2022-108A:

No. 8 **State Disability Inclusion Plan**

Page 3, Schedule 1. Insert after line 13—

[3B] Section 10(2)

Omit the subsection. Insert instead—

- (2) In preparing the State Disability Inclusion Plan, the Department must consult with—
 - (a) people with disability, and
 - (b) the Disability Council, and
 - (c) disability advocacy organisations.

This amendment expands on the existing requirement for the Government to consult with people with disability when preparing the State Disability Inclusion Plan by also requiring consultation with the Disability Council NSW and disability advocacy organisations. Currently it could be argued that a brief discussion with a small group of persons with disability fulfils the consultation obligation under the Act. This amendment creates a much more comprehensive consultation framework that ensures third-party experts are given the opportunity to contribute to the review and remaking of the State Disability Inclusion Plan.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:17): The Government supports the amendment because it reflects existing consultation with the Disability Council NSW and key organisations.

The Hon. PENNY SHARPE (17:17): Labor supports the amendment.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 8 on sheet c2022-108A. The question is that the amendment be agreed to.

Amendment agreed to.

Ms ABIGAIL BOYD (17:17): I move The Greens amendment No. 9 on sheet c2022-108A:

No. 9 **State Disability Inclusion Plan**

Page 3, Schedule 1. Insert after line 13—

[3C] **Section 10(4)**

Omit the subsection. Insert instead—

(4) The State Disability Inclusion Plan must not form part of another document.

This amendment creates a requirement for the State Disability Inclusion Plan to stand alone as its own document, rather than being published as part of a document prepared for another purpose. Ensuring the State Disability Inclusion Plan is a standalone document gives due recognition to the importance of disability inclusion and makes the plan more accessible to the public. Governments that are held to account by the public are always better for it. Ensuring that the State DIP is a living document that can be engaged with easily will improve disability inclusion in this State.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:18): The Government supports the amendment because it reflects existing and ongoing practice.

The Hon. PENNY SHARPE (17:18): Labor supports the amendment.

Ms ABIGAIL BOYD (17:18): I put on record my thanks to the Minister, her office staff—particularly Kevin Baker—and Alysha Hardy in my office for working together to reach agreement on amendments Nos 8 and 9.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendment No. 9 on sheet c2022-108A. The question is that the amendment be agreed to.

Amendment agreed to.

The CHAIR (The Hon. Wes Fang): The question is that the bill as read be agreed to.

Motion agreed to.

The Hon. NATASHA MACLAREN-JONES: I move:

That the Chair do now leave the chair and report the bill as amended to the House.

Motion agreed to.

Adoption of Report

The Hon. NATASHA MACLAREN-JONES: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. NATASHA MACLAREN-JONES: I move:

That this bill be now read a third time.

Motion agreed to.

*Personal Explanation***JOURNEY ON HOME APP**

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:20): By leave: I wish to make a personal explanation about comments made by the Hon. Rose Jackson in the take-note debate on the Journey on Home app. She stated:

... a government app that basically ripped off the work of Jewish House founder, Rabbi Mendel Kastel.

I advise the House that the development of the app was the entire work of my department, the Department of Communities and Justice, tailored to assist the specific needs of existing programs working with the staff on the ground. I commend the work of the Rabbi and his organisation in assisting vulnerable people. It is disappointing to hear comments that were made to try to politicise homelessness. Homelessness and ending homelessness is not a competition. It is not about who delivers what first or designs what first. It is an opportunity to work in partnership.

*Adjournment Debate***ADJOURNMENT**

The Hon. NATASHA MACLAREN-JONES: I move:

That this House do now adjourn.

SEAFARER MENTAL HEALTH

The Hon. MARK BUTTIGIEG (17:21): I inform the House of an important initiative developed by the Tas Bull Seafarers Foundation [TBSF], which is a not-for-profit body promoting the wellbeing of seafarers on visiting ships. I remind the House that shipping is a vitally important industry to Australia. Maritime shipping accounts for some 90 per cent of world trade. In New South Wales, the Port of Newcastle handles 4,697 ships annually; Port Botany handles approximately 1,600; and Port Kembla handles 800 commercial vessels annually. The Seafarer Connect initiative provides free high-quality wi-fi, coupled with security and privacy on ships at Australian ports. The project uses a portable router that comes in a hard suitcase. It is plugged into the ship's power and relays a wi-fi signal to all accommodation areas.

It is a vitally important initiative. Many seafarers spend 12 to 14 months at sea before they can return home and see their loved ones and friends, which can have a negative effect on their mental health. Seafarers have been particularly impacted by COVID because they have had to spend longer times at sea. That has highlighted the need for internet access in difficult circumstances. A 2019 survey by Cardiff University found that recent onset psychological disorders are increasing amongst seafarers. That research was completed prior to COVID, after which seafarer mental health conditions have only further deteriorated.

The Seafarers Happiness Index showed a drop in seafarers' overall happiness by 6.41 per cent in the fourth quarter of 2021, which was down from a 6.59 per cent drop in the previous quarter. The report noted that free internet access would be the most significant contribution to improving the mental health and wellbeing of seafarers. The provision of access to a high-quality wi-fi signal allows seafarers access to the internet and interaction with their family, friends and the rest of society when they are shipbound and docked either at port or offshore. Such access would otherwise be unavailable other than using expensive satellite signals that are of significantly lower quality and are paid for by seafarers.

The cost of each device is some \$16,750 for three years and provides wi-fi for up to 30 people. Provision of the technology is partnered with the Telstra Business Technology Centre. The project is dependent on raising donations from industry stakeholders to fund the devices. Funding has been received from IFM Investors to introduce Seafarer Connect into Port Botany. IFM is also a major shareholder in New South Wales ports. The initiative is also supported by a range of ports, including Southern Ports, the Port Authority of NSW, Mid West Ports Authority, Australian Amalgamated Terminals, and also BHP.

Today, the foundation has secured agreements from terminal and port operators to manage getting devices on and off the ships. Those include the Port Authority of NSW, Mid West Ports Authority, Southern Ports, Patrick, DP World, Hutchison, Ampol, Viva, NSW Ports, Australian Amalgamated Terminals, Victorian International Container Terminal, TasPorts and Monson Agencies. There are no limits to the number of crews that can be online at any one time and the technology is able to measure the usage. Current data indicates that 2,000 seafarers are using Seafarer Connect each month and there is great potential to significantly increase the number of users.

The technology can also be deployed internationally by using SIM cards from the relevant telcos based in the respective country. There is also potential for the technology to be expanded into use for remote communities. I acknowledge the chairman of the Tas Bull Seafarers Foundation, the former State Labor member for Swansea,

Robert Coombs, and the whole board for championing this initiative. I acknowledge and make special mention of project manager Bernie Farrelly for also championing the initiative and bringing it to fruition and to my attention. I encourage industry and the Government to get behind this worthwhile initiative to ensure that it continues and thrives.

GOVERNMENT PERFORMANCE

Ms ABIGAIL BOYD (17:27): During the April parliamentary break I had the privilege of making a journey through the Northern Rivers and down through the top half of the State. It was immediately after the devastation that had been wrought by the flooding in the area. I witnessed first-hand the resilience and good nature of people who were so clearly doing it tough. In Byron Bay I had the pleasure of meeting with Anne and Julie, the founders of The SHIFT Project. The project seeks to disrupt the vicious and dangerous cycle of women's homelessness by providing unique individual support and education for at-risk women in a safe residential environment. Anne has spent more than 30 years working with community organisations around the country. Through her experience she identified a clear and devastating gap in housing options for women.

The SHIFT Project seeks to foster emotional and physical wellbeing for the women they help and empower them to regain their lives, reconnect with community and achieve their full potential. In my discussions with Anne and Julie it became clear how deeply they care about this project and for the women they help. It is a mammoth undertaking without any financial assistance from the Government. I travelled next to Wardell, where I met with the incredible, tireless and effective volunteers of the Wardell Community Organised Resilience Effort, also known as WardellCORE. It operates out of the Wardell District War Memorial Hall. Since the floods devastated their community, the volunteers have been working full-time to coordinate a community hub for resilience and recovery. They were facilitating donations to those in need and have also been responsible for the provision of support to the community by a mental health qualified social worker, a service that is often overlooked during disaster relief.

WardellCORE has become a gathering place and community hub for all residents and volunteers, and during my visit I was struck by how important its work has been in the face of an inadequate Government response. Once I left the flood-impacted areas and continued my journey south, the ways that hardship manifested changed, but the theme of Government abandonment of communities was a constant presence. I heard repeatedly of the devastating pressures of skyrocketing rents and property prices, job vacancies and empty shopfronts because workers and families are unable to find housing close to their place of employment. Faced with a literal total absence of public transport options, it was not economical for them to purchase, maintain and pay the running and fuel costs of a car to drive the vast distances to and from work and home every day.

I also heard distressing tales of workers resorting to sleeping in their cars so they could maintain a connection to employment and community and community services where those were available. In Port Macquarie, where the housing pressures were particularly severe, I heard there was not a single homeless service available. It is an appalling failure of this Government and a devastating illustration of the effect of its two-pronged approach to governing, driving more and more people into precarity by pursuing economic policies that advantage rent-seeking and profit-seeking, exploitative practices for the top end of town, while ripping out the social safety net from people who are most vulnerable and precarious.

Over the past few weeks and months, I have participated in countless inquiries detailing the litany of Coalition failures and abandonment of communities, such as a public transport privatisation crusade that has seen people with disability left behind or schools being underfunded. Planning for future enrolment is falling by the wayside in favour of pork-barrelling of school upgrades and amenities, with the Government claiming record spending on education with no meaningful benefit to communities most in need, continuously prioritising announcement over accountability. Workers are labouring under an onerous and arbitrary public sector salary cap amidst soaring inflation and depressing wages growth across our society at a time when corporate profits are soaring. Nurses and teachers are screaming out for support, for ratios and fair wages and conditions.

These problems have been brewing for years, if not decades, and the Government is more interested in waging a culture war against unions and the workers they represent rather than taking responsibility for the mess it has made. Recent concessions made by the Premier are hollow and will have little positive impact on public sector workers or, for that matter, the private sector wages that are so influenced by the public sector. What does all that add up to? Everything that I saw on my trip and everything that I have seen in this place since adds up to a Coalition Government that has forgotten, or has chosen to ignore, the role of government. It gave up long ago on trying to improve the lives of the people of New South Wales. I, for one, cannot wait to see its back next year.

COST OF LIVING AND ENERGY PRICES

The Hon. ROBERT BORSAK (17:32): Price increases in the cost of goods such as electricity, gas, food, housing and petrol mean one thing for the people of New South Wales: anxiety. The Australian CPI is up 2.1 per cent for the quarter and set to rise to 5.1 per cent annually, which is the largest quarterly and annual rise since the introduction of the GST. When inflation goes up, buying power goes down. For those on a fixed wage, it means their savings will go down too, as will their standard of living, as tough decisions have to be made. Consumers are paying extra for electricity. Petrol is well above \$2, rents are going up as are mortgage rates, and a trolley of goods at the supermarket today will exhaust most of your weekly income. Direct government intervention into the energy market has destroyed the market, and now we are suffering an energy crisis and paying more for our electricity due to poorly planned intervention.

The Parliament of Australia recently released a report entitled *Australia's cost of living over a decade*, from 2009 to 2019. It lists the highest percentage increases in prices over 10 years. Electricity has risen 100.9 per cent; gas and other household fuels, 75.6 per cent; child care, 75.1 per cent; and medical and hospital services are up a whopping 78.8 per cent. The New South Wales Government, in some sort of attempt at buying support or forgiveness, has indicated that it will lift the wages cap on government employees from 2½ per cent to 3 per cent. The Reserve Bank of Australia insists on a minimum wage increase of 3 per cent, while the public sector wants to see at least 5 per cent, so it can keep up with inflation. That is why I introduced the Industrial Relations Legislation Amendment (Public Sector Remuneration Cap Repeal) Bill 2022, which seeks to prohibit such arbitrary settings as another cap at 3 per cent.

When power and gas prices are surging and the war in Ukraine has led to a global gas and oil shortage, it now means that Australia must rely on aging coal-fired power stations, which through government policy are increasingly becoming more unreliable. The irony is breathtaking: We are one of the biggest gas producers in the world, with one of the largest coal reserves, yet here we are, talking about an energy crisis. It is mind-boggling. Many people, I fear, are facing a very cold and dark winter ahead. I have stood in this place many times and warned the Government that its green plan to shut down the coal-fired industry and remove our base load power would cost the State. Remember the Electricity Infrastructure Roadmap that would allegedly save families a whopping \$130 in electricity bills annually? Is that not a joke? But then thinking people always knew it was.

I have repeatedly asked questions of this Government about how green energy can be reliable base load power at an affordable cost to consumers. It cannot. Now that Minister Kean realises that, he wants to turn the coal-fired power stations back on. Minister, it is too little, too late. Instead of chasing green votes, Minister Kean should instead have listened to others who warned him that renewables cannot replace base load power plants. His kneejerk "save my seat" politics will not save him. We will see blackouts. Tomago is already being forced to load-shed. What will happen if we have a really hot summer? Last night there was a crisis energy meeting between all energy Ministers. The Federal Minister Chris Bowen said:

The reason why we are in this crisis today is because there hasn't been enough planning about the changes that are necessary.

Is that not the Government's job? It is not good enough that the Government has not planned properly for rising inflation, low wages and now an energy crisis that will leave us in debt and darkness. Woke Greens student politics has got us to where we are now. Level-headed engineering solutions from level-headed planners are what we require now and in the future. I doubt this State Government is up to it.

JAMISON VALLEY THREE SISTERS

The Hon. LOU AMATO (17:36): The Blue Mountains is one of the jewels of New South Wales. Rugged sandstone peaks and lush rainforest valleys, carved by millions of years of crystal clear rivers, beckon us to plan a weekend trip to the Blue Mountains. There is no doubt one cannot help but feel enchanted by the breathtaking scenery, speciality shops and a multitude of opportunities to enjoy fresh air and pristine wilderness. Sometimes we are gifted an occasional snowfall, transforming the area into a winter wonderland. Currently, we are reflecting upon our Indigenous people and the great inroads we have made into real reconciliation. It would be appropriate for me to recount the Dreamtime story of the creation of the Three Sisters. The Three Sisters are a worldwide attraction, with thousands of visitors each year admiring the three sandstone pinnacles that stand as sentinels over the vast wilderness of the Jamison Valley. I hope I do the story justice, as it has been passed down by oral tradition through generations immeasurable.

In ancient times, three beautiful, enchanting girls lived in the Jamison Valley. Their names were Meehni, Wimlah and Gunnedoo. The three girls were sisters and belonged to the Katoomba tribe. Deep in the rainforest valley, water and food was plentiful. The girls would venture through the ancient lands in search of herbs and other materials needed for the tribe, which was totally self-sufficient. One day, whilst walking through the forest, the three sisters came upon three young men from a neighbouring tribe. The young men were instantly enchanted by the sheer beauty of the three sisters and would meet up with them in the forest at every opportunity. As time

passed, each young man fell in love with one of the sisters and a great love was born in the forest long ago. The sisters and the young men desired to marry and be together for the rest of their lives. Sadly, tribal laws prohibited the young girls from marrying outside their own tribe.

We do not know how long the young men and sisters met up in secret, but in our own experience of young love, we can picture laughter and happiness that only true love can bring. It has been said that their love was so beautiful that the forest was enchanted as they held hands and walked in the ancient woods, with the warm sunlight piercing the forest canopy. True love will not be kept apart, and the young men hatched a plan to secretly take the girls away to be with them in their own tribe, where they would marry them. Sadly, things did not go to plan, and the Katoomba tribe, believing they were protecting the three sisters from being taken away, fought a battle to stop the young men and others who volunteered to help take the girls away. The fighting was fierce and many lost their lives.

In the Katoomba tribe lived a spiritual man with great powers who feared that the young girls would be killed in the fighting that raged. To protect them, he cast a spell to turn the three sisters to stone. His spell worked and the sisters were protected. Sadly, the spiritual man was killed during the battle before he could undo his magic spell. For years beyond memory they have stood as three pillars of stone, forever looking towards the Jamison Valley where they once walked hand in hand with the men they loved. It is a sad tale, but one that teaches us that love has no bounds. The next time members stand before the mighty pillars of stone we call the Three Sisters, I ask that they remember the sisters' love when in human form. Short though it may have been, it stands forever fixed in stone above the valley where they once walked in the sunlight of an age that has long since passed.

INFRASTRUCTURE PROJECT FUNDING

The Hon. JOHN GRAHAM (17:40): Despite years of big promises from this Government, it turns out that you cannot have it all. This Government has over-promised and now it is set to underdeliver. The Government has wasted over \$25 billion and counting in cost blowouts on major projects, many in Sydney's east and north. Now the Infrastructure NSW *State Infrastructure Strategy 2022-2042* report recommends deferring some mega projects in favour of smaller projects. I recognise the work of Infrastructure NSW. Its excellent report recommends that the following projects be reconsidered: the beaches link; Parramatta Light Rail stage two; the M6 Motorway stage two, the central tunnel for the Great Western Highway Katoomba to Lithgow upgrade; and any further major Sydney metro or rail projects, including Sydney CBD to Zetland and Western Sydney International Airport to Leppington or Campbelltown. The report also refers to a number of major regional dam projects.

This Government is addicted to announcements, though I acknowledge it is not the first such government. Those promises kept coming during the Federal election campaign, with major projects then delayed and cancelled based on this advice in the weeks post polling day. Less than one week out from election day the Deputy Premier was promising to make the western highway great again by creating an 11-kilometre tunnel, the longest in New South Wales. However, weeks later we read Infrastructure NSW's advice to reconsider the project, leaving a question mark over it.

The beaches link is another example of a project on its last legs that the Government refuses to let die. The project has dropped off the Infrastructure Australia priority list. The beaches link business case did not stack up. This House's own inquiry saw evidence of just how controversial the project was with the local community. Yet the Minister for Metropolitan Roads has continued to assert in this place and at estimates that the Government is committed to the project and the beaches link is full steam ahead. The Government continues to acquire homes for the beaches link, despite the fact this is a project with no time line and the Government's own infrastructure adviser recommends it should be reconsidered.

Members know what will happen in the upcoming budget. The Government will allocate a small amount of money and pretend that projects are continuing when, in reality, the money has run out before these transport promises have been delivered. This week saw reports that New South Wales is unlikely to regain its triple-A credit rating badge with ratings house S&P Global until the second half of the decade. The money has run out for this Premier, Double-A Perrottet.

Western Sydney residents are again the ones who miss out. The Infrastructure NSW report recommends reconsidering a range of key western Sydney projects, despite western Sydney already having the worst access to public transport of any area of Sydney and a history of underinvestment. Crucially, hundreds of thousands of people have already moved into these areas on the promise of infrastructure to come—infrastructure that will now be delayed for generations. Over the next 20 years western Sydney will grow by 1.36 million people, a 49 per cent increase over two decades, and a 63 per cent or two-thirds proportion of total New South Wales population growth over that time. This was a problem before COVID. The report states:

Some megaprojects in the NSW pipeline are likely to face significant delivery challenges in the near to medium term as they proceed alongside other megaprojects already in delivery or procurement. This was already the case prior to the impact of COVID-19 outbreaks in 2021.

I am glad to see that Infrastructure NSW is doing its reports to the Premier again. It does valuable work providing this advice. Members might recall that those annual reports, required by law, have disappeared from the budget papers since 2017-18. The report is back now, and that is very welcome. I encourage the Government to heed its advice. I do not have time remaining to refer to the other crucial work, *Future Transport Strategy: Towards 2061*. The Opposition was able to assist the Government in announcing key aspects of that strategy. However, what we have seen across transport is that the promises have simply not been matched by the delivery.

BIOSECURITY

ROYCE'S BIG WALK FUNDRAISER ROYCE SIMMONS

The Hon. SCOTT BARRETT (17:45): Late last month saw the tabling of the *NSW State of Biosecurity Report*. It describes the wideranging issues affecting biosecurity and actions taken by government, industry and the community to protect our way of life over the past five years. It also highlights some of the imminent risks. Biosecurity outbreaks have risen in volume, complexity and severity. Pest and disease incursions have quadrupled nationally over the past five years. We now have lumpy skin disease and foot-and-mouth disease right on our doorstep in Indonesia. These biosecurity risks have impacts on the ground. Recently I visited a Central West property. The landowner told me that 30 per cent to 40 per cent of their resources went into controlling pests and weeds such as stinking roger, a foul-smelling weed that has entered his farm on hay and since taken hold, and blue heliotrope, a very difficult controlled weed that is toxic to animals that eat it, including kangaroos. Another issue is feral pigs, which are being controlled through poisoning and shooting.

As scary as all this sounds, some good things are also documented in this report, such as the successful and strategic management of over 7½ thousand reports of pests, weeds and diseases. Some 950,000 diagnostic tests have been delivered to support surveillance outcomes in determining the presence of biosecurity risks. There have been targeted, boots-on-the-ground programs to reduce the impact of established pests and weeds, and a 20 per cent increase in the proportion of primary producers with a biosecurity management plan in place. There has also been improved awareness and understanding of biosecurity in the general public.

There is work to do, as Government members often say, but we are getting better with our biosecurity every single day. For this we thank Minister Saunders and the Department of Primary Industries. They are doing great work in combination with their Federal counterparts, the public and our farmers, all of them working together to keep New South Wales and Australia protected and ready for these and other biosecurity threats. I say to them well done and thank you. I look forward to hearing more of these positive stories over the coming months and more of what this Government is doing in biosecurity to help keep us safe and prospering despite these growing threats.

From the 17 to 26 May Royce Simmons, the Penrith, New South Wales and Australian rugby league legend, performed yet another remarkable feat. He walked 300 kilometres from Gooloogong, in the State's Central West, to Sydney via places such as Cowra, Woodstock, Carcoar, Bathurst and Katoomba. He was joined by a plethora of rugby league legends, including Brad Fittler, Terry Lamb, Allan Langer, Wally Lewis and Garry Jack, to name a few. Royce's Big Walk was conducted as a fundraising activity for Dementia Australia—and raise funds it did, with more than half a million dollars going to this very worthy cause. It was a cause chosen by Royce, who himself was sadly diagnosed with dementia last year. Royce undertook this walk as a way of assisting others who are affected by the disease, not just people with dementia but also their supportive families. I can inform the House from my own personal experience with my grandfather, whom we lost to dementia a couple of years ago, that it is a horrible and cruel disease.

Currently in New South Wales there are around 122,000 people living with dementia, 27,500 of them under the age of 65. Obviously many of these people interact with our health system, either to access services to meet their general health needs or as part of their dementia diagnosis and management. Our New South Wales health services have dementia clinical nurse consultant positions, which provide specialist clinical support. In western and Far West New South Wales a partnership has been established with Sydney Local Health District to provide virtual specialist care to people living in rural and remote areas, providing increased access to specialist GPs to manage their complex healthcare needs, such as dementia. We also have more than 60 multipurpose service program facilities across the State, like the one I visited in Coonamble recently. They are supported by amazing local staff, who as part of providing high-quality aged care to residents also care for many people with dementia.

From a personal point of view, I give a shout-out to the staff at Ascott Gardens, the residential aged care facility where my grandfather spent his last months. I cannot speak highly enough of the care he received and the

compassion and commitment those healthcare workers showed. To those of you who were there then, and those who are there now, I sincerely thank you.

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

Motion agreed to.

The House adjourned at 17:50 until Tuesday 21 June 2022 at 14:30.