



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Tuesday, 18 October 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday, 18 October 2022

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

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

Governor

ADMINISTRATION OF THE GOVERNMENT

The PRESIDENT: I report receipt of messages from Her Excellency the Governor and the Administrator of the State of New South Wales concerning the administration of the Government of the State.

Bills

CHILDCARE AND ECONOMIC OPPORTUNITY FUND BILL 2022

Messages

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

Announcements

BICENTENARY OF THE LEGISLATIVE COUNCIL

The PRESIDENT (14:33): This evening the Governor of New South Wales, the Hon. Margaret Beazley, AC, KC, will launch the official program for the Bicentenary of the Legislative Council at a function in the Strangers' Restaurant commencing at 6.30 p.m. Her Excellency will speak at 7.00 p.m. sharp with formalities expected to run until 7.30 p.m. The function is scheduled to conclude at 8.30 p.m. All members are invited, and I encourage you to attend what will be a truly historic event, as well as an opportunity to meet up with former colleagues, colleagues from the other place and distinguished members of our community.

Motions

WORLDPRIDE 2023

The Hon. SHAYNE MALLARD (14:34): I move:

- (1) That this House notes that from 17 February to 5 March 2023 during the forty-fifth anniversary of the first Sydney Gay and Lesbian Mardi Gras, Sydney will host WorldPride, a global LGBTQI+ festival that has been staged around the world since 2000.
- (2) That this House further notes that:
 - (a) the Government is a proud supporter of Sydney WorldPride;
 - (b) Sydney WorldPride will incorporate all of the Sydney Gay and Lesbian Mardi Gras events, alongside a broad festival of arts, sport, theatre, concerts, parties, First Nations programming and a human rights conference;
 - (c) the Sydney WorldPride theme is "Gather. Dream. Amplify";
 - (d) 2023 will see the first time in history that WorldPride has been hosted in the Southern Hemisphere; and
 - (e) 500,000 people from across New South Wales, Australia and the world are expected to attend.
- (3) That this House congratulates the organisers of Sydney WorldPride on their work to bring the world to New South Wales in celebration of LGBTQI+ communities.
- (4) That this House welcomes the Government's commitment to funding and supporting Sydney WorldPride events.
- (5) That this House encourages the Parliament to get involved in Sydney WorldPride and participate in the festival of events in 2023.

Motion agreed to.

Documents

TABLING OF PAPERS

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

- (1) Electricity Supply Act 1995—Report of the Independent Pricing and Regulatory Tribunal entitled *NSW Energy Savings Scheme - Compliance and Operation in 2021, Report to the Minister*, dated July 2022.
- (2) Social and Affordable Housing NSW Fund Act 2016—Report of NSW Treasury entitled *Review of the Social and Affordable Housing NSW Fund Act 2016*, dated October 2022.

Committees

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. SCOTT BARRETT: I table a report of the Legislation Review Committee entitled *Legislation Review Digest No. 49/57*, dated 18 October 2022.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. MARK BUTTIGIEG (14:36): On behalf of the Hon. Scott Farlow: I table report No. 65 of the Selection of Bills Committee, dated 13 October 2022.

According to standing order, I move:

That:

- (a) the provisions of the Property Tax (First Home Buyer Choice) Bill 2022 (not yet accompanied by a Statement of Public Interest), be referred to the Portfolio Committee No. 1 - Premier and Finance for inquiry and report;
- (b) on the President reporting receipt of a message from the Legislative Assembly forwarding the Property Tax (First Home Buyer Choice) Bill 2022 for concurrence, the bill be referred to the Portfolio Committee No. 1 - Premier and Finance for inquiry and report; and
- (c) the committee report by 31 October 2022.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (14:37): I move:

That the question be amended by omitting all words after "That" and inserting instead "the provisions of the Property Tax (First Home Buyer Choice) Bill 2022 not be referred to Portfolio Committee No. 1 - Premier and Finance for inquiry and report."

This bill has come to this House having been the subject of considerable debate in the community about the choice which is being afforded to first home buyers between paying stamp duty or electing to pay an annual fee in relation to the property which they are purchasing. This follows what I suppose would be described as years of consultation. I recall inviting the Hon. Walt Secord, when he was the shadow Treasurer, to make a submission to the Federal Financial Relations Review. I recall inviting the current shadow Treasurer to make similar submissions to that body. Various bodies made extensive submissions. No-one could suggest that this small proposal to benefit first home buyers was not consulted on. I notice that The Greens did not make any submission. They did not have any concluded review of tax reform.

Ms Abigail Boyd: We were not allowed. No-one asked us.

The Hon. DAMIEN TUDEHOPE: It was out there. People were invited to make submissions about what they thought ought to be done about it. When the Leader of the Opposition was canvassed about his approach to this bill, a journalist said to him, "Chris, are you committed to voting down the stamp duty changes in the upper House or will you move it to an LC inquiry?" Mr Minns said, "No, we're going to vote it down." Labor committed to no inquiry. Its position was—

The Hon. Daniel Mookhey: You committed to no tax. What are you talking about? It is non-privatisation. We have heard that.

The Hon. DAMIEN TUDEHOPE: The Hon. Daniel Mookhey will have his chance in a minute. The Labor Party's position was absolutely clear: it did not need an inquiry. Labor's position was to have a debate on the bill and then it would vote it down. Holding an inquiry is an absolutely unnecessary step in the current circumstances because the terms of the bill are clear. It is a straightforward opportunity to benefit the first home buyers of this State. We should be embracing that opportunity at the earliest possible time. The decision to refer the bill to the Selection of Bills Committee flies in the face of what the Opposition said was entirely necessary.

It flies in the face of the submissions and all the inquiries about taxation reform in this State. It flies in the face of community opinion, which in many respects has been supportive of this legislation. What we are faced with today is that the bill goes to an inquiry or that Chris Minns is incapable of telling the truth. Which is it? He is incapable of telling the truth. On the one hand he says to a journalist, "No need for an inquiry. Let's get on and debate it." On the other hand, when it comes to the opportunity to bring on the debate, he says, "No, I have changed

my position." I urge members not to have an inquiry and not hold this legislation up any further. Let us get on with the debate on this positive and sensible legislation.

Ms ABIGAIL BOYD (14:42): It concerns me greatly how this legislation has been brought about. I made it clear to the Treasurer and his team that The Greens proposed to refer the bill to an inquiry because we want to take a considered look at this legislation. I have heard what the Leader of the Government in the House has said. This reform has flip-flopped between a lot of different proposals. At one point, the idea was to have two different types of property—some that could have property tax applied and some that could not. To say that what we have in front of us has been consulted on and that we have had its terms for any more than a week is absurd. In the ACT, the Labor-Greens Government has moved from stamp duty to land tax. It is of great concern that this Government did not think to seek our input on how to do this reform properly.

But listening now to the Leader of the Government, it is clear that even he does not understand the nuances and variations involved in a reform as significant as this one. What we put on Thursday—and it would have been reported to the House on Thursday had we not seen some shenanigans going on—was that an inquiry be held within the next two weeks so that instead of having a week in which to review this legislation, we would have three weeks before it came to a vote.

I am not going to get involved in the backwards and forwards between the Government and the Opposition on this. From a crossbencher perspective, and from a member of the Legislative Council who understands full well what the role of this House is, we are asking for time to consider this legislation to make sure that it is not going to have unintended consequences and to make sure that it is the best it can be. Because that is the role of this House and that is particularly the role, as we have shown, that the crossbench can play over time.

I urge the Government to chill out and relax a little bit. Let's have an inquiry and look into this because The Greens have not made up their minds on this legislation. I have always been incredibly honest about our position and our policy because we, as a party, are bound by our policy. It is not something we get to decide on the fly. We have conflicting pieces of policy with this legislation. We would like to come to a considered approach. We are asking for an inquiry so that we can hear from experts, apply our minds to it after the sitting week is done, and perhaps at the end of that process we would vote on it. Instead, in its arrogance this Government is trying to shove this through and say that we do not understand the legislation, despite having shepherded it in in the ACT.

There is legislation and then there is the impact of legislation. We are looking at a situation where housing affordability is already at a crisis. We will probably have a global financial crisis hitting us again very soon. There is a lot to consider when it comes to housing affordability, and it is not clear from the research that targeting this one little piece of the market will have the impact on the whole market that the Government is claiming it will. We want to have a look at it. I urge the Government to relax and let us have this legislation for a few more weeks, and then we can talk about it and vote on it in November.

The Hon. Damien Tudehope: What was your original proposal?

Ms ABIGAIL BOYD: I will respond to that. The original proposal we made was for it to be in the second week of November because we thought we were getting a reserve week. When we found out we were not getting a reserve week, we brought it forward. We still hope we have a reserve week because we have a lot of business to do. We are not just about elections; we are about making good laws. I urge the House to support the referral.

The Hon. DANIEL MOOKHEY (14:47): The Opposition is relaxed about our position on the bill, and we are relaxed about the proposition of an inquiry too. It is telling that this Government is formed by a party that has always insisted that any government wishing to make a substantial change to the tax system take their proposition to an election. Having refused to do so, the Government is now moving to cancel an inquiry into the very law that it refuses to allow people to have a say about. It is remarkable that a government and a Premier that have maintained that this is in the public interest seem to fear a public inquiry. It is very telling about the Government's position and attitude towards disclosure in this matter.

As the Leader of the Government set out the Government's position for secrecy, it is remarkable that he said that people had the opportunity to consult, that submissions were made and that people had the opportunity to have their say. He offered an invitation to the former shadow Treasurer. I recall getting mine multiple times from the Leader of the Government. What is remarkable is that they were asked to consult and provide views on a law that the Government is not proposing because the Government has substantially changed its proposal. What is even more telling about that particular review was that, to participate in the review, people had to sign a non-disclosure agreement.

The Government paid KPMG \$10 million to conduct a review and consultation for a bill it is no longer proposing. When the Parliament proposes to do what KPMG did, the Government is shutting it down. That is its defence. What is remarkable is that the same Leader of the Government, who stands for secrecy, says that this is

a straightforward bill that is easy to understand. I will read members the most straightforward part of the bill, which outlines the property tax. It says:

- 1) The land value rate for land that is owner-occupied is—
 - (a) for a financial year ending on or before 30 June 2024—0.003, and
 - (b) for a subsequent financial year the rate calculated using the formula in subsection (3).

This is the formula in subsection (3):

$$R = P \times G/L$$

where—

R is the land value rate for a financial year.

P is the land value rate for the previous financial year.

G is the Gross State Product per capita indexation factor for the financial year.

L is the land value indexation factor ...

Members opposite can agree or not agree with us, but people should not need a PhD to understand how this law works. My point is quite straightforward. I very much would like to hear from some experts, not just in land tax but in algebra, to properly understand how this law would work. That is why we are relaxed about the proposition. The Government is saying that we should trust it on its truthfulness. That is the claim—that it has been truthful. But the Treasurer today made an amazing backflip on Warragamba Dam. The same Government told us before the last election, "We're truthful when we say there's no more privatisation coming." The same Premier is saying, "Trust us. We're truthful when we say this law is not going to extend beyond first home buyers."

Who am I to question the Premier's truthfulness? But his record points in a very different direction. This is why we should have an inquiry. Just to be clear, Opposition members will vote against this law if we have to vote on it on Thursday. We will vote against it in November. But we heard and listened to crossbench members when they articulated their cases. I thought the Hon. Mark Latham's comments making the case for an inquiry in *The Sydney Morning Herald* were very persuasive. I do not agree with The Greens on too much, but I thought they were very persuasive when they made their point. I heard also the Animal Justice Party [AJP].

When the AJP, One Nation and The Greens all agreed on this last week, the Opposition relaxed because we believe that this is a House of review. We believe that, when 44 pages of complicated law have been brought into the Parliament with 11 to 12 days remaining, it might be judicious for all of us to be better informed about the proposal. To be clear, the Government has the right to make its case in the inquiry and in the Parliament. The condition that the Opposition attaches is that we want to vote. When The Greens rightfully move a proposal to allow the Parliament to vote on this law in two weeks' time, we will have no issues with a one-day inquiry.

The Hon. MARK LATHAM (14:52): One Nation supports a committee inquiry for the commonsense reason that the Government's position makes no sense. It is basically saying, "Having delayed this proposed reform for three years, we cannot put up with another three weeks." It has taken the Government three years to work out what to do, despite the earlier urgings of the Chamber to support the reform in principle. Now, it is objecting to a three-week delay—in fact, a one-day inquiry process. The bill can be improved in some important respects. One of the issues is how to lock in the property tax rate. There is a pretty feeble proposition in the bill at the moment. A future government would just need to give 30 days' notice, consult some groups and put an ad in the paper to increase the property tax rate. We need to think as a Parliament about ways to lock it in for the future to give certainty against tax rises.

The bill is supposed to be about tax decreases and housing affordability. These are very important considerations, which a committee can usefully provide. The one benefit of this Chamber's committees is that—invariably, almost without exception—they save the Government from itself. This Government gets into trouble every time it rushes in. The one notable reform in this parliamentary term where nobody, except One Nation and the Shooters, Fishers and Farmers Party, wanted to have a committee process was Matt Kean's electricity road map. There is now a 50 per cent increase in electricity prices and the Australian Energy Market Operator is forecasting blackouts. How is that one going for the members who did not want a committee process? Committees are always useful. They invariably come up with improvements that assist the Government.

Time after time, Government members get into trouble when they rush in without a committee process in the upper House. They have had a long time to look at the bill, and it is a bit rough to say that it needs to go through the Parliament this week and otherwise it is unsatisfactory from their point of view. They can only benefit from a committee process. Indeed, the proposal I will put forward at the committee and questioning experts about, regarding how to lock in the property tax rate, will again save Government members from themselves. Why would they expose themselves to a scare campaign at election time that the rate will go up? That will catch those in the

property tax scheme on the hop, as they will not expect the rate increase. There should be a lock-in for the rate and the 4 per cent cap that has now been imposed by the Premier.

The committee can only do things to help the Government. It is always a strange thing in politics when one finds it hard to help those who will not help themselves. But being generous of heart and kind of intent is the role of our Chamber, particularly on the crossbench, and that is what we will be doing for a mere three weeks of deliberation.

The Hon. MARK BANASIAK (14:55): This debate that we are having so early in the day is essentially just the Government challenging the decision of the House through the Selection of Bills Committee. That said, the Shooters, Fishers and Farmers want an inquiry. The Government is well within its rights, but I plead with the Minister—we already had no-win Wednesday; does he want to add total-defeat Tuesday to the calendar? I am measuring the mood of the House, and I do not think members are budging from the ruling they gave in the Selection of Bills Committee. I appreciate that the Government can challenge that ruling, but the House has had its say on the selection of bills and we should respect that.

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (14:56): I was not going to speak, but I feel compelled to make a very brief contribution for two reasons. The first is that, as a good deputy to the Leader of the Government, I back in his motion. That is what we do on our side: We back our people, and we do that really well. As the Hon. Mark Banasiak just said, yes, there has been a consideration of this matter by that particular committee. But we always hear that this House is the master of its own destiny, and we can bring those things up for debate.

The point that the Leader of the Government has made is compelling in terms of the Opposition's actual position on the issue. The Hon. Daniel Mookhey talked about the Government being trustworthy and up-front, but where has the Leader of the Opposition been trustworthy in relation to this bill? As the Leader of the Government outlined in his contribution, the Leader of the Opposition literally stood up at a press conference and said, "We're not going to send this to a committee; we're going to vote for it."

We already knew that those opposite think that the Leader of the Opposition is lazy, because they have leaked that about him, and now we know he is also loose with the truth. He will say something in a press conference that sounds good. He will give his spiel, make some sort of statement and say, "I think that that sounds great." That was actually the view that the Leader of the Labor Party expressed publicly—"We will not flip this off to a committee; we are going to vote it down"—and then members opposite will do the exact opposite. Opposition members talk about trust, but their leader should follow through on what he says. Members opposite are not prepared to back him in and do that. We should be debating this legislation because it is about first home buyers who are looking to get into the property market in New South Wales. They want to have a choice, and they want to see this legislation in place. That is why we should be debating it and voting on it.

The Hon. Greg Donnelly: Tedious repetition!

The Hon. SARAH MITCHELL: Do you really want to do that, Greg? Really? Silence from the Opposition benches?

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

The Hon. SARAH MITCHELL: Once again the Legislative Council is showing why it is such a great place to work.

The PRESIDENT: Order! I will give members a moment to think about what they are saying. Members who want to have a discussion will take it outside; they will not do so across the Chamber. The Minister has the call.

The Hon. SARAH MITCHELL: I leave my contribution there. I completely support the amendment from the Leader of the Government.

Mr JUSTIN FIELD (14:59): I support sending the bill for a short inquiry in time for it to come back to be voted on this year. To be clear, the Government is now just playing politics with this issue. Government members are saying, "Come on; get on with it." After talking about it in various forms for more than three years, they leave it to the dying days of this Government, I would suggest, to try to rush it through and make out that they are champions of first home buyers. That is not what this policy was ever about.

I support the transition from stamp duty to land tax, but the Government has whittled it away and shrunk it down and turned it upside down. It has put forward a proposal that would not go anywhere near addressing the issue that a transition from stamp duty to land tax should address, which is to stabilise the revenue stream for State

governments. The Government has walked so far away from that that it does not know what it is talking about anymore. Of course we should have an inquiry. Of course the upper House should look at it before we vote on it. I support a transition from stamp duty, but that is not what this is anymore. The Government is trying to demonstrate one thing to a very small segment of the community and to make it an issue.

Land tax reform is a really important area of public policy, and members are playing political games with it in the dying days of their Government. I think it is shameful that they are doing this when there was a chance to bring an important area of tax reform forward for public debate and for parliamentary debate. Instead, they have whittled it down and turned it into almost nothing, and now they are playing politics with it. Let us have the inquiry. Let's hear about it and bring it to the House and vote on it before the election, but let's not play these games.

The PRESIDENT: The Hon. Mark Buttigieg has moved a motion, to which the Hon. Damien Tudehope has moved an amendment. The question is that the amendment of the Hon. Damien Tudehope be agreed to. Is leave granted to ring the bells for one minute?

Leave not granted.

The House divided.

Ayes16
Noes23
Majority.....7

AYES

Amato
Barrett (teller)
Fang
Farraway
Franklin
MacDonald

Maclaren-Jones
Mallard (teller)
Martin
Mitchell
Nile

Poulos
Rath
Taylor
Tudehope
Ward

NOES

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

Graham
Higginson
Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty

Pearson
Primrose
Roberts
Searle
Secord
Sharpe
Veitch

PAIRS

Farlow

Moselmane

Amendment negatived.

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

Motion agreed to.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Scott Farlow: I table report No. 66 of the Selection of Bills Committee, dated 18 October 2022.

According to standing order, I move:

(1) That:

- (a) the provisions of the Crimes Legislation Amendment (Coercive Control) Bill 2022 (not yet accompanied by a Statement of Public Interest), be referred to the Standing Committee on Social Issues for inquiry and report;

- (b) on the President reporting receipt of a message from the Legislative Assembly forwarding the Crimes Legislation Amendment (Coercive Control) Bill 2022 for concurrence, the bill be referred to the Standing Committee on Social Issues for inquiry and report; and
 - (c) the committee report by 31 October 2022.
- (2) That the following bills not be referred to a standing committee for inquiry and report, this day:
- (a) Building and Other Fair Trading Legislation Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
 - (b) Children and Young Persons (Care and Protection) Amendment (Family is Culture) Bill 2022 (accompanied by a Statement of Public Interest);
 - (c) Confiscation of Proceeds of Crime Legislation Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
 - (d) Constitution Amendment (Appointment of Lieutenant-Governor and Administrator) Bill 2022 (not yet accompanied by a Statement of Public Interest);
 - (e) Electoral Legislation Amendment Bill (No 2) 2022 (not yet accompanied by a Statement of Public Interest);
 - (f) Electronic Conveyancing Enforcement Bill 2022 (not yet accompanied by a Statement of Public Interest);
 - (g) Port of Newcastle (Extinguishment of Liability) Bill 2022;
 - (h) Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2022;
 - (i) Statute Law (Miscellaneous Provisions) Bill (No 2) 2022 (not yet accompanied by a Statement of Public Interest); and
 - (j) Treasury and Energy Legislation Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest).

Motion agreed to.

Documents

ADVERSE WEATHER AND FLOODING EVENTS

Return to Order

The CLERK: According to the resolution of the House of 23 March 2022, I table additional documents relating to an order for papers regarding potential or actual adverse weather or flooding events, received on Friday 14 October 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Friday 14 October 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing order the documents are available for inspection by members of the Legislative Council only.

CENTRAL NAMES INDEX IMPROVEMENT AND DATA CLEANSING PROJECT

Correspondence

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table correspondence relating to an order for papers regarding the Central Name Index Project, received on Monday 17 October 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, stating that the Department of Communities and Justice holds no documents covered by the terms of the resolution and lawfully required to be provided are held.

SENIOR TRADE AND INVESTMENT COMMISSIONERS

Tabling of Redacted Documents

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table a redacted version of Department of Enterprise, Investment and Trade document No. 621, received on Monday 17 October 2022 from the legal branch of the Department of Premier and Cabinet and identified as not privileged in the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 21 September 2022, on the disputed claim of privilege on papers relating to the appointment of Senior Trade and Investment Commissioner.

*Business of the House***WITHDRAWAL OF BUSINESS**

Ms CATE FAEHRMANN: I withdraw private member's business item No. 2023 outside the order of precedence on the *Notice Paper* for today relating to an order for papers regarding the mobile drug testing program.

POSTPONEMENT OF BUSINESS

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

- (1) Government business orders of the day Nos 1 to 4, standing in the name of the Hon. Damien Tudehope, postponed until a later hour of the sitting.

*Bills***ELECTORAL LEGISLATION AMENDMENT BILL 2022****Second Reading Debate**

Debate resumed from 11 October 2022.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (15:29): In reply: I thank members for their contribution to the debate on the Electoral Legislation Amendment Bill, an important bill for the purposes of the conduct of the election that confronts us shortly. I thank the Hon. John Graham for his contribution and his support for the bill—or partial support, should I say—insofar as it implements proposals recommended by the bipartisan Joint Standing Committee on Electoral Matters. He made some observations about iVote and funding, which I will address shortly. He also made some observations about the acting-in-concert provisions of the bill, which will be the subject of an amendment and which I will address during the Committee stage of this bill.

I thank also Ms Abigail Boyd for her contribution. She too raised issues about iVote and access to voting. One of her observations was that the failure of iVote reflects the failure of the Government to adequately resource the Electoral Commission. She also raised issues relating to acting in concert, about which she appears to have moved her position and now supports the repeal of the acting-in-concert provisions. As members would be aware, this bill proposes amendments to the Electoral Act 2017 and the Electoral Funding Act 2018 to implement recommendations made by the Joint Standing Committee on Electoral Matters, but also makes changes to those Acts which have been recommended by the Electoral Commission, including changes to facilitate the conduct of the 2023 State general election.

I will now briefly deal with matters raised during the debate—firstly, funding of the Electoral Commission. The Government is focused on ensuring that integrity agencies, including the Electoral Commission, have appropriate funding to continue the important work they do for the people of New South Wales. On 9 May 2022 the Government tabled its response to the recommendations of the Public Accountability Committee and the Auditor-General in relation to funding arrangements for the integrity agencies.

These revised funding arrangements will include removing the integrity agencies from Premier and Cabinet cluster financial management processes, providing that no efficiency dividends will be imposed on the integrity agencies, and establishing a specialised integrity agency unit within Treasury to manage representations for budget and supplementary funding. The New South Wales budget for 2022-23, the first budget to be delivered under the new arrangements, funded all proposals submitted by integrity agencies as part of the budget process. In 2022-23 the Electoral Commission will receive \$259.1 million, a 257.6 per cent increase from the 2010-11 budget of \$72.4 million. The \$259.1 million is comprised of \$246 million in recurrent expenses plus \$13.1 million in capital expenses.

In respect of the issues relating to iVote, the Government appreciates the concern raised by members regarding the unavailability of iVote at the upcoming State election. The Government recognises the importance of supporting the electoral participation of all voters. The NSW Electoral Commissioner has stated that the current version of the iVote software used by the Electoral Commission will be phased out. The short runway for configuring and testing a new version before March 2023 means the Electoral Commissioner cannot be confident an updated system adapted for elections in New South Wales will be ready in time. As a result, on 15 March 2022 the Electoral Commissioner determined not to use iVote at the 2023 State general election or at any intervening by-elections between 1 July 2022 and 25 March 2023.

The bill includes proposed amendments to the Electoral Act 2017 that are consistent with the Electoral Commissioner's determination and that provide that technology-assisted voting, other than telephone voting for vision-impaired or blind electors, is not to be used for the 2023 State general election and certain

by-elections. The Electoral Commissioner has commenced a review of technology-assisted voting in New South Wales to provide recommendations for future options for technology-assisted voting to the New South Wales Government.

In conducting that review, the Electoral Commissioner will seek contributions and advice from relevant stakeholders, including members of the NSW Electoral Commissioner's Equal Access to Democracy Disability Reference Group. I did indicate that I would deal with the issue relating to the acting-in-concert amendment, but I will do that as part of the Committee stage. In conclusion, the passage of the bill is important to ensure appropriate amendments are made to electoral legislation ahead of the 2023 State general election. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Chris Rath): 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.

The Hon. JOHN GRAHAM (15:38): By leave: I move Opposition amendments Nos 1 and 2 on sheet c2022-162 in globo:

No. 1 Third-party campaigner acting in concert prohibition

Page 14, Schedule 3. Insert after line 30—

[11A] Section 35 Limit on electoral expenditure—third-party campaigner acting in concert with others

Omit the section.

No. 2 Third-party campaigner acting in concert prohibition

Page 14, Schedule 3. Insert after line 35—

[13A] Section 58 Recovery of unlawful donations and expenditure and certain other property developer donations

Omit section 58(5).

These amendments to the Electoral Legislation Amendment Bill 2022 are the Opposition amendments that the Minister referred to. They have been flagged not only in this debate but also in an earlier debate on this matter, during which there was significant agreement that these existing provisions in the Electoral Act, referred to as the acting-in-concert provisions, were not acceptable. It is not just the view of the Opposition; it was the view of most of the Committee when that was put. We debated it then in principle and we now turn to this matter in practice. We are hopeful that the Committee will take the same view it took previously. I spoke about this extensively in my second reading contribution, so I do not intend to go into it in great detail.

These matters were introduced by the Government quite some time ago that have now been activated in the law by the Government reactivating these caps. As I said in my second reading contribution, we support the caps. We support wholesale regulation of electoral activity in New South Wales. That has been very important. We support not just restrictions and transparency regarding donations, and not just restrictions on what political parties can spend, but restrictions and caps on what third-party campaigners can spend as they move about the political system. We support those things.

What we do not support is the acting-in-concert provisions, which we see as a United States import not appropriate to the New South Wales electoral system. These provisions restrict the activities of unions—a case the Government is about to make—but also, in our view, restrict the activities of community groups and a range of people who want to make small contributions to the political system but who band together. These laws strike particularly hard on that aspect. Those groups are not right wing or left wing; those groups do not have a particular view in the political system, but they are constrained by these measures.

We strongly support caps for third-party campaigners; that is a very important part of our system. That is why Labor was the party to introduce that in government. That is why we drove that change. And we strongly stand by the comprehensive regulation of the funding and disclosure system in New South Wales. I think we have a very good system in New South Wales. We want to strengthen it, but we are looking to amend these provisions out of the Act.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (15:41): The Government opposes the amendments. However, there is some background relating to the

amendments that needs to be addressed. The law governing the conduct of elections and ancillary matters such as electoral funding and election expenditure needs to strike a careful balance between opposing dangers to our representative democracy. It should be regularly reviewed and, where justified, amended to ensure that it remains fit for purpose. That is the intent of the Electoral Legislation Amendment Bill 2022.

The Joint Standing Committee on Electoral Matters plays a significant role in the task of reviewing electoral legislation. The committee's report on the conduct of the 2019 State election made several recommendations, which were subsequently accepted by the Government and are reflected in the bill currently before the Chamber. One of those recommendations—recommendation 6—was to amend the Electoral Funding Act 2018 to provide that the applicable cap for electoral expenditure by third-party campaigners for State election campaigns is to be set at \$1,288,500 for those registered under the Act before the capped State expenditure period, and \$644,300 in any other case, with these amounts to be adjusted for inflation as provided for in schedule 1 to the Act. That, of course, gave rise to some anxiety.

Application of the inflation provisions would result in election expenditure by a registered third-party campaigner being capped at \$1,389,900 for the 2023 State election capped State expenditure period—a substantial contribution to an election campaign. Item [11] of schedule 3 to the bill would give effect to this recommendation. I note that the capped State expenditure period for the 2023 State election commences on 1 October 2022. These capped amounts would replace the existing caps of \$500,000 and \$250,000, which were ruled invalid by the High Court in *Unions NSW v New South Wales*, decided on 29 January 2019. In that case, significantly, the joint opinion by Chief Justice Kiefel and others at paragraph 89 affirmed the validity of setting expenditure caps for third party campaigners at a lower threshold than set for political parties and candidates:

Professor Crisp long ago explained the "crucial distinction" between political parties and "interest-groups" of the kind which might now meet the definition of third-party campaigners in the EF Act as lying "in the different purpose of their respective commitments to political activity and the different directions that their activities take". The functional distinction important for present purposes is that, during a period leading up to an election, a political party which aims to form government must be in a position to communicate on the whole range of issues of potential concern to voters whereas a third-party campaigner can concentrate its resources on a single issue of concern to it. To be equipped not only to communicate on a range of issues but also to respond meaningfully to third-party campaigners, the political party needs to be able to marshal greater resources.

That is a fairly straightforward understanding of why the cap set for a political party should be higher than the cap for a third-party campaigner. I note that, notwithstanding a submission from the evidently well-cashed-up New South Wales Nurses and Midwives' Association for the third-party campaigner cap to be set at \$2 million, no objection to the \$1,288,500 cap was made by the Opposition in the other place.

For the 2015 State election, the nurses' union reported election expenditure of around \$908,000, the Electrical Trades Union reported expenditure of \$794,000 and Unions NSW reported expenditure of \$720,000. For that same election, five union third-party campaigners ran a coordinated campaign against privatisation, including electricity privatisation, entitled "NSW Not For Sale", with a combined total expenditure of approximately \$1.1 million. Expenditure on a similar scale for the 2023 State election would be permitted under the Electoral Funding Act 2018 as it would be amended by this amendment. That is, any single third-party campaigner registered before 1 October 2022 would be legally entitled to expend up to \$1.389 million between that date and 25 March 2023 on a campaign with the object, or principal object, of having a particular party, elected member or candidate elected, or opposing the election of a particular party, elected member or candidate.

And any group of third-party campaigners could pool their more limited resources to run together—or, to use the language of the Act, "act in concert"—a campaign with the object, or principal object, of having a particular party, elected member or candidate elected, or opposing the election of a particular party, elected member or candidate, provided that their joint expenditure did not exceed \$1,389,900. Removing the acting-in-concert provision altogether, which this amendment proposes to do, would necessarily nullify the legitimate effect of the third-party campaigner caps, as recognised by the High Court, by allowing an unlimited number of third-party campaigners to each contribute \$1,389,900 to a single coordinated campaign.

Whether it is 10 unions or 10 mining companies or 10 companies controlled by a single businessman, it would be possible for a single, united campaign to outspend any one political party running candidates for all lower House seats and for the Legislative Council. This runs the risk of a loud, well-funded, single-issue campaign effectively drowning out other voices and distorting the processes of representative democracy. Unions NSW, the NSW Nurses and Midwives' Association and the Electrical Trades Union spent a combined \$2.422 million in the 2015 State election campaign. With their mates from the Rail, Tram and Bus Union [RTBU], they are already colluding on the year of the strike, with Mr Claassens emailing his members that the RTBU will "fight this Government with everything we've got" and not allow "a moment of peace between now and the next election".

Removing the acting-in-concert provisions from the Electoral Funding Act would ensure that the good electors of New South Wales would not have a moment of peace between now and 25 March 2023 from a raucous,

incessant, multimillion-dollar campaign. Those opposite say that these provisions are an affront to free speech and the like, but there are limits. The Chief Justice got it right when she said that political parties should have a higher cap than individual interest groups. To allow organisations to act in concert flies in the face of that observation by Her Honour and proper democracy in this country. I urge members to reject the amendments.

The Hon. COURTNEY HOUSSOS (15:51): I speak in favour of the amendments moved by my colleague the Hon. John Graham, the Deputy Leader of the Opposition and the shadow Special Minister of State. I commend him for his very collaborative approach in this space. I am a member of the Joint Standing Committee on Electoral Matters and have been for the past 7½ years. We have worked well on this. He has really led this campaign. These are very thoughtful and sensible amendments. It is worthwhile to recap a little of the history and the reason for these acting-in-concert provisions. They were introduced by the Liberal-Nationals Government. As my colleague has said, Labor supports caps on expenditure and donations for political parties and candidates.

When we were last in government, we introduced caps for the first time. We believe that they even the playing field of political campaigning. We certainly support them. People should be encouraged to participate in the political process, but we think it is important that there are limits on that participation. However, this Liberal-Nationals Government took it one step further when it introduced acting-in-concert provisions. My colleague the Hon. John Graham was exactly right when he said that they were imported from the United States [US]. The idea that community groups, campaigners or candidates should not be allowed to communicate with each other is totally foreign to our electoral system. It has never been in place in any jurisdiction in Australia other than the Australian Capital Territory, whose electoral system is such an aberration I do not think we should be importing any of its aspects.

The fundamental premise of this is that different political candidates and different political parties are allowed to communicate but not different community groups. It was designed as a sneaky and nasty attack on the way that the Labor Party and the union movement have always organised. We support the parts of the bill that introduce a reasonable cap on third-party campaigners. We accept that that was thrown out by the High Court. We do not support activating the acting-in-concert provision, which the bill will do if it passes Parliament. I am not a lawyer, but I think it is important that the House save itself the hassle of a High Court challenge by passing these amendments and that it should not support acting-in-concert provisions being introduced in our electoral system. This Chamber has already passed a motion on this issue earlier this year outlining that community groups should be able to communicate.

The joint standing committee has already received evidence that these electoral laws are incredibly difficult to operate in practice. I accept that. I think that the Electoral Commission could provide better support to our community groups, particularly small, volunteer-based organisations that seek to participate in the political process. We want more people to participate in the political process. We should not increase barriers for them. There are ways we can do that, but we should not have some kind of onerous, restrictive requirement on community members talking to each other. That is why we have expenditure caps to make sure that no two, three or four organisations will come together.

We have done the maths that shows that this simply does not happen. What the Leader of the Government outlined—different unions or different community groups or different mining companies collaborating—just does not happen in practice. They just do not spend this amount of money. Introducing these kinds of incredibly restrictive practices is just an import from the US. It is fundamentally designed as an attack on the Labor Party, the labour movement and the way we have organised for 130 years. In the process of attacking Labor, the Government is impacting on every volunteer organisation that wants to have a say on a local issue. It makes it so much harder for them to participate in the political discussion.

We should not be sending that message to the community during an election campaign. Our elections are important. We want people to participate and to be involved in the political process, especially when they are concerned about an issue. If they can find a fellow traveller along the way in a similar community group or if a union can work with another union, then that is okay. The Parliament should not be sending the message that it does not support solidarity and working together. I commend the amendments to the Committee. I congratulate my colleague on bringing them forward. I hope that the Committee can support them.

The Hon. TAYLOR MARTIN (15:57): As the Leader of the Government said, the Government opposes these amendments, which repeal section 35 of the Electoral Funding Act 2018 and make a consequential change to section 58 of the Act. Section 35 of the Electoral Funding Act 2018 deals with limits on electoral expenditure relating to third-party campaigners acting in concert with others. A "third-party campaigner" is an organisation or individual who is not contesting the election but who finances a campaign on specific issues to influence policy and the election outcome. In December 2014 Dr Kerry Schott delivered the final report from the Panel of Experts on political donations to the Governor and the then Premier. The then Premier, Mike Baird, established the panel

in response to public concern about political donations and their influence. In that report, the expert panel noted that third-party campaigners:

should not be able to drown out the voices of parties and candidates ...

There is also a high level of concern about the increase in third-party campaigning and the emergence of US-style Political Action Committees. These groups incur very large expenditure and have the potential to undermine the role of parties and candidates in election campaigns.

The report went on to note:

There is widespread support for third-party participation in elections within limits.

The expert panel considered the acting-in-concert offence to be important to maintaining a fair and balanced electoral contest and the integrity of expenditure caps generally. It was also supported by a number of academics who gave evidence during the panel's inquiry at the time. The Government implemented this recommendation in the Electoral Funding Act 2018. In addition, this matter is currently being considered by the Joint Standing Committee on Electoral Matters. It would therefore be appropriate to wait until that committee reports on the outcome of that inquiry. As I said, the Government opposes these amendments.

The CHAIR (The Hon. Wes Fang): According to sessional order, it being 4.00 p.m., I will now leave the chair and report progress.

The PRESIDENT: The Committee reports progress. Further consideration of business before the Committee is set down as an order of the day for a later hour. According to sessional order, business is now interrupted for questions.

Questions Without Notice

MOREE SECONDARY COLLEGE

The Hon. PENNY SHARPE (16:00): My question without notice is directed to the Minister for Education and Early Learning. Moree Secondary College P&C has been writing to the Minister to ask her to visit their school since 2017 to see for herself the issues with its dual-campus set-up, including increasing teacher stress, unmanageable student behavioural issues and issues with attendance. Why has the Minister refused to visit that school and meet with them to date, and failed to respond to their letters?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:00): I thank the honourable member for her question about the school in Moree. It is important to put on record that I lived in Moree for a number of years prior to being elected to this place, and I know that community and those school communities very well. I am certainly aware of concerns from members of that local community around the split campus for the high school. That has been raised with me on a number of occasions by the local member for Northern Tablelands, Adam Marshall, who represents Moree, and by the P&C president as well. I will take it on notice and just check, but my recollection is that we had a meeting on that issue. It might have been online, but my recollection was that there was a discussion about that. Obviously, I understand some of the challenges for that particular community, having been a resident of that community for several years, as I said. I am not averse to visiting Moree again.

My office has just reminded me that we had a meeting on the phone with a representative from the P&C, Kelly James. We talked through those issues and what we could do about that school, particularly the way that the utilisation of that campus can work across both sites, but also recognising that many in the community feel that split model is not getting the best outcomes for students and for staff. We will continue to work with Adam as the local member and with the P&C to do what we can to support that school community. As I said, we have already had one meeting. I am certainly not ignoring that community and am certainly happy to go back and visit the Moree area again. I have visited schools in Moree before and am happy to visit again.

RAIL, TRAM AND BUS UNION STRIKES

The Hon. CHRIS RATH (16:02): My question is addressed to the Minister for Finance, and Minister for Employee Relations, and Leader of the Government. How is the New South Wales Government responding to threats from union officials to misuse safety equipment at train stations and deprive the people of New South Wales of public transport revenue?

The Hon. Mark Buttigieg: You hate working people.

The PRESIDENT: Order! The Minister has the call.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:03): On this side of the Chamber we represent everyone, not just the Hon. Mark Buttigieg's union mates. We

represent all of the people of New South Wales. We are forever fighting for better outcomes for all of the people of this State, including the commuters of Sydney.

The Hon. Rose Jackson: Yes, you just keep telling yourself that.

The Hon. DAMIEN TUDEHOPE: The Hon. Rose Jackson got the number one spot. Which spot did the Hon. Mick Veitch get? That is alright, Adam. I am sure you are still mates. Are you looking after him?

The Hon. Anthony D'Adam: Point of order: The Minister must be a bit distracted, because we have been in this Chamber for a long time and my name is Anthony D'Adam. To refer to me as Adam is inappropriate and unparliamentary, and he should make sure he addresses members by their correct names.

The Hon. DAMIEN TUDEHOPE: To the point of order: I said Anthony D'Adam.

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

The Hon. Anthony D'Adam: To the point of order: The Minister is also not focusing on the question that he was asked. I ask that he be brought back to the question.

The PRESIDENT: The Minister will return to the question.

The Hon. Scott Barrett: Point of order: The clock did not stop during that point of order. I ask that it be reset.

The PRESIDENT: The Clerk will reset the clock.

The Hon. DAMIEN TUDEHOPE: On previous occasions when the gates to train stations were left open to the good people of New South Wales, what did people do rather than just walking through? They still tapped on. Ninety per cent of commuters still used the tapping system because they reckon that, if they catch a train, there is an obligation to pay for it. But that is not good enough for the unions. They have to disable the readers to tell the people of New South Wales, "You shouldn't honour your obligation to pay a fare when you catch a train"—a train that has been provided by the taxpayers of this State. Everyone recognises the obligation to pay their fares when they catch a train, but not those guys. They have decided unilaterally that they will interfere with New South Wales State property for the purposes of implementing their spurious safety campaign, which, in fact, never flew.

In many respects, it gets worse. They flip-flop: One day it is safety, and the next day it is pay and conditions. Using State assets and depriving the State of revenue from rail resources in that way is an insult to the people of this State, because that revenue goes towards supporting valuable assets for the use of the commuters of this State. It is alright for Alex Claassens to say, "What a great man I am; I'm giving free fares to the people of New South Wales." There is no expectation that they will get free fares. People unanimously elected to continue to pay their fares, even in circumstances where the gates were open—not good enough for that union.

I tell the House that Government members will not cop it. If it is not protected industrial action, we will seek to recover every single dollar of lost State revenue from that union. I say in this Chamber now: That is the position that the Government will adopt in relation to that strategy. If the union wants to go down that line and attack the assets of this State for the purposes of an industrial campaign, and if it is not protected industrial action, we will seek to recover every single cent that has been lost to the taxpayers of this State. We will recover it from the unions involved and from the union officials who were instrumental in implementing that campaign, so be on notice.

NORTHERN TABLELANDS ELECTORATE TEACHER STAFFING

The Hon. JOHN GRAHAM (16:07): My question without notice is directed to the Minister for Education and Early Learning, and Deputy Leader of the Government. The Minister has said:

The NSW public education system has a stable staff vacancy rate ... which is very low for a system of our size.

Given that, what is her response to concerns raised by the member for Northern Tablelands last week about the approximately 100 teacher vacancies in his electorate, which are leading to an increase in merged and cancelled classes there?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:08): I thank the honourable member for his question, and I absolutely stand behind the comments that I made in relation to our staffing vacancy rates across New South Wales. It is really important to once again put on the record the fact that we have the largest public education system in the Southern Hemisphere, and the data shows very clearly that the vacancy rate has been largely stable for a long time.

Having said that, as somebody who lives in regional New South Wales, I am also acutely aware that there are certain challenges when it comes to staffing our rural and remote schools. We see that in other areas. I am not

aware of the comments that the member for Northern Tablelands made, but he is well within his right as a local member to talk about issues that matter to his electorate. He is absolutely allowed to do that. I would say to him, as I have said to others who have talked to me about those issues, that we have many generous incentives in place for people to move to rural and remote New South Wales.

The Hon. Courtney Houssos: But they are not working.

The PRESIDENT: Order! The Minister has the call.

The Hon. SARAH MITCHELL: We have also put in place a new priority recruitment support area within the department, particularly with a focus on schools that have been harder to staff. It began in terms 2 and 3 and was established to trial an intensive recruitment support model that has been identified on the basis of a critical mass of permanent and/or temporary teacher vacancies and/or vacancies that have been difficult to fill over an extended period. We have been running this in Connected Communities schools and an additional 22 schools across the State. Since the start of the pilot in May to the end of the winter vacation, almost 90 permanent vacancies have been filled by working with schools directly as a result of this initiative. That is exactly what we need to do.

We know that the State average remains very low, but we also know that, in some communities, we need to provide intensive staffing support for principals in order to attract the candidates that they need for their roles. My door is always open to any local member who wants to talk to me about staffing concerns in their local community. As I said, the member for Northern Tablelands is a good, strong advocate for his community. He is very well able to get up and speak about any issue that he thinks is important in his community. That is his job.

TAXI LICENCES

The Hon. ROBERT BORSAK (16:10): My question is directed to the Minister for Regional Transport and Roads, representing the Minister for Transport. Mr Peter Ratay of Terrigal taxis paid \$410,000 for a 50-year taxi licence in 2012, and \$310,000 for another taxi licence four years ago. Why is the Government offering only \$75,000 for each of them now?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (16:11): I thank the member for the question. As the Minister for Regional Transport, I work closely with the Minister for Transport in this space. On 21 September the taxi industry had an offer on the table. On 20 September it did not. The taxi industry has \$500 million on the table. That is a significant amount of money. That is in addition to the \$145 million that has been disbursed to the taxi industry through the Passenger Service Levy previously—

The Hon. Robert Borsak: Point of order: The Minister is simply giving us his stump speech. This is a very specific question relating to the matter of Mr Ratay and why he had to spend \$410,000 for a 50-year licence to then, 10 years later, be offered \$75,000 for it. It is a very specific question.

The PRESIDENT: The Minister's comments are introductory and giving perspective. The Minister will move to the specifics forthwith.

The Hon. SAM FARRAWAY: Again, what Transport for NSW and the New South Wales Government have done is to ensure that an offer for the taxi industry was put on the table. I would say that it is the most generous taxi package in the country. It is significantly more than any taxi operator in Queensland received. It is \$200 million more than the Victorian taxi industry—

The Hon. Robert Borsak: Point of order: The Minister cannot go on like this. The Minister has to answer the question specifically and not be just generally relevant.

The PRESIDENT: I uphold the point of order. The Minister will be directly relevant to the specifics of the question.

The Hon. SAM FARRAWAY: In answer to the question about this particular taxi operator and what he paid in 2012 for his licence, as I said in a previous answer last week, the New South Wales Government and Transport for NSW looked at actual plate sales pre-reform. That is between 2010 and 2015. Where there were no actual plate sales and plate data, we went back to 2008. It needs to be made clear that this Government wanted to make sure that there was a package on the table for the taxi industry. Whether the taxi industry supports it or not, whether there are some that—

The Hon. Robert Borsak: Point of order: The Minister is now talking about going back to 2008. The question was about a specific example of what the taxpayer and the taxi owner paid the New South Wales Government.

The PRESIDENT: Order! The Minister was being directly relevant in that he was referring to the specifics of how amounts were calculated in relation to the particular person. The Minister may wish to take that on notice.

The Hon. SAM FARRAWAY: No, I am more than happy to answer the question. I have 59 seconds left. At the end of the day, the Government has a package on the table. There is a transitional payment available to taxi operators. This taxi operator is on the Central Coast, so they will be deemed regional. If they own more than one plate, it will be uncapped. I fought hard to ensure that every single regional taxi plate owner received a payment. The Government is not offering a buyback. Let me be clear: It is not offering a buyback. That is not the position of the Government. It is not the position of anyone in this House. I have not heard of anyone who would actually support a full buyback. A full buyback would cost the taxpayers of this State—

The Hon. Robert Borsak: Point of order: The Minister is misrepresenting my party. The Shooters, Fishers and Farmers Party do want that.

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

The Hon. SAM FARRAWAY: I would love to know what the Shooters, Fishers and Fraudsters would do, and what they would cut. What would they cut to do this? The Government is supporting transitional payments to support the taxi industry as part of deregulation and reforms. [*Time expired.*]

TEACHER PERMANENT EMPLOYMENT

The Hon. SHAYNE MALLARD (16:15): My question is addressed to the Minister for Education and Early Learning. Will the Minister update the House on the New South Wales Government's record on supporting temporary teachers into permanent employment?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:16): I am so happy to give this answer.

The Hon. Daniel Mookhey: How about we give our answer, and you give yours 12 hours later?

The Hon. SARAH MITCHELL: Well, let's go there. I thank the member for the opportunity to talk about some of the work that the Government has already done to provide more options for permanency for teachers. I am sure members are well aware that over the weekend we announced that at least 10,000 temporary teachers and support staff—our hardworking student learning support officers—will be able to be offered permanent roles as part of our Government's plan to shift surplus teachers into permanent positions. This builds on the successful trial period when we already did this last year, in 2021.

The Hon. Penny Sharpe: Twelve years. There are 100 vacancies in New England.

The Hon. SARAH MITCHELL: Just listen. During the pandemic there was a time-limited provision in the staffing agreement to make it easier to convert positions, and 230 eligible temporary teachers went into permanent positions. However, the trial has concluded. I have to say it has been quite frustrating over the last period to try to work with the union to continue this. The union has actively blocked some of our attempts to offer more temporary teachers a permanent position. But this issue has been raised with me and continues to be raised with me.

Indeed, when I met with our Ambassador School principals earlier this year, they indicated that they would like to see this continue. I made it clear to them that we were working on being able to deliver it. We know that temporary roles are necessary and they are valuable in the system. It is a cohort of staff who plays an essential role in covering leave, particularly when teachers might be out on parental leave. It also allows schools to respond to student need, while giving teachers flexibility at different stages of their careers. But I do not want the union to continue to hold back any temporary teachers who would like a permanent position.

Government members also want to give student learning support officers on temporary contracts, as well as teachers, more certainty by also offering them permanent roles. They are absolutely critical and play a vital role working alongside teachers. They often work with more disadvantaged students and those who have additional needs. I was excited to announce the continuation of the work that we have already done, and that we will continue to provide opportunities for temporary staff to become permanent. Indeed, we put the information about the program and the fact that we were working on it in our submission to the Portfolio Committee No. 3 inquiry into teacher shortages.

We have been very open that we are doing this. It ran in *The Sydney Morning Herald*. I said that we want more teachers in permanent positions and that we are working on it. I am so happy that members across the aisle agreed and also said that this is something they want to do. There is only one slight little flaw in the plan from those opposite. On Monday morning Labor's education spokesperson hit the radio to spruik the policy, but the

problem was that she got it wrong. She said that this was about taking teachers from a casual contract and giving them a permanent role in a school. We are not talking about casuals; we are talking about moving temporary staff into permanent positions. That is what we are going to do as a government. We have done the work. We know our policy and what we are delivering for the people of New South Wales. It is about time members opposite did their homework. [*Time expired.*]

KOALA POPULATION

Ms SUE HIGGINSON (16:19): My question is directed to the Hon. Ben Franklin, representing the Minister for Environment and Heritage. We are all relying on the Government's guarantee that the koala population in New South Wales will be doubled by 2050. With concern to the former Minister's backflip on many things, how many koalas have been added to the New South Wales population in the two years since the announcement?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (16:20): I thank the honourable member for her important question. The NSW Koala Strategy is the Government's comprehensive and strategic road map that is needed to double the number of koalas in New South Wales. In April 2020 the Government released the new NSW Koala Strategy.

The PRESIDENT: Order! I ask the Minister to take his seat for a moment. Whilst this is not a church, it is certainly not the floor of a conference either. Perhaps members could keep interjections down to a dull roar so that the Minister can be heard, particularly by Hansard. The Minister has the call.

The Hon. BEN FRANKLIN: The Government has committed more than \$190 million over five years to deliver the strategy. It is the largest investment in koala conservation in Australia.

Ms Sue Higginson: Point of order: The question was how many koalas? We know what the strategy is and how much money is being invested. It is two years into the strategy; it is a reasonable ask. There was a specific commitment to double the koala population. Will the Minister be directly relevant and tell us how many koalas?

The PRESIDENT: The Minister was just getting warmed up, if you like. Let me put it that way. I believe the Minister was making some initial comments for context and was no doubt about to come to the substance of the question. The Minister has the call.

The Hon. BEN FRANKLIN: If the member had waited until literally the next sentence, I would have started talking about numbers.

The Hon. Penny Sharpe: Do not trifle with the President's ruling.

The Hon. BEN FRANKLIN: I am not at all. I rate the President very highly, in all his wisdom. The June 2020 report from the parliamentary inquiry into koala populations and habitat in New South Wales, which I was a part of, noted that the number of koalas in New South Wales was estimated to be between 15,000 and 30,000. Based on the findings of the report, the strategy conservatively estimates the koala population in New South Wales to be at 20,000. An early priority of the strategy is to firm up that estimate and get an exact number so that changes to the koala population can be accurately measured. I would have thought that is what one should do. One should work out how many koalas there are before they work out if you have managed to double those numbers.

I am pleased to advise that the Government is investing \$20.5 million over five years to determine a scientifically robust baseline of current koala population numbers across the State. I am sure the honourable member will be deeply appreciative of that. Some \$14.4 million is being invested towards implementing a koala-monitoring program to track changes in koala populations over time. That investment is only part of the more than \$190 million that is being invested to deliver targeted investment and action under the four pillars of the new koala strategy. Under the four pillars, actions will work together to secure habitat, support local conservation, reduce threats and improve our knowledge.

The Hon. Penny Sharpe: How many more koalas?

The Hon. BEN FRANKLIN: It is essential to doubling the number of koalas in this State by 2050. I am pleased to advise the House, particularly the Leader of the Opposition in the Legislative Council, that work is underway to achieve these four pillars. Habitat loss and climate change are the most serious threats to koala populations, and the Government is investing \$107.1 million to protect and restore 47,000 hectares of koala habitat across New South Wales. I have much more to say on this matter, and I would be happy for someone to move an extension of five minutes. That being said, I am happy to say that the Government is confident that its programs and investment will allow it to meet its ambitious target.

Ms SUE HIGGINSON (16:23): I ask a supplementary question. Will the Minister elucidate the part of his answer where he referred to the fourth pillar of the koala strategy, which is the \$43 million investment to better understand the population? Does the Minister agree that baseline population surveys should have been conducted before the announcement to double the population and that, in fact, we do not know how many extra koalas there may be?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (16:24): No, I do not agree. It is perfectly reasonable and intellectually sustainable to say that the Government has an aim and that it is now going to work out what the actual—

Ms Sue Higginson: Point of order: Will the Minister answer the part of the question about the fourth pillar?

The PRESIDENT: The Minister is being directly relevant. The Minister has the call.

The Hon. BEN FRANKLIN: I was in a rhythm. The short answer is: No, I do not. It is absolutely justifiable to say that the Government has an aim and that it wants to double the koala population in this State. I was part of the inquiry, with a range of people in this Chamber, and we all agreed that we wanted to increase the number of koalas. I would have thought that is not an unreasonable outcome. Once that outcome is achieved, noting that the koala population in this State is under threat, the Government then needs to find the baseline so that it can achieve its aim. I do not understand why that is the specific part of my answer that the member decided to attack when there was so much more that she could have gone to.

The Hon. WALT SECORD (16:25): I ask a second supplementary question. Will the Minister elucidate his answer in regard to determining the baseline number, which he repeatedly referred to? What is the timetable for when the Government will determine that baseline number?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (16:26): That is actually a supplementary question. The answer is that I do not know. I will take it on notice.

NIRIMBA FIELDS AND GABLES PRIMARY SCHOOLS

The Hon. PETER PRIMROSE (16:26): My question without notice is directed to the Minister for Education and Early Learning. Given that promised primary schools in Nimrimba Fields and Gables are due to be built without a preschool on site, why will the Minister not commit to co-locating preschools on the sites of both schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:26): I thank the honourable member for his question relating to the two new schools in north-west Sydney. I was out at Nimrimba Fields yesterday with Kevin Conolly, the member for Riverstone. Members of the community came and were excited about the new school that will be built there. It is a growing community, and there are a lot of families in that area, which is why the Government is pleased to be building that new infrastructure. The member's question was quite specific about the provision of a preschool. The advice that I have is that the Government has not said that it would not put a preschool on that site. The Government has found the land, and it is now going through the processes of design and planning.

The Government has also made clear its commitment to pre-kindergarten in this State. There is money on the table as part of this year's budget to make sure that there is the provision of preschools for every child across New South Wales. The Government already builds preschools on school sites. That is done for new builds and existing school sites. They are sometimes run by the department, and they are sometimes run by the community. The Government looks forward to working with the community in that part of north-west Sydney as it goes through the process of designing that new school. I am happy to keep the member updated about the provision of preschools for that community when those decisions are finalised. I will keep him posted, given his keen interest in this particular matter.

The Hon. PETER PRIMROSE (16:28): I ask a supplementary question. Will the Minister elucidate the part of her answer regarding the reasons that, despite the announcement of schools, there is uncertainty about whether a preschool is needed on the site?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:28): There is zero uncertainty from the Government about its commitment to preschool education. This year's budget included the record \$15 billion Early Years Commitment, which looks at a range of initiatives, including universal pre-kindergarten to be delivered for families across the State. The Government has a strong track record when it

comes to the delivery of preschool education in this State. It has made more places available than ever before, made it more affordable than ever before and it intends to do more work.

Obviously we need to go through the master planning process for that particular school, but it is absolutely my intention that, as part of that consultation and conversation, we look at preschool provision. It just makes sense. For instance, we have a new school opening in Edmondson Park early next year. My understanding is that they have two preschool rooms there. Again, members opposite trying to paint the picture that we do not look at the provision of preschool education with our new school builds is just wrong. It is wrong; we absolutely do. We will see more and more of it because we will look at growing the preschool provision across this State as part of our universal pre-K. This is in stark contrast to those opposite who talk about 100 new preschools on government sites.

The reality is that we want new preschools on school sites. We also want to expand existing community preschools, which do an amazing job—not-for-profit providers. We will work with the entire sector, including our school communities, to deliver universal pre-K. We have put money on the table, we have made the commitment, we know it is the right thing to do and we 100 per cent stand behind our track record when it comes to preschool delivery in this State.

MENOPAUSE TOOLKIT

The Hon. AILEEN MacDONALD (16:30): My question is addressed to the Minister for Women, Minister for Regional Health, and Minister for Mental Health. Will the Minister update the House on what the Government is doing to support women experiencing symptoms of perimenopause and menopause?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:30): This is one of my favourite topics and I am excited to answer the honourable member's question on World Menopause Day. It has been a hot minute since I last spoke about menopause in the Chamber. I am very excited to announce that the New South Wales Government has today launched a free menopause tool kit. You ask: What is that? It is similar to the Return to Work Toolkit and the Women's Financial Toolkit; the Menopause Toolkit provides clear and accurate information about the symptoms of perimenopause and menopause, as well as the location of New South Wales Government-funded clinics where women can access support services.

One in five women experiences severe or prolonged menopause symptoms and so many women suffer in silence. Common symptoms may include night sweats, mood swings and trouble sleeping, but women can also experience bone thinning, which can lead to fractures, which can have very detrimental effects; heart disease and stroke; and high blood pressure—probably far worse than the high blood pressure this Chamber can give us occasionally. It is important that we do discuss women's health and wellbeing and that we break down the stigma around perimenopause and menopause. I want every woman in New South Wales to know that they no longer need to keep calm and carry on, because together we can smash the taboo and we can discuss menopause. I have never heard the Chamber so quiet during one of my answers.

The Menopause Toolkit is in addition to the \$40 million in funding committed in the 2022-23 budget to support women through menopause via a network of dedicated health services. Our package is an Australian first and it will see us establishing 16 holistic menopause services across New South Wales, including four specialised hubs operating in a hub-and-spoke model. The new hubs and services will support what we predict to be about 5,500 women each year and will include virtual consultations, making sure that every woman receives the support that she needs.

As part of this funding, we will also deliver a State-wide education and awareness campaign focusing on the symptoms of perimenopause and menopause to equip employers with accurate information and also, most importantly, equip GPs with the latest resources and information because we know that we can treat the symptoms and treat them well. But we need to educate our doctors about being able to treat the symptoms and encourage women to come forward and talk about those symptoms so that they can get the help that they need. We know that menopause can have a real effect on the economy because women are unable to work to their full potential.

We need to make sure that we tell women that it is okay to talk about it, it is important to talk about it and to seek the help that they need. I thank the Treasurer, Matt Kean, for funding this initiative and supporting how important it is, because the women of New South Wales do not need to suffer in silence. Let's normalise talking about menopause. It is a really important issue; it is not a joke. It is not funny; it can be very detrimental to lots of women, so let's talk about it and let's get on with it.

NOWRA HOMELESS SHELTER

Ms CATE FAEHRMANN (16:33): My question is directed to the Minister for Families and Communities, and Minister for Disability Services. The Nowra homeless shelter in the Shoalhaven, providing services seven nights a week to people doing it tough, had to close its doors this week. During the five years it has been in operation, the shelter has employed 15 people, helped over 800 families and offered 16,000 beds with demand for its services only increasing due to extreme weather events and the rental crisis in the region. Despite inspiring efforts from the Shoalhaven City Council and local volunteers to keep it open and to source government funding, there has been nothing. What is the Minister's response to the Nowra community which is in desperate need of a homeless shelter right now?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (26:34): I thank the honourable member for her question. First of all, I acknowledge the work of Salt Ministries Shoalhaven community church, which provides pastoral and community support initiatives across the Shoalhaven district. I acknowledge also the work of a number of organisations across the district. This Government has provided Salt Ministries with funding, and I want to highlight the support that has been provided to a number of specialist homelessness services across the area, including up to \$23.9 million, which covers the Illawarra-Shoalhaven and southern New South Wales districts.

In particular, \$13.9 million has been invested in the Illawarra-Shoalhaven. This is funding nine specialist homelessness services in the area. Of those, four provide crisis and transitional accommodation for people at risk of homelessness, including families, couples and individuals. It includes the Shoalhaven Women's Homelessness and Domestic and Family Violence Support Service, which provides crisis accommodation, including a refuge in Nowra, and the Illawarra-Shoalhaven Men's Homelessness Support Service, which also provides crisis and transitional accommodation. Furthermore, we have the Shoalhaven Homeless Hub, and only recently I had the opportunity to open the new premises, which are also in Nowra. I acknowledge the fantastic work that that hub has been doing. One of the challenges that they faced was having to relocate because the lease of their existing premises had expired. We were able to support them in their relocation so they can continue the work that they do to support the community.

In addition, we work with a number of NGOs to provide assertive outreach patrols across the area. I have highlighted on a number of occasions in this Chamber that, when it comes to assertive outreach, one of the key things is identifying people who are at risk of homelessness and not only providing crisis and transitional accommodation—I have outlined a number of providers in Nowra and across the area—but also supporting them with wraparound support services so that they can sustain long-term tenancies.

Ms CATE FAEHRMANN (16:37): I ask a supplementary question. Will the Minister elucidate that part of her answer when she mentioned identifying people at risk and providing wraparound services? I understand that the Nowra homeless shelter is after just one month's worth of emergency funding because it needs to reopen so it can protect the homeless community. I understand there were four people who were seeking shelter on the night that it closed, so in identifying risk, there is the risk for those homeless people. The Nowra homeless shelter is after one month of emergency funding at this point in time to stay open as the floods hit over the next couple of weeks. It is very worried about those individuals to whom it has been providing shelter.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:38): I am aware that the State member, Shelley Hancock—as well as the Federal member—has written to me and highlighted the request from Salt Ministries. The specifics in relation to one month is contrary to what I have been advised; however, I will take that part of the question on notice. Possibly it is because The Greens mayor, who is running as the candidate there, has briefed her in a different sense.

GOOGONG PRIMARY SCHOOL

The Hon. TARA MORIARTY (16:38): My question without notice is directed to the Minister for Education and Early Learning. After 12 years in office and a promise to deliver a new school in Googong, how will the current dispute between the contractor and subcontractor affect the date that the school will be open to the Googong community?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:39): I thank the honourable member for her question and the opportunity to once again talk about the great delivery of a brand-new primary school in Googong. It is very exciting. It is very exciting for the people in that community—it is one I visited many times with Nichole Overall, the fantastic member for Monaro. We had the opportunity to go, not all that long ago, to have a look at its construction. It is very exciting to see that taking place.

The Hon. Courtney Houssos: It's finally started.

The Hon. SARAH MITCHELL: Those opposite do not like good news. The member has asked a very specific question in relation to a payment. I am aware of that matter. I understand that there was some activity at the site over the—

The Hon. Tara Moriarty: The whole community is aware of the matter.

The Hon. SARAH MITCHELL: Does the member want to hear the answer?

The PRESIDENT: Order! The Minister has the call.

The Hon. Tara Moriarty: I'm listening to it.

The Hon. SARAH MITCHELL: Good.

The Hon. Tara Moriarty: I'm just helping, in case you don't know—because the whole community knows about it.

The Hon. SARAH MITCHELL: I do not need the member's help. I am good, thanks; I am good. My understanding is that is actually—

[An Opposition member interjected.]

The PRESIDENT: Order! The Minister has the call. Members who keep interrupting will be placed on a call.

The Hon. SARAH MITCHELL: That is an issue between the contractor and subcontractor. There is no money that the Department of Education has not paid. Obviously, School Infrastructure NSW and the team there are going to work with the affected parties to get a resolution. But as I said, ultimately, it is a matter of the contractor paying the subcontractor. I have not been given any advice that it will impact the opening of the school. We are very proud to be delivering for the Googong community a brand-new, fantastic primary school. It is much needed, and it is The Nationals in government that will deliver it for that community.

DOMESTIC AND FAMILY VIOLENCE

The Hon. LOU AMATO (16:40): My question is addressed to the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence. Will the Minister update the House on how the Perrottet-Toole Government is providing ongoing support for victim-survivors of domestic and family violence?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:41): I thank the honourable member for his question about this important area. Yesterday I was pleased to attend the launch of the National Plan to End Violence Against Women and Children 2022-2032 in Melbourne alongside my Federal, State and Territory colleagues. This is the second national plan, following on from the 2010-2022 plan. It provides a blueprint for governments across Australia to improve our response to domestic violence. The Perrottet-Toole Government is proud to have been involved in the development of the national plan. As I have said many times in this House, a priority of our Government is ending violence against women and children in this State.

I acknowledge the victim-survivors of domestic, family and sexual violence who contributed to this plan. Their strength and resilience inspire me every day as the Minister for Women's Safety and the Prevention of Domestic and Sexual Violence. I thank them for their bravery and their contribution. I thank the service providers and individuals who work tirelessly to support women and children in communities in New South Wales and throughout Australia. I also acknowledge the former Federal Coalition Government and the former Federal Minister for Women's Safety, Anne Ruston, for her tireless work on the development of the national plan and the Women's Safety Summit. The funding that the previous Federal Government put on the table over the past few years to implement domestic and sexual violence preventative and response measures has allowed a number of projects to proceed in New South Wales, and for that we thank former Minister Ruston and her team.

Here in New South Wales, the Perrottet Government has a proud record of reform and investment in women's safety, including our landmark investment of almost half a billion dollars to nearly double the number of women's refuges in this State. As I spoke about last week, in September we doubled domestic and family violence leave for New South Wales Government sector employees from 10 days to 20 days. We are delivering on our commitment to criminalise coercive control in intimate partner relationships, which will be before this House soon. I was proud to observe the landmark work of the Attorney General, Mark Speakman, when this important legislation was introduced into the other House last week. We have passed nation-leading affirmative consent reform in this State, with the new laws commencing on 1 June this year—that is in place now. We have introduced five new jury directions to address common misconceptions about consent.

Finally, we have banned self-represented people accused of domestic violence in criminal and related proceedings from directly cross-examining domestic violence complainants. They will not be able to continue to intimidate them. We recognise that there is still a long way to go, which is why our Government is also developing statewide plans to address domestic, family and sexual violence that will respond to and align with the national plan. I am proud to be part of the Perrottet Government; it is leading the nation in implementing support for domestic and family violence victim-survivors and setting the standard of care for all to follow. Under the Liberal-Nationals Government, New South Wales has led the country on a range of measures to support women's safety.

CLIMATE CHANGE AND EMISSIONS REDUCTION

Mr JUSTIN FIELD (16:44): My question is directed to the Hon. Damien Tudehope, representing the Treasurer. How can the Government claim to have a credible climate change and emissions reduction policy when, according to its own forecasts, emissions from agriculture, industrial processes and land use change are expected to rise between now and 2030 and continue to climb to 2050, while all other sectors, other than electricity generation, are flat or decline only marginally? How can New South Wales reach net zero when the Government's policies will see emissions failing to decline or even growing in some sectors?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:45): The New South Wales Government is about providing a better future for our children. I thank the member for his question. The New South Wales Government has some of the most ambitious emissions reduction policies in the country. In 2016 New South Wales was one of the first jurisdictions in the world to commit to achieving net zero emissions by 2050. Last year the New South Wales Government set an additional target of halving New South Wales emissions compared to 2005 levels by 2030. New South Wales is on track to meet its 2030 target under current policy settings. The *Net Zero Plan Stage 1: 2020-2030* and related policies are projected to reduce emissions by up to 47-52 per cent below 2005 levels by 2030.

The first stage of the plan will also attract up to \$37 billion in private investment in the State and support more than 9,000 jobs. Under the Net Zero Plan, the New South Wales Government has released nation-leading policies. For example, the NSW Electricity Infrastructure Roadmap will deliver a modern energy system for the State and reduce emissions by 90 million tonnes by 2030. This Government is addressing emissions from industrial processes through the Net Zero Industry and Innovation Program, and it is investing more than \$1 billion to help reduce emissions from the New South Wales industrial sector and invest in new clean technologies for the future. The Government is addressing hard-to-abate emissions and ensuring New South Wales industry continues to thrive in the decades ahead, as the world moves to net zero. The NSW Hydrogen Strategy sets out a path for developing a thriving green hydrogen industry in New South Wales.

The New South Wales Government's Primary Industries Productivity and Abatement program is addressing emissions from agriculture. It will support farmers and land managers across the State to access environmental markets, reduce their emissions and enhance biodiversity on their land alongside production. I am advised the forecasts referred to by the honourable member are given for base case and current policy scenarios. The projections do not take into account government policies introduced after 2021 or future government action to be introduced under stages 2 and 3 of the Net Zero Plan, which will cover the 2030s and 2040s respectively. Stages 2 and 3 of the Net Zero Plan will be developed closer to 2030 and 2040 to account for technological and economic changes, given the rapid pace of development in these areas. I wish to assure the member that the Government not only has ambitious emissions reduction targets, but we also have the policies needed to achieve our targets, with the initial focus being on the current decade up to 2030. [*Time expired.*]

Mr JUSTIN FIELD (16:48): I ask a supplementary question. According to the Government's own forecasts, emissions in industry and agriculture are set to rise. The Minister indicated in his answer that emissions reduction forecasts are not yet produced in the Government's figures for programs announced after 2021. Will the Minister elucidate his answer and advise when the emissions reduction forecasts for the Net Zero Industry and Innovation Program, the NSW Hydrogen Strategy, and the Primary Industries Productivity and Abatement program will be announced?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:49): I thank the member for his supplementary question, which I will take on notice.

The Hon. MARK LATHAM (16:49): I ask a second supplementary question. Will the Minister elaborate on his comment about emission reductions in the electricity sector? How much further will the emissions fall if the Australian Energy Market Operator's forecasted blackouts in New South Wales in 2025 are realised and the economy grinds to a halt?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:49): I thank the member for his question. I will take it on notice as I am not the Minister for Energy and I think it is appropriate that he answer the question.

HIGH SCHOOLS AND MOBILE PHONES POLICY

The Hon. COURTNEY HOUSSOS (16:50): My question without notice is directed to the Minister for Education and Early Learning. Given evidence from schools such as Davidson and Cootamundra high schools that banning mobile phones in schools improves socialisation, reduces cyberbullying and improves academic outcomes, and given that her Government is presiding over the fastest falling educational outcomes in the world, why will she not ban mobile phones in all public high schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:50): I thank the honourable member for her Dixie—for her question in relation to mobile phone policy. I am pleased to hear the member mention Cowra High School. I think that is the fourth mention of a regional school today, which is double the number of times the Leader of the Opposition mentioned regional New South Wales in his speech on the weekend. It is interesting that members opposite are asking about regional communities when they got rid of the only decent regional MP sitting on that side of the Chamber, who has been replaced by a Potts Point lawyer. They want to talk about the regions. Let's go.

The Hon. Courtney Houssos: Point of order: I asked a very specific question, calling on the Minister to ban mobile phones in all public schools. I ask that you ask her to provide us with an answer to that very important question.

[A member interjected.]

The Hon. SARAH MITCHELL: I acknowledge that interjection. We have been clear about our policy on mobile phones in schools. We have a ban in place for our primary schools. In our high schools, we let principals work with their school communities for what suits their local contexts. The member has highlighted two schools, Davidson and Cowra, where we have done this, which is proof that our policy is working. I visit school communities all the time and work with principals who make those decisions in their schools' contexts and they find ways that suit them.

I have spoken about this many times. A few elements are important for high schools. Thinking that a blanket, one-size-fits-all approach is the best way to address any issues with social media or kids' behaviour is just not right. We have to work with school communities and get buy-in. It is important that young people, particularly teenagers, understand the balance between using technology responsibly and using it for an educational purpose. One thing we found out during the pandemic is that a lot of kids do not have tablets or laptops. Sometimes the phone is their only device.

The Hon. Courtney Houssos: So allow them for educational reasons.

The Hon. SARAH MITCHELL: I acknowledge that interjection, because that is the point. The member who asked the question just said, "Well, allow them for educational purposes." Is it a ban or not? This is what they do. On the day that the Leader of the Opposition announced it, he said it is a complete ban. The next thing he said was that kids are allowed to have it if there is an exceptional circumstance or for an educational purpose or if they might need their mobile phone after school, which is what we have in place now. We work with the school principal, who asks, "What suits our school community? How do we make this work?"

The overwhelming majority of schools have restrictions. Every high school must have a mobile phone policy. The idea that members opposite are suggesting, that that is different to what is in place, once again is wrong. They make these great announcements, pat themselves on the back because they get a headline, and then it is watered down to have all of these exemptions, which is the status quo. I am happy to talk about this any day of the week. The reality is we trust our schools and our principals to make this work in their local contexts. *[Time expired.]*

The Hon. COURTNEY HOUSSOS (16:53): I ask a supplementary question. Will the Minister elucidate that part of her answer when she spoke about how the overwhelming proportion of schools already have a ban in place and provide us with how she comes to that conclusion? What information has been provided by schools in order for her to formulate that position?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:54): When we did the review of policy in 2018, advice was sought from our school communities in terms of the restrictions or guidelines they had in place. Also, last week the House passed an order for papers under Standing Order 52, which are due to be delivered soon. I am happy for the member to refer to those documents when they are provided.

SOCIAL AND AFFORDABLE HOUSING

The Hon. TAYLOR MARTIN (16:54): My question is addressed to the Minister for Families and Communities, and Minister for Disability Services. Will the Minister update the House on how the Government is delivering more social and affordable housing in New South Wales?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:55): I thank the honourable member for his question. Supporting people to obtain secure, stable and long-term housing is the key objective of the New South Wales Liberal-Nationals Government's housing and homelessness policies. We continue to invest more in social housing than any other State or Territory. In fact, our housing portfolio has increased by 10 per cent over the past 10 years. We are well ahead of any other jurisdiction and more than double the national increase, which is only 4 per cent. We are investing \$2.8 billion as part of this year's housing package to support greater opportunities for home ownership and helping our most vulnerable to access safe and secure housing.

This financial year alone, we are investing \$1.2 billion across social housing and homelessness programs, including the construction of new social and affordable homes. In October last year, the Government announced \$183 million in funding across our COVID-19 economic recovery package to fast-track more than 1,400 new social homes over the next two years. Building on this is our \$300 million investment announced in this year's budget, which will see vital upgrades to almost 16,000 homes. Through the Community Housing Innovation Fund, \$152.5 million is being invested to deliver 700 social and affordable dwellings in collaboration with community housing providers across New South Wales. Only yesterday I was in Port Kembla with Anglicare to announce the start of construction at the old Steelworks Hotel. It is a \$10.5 million investment that will provide 30 social housing dwellings for seniors in the area, close to shops and services. What is also great about this new project is that it will create 1,000 jobs during construction.

Last month I had the opportunity, along with Minister Ward and the member for East Hills, Wendy Lindsay, to announce \$2.8 million for new homes for at-risk women in Bankstown. The property will provide seven units to support the women. It was great to talk not only to the women who will be using these but also to the NGOs who are providing some of the wraparound support, particularly Muslim Women Australia, who is working from a multicultural perspective to support those women. We are transforming the social housing system as part of our Future Directions for Social Housing in NSW strategy. We are investing in and delivering more houses through Communities Plus and also the Social and Affordable Housing Fund. Over 3,000 of the 3,486 properties we have committed to have already been delivered.

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

The Hon. NATASHA MACLAREN-JONES: The rest are on track to be delivered. That includes over 1,400 dwellings targeted at older people across New South Wales, along with 232 dwellings targeted specifically at older women. Since 2020 around \$1.3 billion of new funding has been allocated to property renewal, delivery of new social homes, and bringing forward maintenance and upgrades to existing social homes, including in our flood-affected areas.

HUNTER VALLEY COMPULSORY LAND ACQUISITIONS

Ms ABIGAIL BOYD (16:58): My question is directed to the Minister for Regional Transport and Roads. Landholders in the Hunter Valley who are having their homes compulsorily acquired for the much-touted New England Highway upgrade are claiming Transport for NSW is systemically undervaluing their properties in the acquisition offers, consistent with the findings of the inquiry I chaired, which discovered a culture of harassment, bullying and strategic slow walking from Transport for NSW when acquiring properties for transport projects. What is the Minister doing to advocate for the landowners in the Hunter Valley who are at the receiving end of this poor treatment from his Government?

The Hon. Scott Barrett: Point of order: That question, surely, was laced with inappropriate argument.

The PRESIDENT: Let me have a moment to read the question. I do not believe that it was laced with argument. The question made a number of statements that were part of an inquiry held by a committee of this House. I will allow the question. The Minister has the call.

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (16:59): I thank the member for her question. This Government has a commitment to build a very important infrastructure and roads pipeline for this State—a \$19.4 billion pipeline, which was referred to in the question. The processes that we have around the compulsory acquisition Act are very rigid. If you are going to build legacy infrastructure, you have to acquire land. I am more than happy to take on notice specific examples around harassment and behaviour. Any

member who has a constituent that has a concern around the compulsory acquisition process or the proposed acquisition notices—

Ms Abigail Boyd: Read the report.

The Hon. SAM FARRAWAY: Ms Abigail Boyd has referred to the inquiry—should raise it with my office. Members of this place have done that.

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

The Hon. SAM FARRAWAY: Members of this place have raised specific examples of property acquisition processes when we build infrastructure. I have taken those representations seriously. There are limitations to what the Minister can do around the compulsory acquisition process. It is a very rigid process. It is one that is at arm's length from the Minister, for very good reason. A Minister for infrastructure, roads or infrastructure should not be dealing with the acquisition of property. This is not the old 16 cold, hard years of Labor when Ministers were diddling in the till around deals for people. It is not the Eddie Obeid show in the Hunter Valley. We have processes and we stick to those processes.

I acknowledge that when we build legacy infrastructure we have to acquire the land. We have some very rigid processes. But I accept that, for people that have to have the land compulsorily acquired, it is more than just land to them; it is their home. If there are specific examples that the member wishes to raise with me, my door is open. I am more than happy to meet with the member this week. I am meeting with other members in this place on this very topic. But there are very rigid processes in place for a very good reason. Again, this is not the Eddie Obeid show where Ministers get involved in direct contract negotiations around the acquisition of property or anything associated with an infrastructure build. I am happy to meet with the member on the specific topics raised.

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

NOWRA HOMELESS SHELTER

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (17:02): In response to a supplementary question from Ms Cate Faehrmann in relation to Salt Care, I have reviewed the correspondence that I have received and they are not requesting one month of support.

NORTHERN TABLELANDS ELECTORATE TEACHER STAFFING

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (17:03): Earlier in question time the Hon. John Graham asked me a question about vacancies in the Northern Tablelands electorate. I think in his question he said 100 vacancies or about that amount. I put on record that I checked and I have an update. We have 61.2 vacancies across 58 schools in the Northern Tablelands. Thirty-one schools have no vacancies; 11 schools have one and only 16 have two or more. That goes to my answer where I talked about providing very specific and targeted support to schools that need it when it comes to their staffing challenges.

Supplementary Questions for Written Answers

SCHOOL INFRASTRUCTURE

The Hon. COURTNEY HOUSSOS (17:03): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Will the Minister elucidate her answer and provide a list of how many new preschools and childcare centres have been built by the Liberal-Nationals Government since 2011, with a breakdown by calendar year?

CLIMATE CHANGE AND EMISSIONS REDUCTIONS

Mr JUSTIN FIELD (17:04): My supplementary question for written answer is directed to the Treasurer. Has the Government modelled emissions reductions for the Net Zero Industry and Innovation Program, the Hydrogen Strategy and the Productivity and Abatement program, as mentioned by the Minister? If yes, what are the forecast emissions reductions or targeted emissions reductions for each program for each year to 2050? If no, on what basis is the Government using these programs as evidence of its net zero emissions plan?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. COURTNEY HOUSSOS: I move:

That the House take note of answers to questions.

TEACHER PERMANENT EMPLOYMENT

The Hon. COURTNEY HOUSSOS (17:04): Today we asked a number of questions of the Minister for Education and Early Learning right across the portfolio, highlighting the many problems and challenges that are facing our New South Wales public schools. I will speak about two specifically. One is temporary teachers and the announcement, with some pretty convenient timing, by the Minister on the weekend. Within 12 hours of NSW Labor outlining that it would convert 10,000 temporary teaching positions into permanent teaching positions, the Minister whipped around quickly and managed to conveniently announce the same thing.

Over the past 12 years, the number of temporary teachers in this State has ballooned. One in three teachers is now in a temporary teaching position. Teaching used to be a permanent job that allowed you to plan your life. You could take out a mortgage, have some children and build your life around it. It used to be common for teachers to move around the State or to regional areas because this was a permanent job that allowed you to plan your life. Today, in 2022, the picture could not be more different. The reality is that 37 per cent of the positions within our public schools are temporary teaching positions. That means that teachers have no idea about whether they have a job into the next calendar year. They cannot apply for a mortgage. They cannot buy a home. They have no ability to move around the State because they do not know if they are going to have a job in the next financial year. Worst of all is that many of those teachers—a large proportion are women—are not entitled to maternity or paternity leave. That is ridiculous. In 12 years under this Government, that is what has happened to our teaching profession.

It is pretty remarkable and convenient that after 12 years Government members manage to turn the announcement around just because Labor announced its policy. I call on the Minister to adopt another one of our policies, which is to ban mobile phones in public schools. We have a trial program in place in Davidson and Cootamundra high schools. We know that banning mobile phones improves socialisation, reduces cyberbullying and will improve academic outcomes. With the fastest falling education outcomes in the world, this is one step we could take to ensure that our kids get the education they should be entitled to in New South Wales public schools. [*Time expired.*]

DOMESTIC AND FAMILY VIOLENCE

The Hon. LOU AMATO (17:07): I take note of Minister Ward's answer to a question asked during question time today. The Perrottet Government remains strongly committed to ending violence against women and children. Yesterday, 17 October 2022, marked the launch in Melbourne of the *National Plan to End Violence against Women and Children 2022-2032*. The Perrottet-Toole Government is proud to have been involved in the development of the national plan. We have a proud record of reform and investment in this area, including our landmark investment of \$426.6 million over four years to upgrade, deliver and operate additional women's refuges. Our Government is also developing statewide plans to address domestic, family and sexual violence, which will respond to and align with the national plan.

In New South Wales we have doubled domestic and family violence leave for government sector employees from 10 days to 20 days. We are also delivering on our commitment to criminalise coercive control in intimate partner relationships. We have passed nation-leading affirmative consent reform in this State from 1 June this year; introduced five new jury directions to address common misconceptions about consent; and banned self-represented people accused of domestic violence in criminal and related proceedings from directly cross-examining domestic violence complainants. The Perrottet Government is leading the way in implementing support for domestic and family violence victim-survivors.

KOALA POPULATION

Ms SUE HIGGINSON (17:09): I take note of an answer given by the Hon. Ben Franklin, representing the environment Minister, regarding the former environment Minister Matt Kean's promise that he would double koala populations by 2050. It is time to call this for what it is: rubbish. We need to look at what is happening. It was a promise that was made and that has been broken, and it is deadly serious. All we have to do is look at the Government's agenda right now. The Cumberland Plain Conservation Plan is going to destroy koala habitat and populations in western Sydney. Allowing the Mirvac and other developments in north and south-west Sydney will decimate vital koala habitat. There is the continued industrial-scale logging of our public forest estate, including areas of regional koala significance that have been identified by the Government's own department as being in need of protection to allow koalas to survive.

This Government has introduced wholesale destructive laws to log our private forests, including koala habitat. It has invested \$28 million to encourage the logging of these forests on private land, which form a vital mechanism for koalas to survive—not double but just survive. We heard from the Government in the other place just last week. The member for Oxley thinks that all of our public native interests are plantations. She said that

the science showed that, after the dreadful fires, trees started to grow again and koalas absolutely gorged themselves, and that koalas are thriving. That is wrong. It is not true. Five thousand koalas died—potentially two out of every three—and those that did not die in those catastrophic fires were left sick, dehydrated or starving.

This year the koala was listed as endangered. We know that the Government's policies are not doubling the koala populations. So what is Matt Kean's promise? What is his plan and this Government's plan? The member spoke of plans and money. Well, koalas cannot live in a plan and they do not eat money. Matt Kean promised he would double koala populations but the Government is without a plan to implement that promise. Right now the only possibility of Matt Kean doubling koala populations is if he stands there with a mirror in front of them. That is the only mechanism that he can engage in right now. [*Time expired.*]

RAIL, TRAM AND BUS UNION STRIKES

The Hon. MARK BUTTIGIEG (17:12): Yet again, another take-note debate; yet again, another crack at working people who are trying to fight for their conditions and the safety of our rail network—this must be the tenth time that the Leader of the Government in this House has raised the spectre of the train dispute in question time. It is so transparent. Those opposite wish this dispute would go on and on. We are on the cusp of an election. There has been scandal after scandal. In its death throes, the beleaguered Government, which cannot put policy together, has introduced a new tax policy on the eve of an election. It needs a distraction badly and knows it, and it thinks the train dispute is the silver bullet.

I remind members of the original iteration of this strike, when those opposite tried to argue that the whole rail network was shut down when the Rail, Tram and Bus Union [RTBU] only shut 10 per cent of services. That did not work. Then they tried to take the RTBU to the Industrial Relations Commission. The RTBU actually pulled back from action so that there were full services running. Then those opposite got angry because the RTBU decided that it would run the trains on time and try to give the public free trips as part of the industrial action. Of course that annoyed the Leader of the Government because it did not fit in with the narrative Government members want to pursue, which is that the union is shutting down the rail network to upset consumers.

Now the union has gone to the Fair Work Commission and applied for what is known as protected industrial action—that is, it has balloted all its members and asked, "Do you want to go on strike and use the shutting down of the Opal card readers as a legitimate action?" And the answer was—democratically voted for—yes. That was taken to the Fair Work Commission. But the Leader of the Government tries to say, "If you do this, and this is unprotected industrial action, we will go after you." Those workers will not be intimidated. The New South Wales public will not fall for the con that the Government is trying to perpetrate to get itself off the hook on the eve of an election that it knows it is in the gun for.

It is very simple. If those opposite are really serious about resolving the dispute, they should fix the safety issues on the new intercity fleet and not make it contingent on signing the enterprise agreement. If they were really genuine, they would have fixed the issues and then negotiated the enterprise agreement separately. But they do not want to do that. They want to join the two so that there is a continued, protracted industrial dispute and so that they can blame the workers for trains not running on time. It is not going to plan. It is not going to work. That is why the Leader of the Government raises it every question time. [*Time expired.*]

PUBLIC TRANSPORT SAFETY

The Hon. AILEEN MacDONALD (17:16): I take note of the answer given by the Minister for Finance, the Minister for Employee Relations and the Leader of the Government to a question about the New South Wales Government's response to threats from union officials to misuse safety equipment at train stations and deprive the people of New South Wales of public transport revenue. Imagine the staff in a busy restaurant shutting down the till indefinitely as a supposed protest. It would not be long before there was no money to pay them.

The cynical and childish claim by Alex Claassens that, by illegally using the emergency egress button to disable the Opal readers, he is treating afternoon commuters is apparently just fine with Mr Minns and those opposite. Mr Claassens' belated resignation from the administrative committee of the Labor Party does not change the reality that the year of the strike disrupting the lives of the good people of New South Wales is a Labor unions election stunt. I support the Minister's response that the New South Wales Government will seek damages from the rail unions in the Federal Court if they push ahead with planned industrial action this week.

CLIMATE CHANGE AND EMISSIONS REDUCTION

Mr JUSTIN FIELD (17:17): It is time we had a good look at this Government's record on climate change. The Government is trying to make a virtue of its position and policies on climate. Despite its rhetoric, I think we should take a better look. The reality is that the position of the New South Wales Coalition is no better than that

of the former Federal Coalition Government. It is nothing but an aspirational, non-binding target for net zero emissions by 2050 and a 50 per cent reduction by 2030.

Let us be clear: The world has moved on. Other State governments have moved on. The current Federal Government has moved on. However, let us look in a little more detail at the New South Wales Coalition's target of 50 per cent by 2030 and net zero by 2050. It recently published, in response to questions at budget estimates, its projections for every sector of the economy to 2050. If members look at the details of those projections carefully, they will find that the reality is that every industry sector, other than electricity generation, is either flat or rising in emissions—not just between now and 2030 but also between 2030 and 2050.

Government members say that they have announced a range of projects and programs to address that. But none of the projects and programs that have been announced since 2021 have featured in the projections, so they have therefore not yet been factored in. But they will do the heavy lifting in emissions reduction. But why announce multibillion-dollar projects to reduce industrial and agricultural emissions, in particular, if they have not modelled or forecast the emissions reductions that the billions in public money will achieve?

Matt Kean has put a glossy spin on what is really just the existing closure time line for commercial coal-fired power stations in New South Wales. He has dressed up the planned closure by the owners of coal-fired power stations, and he has described it as a New South Wales climate policy. On every other measure, there is no plan. We have but a few years left—eight years left—to get emissions on a trajectory to net zero. It needs to be there long before 2050 if we are to have any chance of avoiding catastrophic climate change. What has been done so far by this Government is not enough, and the next Parliament needs real climate champions. The Coalition has failed to take the climate challenge seriously.

TEACHER PERMANENT EMPLOYMENT

The Hon. SCOTT BARRETT (17:20:36): We heard a lot of chat about teachers and education, and I do not think it is a secret that we need more teachers. Everywhere we go we need more teachers; we also need more carpenters, shop assistants, shearers, bar staff and baristas. Right across the State we need more staff in most, if not all, of our professions. There are not many shops in regional New South Wales without a "help wanted" sign out the front, and that is one of the first things that everyone we speak to brings up.

Right now a big mob of kids are sitting their HSC across the State, and we wish them all the best. Soon it will be time for those kids to consider their future. I ask as many of them as possible to consider teaching, which is a wonderful profession. My family is full of teachers—my mum, my sister and both my wife's parents are teachers, so I am surrounded by teachers, and of course I knew many good teachers when I was growing up. It is a wonderful profession that has a great influence on kids as they are growing up.

Despite what members hear, the teaching profession is getting better. The decluttering of the curriculum to make it simpler is rolling out next year. An online hub with evidence-based curriculum resources, lesson plans and assessments is due to go live in the coming weeks. We are also on track to hit our target of a 20 per cent reduction in red tape and admin for our teachers by the end of the year. It truly is a great profession, and teachers play a very important role in our lives. I encourage those kids who are soon to be making those decisions to consider teaching as their future option.

In considering that, of course I will tell them to consider teaching in regional New South Wales. Where else would they want to be? Regional New South Wales is getting better every single day, and it truly is a wonderful place to live. The facilities out there are all world-class. The youth hub in Nyngan is just spectacular, and I went out and saw that great facility the other day. Jubilee Oval in Broken Hill is one of our world-class sporting grounds. We are looking at \$5 million upgrades to the conservatorium in Orange, a wonderful facility. I know both the Ministers in the Chamber have been to the splash park in Warren, another wonderful facility.

What all those facilities have in common is that they were all funded by this Government and supported by The Nationals in government. Our roads are getting better, our health system is amongst the best in the world and people in regional New South Wales are the best type of people. I encourage everyone to consider a career in teaching, and I also encourage those people to consider building their teaching career in regional New South Wales—which is by far the best place to live, work and raise a family.

NOWRA HOMELESS SHELTER

The Hon. ROSE JACKSON (17:23): I take note of the answers given by the Minister for Families and Communities about the housing crisis in New South Wales. It was quite unbelievable that she decided of her own volition to spruik the social and affordable housing credentials of the New South Wales Government, considering the facts, but the story of Safe Shelter Shoalhaven illustrates just how misleading and misled the Minister is. That homelessness service in Nowra, which is now closed, has been operating in the South Coast region for five years.

It is supported by over 250 volunteers and countless local businesses, who give their services to Safe Shelter Shoalhaven for free.

The South Coast of New South Wales has an escalating homelessness crisis, and the demand is overwhelming. The local members down there are constantly contacted by people in desperate need of safe, stable and secure housing, so Safe Shelter Shoalhaven closing is a real blow to that community. It has helped 850 families and individuals and provided 16,000 beds, and not just beds but also showers and meals. People are referred to it by the New South Wales Government. The Department of Communities and Justice, police, corrections and hospitals are constantly contacting Safe Shelter Shoalhaven and asking it to assist people in need in the community.

It is true that they did not just want a one-month extension; they want to remain open permanently to support that community. In an era when billions of dollars are spent on dam wall raising projects that will not even stop flooding and when \$250 million is mooted to be spent on a flagpole, all Safe Shelter Shoalhaven wants is \$255,000 a year to remain open and continue providing desperately needed assistance to people in Nowra and on the South Coast. The New South Wales Government cannot even come up with that.

The Minister mentioned her visit to the Shoalhaven Homeless Hub, and I have also been there. When I visited, staff were talking to me about the fact that they are not even funded to be open five days a week. The service that she touted as a great example of the support the Government was providing to that community in fact raised with me the desperate need for a mere tens of thousands of dollars in extra funding so that people at least had a five-days-a-week homeless hub. The New South Wales Government has abandoned the people of the South Coast of New South Wales to an increasingly serious homelessness crisis and cannot even fund the most basic services to remain open.

The Hon. Anthony D'Adam: Mr Deputy President—

The Hon. Shayne Mallard: Mr Deputy President—

The DEPUTY PRESIDENT (The Hon. Wes Fang): I call the Hon. Shayne Mallard. There will be enough time for Opposition contributions to the take-note debate.

The Hon. Shayne Mallard: We just had a Labor speaker.

The Hon. Anthony D'Adam: No, you jumped a speaker, Mr Deputy President. The Opposition has the next speaker.

The DEPUTY PRESIDENT (The Hon. Wes Fang): It is up to the Chair who has the call, and the Hon. Anthony D'Adam will have time to make his contribution.

PUBLIC TRANSPORT SAFETY

RAIL, TRAM AND BUS UNION STRIKES

The Hon. SHAYNE MALLARD (17:26): I am not surprised Opposition members are trying to silence me. I take note of the answer given by Minister Tudehope to the first question, regarding the sabotage of the safety of our rail system and the inconvenience to the citizens of New South Wales by the Rail, Tram and Bus Union [RTBU] and its long-running dispute with the Government—which it does not seek to resolve, contrary to what we heard from another speaker before. It continues to publicly flout its proposal to sabotage and vandalise the equipment at the railway stations so that people who would choose to use their card to pay their fare, because they do not support the rail unions, cannot do that at all. We will hear how that turns out.

It seems that those opposite either do not understand what the policy is or perhaps did not get their facts right. The Leader of the Opposition, who they should be standing behind, knows that the public are sick of the childish and destructive behaviour of the RTBU. He claims not to be taking sides in this dispute, and he has said it quite a few times in the media. But did he, along with the Leader of the Opposition in the Legislative Council and those sitting on the benches opposite, stand up in a standing ovation at the conference on the weekend for the announcement of Mr Claassens' retirement? He got a standing ovation.

Those opposite stood and applauded a person who is destroying and sabotaging our rail system. They stood and applauded someone who is a thug. What else did they do at the conference? How about this one: The former Greens member—The Greens are not here to hear this—Stalin lover and admirer of North Korea Jay Tharappel had his Labor Party membership approved by the administration committee.

The Hon. Anthony D'Adam: Point of order: There was no mention of this issue in the answers to questions that were taken during question time. This is a take-note debate, where members have the opportunity to refer to the answers that are made by Ministers to questions asked during question time.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Standing orders have been amended to allow contributions to be wider. The Hon. Shayne Mallard has the call.

The Hon. SHAYNE MALLARD: That was a good attempt to waste my time, because members opposite do not want to hear this. The media reported on the weekend, and I think again today, that a former member of The Greens has been admitted back into the Labor Party and that Mr Claassens' committee approved it. The administration committee approved it.

The Hon. Penny Sharpe: Point of order: This is a take-note debate on the answers given. There was no answer that referred to this matter.

The Hon. SHAYNE MALLARD: The linkage is Mr Claassens.

The Hon. Penny Sharpe: It is well and truly outside—

The DEPUTY PRESIDENT (The Hon. Wes Fang): The member's time has expired.

TEACHER PERMANENT EMPLOYMENT

The Hon. ANTHONY D'ADAM (17:30): I take note of the answer from the Minister for Education and Early Learning on the Government's announcement about the conversion of teaching and support staff from temporary positions to permanent positions. For 12 years this Government has presided over deteriorating job security in the public school system. Continuing job insecurity is the record of this Government: That is what it has presided over. Now, at the last moment, as the Government is in its death throes, it decides to do something about temporary employment in public education. Labor has raised this issue over and over again in the Chamber and in every forum of this Parliament. Now, all of a sudden, members of the Government have started hearing the message. They think, "Okay, Labor makes an announcement; we're going to respond."

When a government starts to dance to the tune of the Opposition, you know you have it on the run. The Government is following Labor, because Labor is offering leadership on this issue. Only Labor will be able to solve the problem. I make another point about the ill-considered announcement made by the Minister on the weekend in response to Labor's tremendous announcement. Rather than actually improving the situation, what the Minister has done by making an ill-considered, reactive announcement to try to combat Labor's excellent initiative is to make the problem much worse. The department has told all of these teachers that they have to go back to their substantive positions. There has been an increase in the anxiety being experienced by teaching staff as a result—

The Hon. Shayne Mallard: Created by you guys.

The Hon. ANTHONY D'ADAM: No. Our policy was to be implemented after the State election, not five minutes after it was announced. It was after much consultation with the union. That is the way to do policy, not the way that the Government has announced it. The Government announcement has done damage rather than improve the situation.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. TAYLOR MARTIN (17:32): I particularly take note of the answer given by the Minister for Families and Communities in response to the question I asked, which the shadow Minister touched on earlier. The Government is improving processes, innovating and partnering more to enhance the delivery and sustainability of the social and affordable housing system. That is what the Government has done over the past decade. New South Wales now has the most social housing in Australia. To make the point, that is more than the combined totals of Victoria and Queensland together, with over 157,000 social homes throughout New South Wales.

The Government is delivering the largest social housing building program of any State or Territory across the country. This includes a large-scale renewal and redevelopment program across metropolitan and regional New South Wales—from western Sydney to Wagga Wagga, from Cooma to Coffs Harbour and beyond—delivering more social and affordable homes that are better designed to match needs than they ever have been before. Future Directions is transforming the social housing system through programs such as Communities Plus and the Social and Affordable Housing Fund. That strategy in particular underpins a significant shift in the direction of social housing policy since 2011. It positions the social housing system as an instrument for breaking the cycle of disadvantage for some of our most vulnerable citizens, serving as a pathway towards housing independence. As at 30 June 2022, the Social and Affordable Housing Fund has delivered 3,020 new social and affordable dwellings across New South Wales.

The Community Housing Innovation Fund [CHIF] is a \$152.5 million program delivering more than 700 social and affordable housing dwellings in collaboration with community housing providers across New South Wales, who are doing such a great job. The first stage of the CHIF will deliver 171 new dwellings,

comprising 108 social housing and 63 other housing types, including affordable to rent, affordable to buy and transitional housing, by December 2023. From the CHIF, \$52.5 million will provide approximately 200 sustainable social and affordable housing dwellings for women experiencing domestic and family violence over the course of the next four years, and \$50 million will be allocated for 14 approved projects that will deliver more than 270 social and affordable housing properties valued at approximately \$116 million.

In the next financial year, the New South Wales Government will invest \$1.2 billion in recurring expenses and \$8 million in capital expenditure for homelessness and social and affordable housing programs through the Stronger Communities cluster. The Together Home program, which targets people experiencing homelessness, now has a budget of \$177.5 million. I could go on and on, as we heard in question time from the Minister. [*Time expired.*]

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

Motion agreed to.

Deferred Answers

GREYHOUND MILLION DOLLAR CHASE PRIZE MONEY

In reply to **the Hon. MARK PEARSON** (20 September 2022).

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

No.

TIMBER INDUSTRY AND FLOOD RELIEF

In reply to **the Hon. MARK BANASIAK** (20 September 2022).

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

The \$10 million Hardwood Timber Haulage Subsidy Program will cover the cost for businesses to transport materials from outside their existing supply areas and get them into processing facilities.

The funding boost, \$30 per tonne for the transport of construction grade timber, keeps locals - including timber harvest and haulage contractors - in jobs while supplying high-quality timber for the construction industry.

Similarly, the recently announced \$100 million Critical Producer Grant Program will help get private native forestry and plantation operators back on their feet, thereby enabling harvest and haul contractors to keep working.

Those contractors that are small businesses also qualify for a range of assistance measures depending on whether they are directly impacted or indirectly impacted businesses. These can be accessed through Service NSW.

BRUMBY WELFARE

In reply to **the Hon. EMMA HURST** (20 September 2022).

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

Control of wild horses in Kosciuszko National Park occurs in accordance with the adopted Kosciuszko National Park Wild Horse Heritage Management Plan.

The plan requires, by law, that the National Parks and Wildlife Service [NPWS] reduces the number of wild horses in the park from over 14,000 to 3000 horses by 30 June 2027. Wild horses will remain in 32 per cent of the park in order to protect wild horse heritage values. However, the plan is clear that wild horse densities in those retention areas will need to be reduced in order to achieve the population reduction required.

To meet the legal obligations in the plan, NPWS must undertake a range of control methods. These include passive trapping, rehoming and ground shooting.

The passive trapping and rehoming of wild horses continue to be prioritised where it is practicable and consistent with the highest animal welfare standards. However, there are many areas in the park where it is not practical to safely conduct passive trapping operations. In addition, the number of horses that need to be removed to meet the target of 3,000 horses exceeds the capacity of rehoming.

In relation to the 11 wild horses, these horses were culled by NPWS using ground shooting in accordance with the highest animal welfare standards.

The RSPCA NSW has independently responded to complaints received in relation to the 11 horses. Its investigation found no evidence of a breach under the NSW Prevention of Cruelty to Animals Act 1979.

METROPOLITAN COLLIERY POLLUTION

In reply to **Ms SUE HIGGINSON** (21 September 2022).

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

In relation to the clean-up operations, the Environment Protection Authority [EPA] has advised that Metropolitan Collieries has removed approximately 4.5 tonnes of material from the banks of Camp Gully Creek. Work is continuing to remove coal material.

The EPA has also required Metropolitan Collieries to engage an independent professional with expertise in environmental incident response in freshwater environments to prepare the clean-up approach for material below the waterline. The clean-up approach in the water is challenging due to the nature of the coal material and the inaccessibility of the site.

Regarding the platypus release project, in April 2022, the project team made the decision to postpone the platypus release until 2023. The unprecedented rainfall experienced along the east coast in early 2022 impacted on both the release site and source populations. The postponement is precautionary and will enable any potential impacts to be assessed, and subject to the findings the reintroduction will then proceed.

ENERGY SUPPLY

In reply to **the Hon. MARK LATHAM** (21 September 2022).

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

On behalf of the Premier, I am advised that this question is best directed to the Treasurer, and Minister for Energy.

MULESING

In reply to **the Hon. MARK PEARSON** (21 September 2022).

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

Under the Prevention of Cruelty to Animals Act 1979, husbandry procedures such as mulesing must be carried out within defined age limits in a manner that inflicts no unnecessary pain upon the animal. The Government is supportive of industry-led initiatives to continuously improve animal welfare and protect sheep against flystrike.

Written Answers to Supplementary Questions

HOMELESSNESS

In reply to **the Hon. COURTNEY HOUSSOS** (13 October 2022).

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services)—The Minister provided the following response:

I am advised:

The New South Wales Government's priority is for everyone to have a safe and stable place to live.

In 2022-23 the New South Wales Government is investing \$1.2 billion towards a range of homelessness and social housing programs.

This includes \$394.8 million to deliver a range of homelessness services across New South Wales, including Specialist Homelessness Services [SHS] and NSW Homelessness Strategy initiatives.

The NSW Homelessness Strategy has a range of programs and initiatives and these include:

- The Social and Affordable Housing Fund
- The Community Housing Innovation Fund
- The Together Home program
- Specialist Homelessness Services
- Initiatives under the NSW Homelessness Strategy to help prevent people from becoming homeless or address concerns early.
- Regular Assertive Outreach to engage with people sleeping rough and help them access the right help.
- A range of rent assistance programs to support people to secure or maintain tenancies in the private rental market.

Work under the strategy is supporting implementation of the Premier's Priority to halve street sleeping across New South Wales by 2025, and the latest advice is that this objective is on track.

*Documents***TAFE NSW EQUINE COURSES****Return to Order**

The CLERK: According to the resolution of the House of Wednesday 10 August 2022, I table additional documents relating to an order for papers regarding equine courses at TAFE NSW Richmond, received this day from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

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

TAFE NSW CAMPUSES**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 10 August 2022, I table additional documents relating to a further order for papers regarding the sale of TAFE NSW campuses, received this day from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

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

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

The Hon. ANTHONY D'ADAM: I move:

That committee reports and Government responses orders of the day Nos 1 and 4 be postponed until the next sitting day.

Motion agreed to.

*Committees***STANDING COMMITTEE ON SOCIAL ISSUES****Report and Government Response**

Debate resumed from 24 March 2021.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Gay and Transgender hate crimes between 1970 and 2010 - Final Report* and the Government response, dated March 2021.

Motion agreed to.

PORTFOLIO COMMITTEE NO.4 - INDUSTRY**Report and Government Response**

Debate resumed from 13 May 2021.

The Hon. EMMA HURST (17:38): I speak to the Portfolio Committee No. 4 inquiry report entitled *Long-term sustainability of the dairy industry in New South Wales*. When the inquiry was set up, I was shocked to find that the terms of reference did not include any focus on the impact of the dairy industry on animals or the environment. This was clearly a major oversight. Even industry bodies have recognised that there are public concerns about animal cruelty in and environmental impacts of the dairy industry. These issues ended up coming up naturally through the course of the inquiry.

We heard about the serious detrimental impact that dairy has on the environment, contributing to the climate crisis through the production of harmful emissions. Even more distressingly, we heard about the terrible suffering of animals in the industry, from the repeated cycle of pregnancy, birth and separation of mothers from

their calves to the killing of male bobby calves, who are considered mere "wastage" in the industry, and the cruel procedures inflicted upon cows without pain relief.

I was particularly moved by the evidence of Ms Jackie Norman, a former dairy farmer who bravely told her story to the committee. She said that, from her years of experience, "a dairy cow had the most wretched, miserable life of any animal I had ever encountered". Consumers are increasingly turning away from dairy towards more humane and sustainable plant-based alternatives, including oat and macadamia milks, due to their concern about the treatment of animals and the environment. I was pleased that the inquiry quashed any suggestion that consumers are being "misled" about plant-based dairy alternatives, which is an angle often pushed by the industry and The Nationals. While the opinion of the Australian Competition and Consumer Commission on this alleged issue did not make it into the final report, I was interested to hear it at the hearing. The witness said:

It is one of those things where it is unlikely that it is going to be an issue. People can tell the difference between almond or oat or dairy milk pretty quickly. They are not likely to think when they are drinking almond milk that it is dairy milk. And frankly they would be paying a premium generally for the other milk products. They generally do that because that is their particular preference.

It is clear that the dairy industry is in decline. Throughout two days of the inquiry, the committee heard that the number of dairy farms in New South Wales is steadily declining. It heard that dairy farmers are struggling financially and that their mental health is suffering. It heard that younger workers do not even want to join the industry. It is astounding to me that, after hearing all of the evidence, the other members of the committee still believe the best solution is to prop up the dairy industry with taxpayer dollars. It is a futile exercise, especially when there is a much better solution in front of us. As we heard during the inquiry, Transformation programs are being set up around the world to assist animal agribusinesses, including dairy farms, to transition into more sustainable, plant-based agriculture industries.

Instead of propping up the dairy industry, the Government should urgently invest in research and development to figure out the best way for dairy farmers in New South Wales to make the transition into booming plant-based industries that are going to be profitable and sustainable in the long term. This is the way forward, and I was pleased that a recommendation about Government support to help farmers exit the industry was included in the final report. This recommendation directs the Government to consider the costs and practicalities of supporting farmers to transition out of the dying dairy industry and into other more sustainable, environmental and profitable industries. But the Government has so far failed to take any substantive action to fulfil this recommendation. That is a concerning failure from the New South Wales Government.

A strong investment in Transformation is critical and will do more to support individuals stuck in the dying dairy industry than any of the other recommendations put forward as part of the inquiry, including the recommendation that was blocked by the Animal Justice Party that would have supported the establishment of a statutory office for the NSW Fresh Milk and Dairy Advocate with its own budget. We should not be looking to the past and continuing to find new ways to prop up this dying industry. We must look to create a more profitable, sustainable and kinder future, and a Transformation program is the way to achieve that. A Transformation out of the dairy industry is the best thing we can do in the long term for animals, the environment and farmers.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ANTHONY D'ADAM: I move:

That committee reports and Government responses order of the day No. 5 be postponed until the next sitting day.

Motion agreed to.

Committees

PUBLIC ACCOUNTABILITY COMMITTEE

Report and Government Response

Debate resumed from 10 May 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Transport Asset Holding Entity*, dated April 2022, and the Government response, dated April 2022.

Motion agreed to.

SELECT COMMITTEE ON THE CORONIAL JURISDICTION IN NEW SOUTH WALES**Reports**

Debate resumed from 10 May 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Coronial Jurisdiction in New South Wales*, dated April 2022.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 2 - HEALTH**Report and Government Response**

Debate resumed from 10 May 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Health outcomes and access to health and hospital services in rural, regional and remote New South Wales* and the Government response, dated May 2022.

Motion agreed to.

JOINT STANDING COMMITTEE ON ROAD SAFETY**Reports**

Debate resumed from 19 May 2022.

The Hon. LOU AMATO (17:46): As Chair of the Joint Standing Committee on Road Safety, I speak on the report entitled *Mobile speed camera enforcement programs in NSW*, dated May 2022. Firstly, I thank my fellow committee members and the secretariat. I particularly acknowledge the dedication and support of Kieran Lewis and Sam Griffith from the Legislative Assembly committees staff. I also commend the New South Wales Government, which acted on the committee's findings by announcing the return of mobile speed camera signage. In November 2020 the New South Wales Government announced changes to the mobile speed camera program, including advance speed limit signs and the removal of portable warning signs and bright livery identifying mobile speed cameras. The Government also announced an increase in the number of mobile speed cameras and the hours of operation.

The implemented changes created an immediate spike in speeding enforcement notices. In February 2021 there were 27,985 infringements issued, in contrast with 1,859 fines from February 2020. The new mobile speed camera operation rules were not well received by the public. Many of the infringements issued were reported to be for speeds just one kilometre over the posted limit. The public outcry and subsequent media attention prompted the need to hold an inquiry into the mobile speed camera program. It was obvious that changes to the mobile speed camera enforcement program did not have the support of the public. The Staysafe committee resolved to conduct an inquiry to look into these changes, including safety concerns over the removal of speed camera warning signs, and get feedback from the people of New South Wales.

The inquiry received more than 1,400 submissions, which demonstrated a high level of community anger against the program. It was evident that the changes to the mobile speed camera program had lost community support and that the committee would need to formulate recommendations to reinstate community acceptance and trust in the program. During the hearings, Transport for NSW told the committee that the changes to the mobile speed camera program addressed recommendations made by the New South Wales Auditor-General in 2018. Transport for NSW also said that the changes aligned New South Wales with similar programs in other States, with the added message that drivers can be caught speeding anywhere and anytime by mobile speed cameras. However, evidence to the inquiry showed that the public opposed the removal of mobile speed camera signage, and the general perception was that signage removal did not deter speeding but in fact increased the incidence of low-range speeding, which was evidenced by a substantial spike in infringement notices.

The committee heard that having overt mobile speed camera operations with warning signs can help to educate road users and foster safer driving behaviour, and is seen as being fairer. The Hon. Duncan Gay, former New South Wales roads Minister, reinforced this view during a hearing conducted by the committee. During his tenure as roads Minister, all mobile speed cameras were fitted with high-visibility signage and livery to warn drivers to slow down. It was evident to the committee that opposition to the November 2020 changes could also be attributed to a lack of communication to the public about the changes to mobile speed camera operation.

The committee recommended that Transport for NSW consult and communicate more clearly and frequently with stakeholders—including the public, local councils and peak bodies—on issues such as mobile

speed camera operations, including criteria for areas designated for the use of mobile speed cameras. The committee made a number of recommendations that focus on improving communication and education about the program. The committee considers improved communication to be an important part of explaining the road safety function of the mobile speed camera program, especially when changes are made. This can help to increase understanding and acceptance of mobile speed cameras.

Shortly after the committee's hearings, it was announced in early December 2021 that, to address community concerns, retractable warning signs would be installed on detection vehicles. The committee viewed that this change may not go far enough to meet community expectations about the mobile speed camera program. The committee recommended that Transport for NSW make mobile speed camera operations sufficiently overt to address key community concerns, such as warning drivers of the legal speed limit before a mobile speed camera vehicle.

The committee heard about a number of other concerns relating to the program. Firstly, the committee heard views about the location of mobile speed cameras. A number of stakeholders told the committee that some of the locations selected for the cameras did not appear to be justified by crash or traffic data. This was of concern to the committee, as Transport for NSW stated that mobile speed camera locations are decided on criteria which includes crash history. The committee recommended that Transport for NSW adopt a more transparent policy criteria to be included in a public education campaign. The committee found that increased transparency could help to build public trust in the program. Secondly, the committee found that there is a lack of community awareness about what happens to mobile speed camera revenue.

The committee concluded that the general community and stakeholders would be more accepting of any mobile speed camera program if the public were aware that fine revenue from the program goes to the Community Road Safety Fund. It was evident from submissions received that the community was not aware that fine revenue is spent on road safety and saving lives, which further alienated public support of the program. The committee recommended that Transport for NSW include how the revenue is spent in a public education campaign. The committee hopes that its recommendations will strengthen community support for the mobile speed camera program so that, together with other speed management measures, our roads are safer. On behalf of the committee, I thank all those who made a submission and gave evidence in this inquiry. I commend the report to the House.

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

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - CUSTOMER SERVICE AND NATURAL RESOURCES

Report and Government Response

Debate resumed from 21 June 2022.

The Hon. EMMA HURST (17:53): I speak to the Portfolio Committee No. 4 report entitled *2021 Inquiry into the approved charitable organisations under the Prevention of Cruelty to Animals Act 1979*. This inquiry exposed what anyone working in the animal protection movement will already be able to tell you: that our animal cruelty enforcement system is failing, and it is failing for a very obvious reason. Every piece of criminal legislation in New South Wales is fully funded by the Government and is enforced by the NSW Police Force, except animal cruelty laws. Instead, crimes against animals are primarily investigated and prosecuted by private charities: the RSPCA and the Animal Welfare League. This makes animal protection legislation the only laws that require fundraising from the public to be enforced.

Imagine if the police had to hold a cupcake day to raise money to investigate drug labs, or a drink-driving charity had to organise a fun run to raise the money to investigate and charge people who caused accidents while driving under the influence. That sounds absurd because it is, and yet that is our system for enforcing animal cruelty laws in New South Wales. This inquiry exposed just how little the New South Wales Government is investing in animal cruelty enforcement. In the previous budget papers, the New South Wales Government gave \$47.9 million to greyhound racing and horseracing but less than \$500,000 to uphold State animal cruelty laws. As this inquiry exposed, the New South Wales Government provides an annual recurring grant of \$424,000 to RSPCA NSW and just \$75,000 to the Animal Welfare League NSW.

These grants have not increased since 2008, and nobody within the Department of Primary Industries could even figure out how that number was originally determined. What is very clear is that this minute amount of funding does not come close to what the charitable organisations are actually spending on enforcement of animal cruelty laws. During the inquiry we heard that it costs the Animal Welfare League \$2.5 million a year to run its inspectorate, which consists of six inspectors and administrative support. On top of this, the league also spends

an additional \$2 million a year on legal fees and costs of animal housing and care. The \$75,000 from the Government barely scrapes the surface and accounts for just 1.6 per cent of their inspectorate costs.

As for the RSPCA in New South Wales, we heard in this inquiry that it spent \$14 million to run and support its inspectorate, which consists of 38 inspectors. But realistically it needs more than \$14 million to run the inspectorate effectively without succumbing to the many issues—raised in this inquiry—that it is facing, including having to prioritise cruelty complaints and not attend to many of those that are received, as well as running a 24/7 cruelty complaints line, meaning that animal cruelty that occurs out of office hours could simply go ignored. Overall, the New South Wales Government funding was found to contribute just 3 per cent of RSPCA NSW inspectorate costs each year. This is simply unacceptable.

It is absurd that charities need to fundraise the majority of their costs in order to enforce criminal laws that are put in place by this Parliament. The result of this massive underfunding is enforcement bodies which are not meeting community expectations and are leaving many animals at risk. At the inquiry we heard that in the 2019 financial year RSPCA NSW received over 16,500 complaints of animal cruelty but was only able to initiate 77 prosecutions. We also heard that members of the community were unable to report cruelty urgently, given, as I have just stated, that the charities did not have sufficient staff to maintain a 24/7 cruelty complaint line. In terms of proactive inspections, we heard that from 2020 to 2021 RSPCA NSW and the Animal Welfare League NSW conducted a combined total of 213 routine inspections at places of animal trade. These inspections are meant to ensure animal welfare standards for over 70 million animals.

We also heard that neither charity receives separate funding for emergency response efforts and that they rarely have resources to provide basic services in rural and remote areas. Staff safety is impacted by the lack of funding. In addition to enormous workloads, resources are so stretched that inspectors routinely do not attend call-outs in pairs and sometimes must attend a call-out with no background knowledge of the situation. This is in contrast to the NSW Police Force, which always sends out officers in pairs, both for evidence-gathering and occupational health and safety purposes. This raises serious risks to staff safety when approaching people on private land who have potentially committed violent acts towards animals—and possibly even humans, as we know that there is a link between animal cruelty and human violence.

In addition to these serious consequences that arise from a lack of funding, the inquiry also considered issues relevant to reporting obligations by approved charitable organisations. Some of the issues with respect to reporting include: a lack of standardised reporting, which provides inconsistent data on an area of high public interest; a lack of sufficient detail in reporting, which obscures the public's ability to fully understand and assess the effectiveness of animal cruelty laws and enforcement; and insufficient oversight and public accountability for how money from New South Wales Government grants is spent.

In its final report, the committee made five recommendations. The first was a recommendation that the New South Wales Government urgently review funding for RSPCA NSW and the Animal Welfare League NSW, highlighting the need to cover the costs of the compliance and enforcement operations of these organisations without reliance on charitable donations, including conducting regular proactive inspections, sending inspectors to callouts in pairs and operating a staffed animal cruelty response team 24/7. The New South Wales Government agreed to undertake this review but, so far, nothing has come of it. I do not know what the delay is. The need to fully fund RSPCA NSW and the Animal Welfare League NSW has been a recommendation of several inquiries. Both organisations have been very clear on their funding needs. All that is left to do is for the New South Wales Government to provide the funding these organisations need to start to deliver real enforcement of our animal cruelty laws.

The committee's third and fourth recommendations called for the development of mandatory standardised reporting by RSPCA NSW and the Animal Welfare League NSW, and the introduction of a requirement for charitable organisations to table their annual reports in Parliament and comply with requests under the Government Information (Public Access) Act 2009—known as GIPA requests. I understand these recommendations are being considered as part of the New South Wales Government's draft Animal Welfare Bill 2022, although it is entirely unclear if or when the Government is going to progress that reform piece. The fifth and final recommendation of the committee was that the New South Wales Government fund the procurement of additional mobile veterinary clinics and consider funding the ongoing costs of running mobile veterinary clinics, particularly for use in disaster and relief efforts and in improving animal welfare outcomes in rural and regional New South Wales.

The New South Wales Government has expressed its support for this recommendation. I am pleased that last Friday the Government finally announced it is opening a \$2.5 million grant program in the recommended space. The breadth and severity of the issues raised in the inquiry reveal how deeply problematic our legal system is when it comes to protecting the most vulnerable in our society. It is irresponsible and injudicious for the Government to outsource the enforcement of animal cruelty laws to charities while simultaneously failing to

provide any semblance of reasonable funding. The proper enforcement of animal cruelty laws must be recognised for its significance and necessity in maintaining a progressive, safe and well-functioning State. I call on the New South Wales Government to take swift action in response to the findings in the report.

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

Motion agreed to.

STANDING COMMITTEE ON STATE DEVELOPMENT

Report and Government Response

Debate resumed from 21 June 2022.

The Hon. EMMA HURST (18:02): I make a contribution to the take-note debate on Report No. 48 of the Standing Committee on State Development entitled *Animal welfare policy in New South Wales – First report*, dated June 2022. The purpose of the inquiry into animal welfare policy in New South Wales was to seek feedback on the New South Wales Government's draft Animal Welfare Bill 2022. The draft bill is the culmination of the New South Wales Government's long-awaited Animal Welfare Action Plan. It seeks to combine and modernise three pieces of existing animal protection legislation—the Prevention of Cruelty to Animals Act 1979, the Exhibited Animals Protection Act 1986 and the Animal Research Act 1985. This is an enormous task, and one that is long overdue. New South Wales animal cruelty laws have not been substantially updated since they were written over 40 years ago. They are completely out of touch with community expectations and modern animal science. Therefore, the scope of the bill, and the inquiry, was very large.

This legislation is going to affect the lives of tens of millions of animals in New South Wales, in every sector—from companion animals living in family homes, to animals held in zoos and circuses for so-called entertainment, to animals used in painful experiments, and to animals spending their lives in places like battery cages and sow stalls in the intensive animal agribusiness industry. Given the incredibly broad scope of this proposed legislation, it was very difficult to get comprehensive feedback on all aspects of the bill in just two days of hearings. In the time available, we were simply not able to delve into all of the complex issues raised by these proposed reforms—which is disappointing given the importance of the bill. But the feedback the committee received about the bill was highly concerning.

The bill was an opportunity to deliver a modern animal welfare framework that is fit for purpose and genuinely improves protections for animals. Instead, as the inquiry exposed, the bill is essentially just a rewrite of our current laws, with some small tweaks and minor improvements. Most concerning is the fact that the bill, like the current Prevention of Cruelty to Animals Act, continues to carve out major exemptions and defences for animal-use industries. We heard during the inquiry that this approach will leave tens of millions of animals exposed to routine and systemic animal cruelty. Another major concern highlighted by the inquiry is how much the draft Animal Welfare Bill would move existing legislative provisions into regulation. Under the draft bill, almost all of the provisions of the current Animal Research Act and Exhibited Animals Protection Act would be moved into regulation, where they can be chopped and changed at a Minister's discretion, without oversight of their party room, this Parliament or the public. This is part of a disturbing trend from this Government, to try to govern by regulation, without proper transparency or oversight. I note that stakeholders from all sides—including animal protection groups and industry bodies—raised serious concern with this approach, given the lack of certainty and clarity it creates.

Another key oversight of the bill is its failure to recognise animal sentience. This was a major concern raised by animal protection organisations. The sentience of animals is no longer in question; it is firmly established by science and has been for a very long time. Recognition of animal sentience is essential to the formation of animal welfare policy going forward in New South Wales. Given that that sentience and the intrinsic value of animals is the very reason why we need animal welfare legislation in the first place, a growing list of domestic and international jurisdictions have enshrined the concepts into their modern animal protection legislation. New South Wales is lagging far behind, and I cannot understand why the committee voted down this crucial and straightforward recommendation to improve the bill.

The time is also long overdue for an Independent Office of Animal Protection. For years we have heard from experts across the field that it is inappropriate and ineffective for animal welfare to fall within the remit of the Department of Primary Industries. I am baffled by the committee's refusal to heed overwhelming evidence from scientists, lawyers, policy experts, animal advocates and even the Federal Government in calling for independent animal protection leadership. Instead, under the draft bill, animal welfare laws will continue to be compromised by an inherent conflict of interest. This conflict is well known and unavoidable while a department responsible for agribusiness and animal-use industries is simultaneously responsible for animal welfare.

Nonetheless, the New South Wales Government, along with the Shooters, Fishers and Farmers Party, voted against a recommendation for an independent office. This conflict is devastating for animal protection, particularly when welfare interests are pitched against commercial interests.

The prioritisation of industry over even basic animal welfare is best illustrated by the huge carve-outs and exemptions of certain animal treatment from basic protections under the draft bill. Mutilation practices, for example, would be a blatant animal cruelty offence if performed on a companion animal, but are considered perfectly acceptable under the law when performed in animal agribusiness. This means while it would be illegal to cut off a large chunk of flesh from a dog without even so much as pain relief—and would probably result in the person being rightfully arrested and charged—doing the same to a sheep in a process called mulesing is entirely legal. How can the New South Wales Government say it is moving forward when it relies on defences, easily changed regulations and industry-developed standards to decide how animals can legally be treated, even when that treatment directly contravenes basic protections under the bill?

My concerns with the bill are shared by many from the public and Parliament. There is a reason why there were copious public submissions condemning the draft bill. The inquiry has exposed the draft Animal Welfare Bill 2022 to be a monumental failure and a massive missed opportunity. In its current form the bill will not protect animals from cruelty. I urge the New South Wales Government to go back to the drawing board and come up with an animal welfare bill that is truly going to improve the lives of animals.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ANTHONY D'ADAM: I move:

That committee reports and Government responses orders of the day Nos 12 to 21 be postponed until the next sitting day.

Motion agreed to.

Committees

JOINT STANDING COMMITTEE ON ROAD SAFETY

Reports

Debate resumed from 9 August 2022.

The Hon. LOU AMATO (18:10): As Chair of the Joint Standing Committee on Road Safety, I speak on Report No. 3/57 entitled *Support for rural and regional learner drivers*, dated July 2022. I thank my fellow committee members, the secretariat and all stakeholders who contributed to this important inquiry. In New South Wales you can apply for a learner driver licence when you attain the age of 16. For many, progressing through the testing stages of the Graduated Licensing Scheme is a high priority due to a significant need and want for a licence. A licence offers one independence and increased employment opportunities. Many of us may know firsthand the benefits of having a licence. It can help in accessing a range of services, such as education, training, employment, legal, housing and health care, as well as social connections.

However, for rural and regional learner drivers, the process of getting a licence is difficult. In this inquiry, the committee heard this was the case not because rural and regional learner drivers do not want to learn to drive but because they experience a number of barriers when trying to obtain a licence. The committee's recommendations aim to address those barriers. For example, the committee heard that some people in rural areas have difficulty with providing sufficient identification documents in order to apply for a licence. The committee recommended that the Department of Customer Service review how access to identification documents can be improved and consider waiving the cost for people seeking identification for the purpose of applying for their licences. The committee heard also that, for people with literacy and numeracy challenges, completing the Driver Knowledge Test can be difficult. It has recommended that Transport for NSW review the test to ensure that it is more accessible.

Stakeholders highlighted that there may be significant barriers to accessing driving programs and instructors. The committee made recommendations aimed at making driver training courses more accessible in rural and regional areas, including making the Safer Drivers Course available to people over 25 years of age, waiving the participation fee and allowing applications to be lodged online. The committee also recommended that Transport for NSW investigate a vehicle accessibility scheme to assist with the purchase or hire of safer

vehicles, having heard that rural and regional drivers face difficulty in sourcing appropriate vehicles to commence their driver training. Many rural vehicles are designed with the sole purpose of work operations and may be more challenging for some drivers to conduct their training with.

The committee was told that people in rural and regional areas may be unaware of driving programs available in their locality. It is not that programs are not offered; it is that information about them is not readily available. For that reason, the committee recommended that Transport for NSW investigate the creation of a data sharing portal for local councils and driver mentoring programs so that information can be shared between Transport for NSW and local councils and that the information be made available to the public. This goes hand in hand with the committee recommending that the New South Wales Government consult with the Australian Government to create a publicly accessible database of all driving programs offered across Australia.

The committee heard that learner drivers have varying levels of driving experience. In some instances, they may become competent drivers before they complete 120 hours of driving. This may be effected by having access to a driving instructor who provides a three-for-one logbook hour option. Recognising that, the committee recommended that a learner driver be able to apply for the provisional P1 licence without completing the required 120 hours of driving if a qualified driving instructor believes that the learner driver is competent in their driving skills. Finally, the committee examined the use of driving simulators. It has recommended trialling the use of simulators in rural and regional areas. The committee's view is that a trial period will allow Transport for NSW to determine their effectiveness in supporting learner drivers to obtain their licences.

The committee recognises that the path to obtaining a driver licence for people in rural and regional areas has not been easy but hopes its recommendations will help address the challenges faced by learner drivers in these areas. I again thank all those who participated in the one and a half days of public hearings and who provided a submission to this inquiry. I make special mention of the much-appreciated assistance of Kieran Lewis and Sam Griffith from Legislative Assembly committees. Both Kieran and Sam spent considerable time and effort in supporting the committee, and their valuable support ensured its success. I commend the report to the House.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. ANTHONY D'ADAM: I move:

That committee reports and Government responses order of the day No. 23 be postponed until the next sitting day when committee reports take precedence.

Motion agreed to.

Committees

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Report and Government Response

Debate resumed from 22 June 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022, and the Government response.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT

Reports

Debate resumed from 10 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Acquisition of land in relation to major transport projects*, dated August 2022.

Motion agreed to.

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

The Hon. ANTHONY D'ADAM: I move:

That committee reports and Government responses orders of the day Nos 25 to 27 be postponed until the next sitting day when committee reports take precedence.

Motion agreed to.

*Committees***REGULATION COMMITTEE****Reports**

Debate resumed from 21 September 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Options for reform of the management of delegated legislation in New South Wales*, dated September 2022.

Motion agreed to.

PUBLIC WORKS COMMITTEE**Reports**

Debate resumed from 11 October 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Granting of contract number OoS17/18-021 by the Office of Sport*, dated September 2022.

Motion agreed to.

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

Debate resumed from 11 October 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Government's management of the Powerhouse Museum and other museums and cultural projects in New South Wales*, dated September 2022.

Motion agreed to.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE**Reports**

Debate resumed from 22 June 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Support for Children of Imprisoned Parents in New South Wales*, dated June 2022.

Motion agreed to.

PUBLIC ACCOUNTABILITY COMMITTEE**Reports**

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Special report on the unauthorised disclosure of in camera evidence given on 29 June 2022*, dated August 2022.

Motion agreed to.

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

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Response to major flooding across New South Wales in 2022*, dated August 2022.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE**Reports**

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

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

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 4 - CUSTOMER SERVICE AND NATURAL RESOURCES**Reports**

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

PORTFOLIO COMMITTEE NO. 5 - REGIONAL NSW AND STRONGER COMMUNITIES**Reports**

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

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

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

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

Debate resumed from 9 August 2022.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report entitled *Budget Estimates 2021-2022*, dated June 2022.

Motion agreed to.

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

*Bills***ELECTORAL LEGISLATION AMENDMENT BILL 2022****In Committee****Consideration resumed from an earlier hour.**

The Hon. CHRIS RATH (20:02): I oppose the amendments, which deal with the in-concert provisions. We heard from the Hon. John Graham earlier about the Americanisation of politics, but his rhetoric does not stack up with the content of the amendments. I am a member of the Joint Standing Committee on Electoral Matters. If the in-concert provisions were removed, there could be a situation, like in the United States, where there are political action committees and super political action committees. There would be organisations that separate into an infinite number of separate organisations to get around third-party cap requirements. Even though they might be similar entities working for the same purpose with the same objective of getting the same candidates elected, you could have an organisation split into multiple suborganisations to get around third-party caps.

In many ways, there is almost no point in having third-party caps unless there are in-concert provisions. Otherwise, you are asking for an infinite number of smaller and smaller entities to exist. At the last Federal election we saw the rise of the teal Independents. You could have friends of climate action groups set up for Double Bay, Darlinghurst, Paddington and Woollahra. They might all be good organisations in and of themselves, but there could be a parent organisation that is separating into an infinite number of smaller organisations that are working together with the same objective and purpose and getting around third-party expenditure caps. That is why it is important that in-concert provisions exist. We do not want to see the Americanisation of politics in this State, where big money buys votes and big unions influence outcomes.

The third-party caps are important, and they will only work with in-concert provisions. That is my personal view. The matter is currently before the electoral matters committee, which has received submissions and is going through that process. The committee has held its hearings. Rather than just take my view on it, there is also the word of the experts. In December 2014 Dr Kerry Schott delivered to the Governor and the Premier the final report of the panel of experts on political donations. Then Premier Baird established the panel. Dr Kerry Schott said that third-party campaigners "should not be allowed to drown out the voices of parties and candidates". She also said:

There is also a high level of concern about the increase in third-party campaigning and the emergence of US-style Political Action Committees. These groups incur very large expenditure and have the potential to undermine the role of parties and candidates in election campaigns.

That is what the expert report said, and we should listen to the experts. Good legislation should always try to pre-judge some of the unforeseen circumstances and avoid having any unintended consequences. This amendment could lead to unintended consequences, and it is on both sides. It is not just about picking on unions or environmental groups; you could say the same thing about business groups or the Minerals Council and organisations like that. Organisations could deliberately get around third-party expenditure caps by separating into an ever-increasing number of smaller organisations that would all be allowed to spend up to the cap. That is why the in-concert provisions are so important and why they need to exist. It is why the Government is opposed to the amendment moved by the Hon. John Graham. That is probably the most important point about why the in-concert provisions need to exist.

As I said, these matters are currently before the electoral matters committee, of which I am a member. What is the point in having the committee process in this place? We refer things to committees, and they do a lot of good work. We have received submissions and had the hearing. We are now waiting for the report deliberative. What is the point of having committees if we are not going to seek their advice and opinion nor wait for the outcome of them?

Parliamentary committees have a strong reputation for producing high-quality reports by members and across the political divide, and they are largely considered non-partisan. I thank all of the members of the committee on which I sit for their work through this process. We heard a few weeks back from the unions and groups like the Minerals Council. They have some legitimate concerns, but we do not want to be in a position where certain organisations deliberately gain the third-party caps by separating into smaller groups just to get around it.

I take this opportunity to talk about the importance of integrity, transparency and accountability. When reforms were introduced to Parliament, NSW Labor voted against the Electoral Funding Bill 2018, which

implemented reforms to ensure greater integrity, transparency and accountability in elections in New South Wales. Those reforms were based on recommendations made by an independent expert panel and the Parliamentary Joint Standing Committee.

The Electoral Funding Act 2018 delivers the strongest, most transparent political donation scheme this State has seen, including the introduction of expenditure caps for local government elections; a requirement for political donations of \$1,000 or more in the six-month period before a State general election to be disclosed within 21 days; a clearer, tougher definition of a prohibited property developer, which now extends to individuals as well as corporations who conduct a property development business; and the reinstatement of the dollar-per-vote model of public funding for State election campaigns for future State elections.

Despite those reforms, Labor still decided to vote against the Government and now the Labor Party wants this House to vote in support of a motion that signals support for the involvement of big unions and other third-party campaigners financing the campaigns to influence the outcome of third-party campaigners. What I would say to the Opposition is that we should always be focused on what is in the community interest, not what is in vested interests. The New South Wales Government will always stand up for the people of this State. The Government opposes the amendments.

The Hon. EMMA HURST (20:11): On behalf of the Animal Justice Party, I indicate our support for the Labor amendments. Like others, we have serious concerns about the acting-in-concert provisions set out in section 35 that will enliven the new electoral funding caps. The operation of section 35 has the potential to be incredibly broad and wide-reaching, capturing any two organisations working together under a formal or informal agreement. There have also been arguments raised that the provision would infringe on the implied freedom of political communication, and that is a serious concern to the Animal Justice Party. We are concerned how it will impact unions and community groups who are legitimately working together and pooling resources in respect to election campaigns. While we support the intent of this legislation more broadly, particularly regarding the imposition of electoral funding caps, we feel that the acting-in-concert provisions go too far and are not in the public interest. That is why we support the amendments.

Ms ABIGAIL BOYD (20:12): As indicated during our contribution to the second reading debate on the bill, the acting-in-concert provisions are the reason why we cannot support it. If this amendment put forward by the Opposition was accepted, then we would be able to vote for the bill, but for us it is quite a hard line. We really believe that this section is very much targeting the implied right to political communication. We do not believe that we should be inhibiting the collective action of coming together in this way. We are disappointed by the political spin that has been put on this in what is otherwise—and should be—a fairly bipartisan agreement. We support the amendments and we urge the Government to reconsider its position.

The Hon. SHAYNE MALLARD (20:13): It is no surprise to members in the Chamber that I oppose the amendments because those on the hard left, the further hard left and the left are covering over what this really is and accusing us of spin. It is quite dramatic of the Hon. Emma Hurst to accuse us of spin. The Government opposes the amendments on sheet c2022-162. The Opposition and members on the left are attempting to remove crucial integrity provisions—integrity is the clear word here—from the laws governing elections in New South Wales.

The Electoral Legislation Amendment Bill 2022 is in response to recommendations made by the Joint Standing Committee on Electoral Matters and its report entitled *The Administration of the 2019 State Election*, as my colleague previously referred to. I am appalled, but I am not surprised, by Labor's underhanded attempts to remove the current acting-in-concert prohibition from the Electoral Funding Act 2018 by way of these amendments. I do not think members on this side want to hear from members on that side, particularly Labor but also the hard left, about integrity issues in electoral funding because these amendments effectively torpedo the caps on electoral expenditure so that their union mates, who we hear about all the time, can get around the caps. What was it at the conference—277 references to unions and two to small businesses?

Ms Abigail Boyd: So offensive.

The Hon. SHAYNE MALLARD: I am glad you are offended. I never want to hear from Labor or the left about integrity. The acting-in-concert prohibition establishes an offence to prevent third-party campaigners from circumventing the caps deliberately by procuring other individuals or entities to campaign on their behalf. We all know about the Labor Party circumventing provisions and caps.

Ms Abigail Boyd: What about the Minerals Council?

The Hon. SHAYNE MALLARD: It applies to them as well. It is an important integrity measure for elections and would apply where a third-party campaigner acts under agreement to incur expenditure in excess of their spending cap. It does not prevent third parties with a common interest from campaigning on the same issue. It is about ensuring a level playing field. We have NSW Labor and the left trying to remove those important

integrity safeguards on behalf of their union bosses who we know pay their wages, who we all know are actually pulling the strings in this place. Today, in their attempts to destroy integrity, they revealed that Chris Minns is just a minion for Labor's union mates who continue to wreak havoc and hold this State to ransom. We saw that on the weekend at the Labor conference. Most revealing was the 277 references to unions, 37 references to Newtown and two to regional New South Wales. It is unbelievable. Of course there was no reference to integrity in the leader's speech.

I turn to the Americanisation of politics, to which the Hon. Chris Rath referred. The members opposite spoke of section 35 leading to an Americanisation of New South Wales politics. In fact, the provision is exactly the opposite: It is an important measure to prevent the Americanisation of New South Wales politics. In the United States—and we have all seen this and I think we all agree that it is unhealthy—wealthy and often single-issue political action committees, referred to as PACs, dominate election campaigns, limiting the ability for balanced public debate. The acting-in-concert provisions limit the risk—almost eliminate the risk—of PAC-like bodies being established to dominate political campaigning in New South Wales. Dr Kerry Schott's report *Panel of Experts - Political Donations*, which was also referred to by the Hon. Chris Rath, was the report of a bipartisan committee which unanimously endorsed the view:

... that a third-party campaigner must not act in concert with others (including political parties) to incur expenditure in excess of its spending cap. This would prevent a number of third-party campaigners with common interests (e.g. unions, mining companies, packaging companies) from launching a coordinated campaign with a combined expenditure cap that would completely overwhelm parties, candidates and other third parties acting alone. The Panel considers that such a provision is important to maintaining a fair and balanced electoral contest and the integrity—

there is that word again—

of the expenditure caps generally.

That is the report of Dr Kerry Schott, a highly regarded former public servant in New South Wales—viewed highly enough that I think Federal Labor has recently appointed her to some inquiry. That is the view of Dr Schott and her non-partisan panel about why these caps are needed. I am disappointed that The Greens have indicated their support for this Opposition amendment—as we have heard non-stop since I started speaking. It is disappointing, but not surprising—I mean, let us go back and look at the history of GetUp! Or we can talk about Simon Holmes à Court.

Third-party campaigners can still effectively campaign. Section 35 is an important measure which is essential to promote a fair contest of ideas and policies rather than a contest of fundraising capacity. As an aside, I think one of the big reforms made in New South Wales which should be adopted by the Federal Government is the cap on expenditure to stop the arms race—the fundraising arms race, the expenditure arms race. We saw the Teals spending a million dollars in Federal seats where the Coalition was spending \$700,000 or \$800,000. I do not know what Labor would spend—probably \$10.

The Hon. John Graham: You are rounding up.

The Hon. SHAYNE MALLARD: The Hon. John Graham might well smile, but I think that has been a healthy reform in politics—to put a cap on expenditure and on fundraising. The Federal Labor Government should be looking at doing that to put an end to the arms race that occurs during Federal elections. Section 35 aims to prevent third-party campaigners acting in agreement to combine their expenditure caps and, therefore, overwhelming the expenditure of parties, candidates and other third-party campaigners who are acting alone. This is essential to maintain a fair and balanced electoral contest. More broadly, it supports the integrity of the expenditure caps.

The provision does not prevent third-party campaigners from effectively campaigning at an election and, indeed, the bill progresses reforms which will directly benefit the campaigning of third-party campaigners. Excluding travel and travel accommodation costs from the expenditure caps—which has been called on particularly by smaller organisations across the board—will reduce the impact of expenditure caps on campaigns run by third-party campaigners. The Government will always put the people of New South Wales ahead of third party interests.

The Opposition loves to talk about integrity—it did not talk about it much at the Labor Party conference, but it normally lectures us about it in this Chamber, as do The Greens and the Animal Justice Party. But when it comes down to the reality of legislation, when no-one is watching them, Labor members are not prepared to stand up to their union mates. The Opposition will not stand up for the integrity of the electoral system. The Government strongly opposes the amendments.

[Business interrupted.]

*Visitors***VISITORS**

The DEPUTY PRESIDENT (The Hon. Wes Fang): Before I call the next speaker, I welcome to the President's gallery the Hon. Jenny Gardiner, a former National Party member of the Legislative Council, and a former Deputy President and Chair of Committees. I hope to live up to the legacy that she and my other predecessors have left in this place.

*Bills***ELECTORAL LEGISLATION AMENDMENT BILL 2022****In Committee**

[Business resumed.]

Mr JUSTIN FIELD (20:22): I oppose the Opposition's amendments. I have long held an interest in the issue of electoral funding in New South Wales and donations reform in particular. There is a great cynicism about politics in Australia at the moment. One of the biggest grievances people have is this idea that politics is on the take—that money matters and that vested interests can buy outcomes. I am a great defender of the electoral funding regime in New South Wales. I quite proudly tell people that this State has some of the strongest election funding and donation laws in the world—not just in Australia. The donation caps, the spending caps, are really critical for balancing out all the voices involved in not just the political debate during elections but also the debate about issues as well. Upholding those caps is something that we need to take very seriously in this place, because it could be something that rebuilds the integrity of politics in the mind of the voting public.

I think it is important that we look not necessarily at how the current laws are used but at the risks of how they could be used. The argument has been made here tonight that third parties have not spent up to a level that would effectively have been the cap for third parties in the past. But I think the broader principle—and it was articulated by the Leader of the Government—is that the law without the acting-in-concert provisions would allow third parties to combine money and to spend for a particular election outcome in excess of the participants in that actual election context. Ultimately, that goes to undermining the principle of the election funding laws in New South Wales. That may not have happened in the past. It is not just a matter of unions combining spending. For example, in the past we have seen major political campaigns run by the mining industry on super profits tax and by the gambling industry on poker machine reforms. It could also happen through the unions or other actors. We have to go back to the principle of: What do we have these laws for in the first place?

I will give an example. It is important that we understand that the rules as written talk about an agreement between "persons"—meaning, entities—"informal or formal". I think it will be very difficult to enforce acting-in-concert provisions in the law. I suspect it would be very difficult for the Electoral Commissioner to prove there was an agreement, informal or formal, to achieve a particular outcome. But putting that aside, I think we need to challenge the idea that just having a conversation or just being involved in a meeting where there is a broad discussion about campaigning on an issue meets the threshold for the acting-in-concert provisions. I do not think it does. In fact, I do not think that, for instance, the Your Rights at Work campaign would necessarily fall foul of the acting-in-concert provisions. There is nothing stopping various groups from sharing a message, from campaigning on a broad set of policy initiatives. But where I see real concerns, and why I am not going to support the amendments, is that targeted spending could very easily overwhelm some very specific seats, by way of an agreement of the sort, "We are going to focus our financial power in this campaign on three or four marginal or specific swing seats."

That is the sort of agreement that I think these acting-in-concert provisions could prevent. It could be seen in the spending behaviour of particular campaigns. Now, the real challenge in terms of compliance with the law is it is probably not going to be seen until the effect has already been felt. What do you do after people are elected? This is going to be something where we develop the law over time to try to come up with the most robust set of rules. But I hope that once the standard is down in black letter, the various participants in the electoral game, in the political game, will take that as the benchmark for how to conduct themselves during elections. I think it is a total misdirection to say that this is going to somehow target or impose unreasonable bounds on issue-based campaigns—whether they be environment campaigns or animal welfare campaigns—or unions. I think at the core of these provisions is not allowing third parties to overwhelm through financial might the people who are putting themselves forward in an election in our democratic process. That is, ultimately, why I will not support these amendments.

The Hon. ANTHONY D'ADAM (20:28): I make a contribution to the debate on the Opposition amendments. I have a lot of respect for Mr Justin Field, but I think he is wrong on this point. The first observation

I make about the section 35 working-in-concert provision is that, in my view, it is a provision that has been crafted by the powerful—by those who are in the dominant position in the political system to curtail the ability of their opponents. I believe this provision has been crafted in a way that is specifically directed at the Labor Party—and, in particular, at the more than 130-year relationship between affiliated unions and the Labor Party.

But it is crafted also in a way that obstructs insurgent forces emerging in our electoral system. It takes resources to challenge incumbents. In order to have sufficient resources, people must come together and aggregate them. At the foundation of the Labor Party were affiliated unions—individual workers pooling their resources and those unions combining to exercise power in the political system through elections. That is how we emerged. These laws being in place at the time would have obstructed the emergence of the Labor Party. There is no question about it.

This is an attack on collectivism. It is quite evident that, on the Government side of the Chamber, there is an ingrained hostility to collectivism as a principle. Members opposite do not support it or believe in it. They do not like when the powerless, particularly workers, combine to flex a bit of muscle. We heard that in question time today, when the Minister brazenly said he was prepared to sue the Rail, Tram and Bus Union into oblivion if it dared to challenge the Government and take industrial action that might make things a little bit uncomfortable for it. I support the capacity of workers to organise, to combine their resources and to use them to get power in the economic and political systems. There is nothing wrong with that. It should be defended.

The Hon. Chris Rath made a case against the amendments, saying that if we do not have these provisions, somehow there will be some kind of subversion and that there will be a proliferation of organisations created to undermine the intent of the legislation, which is to eliminate the excessive use of money to disproportionately sway electoral results. That has already been accounted for in a provision of the legislation. It is section 144, which is the anti-circumvention provision. The law already says that a scheme to get around either the expenditure caps or the donation caps is illegal. Anyone who sets up some kind of scheme to get around them is captured by section 144 already. So the argument that the Hon. Chris Rath rests his case on is flawed. That has already been anticipated.

The funny thing is that section 144 has some interesting history. It arose because the Liberal Party set up an organisation called Eight By Five on the Central Coast. Does the member remember that? Does he know about Eight By Five? It was an organisation designed by Liberal apparatchiks to get around the law, and they were found to have broken the law. As a consequence, section 144 was put in to make sure that that kind of dodgy practice that was carried out by the Liberal Party on the Central Coast and brought them unstuck can never happen again. The amendments proposed by the Hon. John Graham are completely legitimate. They are in keeping with the traditions of our political system. To retain the bill's provisions is to attack the fundamentals of the Labor Party, the fundamentals of the trade union movement, the ability to combine, act and influence the direction of politics. The Committee should support the amendments.

The Hon. JOHN GRAHAM (20:33): I thank members for their comments once again on the matter. I know that we have debated it recently, but this has been a detailed and productive debate and reflects the multitude of views on the issue. I will respond firstly to the Leader of the Government. I appreciate the spirit in which he made his comments. He contained himself to the specifics of the caps and the acting-in-concert provisions. I acknowledge his detail about the caps that are now recommended.

I referred to some of that in my contribution to the second reading debate. I acknowledge that those have been through the Joint Standing Committee on Electoral Matters. He said that there has been a call, including in submissions, for a higher cap. The Opposition has not supported those calls for higher caps than have been recommended in the legislation, because the caps we are talking about have been canvassed with the committee and we do not want to get ahead of that process. The case for higher caps, which has been discussed in this Chamber on a number of occasions, has not been made out.

The Minister made the other point that he believed the political party expenditure should be at a higher rate than third-party expenditure, which is a principle we agree on and which would remain in place were this to be the case. In the view of the Opposition, that principle is quite important. We are describing a balance of forces in the electoral system. I thank the Leader of the Government for those comments. Other members strayed perhaps further and perhaps, in the view of the Opposition, less helpfully. I will refer to the Hon. Chris Rath's comments talking about the political action committees [PACs] and super PACs in the US.

Opposition members have looked closely at those developments over there: the torrent of money, the official campaigns and the independent campaigns. The attempts to erect walls so that campaigners in each of these parallel campaigns do not speak to each other and cannot meet with each other or collude are necessary measures to deal with the torrent of money in the US system. The Opposition says that, in dealing with it here, we should import neither the torrent of money and the culture of money politics, nor these provisions that deal with

them in the US. The member had some theoretical examples of what he was afraid of, such as the Friends of Climate Action in Paddington wandering into the suburb next door, as far as Double Bay or Woollahra.

Those theoretical concerns are not what we are basing our judgement on. We are basing it on this long-running debate that has been going on in this Chamber and in New South Wales. It is fair to say that all parties have engaged in lifting up our system to be a system we should be proud of. We have amended it when we have had to. Members have referred to some of the amendments that have been driven into the system to deal not with theoretical concerns but with specific problems, and there have been proportionate improvements to the system, which is what we are advocating here: that we protect the system and amend it if required.

But there is a philosophical divide on this issue. The Opposition supports membership organisations where large numbers of people can chip in a little bit of money and have their say on politics. That includes workers' organisations. The Government has referred repeatedly to unions, but it applies equally to environmental groups, small business lobbies, farmers' associations and animal rights organisations. The principle we object to remains the same: Those people should be free to band together, coordinate and chip in a small amount of money. That engagement is not what we are opposed to and not what the political system should be constraining. The origin of the acting-in-concert provision was a concern about the role of unions. It was a political manipulation, in the view of the Opposition. The Government has disagreed. That is our strong view about where this measure originated from, and it is why, when it comes to this matter, we have a difference in principle with the Government.

The member, perhaps unwisely, ventured into the question of the committee's inquiry into these third-party caps and asked where the report was. The Government may not thank the member for making that observation because, given that we are debating the bill before we have the inquiry report into the caps the Government is trying to legislate, the same question could be asked of the Government. Where is the report that we are supposed to be relying on to inform the debate on this bill? I do not press that strongly, because I am an admirer of the committee, and the committee has conducted hearings that have informed this debate. I say to Government members that they should be careful about importing some of these ideas, this rhetoric and this debate from other jurisdictions. The obligation here is to be precise about the problems we see in the system, either practical or theoretical. Let us deal with those because we should all be proud of the comprehensive electoral system that has been built here, as members have referred to.

Mr Justin Field referred to that system. I do not agree with his views on enforcement. First, I acknowledge his longstanding interest in this matter. I know that he has followed this debate for a very long time. I do not agree with his legal interpretation of when these acting-in-concert provisions might kick in. There is certainly a problem with their presence having a real chilling effect on political actors. The trouble is that the good actors are concerned about tripping over those provisions and the bad actors, in my view, may not be constrained. That is one of the real challenges. But, as other members did, Mr Justin Field referred to the comprehensive system we have here.

We should be proud of that. It is all those things: the fact that we cap donations and make more transparent donations than in other jurisdictions; that we have public funding; that, crucially, we have expenditure caps on the political party campaigns; and we have the third-party expenditure caps as well. Those are the pillars on which we have built the system. As members have observed, it has been improved over time. The section 144 circumvention measures that the Hon. Anthony D'Adam referred to are a good example. We should retain that system. In our view, that is still the case if this amendment is passed.

I acknowledge that there is, and will be, more to do down the track. We should carefully look for problems in the system as they develop. If issues do arise down the track, it is not off the table for the Opposition to seek to constrain actors working together in the system. If it was a problem, that would be considered. But that was not where this started. This was an attack when it was first put in the law. There is a philosophical disagreement, and we are entitled to move this resolution to deal with it. We have dealt with it in the House before in principle. We now deal with it in practice.

When we dealt with it in principle, it was not just the Opposition putting that view. It was not just the left and the far left, as one of the members said. It was not just The Greens and it was not just the Animal Justice Party who voted for those measures. It was not just the Shooters, Fishers and Farmers Party and it was not just the One Nation Party who supported the view that the Opposition is putting to the Chamber. It was also Reverend the Hon. Fred Nile. I raise those matters not to constrain anyone's vote but to remind the Government that this matter has received significant support across the Chamber. I commend the amendments.

The CHAIR (The Hon. Wes Fang): The Hon. John Graham has moved Opposition amendments Nos 1 and 2 on sheet c2022-162. The question is that the amendments be agreed to.

The Committee divided.

Ayes20

Noes 14

Majority.....6

AYES

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

Graham
Higginson
Hurst
Jackson
Latham
Mookhey
Moriarty

Pearson
Primrose
Roberts
Searle
Secord
Sharpe

NOES

Amato
Barrett (teller)
Farraway
Field
MacDonald

Maclaren-Jones
Mallard (teller)
Martin
Mitchell
Poulos

Rath
Taylor
Tudehope
Ward

PAIRS

Houssos
Moselmane
Veitch

Franklin
Farlow
Mason-Cox

Amendments agreed to.

Ms CATE FAEHRMANN (20:53): I move The Greens amendment No. 1 on sheet c2022-176A:

No. 1 **Not-for-profit gambling industry donors**

Page 14, Schedule 3. Insert after line 32—

[13A] Section 51 Meaning of "prohibited donor"

Omit section 51 (c). Insert instead—

- (c) a liquor industry business entity, or
- (d) a gambling industry business entity,

[13B] Section 53, heading

Omit the heading. Insert instead—

53 Other definitions

[13C] Section 53 (4) and (4A)

Omit section 53 (4). Insert instead—

- (4) Each of the following persons is a *liquor industry business entity*—
 - (a) a corporation engaged in a business undertaking that is mainly concerned with the manufacture or sale of liquor products, but only if it is for the ultimate purpose of making a profit,
 - (b) a person who is a close associate of a corporation referred to in paragraph (a).
- (4A) Each of the following persons is a *gambling industry business entity*—
 - (a) a corporation engaged in a business undertaking that is mainly concerned with wagering, betting or other gambling, including the manufacture of machines used primarily for that purpose,
 - (b) a person who is a close associate of a corporation referred to in paragraph (a).

This amendment adds new items [13A], [13B] and [13C] to schedule 3 to the Electoral Legislation Amendment Bill. These items will amend sections 51 and 53 of the Electoral Funding Act 2018 in order to change the definition of "a liquor or gambling industry business entity" to ensure that non-profit gambling entities will no longer be able to donate to political parties in New South Wales. The existing definition prohibits an entity engaged in liquor or gambling from donating to political parties in New South Wales, but it has one exemption. The current

definition states that it applies to a liquor or gambling industry business entity that is a business undertaking that is mainly concerned with the manufacture or sale of liquor products only if it is for the ultimate purpose of making a profit. The effect of this is that clubs across New South Wales are able to donate massive amounts of money to Labor, the Liberal Party and The Nationals.

The amendment removes the existing prohibited donor definition of a liquor and gaming industry business entity in section 53 (4) of the Electoral Funding Act and introduces new definitions for a liquor industry business entity and a gambling industry business entity respectively. The new definition of a gambling industry business entity differs by removing the words "but only if it is for the ultimate purpose of making a profit", the effect of which is to also prohibit non-profit gambling entities—such as clubs that are currently free to donate to political parties—from doing so. The new definition of a liquor industry business entity will retain the existing language to ensure that not-for-profit clubs that do not engage in wagering, betting or other gambling can continue to donate to political parties.

The damage wrought by poker machines on countless individuals and families in this State has to stop. The people of New South Wales have the unenviable reputation of leading not just the country but the world in losses to poker machines, with average losses per player of over \$4,500 compared to the national figure of \$2,800. Over the last 30 years the people of this State have lost \$135 billion to poker machines, which is twice that of Victorians. But it is not just the State of New South Wales that is addicted to poker machines; it is political parties. Whether it be through political donations by the more than 1,200 clubs across the State—most coming from gambling revenue—to candidates and political parties, or the millions of dollars in revenue from poker machines that clubs owned by the Labor Party pour into its coffers, the gambling industry wields massive undue influence on politics in this State.

Between January 2011 and June 2021 clubs across New South Wales donated \$418,520 to NSW Labor, \$179,920 to the New South Wales Liberal Party and \$33,490 to the New South Wales National Party. This reliance on poker machine revenue has the potential to adversely influence genuine reform to reduce gambling harm for whichever party wins government at the next election. The only way we will achieve the level of reform necessary to reduce the significant harms that gambling causes to the people of New South Wales is to cut the ties between political parties and the powerful gambling lobby. That is what this amendment does. Let us be real about this: There are a few weeks left before the State election. Now is the time to make these changes.

I wish that I had the opportunity to talk to the parties more about this, but to be honest I only found out today about these massive donations pouring into political parties. Today was the first time I found out about the Randwick Labor Club, which has 80 poker machines. Each year \$3 million dollars or more goes to the Labor Party from poker machines, which is extraordinary, because a loophole in the Electoral Funding Act provides for it. This is an opportunity for us to clean this up before the election and to do it at a time when the harms from poker machines are really top of mind for the community. A lot of people are talking about this. I think they would be horrified to know how much money political parties in this State receive from poker machines, ClubsNSW and clubs across the State. I commend the amendment to the Committee.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (20:59): Sometimes, in this Chamber, I shake my head.

The Hon. Mark Buttigieg: Sometimes?

The Hon. DAMIEN TUDEHOPE: Well, probably a lot. Every day I shake my head. If Ms Cate Faehrmann had listened to her colleague Ms Abigail Boyd, she would have understood that one of the arguments that she made about the acting-in-concert provisions was that we should not infringe on people's right to political communication. That was how it was predicated; that was the argument. Now her amendment states, "If they are people we do not agree with, we do not want them to have a right to political communication. Those people should not have any rights at all, because we do not agree with them." That is the way The Greens formulate policy: There is not one thread of integrity about the way that they think or the arguments that they make in this place. It beggars belief that The Greens would move an amendment like this, which seeks to pick the winners and losers and pick the ones they do not agree with. I agree with The Greens that the way that we use gambling dollars needs to be addressed.

The Hon. Mark Pearson: Lead the way, then.

The Hon. DAMIEN TUDEHOPE: We are, let me tell you. But this amendment goes to the very heart of the problem that exists in this place—that we seek to protect the people that we agree with, but we want to absolutely censor the ones that we do not agree with. When the Parliament is reduced to that, it is an abuse of this place. Quite frankly, The Greens ought to listen to the argument they made previously, which was flawed in its very nature, because the delivery of a cap in itself is an impediment to the freedom of political communication.

To agree to that is to agree to some limits that need to be imposed, and everyone in this place agreed that there should be caps on political donations. It was not controversial.

I note that The Greens had previously supported acting-in-concert restrictions, but now it suits them not to. Now they want to restrict the right of freedom of political communication just because they have identified organisations with whom they disagree. There are a multitude of ways of dealing with the issues that the club industry and the gambling industry have. I have spoken in this place on numerous occasions about the really good work that clubs do, and we should never create an impediment to that. But this particular amendment makes absolutely no sense whatsoever and the Government will not be supporting it.

The Hon. JOHN GRAHAM (21:03): I indicate firstly that the Opposition will not support this amendment, this approach or the way it has been made. In doing that, I acknowledge that Ms Cate Faehrmann has been campaigning about gambling issues in clubs, including money laundering, in a comprehensive way. I understand why she has moved the amendment, but the Opposition does not agree that this is a sensible intervention into the electoral law. The Opposition disagrees with some of the facts that have been presented. The member ran through them quickly, so I am open to being corrected. But I place on record that none of those clubs are owned by NSW Labor to my knowledge, if that was the suggestion. I reject the suggestion that NSW Labor is receiving \$3 million per annum from the Randwick Labor Club. That by itself would be more money than the political party spent at the election if that were the case. I do not accept the facts that have been put on the record, but I am open to a dialogue on those matters.

In principle, the concerns that the member is raising are not off the table. We support prohibited donors in the electoral law, which is a positive development. It is a powerful tool to say, "We have a whole lot of regulations, but some people should be out of this system altogether." But because it is a powerful tool, we have to be careful how we use it. That is the view the Opposition takes. Where we can, we would prefer to use that comprehensive regulation—those four pillars I talked about—rather than simply relying on striking people out of the system.

I say that after the former Labor Government took developers out of the system. That was a positive step. We were told at the time it was not possible to define them or to put that into the law. We were told at the time that that would be struck down. In fact, those provisions have stood the test of time and have been strengthened by this Chamber over time. Those are welcome developments, but we should be quite careful about how we take steps forward in this place. The amendment has not been canvassed through the normal joint standing committee process; it has not been the subject of that sort of consideration. We are very hesitant to make sudden changes to who is in or out of the system altogether, rather than in the system and captured by the comprehensive regulation that we would like to see. For those reasons the Opposition will not support the amendment.

Ms ABIGAIL BOYD (21:06): I support the amendment that was moved by my colleague Ms Cate Faehrmann. I find it fascinating that the Government's opposition to the amendment was formed around the idea that the suggested prohibited donors—being companies, business entities—are somehow people. The Hon. Damien Tudehope talked about the idea of certain people being excluded from democracy or certain people's views not being heard, which conflates a profit-making entity that is set up with a constitution that requires it to make money for its shareholders with a collective group of people coming together to support their own rights in a democracy.

It is incredible that we are still hearing from this Government the idea of companies being people who have a view and an entitlement to give that view in our democracy. That pretty much sums up all that is wrong with the Coalition Government—the absolute adherence to what companies and businesses want, as though that is who Government members are here to represent, and not the people of New South Wales. It is absolutely extraordinary. One of the reasons the economy is not going particularly well is the imbalance between the very powerful—the corporations, the bosses and the employers—and the workers, who are doing it tough and do not have the money to pay for votes and influence with this Government. It is absolutely fascinating that the Minister has chosen to refer to those entities as people, and I ask him to reflect on that.

I note for *Hansard* that the Minister cannot look at me at this point. I can only imagine that he is reconsidering just how wrong he is in his understanding of democracy in this State, because this democracy is run for people; it is not run for companies. The idea that we should be allowing gambling entities to donate money to political parties is completely absurd and is an absolute affront to our democracy, and it is incredibly worrying that Government members cannot see that.

Government members can tell us that we are not being consistent with our view, but our view is incredibly consistent. The Greens support the collective action of those who have no power and are forced, in order to get any kind of balance in this economy, to come together as a collective. We support that sort of collective action in our democracy and not the interference of profit-making companies, which are there to make money, trying to

pull the strings of government. The Hon. Damien Tudehope can nod all he likes, but he knows it is absolutely true.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (21:09): I have had an opportunity to reflect. Clubs are organisations that are made up of members, and they do not act for profit. That is their nature: They are non-profit. They are organisations made up of members—

Ms Abigail Boyd: Read the amendment.

The Hon. DAMIEN TUDEHOPE: You just told me that clubs were organisations for profit.

The CHAIR (The Hon. Wes Fang): Order! Interjections are disorderly, and encouraging interjections is disorderly. The Minister will be heard in silence.

The Hon. DAMIEN TUDEHOPE: I do not need to say any more. The Opposition does not support the amendment and the Government does not support it.

Ms CATE FAEHRMANN (21:10): I confirm that the amendment deals with the fact that clubs are non-profit. That is the current exemption. Clubs are non-profit, but it is revenue from poker machines. It is not the individuals in the clubs but the revenue flowing from poker machines to political parties that we are trying to deal with. My previous comment about the Randwick Labor Club may have been misinterpreted. Yes, the figure is \$3.1 million in revenue to the club in 2020. I am not saying that all that was revenue that went to the Labor Party. I think that sum was \$45,000.

But I note that one of the objects of the Randwick Labor Club, and a reason it was established, is to render financial aid, either by gifts or loans, to the Australian Labor Party and/or branches or other groups affiliated to, associated with, or recognised by the Australian Labor Party and/or other charitable, cultural, sporting, educational organisations et cetera. I recognise that \$3.1 million came in as revenue. However, the purpose of and desire for this amendment is as strong as ever. I recognise the mood in the Chamber, and I look forward to all members supporting the amendment so that we can get this much-needed change through before the election.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendment No. 1 on sheet c2022-176A. The question is that the amendment be agreed to.

The Committee divided.

Ayes6
Noes27
Majority.....21

AYES

Boyd
Faehrmann (teller)

Field
Higginson (teller)

Hurst
Pearson

NOES

Amato
Banasiak
Barrett (teller)
Buttigieg
D'Adam
Donnelly
Farraway
Franklin
Graham

Jackson
Latham
MacDonald
Maclaren-Jones
Mallard (teller)
Martin
Mookhey
Moriarty
Poulos

Primrose
Rath
Roberts
Searle
Secord
Sharpe
Taylor
Tudehope
Ward

Amendment negatived.

Ms ABIGAIL BOYD (21:22): By leave: I move The Greens amendments Nos 1 and 2 on sheet c2022-154A in globo:

No. 1 **Exclusion of campaign travel and travel accommodation from electoral expenditure campaign caps**

Page 13, Schedule 3[3], proposed section 7(4A), lines 10 to 13. Omit all words on the lines. Insert instead—

(4A) For the purposes of Part 3 (Political donations and electoral expenditure), Division 4 (Caps on electoral expenditure for election campaigns), electoral expenditure does not include expenditure incurred on travel

and travel accommodation for candidates and staff engaged in electoral campaigning, but only to a maximum amount of \$15,000 for each capped expenditure period.

(4AA) To avoid doubt, expenditure incurred on travel and travel accommodation that exceeds the amount referred to in subsection (4A) in a capped expenditure period is electoral expenditure for the purposes of Part 3, Division 4.

(4AB) The amount referred to in subsection (4A) is an adjustable amount that is to be adjusted for inflation as provided by Schedule 1.

No. 2 Exclusion of campaign travel and travel accommodation from electoral expenditure campaign caps

Page 17, Schedule 3[33], lines 25 to 29. Omit all words on the lines Insert instead—

5B Adjustment of certain amounts excluded from electoral expenditure caps

(1) The adjustable amounts specified in section 7(4A) and (4B) apply for the first election period that is current when the provisions commence and are then to be adjusted for inflation for subsequent election periods as provided by this clause.

These amendments were floated when the bill was originally going through the lower House. As members would be aware, there was an amendment passed in the other place relating to capping office accommodation expenditure at \$20,000 rather than it being left at an uncapped amount. I thank my colleague Mr Jamie Parker, the member for Balmain, for drafting these amendments and working to negotiate them with other parties. The amendments propose a cap of \$15,000 on travel expenditure. It is a very similar provision to the office accommodation cap. The cap of \$15,000 was based on the most that any member spent on travel in the last election, and then that amount was upped by 50 per cent.

It is an incredibly generous cap in practice, but The Greens believe that, as a matter of principle, it is important that there are caps on the amount of spending that applies to travel and accommodation. The Greens are committed to campaign caps and believe that they should apply equally to travel expenses and office accommodation. Logistically, it should add no additional burden on candidates and parties than what they would otherwise be required to do for their other compliance obligations. My understanding is that the bill proposes to bring travel and accommodation spending outside of the cap by reclassifying it as not being electoral spending, which means that it would no longer have to be accounted for to the NSW Electoral Commission.

As I said, The Greens checked the disclosures from the 2019 New South Wales State election. The member who disclosed the most spending on travel accommodation was the member for Barwon, who declared about \$10,000. That makes sense because his electorate covers 356,291.7 square kilometres, which is massive. That was the highest amount disclosed but not necessarily the highest amount spent, because a high number of rural and regional candidates disclose zero spending on travel and accommodation, which perhaps indicates a problem with the enforcement of the current laws.

The Greens propose that spending on travel and accommodation outside of the cap during an election should be set at 150 per cent of that amount, which creates a lot of generous wiggle room. Some members expressed concern about the administrative burden associated with these amendments, but they do not create any additional administrative burden. They propose to maintain the status quo and require that candidates show where and on what they are spending money. It is an essential principle of our democracy and something that The Greens believe the voters of New South Wales are entitled to know. I commend the amendments to the Committee.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (21:25): These amendments may be capable of being supported, but the Government will not be supporting them, because its position was that the bill was to consist of non-controversial amendments that were based on the report of the Joint Standing Committee on Electoral Matters and would pass for the purposes of the next election. While it is true that there were amendments passed in the other place to secure the passage of the bill, it has not been the preference of the Government to support unconsidered amendments.

I am not saying that these amendments do not have merit, but the Government has not had the opportunity to consider them. They are not consistent with any recommendations made by the joint standing committee. They have not been considered by Cabinet or the party room. The Government is not in a situation to support the amendments without further consideration. As I said earlier, the intention of the bill, although it has become reasonably controversial, was to make non-controversial amendments arising out of the joint standing committee's report. It was hoped that it would pass quickly through the Parliament.

The Hon. John Graham: No dramas.

The Hon. DAMIEN TUDEHOPE: No worries—it would be happy days. Unfortunately, the amendments that are sought to be made to what was a seemingly uncontroversial bill—because they are not consistent with the

joint standing committee, and the Government and the joint standing committee have not had the opportunity to consider the amendments—will not be supported by the Government.

The Hon. JOHN GRAHAM (21:27): The Opposition will be supporting the amendments. I am sympathetic to the position that the Government has put. The Opposition was in two minds on this matter, and the principles that the Minister has just articulated are good principles to apply to the electoral law. We on this side are supportive, in principle, of having a cap on this in the way that it is being proposed. We are open to these measures being dealt with in the manner that is proposed by the amendments. We were concerned about the impact on administration for candidates—that probably weighed most heavily on us. But we have been persuaded that, either for electoral expenditure reasons or for taxation reasons, records should be kept in this way anyway. On balance, we have fallen in favour of these amendments.

This bill has already been opened up in the lower House. That has weighed on us as well. We may not have supported this approach had the Government not already made similar changes in the lower House relating to office accommodation. There was a similar principle inserted about a cap on that. Again, we supported that downstairs. The bill having been opened, we see this as a similar issue. We are not pressing that strongly, so we will vote for this today. If this was a barrier to the Government dealing with the bill, that certainly is an issue we would be willing to reconsider, but, on balance, that is where we stand as we vote on it tonight.

Ms ABIGAIL BOYD (21:29): I thank the Hon. John Graham and the Minister for their comments. I understand that these amendments were discussed and possibly already lodged in the lower House, so they have had at least a week of discussion. I know that the Attorney General was made aware of it on the day that it was discussed in the lower House, so there has been time to consider this. I urge members to support it. I think it brings it into line with the office accommodation and should be uncontroversial. We are amending the bill already; it is going to go back to the lower House. They are sensible amendments and I hope that they can be supported.

The CHAIR (The Hon. Wes Fang): Ms Abigail Boyd has moved The Greens amendments Nos 1 and 2 on sheet c2022-154A. The question is that the amendments be agreed to.

The Committee divided.

Ayes17
Noes17
Majority.....0

AYES

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

Graham
Higginson
Hurst
Jackson
Mookhey
Moriarty

Pearson
Primrose
Searle
Secord
Sharpe

NOES

Amato
Banasiak
Barrett (teller)
Borsak
Farraway
Franklin

Latham
MacDonald
Maclaren-Jones
Mallard (teller)
Martin
Mitchell

Poulos
Rath
Roberts
Taylor
Tudehope

PAIRS

Houssos
Moselmane
Veitch

Mason-Cox
Farlow
Ward

The CHAIR (The Hon. Wes Fang): I indicate for members that page 446 of the *Legislative Council Practice*, second edition, indicates that a casting vote on an amendment to a bill should always leave the bill in its existing form. Therefore, I cast my vote in the negative.

Amendments negatived.

The Hon. JOHN GRAHAM (21:41): I move Opposition amendment No. 1 on sheet c2022-163C:

No. 1 **Entitlements to advance payments from Election Campaigns Fund**

Page 15, Schedule 3. Insert after line 5—

[16A] Section 72 Entitlements to advance payments

Omit section 72(2) and (3). Insert instead—

- (2) A party may receive the following amounts by way of advance payment under this section at the following times—
 - (a) 50% of the total amount to which the party was entitled under this Part in respect of the previous general election, after the commencement of the capped State expenditure period for the general election and before the issue of the writs for the general election,
 - (b) a further 25% of the total amount to which the party was entitled under this Part in respect of the previous general election, after the issue of the writs for the general election.
- (3) The amount payable by way of an advance payment under this section may be paid as a lump sum or in instalments.

This amendment makes certain changes to advance payments from the Election Campaigns Fund. It builds on the existing provisions that see 50 per cent of the payments be able to be made in advance. It would add a provision that sees an additional 25 per cent of those payments from the Election Campaigns Fund to be made in advance. It would do so at a particular point in the electoral cycle. The Opposition sees this as one of the ways to smooth the payments to political parties. I would describe it as a minor integrity measure. It means that in the middle of a campaign parties will rely slightly less on donations from a cash flow point of view. I am not advancing it as a major change but a minor improvement from an integrity point of view. It certainly does not mean that political parties get any more money. What it does mean is that advance payments flow out at a particular time. It builds on an existing principle in the Act.

Ms ABIGAIL BOYD (21:42): The Greens support this minor but sensible amendment.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (21:43): I indicate that the Government will not oppose the amendment.

The CHAIR (The Hon. Wes Fang): The Hon. John Graham has moved Opposition amendment No. 1 on sheet c2022-163C. 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 amended be agreed to.

Motion agreed to.

The Hon. DAMIEN TUDEHOPE: I move:

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

Motion agreed to.

Adoption of Report

The Hon. DAMIEN TUDEHOPE: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. DAMIEN TUDEHOPE: I move:

That this bill be now read a third time.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. DAMIEN TUDEHOPE: I move:

That this House do now adjourn.

DENI UTE MUSTER

The Hon. WES FANG (21:45): On Friday 30 September 2022 I attended the Deni Ute Muster with the Deputy Premier and the Hon. Sam Faraway in Deniliquin. For members on the opposite side of the Chamber who are not aware of where Deniliquin is, it is a beautiful regional town in the Riverina. Deni is a great place with a lot to offer, and I recommend a visit there. The Deni Ute Muster is always a fantastic event—and this year was no exception. The event attracts close to 20,000 people of various ages to Deni each year to celebrate the iconic ute and all things Australian. The festival is a unique Australian event that offers various activities for patrons, including camping on some of the flattest plains on earth.

The Deni Ute Muster is a celebration of Australian culture. Musicians such as Brad Paisley, Shannon Noll, Jessica Mauboy, Round Mountain Girls—just to name a few—performed during two days of concerts. The event is not only a fantastic weekend of entertainment but also a boost to the local economy and an opportunity for the region to showcase what it has to offer. Over \$1 million is injected into the local economy through employing contractors and utilising local products and services for the event. More than \$6 million is spent within the region over the festival weekend. The community's support for the Deni Ute Muster is incredible. I acknowledge the hard work and time put in by the thousands of volunteers who assisted in putting on the Deni Ute Muster and the Play on the Plains Festival held earlier in the year. The event has the support of the community and also gives back to the community. It raises funds to donate to charities like Can Assist, which provides accommodation and other assistance to regional people seeking cancer treatment.

The history of the Deni Ute Muster is an interesting story which demonstrates the tenacity and resilience of people from the bush. During a devastating drought in the 1990s, Deniliquin's economy was essentially drying up. There was a need for an event to kickstart the economy of the region. From humble beginnings the Deni Ute Muster has grown to what is, without doubt, an iconic regional event that absolutely captures what it means to be Australian.

I must pass my congratulations on to Russell Tait and Vicky Lowry, who are absolutely the heart and soul of the Deni Ute Muster. Russell has my phone number. Whenever there is an issue, I hear from him, ably backed up by the general manager, Vicky, who is an absolute powerhouse of an organiser, to make sure that what is probably the biggest event in the region at the time is always successful and can always deliver for the community and the charities. I must also pass my thanks on to the board members, who have not had the opportunity to hold this event for the past couple of years. Its return made many people glad to see that we can have events that will provide the quintessential Australian experience back in the regions, so much so that the Hon. Brad Hazzard, the Minister for Health, was there, observing the doughnuts by the utes. I think that says everything you need to know.

KOALA HABITAT PROTECTION

Mr JUSTIN FIELD (21:51): Tonight I reflect on this past term of Parliament and politics over the past few years and the quite curious case of how the iconic species the koala has come to get so much public and political attention. It is a very curious thing. One arm of the Government, the National Party, under the leadership of John Barilaro, mounted a literal war—it is described as the koala war in New South Wales—within the Coalition over the right to log and destroy koala habitat.

The context cannot be ignored. There was an important inquiry into the future of the koala in New South Wales towards the start of this term. The findings were unequivocal. The koala faces extinction in New South Wales by 2050, without corrective action to protect its habitat. Of course, that was before the devastating impacts of the fires of 2019 and 2020. It is estimated that as much as 30 per cent of the koala population perished in those fires. We have seen that recognised in threatened species legislation. The koala is now officially listed as in danger of extinction in New South Wales.

How you have a war within the Coalition Government over the right to destroy the habitat of such an iconic species as the koala—a species known around the world, a species that attracts billions of dollars of tourism to Australia, a species that is on the verge of extinction without corrective action—is beyond me. But we saw this play out in the most devastating fashion. It ended up with the grand koala bargain, announced at budget estimates, between the then Minister for Planning and Public Spaces, Rob Stokes, and John Barilaro.

I have gone back and had a look at the outcome of that grand bargain. Of course, none of its deals have ever ultimately been fulfilled. The State-owned logging corporation is currently logging critical koala habitat on the North Coast. It is truly extraordinary that the Government thinks that it can throw money at this problem. About \$200 million has been put on the table. The Government will throw money at private landholders. It will kick it around and do all sorts of research.

The one thing it will not do is protect the trees where the koalas live—our State forests and private land, where this endangered species' last habitat remains. Of course, the Government will clear it for infrastructure or

for housing. But this Government will never rule a red line around somewhere and say, "That is just too important." The reality is that the koala will go extinct in New South Wales without that sort of action. It does not matter how much money you have. Unless you protect the trees where the koalas live, they will be extinct. I say to those members opposite, and to a future government, that they cannot address this issue without protecting koala habitat.

In a couple of weeks' time there will be a koala conference on the North Coast, at Coffs Harbour. It has been branded The Vanishing and is a coming together of environmental groups, traditional owners in the region, and scientists in particular, to talk about the threats facing the koala in New South Wales and the needed corrective action and to put the koala and the politics of protecting koala habitat on the agenda in the lead-up to the 2023 election, which is next March. My office has been working with environmental groups and the Hon. Catherine Cusack, who showed a great deal of integrity in this place in advocating for and standing up for our threatened species, including the koala.

I look forward to that conference. I think it will be an important milestone in the debate around the protection of habitat and, in particular, public land that contains critically important koala habitat, which is currently being logged by the State-owned logging corporation. I hope that that group fires up the community campaign to vote to protect the koala at the March 2023 election. If we do not change things, the decisions taken by this Government and the next will see that species go extinct.

MANUFACTURING INDUSTRY

The Hon. ROSE JACKSON (21:56): It is well known that the opening line of Charles Dickens' famous novel *A Tale of Two Cities* is, "It was the best of times, it was the worst of times". That contrast—the tale of two cities, two States, two economies, the best of times, the worst of times—quite neatly captures and characterises the real choice that people in this State are facing in the election that is imminently approaching. Some genuine dividing lines are shaping up and will continue to over the next few months. There are two directions for our State—the best of times, the worst of times. First we have the tale of two cities. Even before the COVID lockdowns, there has been a real difference of lived experience between people in the west of our city and others. Minister Elliott might think it is smart to quip that people in western Sydney have never had it so good, but I can assure him that is not the sentiment of people who lived with extreme lockdown conditions, helicopters buzzing above their public parks, curfews on them going out at night and heavy policing of picnics in public parks, while people of the eastern suburbs gathered freely on beaches.

It is the tale of two cities also in our shockingly lopsided housing market. Hundreds of thousands of people are projected to be moving into western Sydney suburbs over the next few years. When you contrast that to the housing targets in the north of our city, again it is the tale of two cities laid bare. Infrastructure is similarly mismatched. Western Sydney is not getting its fair share of infrastructure in this State. Truly we do have a tale of two cities here in Sydney.

But it is a tale of two New South Waleses as well. It is not only two Sydneys. Former Premier Berejiklian said that New South Wales is not good at making trains, and that is why we have to purchase them. What utter nonsense. Why are we not good at making trains? Are the people of New South Wales not smart enough or not skilled enough? Clearly, that is not true. This Government has underinvested in the incredible manufacturing capacity of our State and left regional New South Wales exposed with no plan for its economic future. There is an incredible opportunity if we invest in the manufacturing potential of this State, instead of making dismissive quips as though the people of this State cannot possibly build anything. We are left languishing at the bottom of supply chains. COVID exposed that. We could not get vaccines here fast enough. We could not get PPE here fast enough because we do not build or make things in this State anymore.

Contrast that to Labor. We are not saying, "No, New South Wales isn't capable of being a manufacturing State. New South Wales isn't capable of making trains." Instead, we have said that the next generation of Tangara trains will be made right here in New South Wales. And I assure members that they will be better quality public transport products than we have seen shipped in from overseas. The trains, light rail carriages and ferries have cracked. They do not work. They are broken. They are over budget and they do not arrive on time. The record of the infrastructure that has been built overseas and off-loaded from shipping containers onto our public transport network in this State is woeful.

Regional New South Wales has a real choice too. Are they going to back in a government that believes that they do not have the capacity, skills or smarts to make things and to have good middle class manufacturing jobs? Or are they going to back in Labor's plan that says that it will absolutely invest in the manufacturing hubs of the future right across regional New South Wales? It is a tale of two economies as well. This Government has made absolutely no secret of its commitment to privatisation. It has already sold \$93 billion worth of our public assets. It has described it as the golden key.

I always say that I appreciate how up-front this Government is with its commitment to its privatisation agenda, because it is best to be honest about these things. It is best to say, "No, we won't rule out privatising Sydney Water," as Government members have done. They have refused to rule that out because, of course, they are utterly committed to privatisation. That is their plan. Labor has made a clear commitment: No more privatisation. There is a real choice. We can have two Sydneys, two New South Waleses and an economy that does not work, or we can have a united city, a united State and an economy that works for everyone.

REGIONAL INFRASTRUCTURE

The Hon. TAYLOR MARTIN (22:01): Next week the Albanese Labor Government will release its so-called mini budget, but we have already been told that regional New South Wales will suffer from huge cuts in that mini budget. A line-up of Federal Labor Ministers have been sent out to tell regional Australians that the Federal Government is planning on cutting significant funds for vital infrastructure in regional communities. Reports suggest that up to \$10 billion in projects will face cancellation by the Anthony Albanese Government. I am extremely concerned by what this could mean for projects across the Hunter and on the Central Coast that require Commonwealth funding.

One of those projects is the Mandalong Road upgrade in Morisset. The duplication of Mandalong Road between the motorway and Freemans Drive will improve travel times, safety and heavy vehicle access. It will also open up economic development opportunities for freight and logistics in a key area located halfway between Brisbane and Melbourne. The potential for the development of surrounding lands will create an estimated 15,000 jobs during construction and 7,000 jobs through the life of its operation in that area. The Commonwealth Government was supporting the project with \$56 million in funding. But now the community is nervous because the project needs Federal Government funding as well as State Government funding, both of which have been committed and budgeted. As we get to next week's mini budget it is becoming clearer and clearer that life is not easy under Albanese.

The State Labor Opposition is no better, as evidenced by this past weekend's Australian Labor Party Conference. In the policy motions, there were only two mentions of regional New South Wales in comparison with 39 mentions of the suburb of Newtown alone. Despite it being only a few months old, the Albanese Labor Government already has form on leaving New South Wales out to dry when it comes to funding infrastructure projects. Just this past weekend, the Prime Minister announced \$9.6 billion in infrastructure.

However, despite 30 per cent of Australians living in New South Wales, barely 10 per cent of the funding will go towards infrastructure in New South Wales. Despite New South Wales being the most populous State, Victoria received 2.5 times more funding than New South Wales. Queensland received almost 50 per cent more funding than New South Wales, and even the Northern Territory received 2.5 times more than New South Wales. That means \$10,729 has been allocated for every Northern Territory citizen, whereas a mere \$122 has been committed for every citizen of New South Wales.

The Albanese Government is somehow happy to put up \$2.2 billion for the Melbourne Suburban Rail Loop, a project in relation to which the Victorian Auditor-General said the "business case did not support informed investment decisions". All the while, it will be slashing funding in regional New South Wales. That is in stark contrast to the Liberal-Nationals Government in New South Wales, which is doing most of the heavy lifting with its \$112.7 billion infrastructure pipeline. Included in that infrastructure pipeline is the \$835 million John Hunter Health and Innovation Precinct, fully funded by the Perrottet Government. Since 2011 the Coalition Government has delivered more than 180 health capital works projects across New South Wales, with 130 projects currently underway. More than two-thirds of those are in rural and regional areas.

Last week the Government appointed Multiplex as the main works contractor for the John Hunter redevelopment, which will provide Newcastle, Greater Hunter and northern New South Wales rural communities with access to exceptional, cutting-edge health services. The Perrottet Government is investing in this major health redevelopment for the Hunter and wider communities, bringing the latest technology and most up-to-date research into the hospital to ensure that patients receive the best and most contemporary health care. The precinct will be a centre of excellence and innovation, attracting the most skilled and experienced clinicians to work in outstanding facilities, and it will boost health outcomes for local patients.

The John Hunter Health and Innovation Precinct will include a seven-storey acute services building, an emergency department and more adult and paediatric critical care spaces. The importance of funding infrastructure is demonstrated by the fact that, during the peak of construction, up to 800 workers are expected to be on site each and every day and about 70 per cent of that work will be conducted by local businesses and local tradies from the Hunter. The Liberals and The Nationals in government in New South Wales are securing a brighter future for citizens by investing in the community and building what matters to make daily life better. I call on the Albanese Government to do the same for New South Wales and honour the commitments that have already been made.

CLIMATE CHANGE

Ms CATE FAEHRMANN (22:06): Yesterday the Federal Treasurer warned that the floods wreaking havoc through large parts of regional New South Wales, Victoria and Tasmania would impact the cost of living through higher food prices, with more rain to come. The rain that is about to pummel the east coast of Australia over the next few days is set to break October records. This is after the record was broken for the most rain Sydney has ever recorded. On 6 October we recorded more than 2.2 metres for Sydney with almost one-quarter of the year left. Even before a drop of rain falls this week, a flood warning is already current for 28 rivers across the Murray-Darling Basin, along with a handful in Tasmania and southern Victoria. This is going to devastate crops and livestock through large parts of the Murray-Darling Basin.

Along with the Federal Government having to find more disaster relief payments and fund reconstruction efforts, the rain will have a massive impact on the cost of fresh fruit and vegetables, milk and other food items—again. This is the cost of climate inaction playing out before our very eyes, and the silence from this Government is deafening. It is deafening to the communities who have faced fires, the farmers who have lost their livelihoods to drought and for everyone devastated by the rains that just keep coming. The silence from this Government is deafening about what is actually happening to our climate as a result of decades of inaction, and so too is the silence about what is in store for all of us in the coming decades.

Our planet is heading towards a global 2½ degree Celsius temperature rise, and every new coal and gas mine approved is a match under the fire that is heating our planet at a rate where much of it will become uninhabitable. The 10 consecutive months of fires from 2019 to 2020 that followed three years of drought have not been forgotten. Those who watched their homes, crops and animals burn do not move on as the news of the week changes or when this Government decides there are more pressing issues to deal with than the climate disruption that is unfolding before our eyes.

Climate disruption is happening everywhere we turn. In Pakistan, the vast inland seas that have been created as a result of the devastating floods have triggered a wave of climate refugees, destroyed at least four million acres of crops, killed an untold number of farm animals and cost the economy an estimated \$30 billion to \$35 billion. Much of the floodwater has still not receded because there is nowhere for the water to go. The long-term humanitarian impacts are unimaginable because more crops just cannot be planted. Ecological tipping points are already being felt across the world. The so-called doomsday glaciers of West Antarctica are melting, as is the Greenland ice sheet.

No-one from the Government or the Opposition—which might form government after March—talks about this. That is because the fossil fuel companies responsible for the destruction of our climate still have a louder voice in Parliament than the communities trying to save it, and the shock jock media still control the narrative instead of the kitchen table conversations in regional communities or the voices on the streets. But even if they are not talking about it, it is happening. It is why all those records keep breaking—the most rain, the worst fires, the hottest days and the most severe storms, leading to millions of climate refugees and food insecurity. It will include the inevitable crippling increase in the cost of thousands of items of groceries in the coming weeks in this country.

Almost two decades ago I kickstarted the Walk Against Warming climate rallies, which became the biggest the country had ever seen. We demanded action from governments on climate change. We hoped to stop the climate emergency from happening in the future. But we are not talking about the future anymore; climate and ecological collapse is happening now. Yet nobody acts as though this is the case. Our politicians and parliaments are refusing to acknowledge the scale of the problem. If they did, they would keep coal and gas in the ground, stop clearing our native forests, urgently repair and restore the land, stand up to the vested interests that are still corrupting our democracy, and argue that action on climate will not destroy our economy but the climate crisis will. I urge members to break their deafening silence on the scale of the climate crisis. Let us act urgently now.

CLIMATE CHANGE AND ENERGY POLICY

The Hon. ADAM SEARLE (22:10): In July I undertook my Commonwealth Parliamentary Association study trip and focused on the issues of climate change and energy policy, opportunities and challenges in each of the countries of Britain—including the devolved administrations of Wales and Scotland—Denmark, Germany and the Netherlands. The scope was, I think, too wide to do justice to in the time that I had and certainly too wide to cover adequately now. However, some outlines are clear. Looking at improvements in and levels of renewable electricity over the last two decades and the share of a country's energy mix derived from renewables and fossil fuels, Denmark appears to be the overall best performer, increasing its renewable electricity by 62.59 per cent between 2000 and 2021 and renewable energy generally by more than 32 per cent over the same period.

Britain is generally the second or third best in terms of improvements and in the top three overall. Australia is consistently last or second last—improving its renewable electricity by nearly 21 per cent but still having less than 29 per cent renewables, and improving its renewable energy by less than 9 per cent to nearly 13 per cent only. Germany is in the top two only twice—in terms of its overall share of renewables for electricity at 40.49 per cent, compared to Denmark's 78.05 per cent and Australia's 28.91 per cent; and in terms of its lower share of fossil fuels for energy at 75.61 per cent, compared to Denmark's 59.07 per cent and Australia's 87.07 per cent.

I also examined how each country has gone in reducing carbon emissions and greenhouse gas emissions more generally. It is quite stark. Using the European Commission's science and knowledge service, we can see that, between 1990 and 2021, Denmark cut carbon emissions by 49 per cent but Australia increased them by 32 per cent. Between 2005 and 2021 Denmark cut emissions by 47 per cent and Australia cut them by 5 per cent. Every industry sector in Australia saw an increase in carbon emissions in that period apart from the electricity sector, which had a 17 per cent reduction, causing Australia to achieve that overall 5 per cent reduction. Emissions per capita in Denmark were reduced by nearly 55 per cent over the past 30 years but in Australia by only 12.32 per cent. Clearly, Australia has a long way to go to even match those other countries.

Overall, the data again suggests that Denmark is the best performer on most measures and that Australia is the worst on each measure except for carbon emission changes between 2020 and 2021, where we achieved a 2 per cent reduction and where we can be more properly described as the least worst. The Netherlands came first in carbon intensity reductions in 2020 instead of its usual fourth place—again, Australia was last—suggesting that it has had more success in driving energy efficiency than the other countries. Germany comes first in improvements in energy intensity, with a 52.88 per cent reduction, compared to Australia's last place, with a 24.37 per cent reduction only. It perhaps indicates that Germany has been able to reduce the carbonisation of its industry to a greater degree through changes in technology because it had a higher carbonisation of its heavy industry in the first place.

Britain comes first in total greenhouse gas reductions per capita over 1990 to 2020, with a 50.55 per cent reduction. Australia is again in last place at 24.37 per cent. More research and analysis need to be done to understand why Denmark is so consistently better on almost all measures across all datasets, and why the other countries achieved the measures that they did. However, Australia's almost consistent last placing except on one measure is explained, I believe, by lack of a consistent and coherent government direction on energy and climate policy backed by action and, importantly, legislation, with buy-in from the community and industry. The Albanese Federal Labor Government's climate change Act and the New South Wales electricity infrastructure legislation of 2020, if swiftly and competently executed, will remedy this deficiency in Australia's performance. To catch up, however, New South Wales will need additional policy settings.

New South Wales and Commonwealth government policy in the area of developing green hydrogen remains limited and, I believe, will require a far more direct and interventionist policy setting if we are to realise our potential. Australia and New South Wales will be able to produce green hydrogen much more cheaply than Europe because of our abundance of natural resources, particularly solar. The same can also be said for the development of our critical minerals sector—the raw materials needed to build the new energy system. For years this sector was ignored by the Coalition Government.

The former Federal Coalition Government and the current New South Wales Government now have strategies to develop this sector, but these do not match the scale of the challenge nor the opportunities we have, domestically and for export. In the face of the disruption of supply chains caused by the Russian war in the Ukraine, European countries desperately want not only the green hydrogen we may be able to produce but also our critical minerals so that they can continue their energy transformations. But we must make sure that we are not reduced to being the world's quarry. We should develop a mature, two-way partnership with countries seeking preferential access to New South Wales-held critical minerals. We should pursue and develop this policy as a matter of State priority.

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

Motion agreed to.

The House adjourned at 22:16 until Wednesday 19 October 2022 at 10:00.