



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Wednesday 19 October 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Wednesday 19 October 2022

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

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

Announcements

LEGISLATIVE COUNCIL BICENTENARY

The PRESIDENT (10:02): I reflect briefly on last night's launch of the Legislative Council bicentenary. I thank members for their attendance and acknowledge the Hon. Mark Pearson's wonderful rendition of the national anthem. I particularly thank the Clerk and the Usher of the Black Rod and their teams, as well as the attendants and catering, for all the effort they put into last night's event. I also note the contribution of the Bicentenary Steering Committee, which has been working assiduously over the past months to put together last night's event and the program of events over the next two years. The bicentenary program has been safely launched, so thank you once again.

Bills

PROPERTY TAX (FIRST HOME BUYER CHOICE) BILL 2022

Received

Bill received from the Legislative Assembly.

The PRESIDENT: According to the resolution of the House of 18 October 2022, as the message on the bill has been received from the Legislative Assembly, the bill now stands referred to Portfolio Committee No. 1 – Premier and Finance for inquiry and report.

CONSTITUTION AMENDMENT (APPOINTMENT OF LIEUTENANT-GOVERNOR AND ADMINISTRATOR) BILL 2022

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2022

ELECTORAL LEGISLATION AMENDMENT BILL (NO 2) 2022

ELECTRONIC CONVEYANCING ENFORCEMENT BILL 2022

CONFISCATION OF PROCEEDS OF CRIME LEGISLATION AMENDMENT BILL 2022

BUILDING AND OTHER FAIR TRADING LEGISLATION AMENDMENT BILL 2022

TREASURY AND ENERGY LEGISLATION AMENDMENT BILL 2022

First Reading

Bills received from the Legislative Assembly.

Leave granted for procedural matters to be dealt with on one motion without formality.

The Hon. DAMIEN TUDEHOPE: I move:

That the bills be read a first time and printed, standing orders be suspended according to sessional order for remaining stages and the second readings of the bills be set down as orders of the day for a later hour of the sitting.

Motion agreed to.

The Hon. DAMIEN TUDEHOPE: According to standing order, I table statements of public interest with respect to each of the bills.

Statements of public interest tabled.

Business of the House

BROADCAST OF PROCEEDINGS

The Hon. DAMIEN TUDEHOPE: I move:

Statement of principles

This resolution, which provides for the broadcasting of proceedings, is underpinned by the following principles:

- promoting the openness and accessibility of the New South Wales Parliament;
- increasing the awareness of New South Wales citizens about the Legislative Council and the parliamentary process;
- facilitation of fair and accurate reporting by the media of parliamentary proceedings;
- respect for the privacy of members and other building occupants and visitors to Parliament House; and
- noninterference with the operations of the Parliament or the ability of members and other building occupants to fulfil their duties.

Sound and audiovisual broadcast of proceedings of the House

(1) That this House authorises the sound and audiovisual broadcast and rebroadcast of the proceedings of the House:

- (a) on the Parliament's broadcast system;
- (b) by direct signal to the media gallery in Parliament House and authorised television networks;
- (c) by webcast on the internet;
- (d) by live captioning;
- (e) as otherwise approved by the President; and
- (f) on the Legislative Council and Parliament's social media channels.

Broadcasting

(2) The live broadcast or rebroadcast of proceedings of the Legislative Council is authorised on the following conditions, and any other terms and conditions, not inconsistent with this paragraph, determined by the President:

- (a) recordings and broadcasts must only be made from the sound or audiovisual signal provided by the Legislative Council;
- (b) only footage of the House when in session may be broadcast;
- (c) broadcasts of footage must be placed in context, used only for the purposes of fair and accurate reports of proceedings and must provide a balanced presentation of differing views;
- (d) footage must not be used:
 - (i) for political party advertising or election campaigns;
 - (ii) for the purpose of satire or ridicule;
 - (iii) for commercial sponsorship or commercial advertising; and
 - (iv) to digitally enhance or alter the presentation of proceedings.
- (e) footage of proceedings which are withdrawn may be broadcast if the withdrawal is also broadcast;
- (f) events in the galleries are not part of the proceedings and excerpts of those events must not be used; and
- (g) the President may approve filming, on request, by persons or organisations, according to the terms and conditions set out in this resolution.

Still photography

(3) That this House authorises access to the proceedings of the Legislative Council by photographers on the following terms and conditions:

- (a) photographers who are accredited members of the parliamentary press gallery, subject to notifying the President, who will in turn advise the House, are permitted to take still photographs of proceedings while the Legislative Council is in session;
- (b) accreditation passes are to be worn and clearly visible at all times whilst a photographer is on the parliamentary premises;
- (c) non-accredited members of the press gallery may apply in writing to the President to take photographs of proceedings while the Legislative Council is in session, and if approved the President is to determine the conditions under which they do so;
- (d) photographs must be used in context and only for the purposes of fair and accurate reports of proceedings;
- (e) photographs must not be used for:
 - (i) political party advertising or election campaigns;
 - (ii) the purpose of satire or ridicule; and
 - (iii) commercial sponsorship or commercial advertising.
- (f) photographs taken with telephoto lenses or zoom lenses must not show any member closer than at "head and shoulders" distance;

- (g) telephoto lenses or zoom lenses must not be used to inspect members' documents or computer screens, and close-up photographs of members' documents or computer screens must not be taken;
- (h) photographs of persons in the galleries must not be taken, with the only exception being photographs of distinguished visitors at the time they are welcomed to the House by the Chair;
- (i) photographs of disturbances by visitors or any other persons are not permitted;
- (j) the use of flash or other sources of additional lighting and motor-driven cameras is not permitted; and
- (k) photographs are not to be digitally altered or enhanced.

Filming, broadcasting, rebroadcasting and photography of committee proceedings

- (4) That unless resolved otherwise by a committee, this House authorises:
 - (a) the filming, broadcasting and photography of members and witnesses in committee proceedings:
 - (i) by representatives of media organisations, including from around the committee meeting table; and
 - (ii) by any member of the public, from the position of the audience.
 - (b) the rebroadcasting of committee proceedings on the Legislative Council and Parliament's social media channels.
- (5) The filming and photography of committee proceedings must not:
 - (a) be used to inspect or photograph members' documents or computer screens;
 - (b) be taken in an intimidating or intrusive manner;
 - (c) interfere with committee proceedings;
 - (d) be used for:
 - (i) political party advertising or election campaigns;
 - (ii) the purpose of satire or ridicule; and
 - (iii) commercial sponsorship or commercial advertising.
 - (e) be digitally enhanced or alter the presentation of proceedings.
- (6) A committee may adopt additional conditions in relation to the filming, broadcasting, rebroadcasting and photography of committee proceedings, including ordering that part of its proceedings not be filmed, broadcast or photographed.

Compliance

- (7) That:
 - (a) access to proceedings for the purpose of recording and still photography is provided on the basis that the terms and conditions set out in this resolution are complied with;
 - (b) the instructions of the President or delegated representatives must be observed at all times; and
 - (c) noncompliance with the terms and conditions of this resolution and the instructions of the President or delegated representatives may result in the suspension or withdrawal of accreditation.

Continuing effect

- (8) That this resolution is of continuing effect until amended or rescinded.

Motion agreed to.**VALEDICTORY SPEECHES****The Hon. DAMIEN TUDEHOPE:** I move:

That on Wednesday 16 November 2022 proceedings be interrupted at approximately 3.30 p.m., but not so as to interrupt a member speaking, to enable Reverend the Hon. Fred Nile to give his valedictory speech without any question before the Chair.

Motion agreed to.

The PRESIDENT: Members will come to order. Members who wish to continue their conversations may take them outside.

*Motions***HARMONY WALK****The Hon. CHRIS RATH (10:08):** I move:

- (1) That this House notes that:
 - (a) the 2022 Harmony Walk was hosted by Moving Forward Together on Sunday 16 October;
 - (b) New South Wales is home to one of the most diverse and harmonious societies on earth;

- (c) Moving Forward Together plays an important role in promoting harmony and inclusivity by uniting people from diverse national, ethnic and religious backgrounds; and
- (d) the event was attended by many individuals representing a diverse array of the community, including the following dignitaries:
 - (i) the Hon. Matt Thistlethwaite, Assistant Minister for Defence, Veterans' Affairs, and the Republic;
 - (ii) the Hon. Jonathan O'Dea, MP, Speaker of the New South Wales Parliament;
 - (iii) the Hon. Chris Rath, MLC, representing the Minister for Multiculturalism;
 - (iv) Councillor Isabelle Shapiro, OAM, Deputy Mayor, Woollahra;
 - (v) Mr Ernie Friedlander, OAM, Chair, Moving Forward Together;
 - (vi) Ms Janine Zimble, President, B'nai B'rith NSW;
 - (vii) Mr Benjamin Chow, AO, Vice-President, Moving Forward Together;
 - (viii) Mr David Golovski, AM, Vice-President, Moving Forward Together;
 - (ix) Mr Scott Dalby, Head of People and Culture, Sydney Swans;
 - (x) Mr Gary Groves, CEO, Jewish Care;
 - (xi) Ms Jasmina Bajraktarevic, Chair, Refugee Council; and
 - (xii) student performers from the Moriah College Jazz Band.
- (2) That this House thanks Moving Forward Together and the many Harmony Walk participants for the work they do in contributing to New South Wales as a successful multicultural society.

Motion agreed to.

Documents

BRUMBIES IN KOSCIUSZKO NATIONAL PARK

Tabling of Report of Independent Legal Arbiter

The Hon. EMMA HURST: On behalf of Reverend the Hon. Fred Nile: I move:

- (1) That the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 4 October 2022, on the disputed claim of privilege regarding brumbies in Kosciuszko National Park, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

Motion agreed to.

Report of Independent Legal Arbiter

The CLERK: According to the resolution of the House this day, I table the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated Tuesday 4 October 2022, on the disputed claim of privilege on documents relating to brumbies in Kosciuszko National Park.

Bills

WEAPONS PROHIBITION AMENDMENT (SILENCERS) BILL 2022

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Mark Banasiak, on behalf of the Hon. Robert Borsak.

Second Reading Speech

The Hon. MARK BANASIAK (10:18): On behalf of the Hon. Robert Borsak: I move:

That this bill be now read a second time.

All citizens in New South Wales have a legitimate expectation that their elected representatives in Parliament will act in their best interests when it comes to making decisions about personal safety and minimising exposure to hazards or safety risks. No-one in this place would disagree that everybody should have access to the best and most effective protection against hazards or risk of personal injury whether they are in the workplace, at home or while undertaking recreational activities. Whenever citizens are exposed to any hazard or risk of personal injury, they should not be prevented or constrained either by Government policy, legislation or blind ideology from accessing the best and most effective safety technology available. It is incumbent upon all of us to make sure that New South Wales citizens are not prevented from accessing the best and most effective safety and hazard

reduction technology because of deficient legislation. When we identify legislative deficiencies, we are obliged to amend that defective legislation.

The Weapons Prohibition Amendment (Silencers) Bill 2022 amends the Weapons Prohibition Act 1998 to provide consistency with the SafeWork NSW Code of Practice—Managing Noise and Preventing Hearing Loss at Work. The SafeWork code requires application of the hierarchy of control measures, which rank noise control measures from the highest level of protection and reliability to the lowest. If a noise risk cannot be eliminated, substituted or isolated, then engineering controls are to be implemented before administrative controls. Firearm suppressors are an engineering control and should be adopted before administrative controls—that is, personal protective equipment, such as ear plugs or earmuffs. The bill substantially improves the hearing protection measures available to firearm users. It does this by amending the recreational/sporting purposes genuine reason in section 11 of the Act with a new provision to allow an applicant to submit a certificate from a medical practitioner or an audiologist, with a written recommendation that the applicant use a silencer as referred to in schedule 1 to the Act.

This bill will enable licensed law-abiding firearm owners, who hold a firearms licence endorsed for recreational/sporting purposes, to be eligible to be issued a silencer permit by the NSW Firearms Registry upon provision of a medical certificate from a medical doctor or audiologist. The bill will provide firearm licence holders with access to the highest level of hearing protection and reliability, as set out in the SafeWork NSW hierarchy of control measures. For those who are not at all familiar with firearms, suppressors are simple devices similar to the muffler on a car. Despite their name, they certainly do not silence the sound of a gunshot; they simply reduce the noise emitted by a firearm from about 160 to 170 decibels to around 140 decibels, which is equivalent to the noise of a jet engine at 30 metres.

Despite what some members may think, there is no evidence that this amendment will lead to criminals using these devices in their criminal activities. Why, you may ask? Because criminals simply do not bother trying to reduce the noise from their illegal firearms with a silencer. There are numerous examples of video footage showing criminals using handguns without silencers. Criminals know that the instinctive reaction by anyone hearing a gunshot in urban areas is to duck for cover. They know this reduces the chance of the perpetrator being identified by a witness. Criminals also use the loud noise of their illegal and unregistered firearms to intentionally scare and intimidate their victims, their families, potential witnesses and rival drug gang members.

This bill in no way reduces public safety. The criminal gang members that commit murder will still be shooting each other with their unregistered guns, whether or not suppressors are made available to licensed firearm owners to attach to their registered firearms. That is a fact. Following the landmark win by a sheep farmer in the Civil and Administrative Tribunal in 2016, firearm silencer permits have been issued by the Firearms Registry for business/employment purposes. To date, about 240 or so silencer permits have been issued to farmers and vertebrate pest controllers. On more than one occasion over the past few years the police Minister confirmed in budget estimates hearings that none of the suppressor permit holders has ever been charged with any criminal offence involving the use of their silencer. This should provide comfort and reassurance to anyone concerned that silencer permit holders might use them for nefarious deeds. They do not.

In closing, I remind all members of the Legislative Council members code of conduct, a copy of which was circulated to us all this week. The code reminds us of our responsibility "to advance the common good of the people of New South Wales". Please note that the code does not exclude licensed law-abiding firearm owners from having their interests supported by members in this House. Whether members like it or not, firearm ownership and use are not unlawful in New South Wales. Each one of us therefore has a responsibility to act in the interests of firearm owners too, regardless of whether members like or dislike firearms. There is universal desire by firearm licence holders to have access to the best and most effective hearing protection available. Ear plugs and earmuffs are simply not fit for purpose or appropriate to manage the short intense impulse noise generated by firearms. I commend the bill to the House.

Debate adjourned.

LOCAL LAND SERVICES AMENDMENT (PRIVATE NATIVE FORESTRY) BILL 2022

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Mark Banasiak.

Second Reading Speech

The Hon. MARK BANASIAK (10:25): I move:

That this bill be now read a second time.

There are over 40 types of regulatory and planning instruments governing private native forestry, with 350 operating conditions within the PNF codes. In the words of the industry, the codes are extremely detailed, overly complex, unduly prescriptive and restrictive on other primary production activities. The scope of this approval process is unmatched in any other agricultural activity. The Local Land Services Amendment (Private Native Forestry) Bill 2022 is an attempt by the Shooters, Fishers and Farmers Party to simplify the approval process for private native forestry by removing unnecessary duplication. Approval for private native forestry, as it is now, requires dual consent, which is the process of applying for planning consent across multiple governing bodies.

For a landholder to conduct PNF on their land they are required to get an approved PNF plan under the Local Land Services Act and an approved development application through councils' local environmental plan [LEP]. This can often take years. The Department of Primary Industries, in a 2018 review of the biodiversity legislation, stated that the way local councils regulate native forestry through their LEPs is neither consistent nor predictable. A high level of uncertainty currently exists for landholders that are required to engage with councils on forestry matters. Around 25 per cent of private native forestry land is subject to a dual consent process. Put simply, this amendment will remove the dual consent requirement. This will mean that if a landholder obtains an approved PNF plan under the Local Land Services Act for private native forestry plans, part 5 of the Environmental Planning and Assessment Act 1979 does not apply to forestry operations. It is under the EP&A Act that the Environment Protection Authority [EPA] and local councils are brought into the approval process.

The bill still requires concurrence with the environment Minister. This policy reform was promised by a previous agriculture Minister during the great koala wars, but it was never delivered. The National Party told primary producers and foresters that land zoned for primary production and forestry would be decoupled from the 2021 koala State environmental planning policy. There is even a bill sitting on the Premier's desk as I speak that would remove dual consent, which clearly the Premier is too scared to bring forward in case it upsets the Teals and the Matt Keans of the world. Once again, the Shooters, Fishers and Farmers Party is fulfilling a broken promise made by the Nats to the bush. According to Timber NSW, in the past 10 years domestic consumption of hardwood timber products has grown rapidly, with no increase in additional plantations.

Not only that, but the Portfolio Committee No. 4 inquiry that I chaired on the long-term sustainability and future of the timber and forest industry found there has been a loss in native hardwood timber supply over successive governments by forest area being taken out of harvesting and put into protected areas, with little effort to compensate for the loss of wood supply through the expansion of hardwood. Another of the inquiry's findings was that dual consent requirements are an unnecessary element in the PNF approval process that significantly impact the ability of landholders to diversify and improve revenue streams for their property. Another found that, on balance, dual consent requirements can be removed while ensuring that concerns over local road maintenance and broader community feedback are adequately addressed. We have found that the onerous application processes are holding the hardwood industry back. The bill will remove that administrative obstacle while ensuring that environmental protections are still in place.

New South Wales is speeding towards a timber supply crisis. Although it is a baby step, passing this bill is a step in the right direction to incentivise landholders to get involved in private native forestry. The Shooters, Fishers and Farmers Party believes that sustainable forestry is about striking a balance between the environment, landowners and the forestry industry. With that in mind, it does not see that parity yet. This amending bill will balance the scales for landholders and the forestry industry. I commend the bill to the House.

Debate adjourned.

Documents

PESTICIDES OVERSPRAY AND DRIFT

Production of Documents: Order

Ms SUE HIGGINSON (10:30): I seek leave to amend private members' business item No. 2027 outside the order of precedence by omitting the words "pesticide" or "pesticides" wherever occurring, except in paragraph (c) (i), and inserting instead "chemical".

Leave granted.

Ms SUE HIGGINSON: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created between 1 January 2019 and 1 October 2022 in the possession, custody or control of the Department of Planning and Environment, the Department of Primary Industries, the Minister for Environment and Heritage, the Minister for Agriculture, and Minister for Western New South Wales, the Environment Protection Authority and/or Local Land Services relating to chemical overspray and chemical drift:

- (a) all documents, including advice, briefings, minutes of meetings, correspondence, pollution notifications and emails, relating to chemical overspraying and chemical drift with:
 - (i) Macquarie Valley Landcare Group Inc;
 - (ii) Pollinators Association;
 - (iii) Dubbo Field Naturalists;
 - (iv) Dubbo Environment Group;
 - (v) Nature Conservation Council;
 - (vi) National Toxics Network;
 - (vii) Cotton Australia;
 - (viii) Narromine Shire Council; and
 - (ix) the Community Overspray Group.
- (b) all documents, including advice, briefings, consultations, minutes of meetings, correspondence, reports, plans, procedures, records of field visits and emails, relating to monitoring programs for chemical overspraying and chemical drift;
- (c) all documents, including advice, briefings, minutes of meetings, correspondence and emails relating to chemical overspraying and chemical drift with:
 - (i) the Australian Pesticides and Veterinary Medicines Authority;
 - (ii) commercial industry; and
 - (iii) industry groups.
- (d) all documents, including pollution notifications, complaints, advice, briefings, minutes of meetings, correspondence and emails, relating to community representations about passive chemical exposures, chemical overspraying and chemical drift; and
- (e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The communities of the Narromine and Trangie areas are under siege by an invisible but deadly enemy. Despite multiple approaches to the Government by various groups, they have been blocked by regulators that are unable to help. Graziers and croppers, as well as hobby farmers and individuals with vegetable gardens, are having their properties and vegetation harmed and killed by the overuse of indiscriminate chemicals, primarily herbicides, by multinational cotton agribusinesses. The damage to the livelihoods and wellbeing of residents is the social manifestation of an environmental crisis that is multifaceted and that has significantly worsened under the watch of this current Government.

The cotton industry uses many herbicides and pesticides. Conventional cotton farming at this scale and intensity relies on the significant use of dangerous and toxic chemicals to first protect plants, before later killing them for harvesting. Of particular concern to the communities that live within a large radius of cotton agribusinesses are the defoliants and herbicide chemicals that are used immediately prior to the annual autumn harvest. These chemicals are ostensibly used to make the harvest process cleaner and more effective, but the dark side of genetically modified cotton plants is that it is increasingly difficult to kill using herbicides. Designer cotton crops take up to three sprays of poison to kill, which results in overspraying that can travel as micro-aerosols for up to 20 kilometres from the point of spray.

Residents living within a 40-kilometre area around the spraying operations, many of whom have lived in and farmed on the land for longer than the cotton businesses have been in operation, are observing and recording significant changes in vegetation that has seemingly accelerated over the past 10 years. The precise scale of the dieback is variable across the landscape. Under examination, the dieback cannot be attributed to the drought conditions between 2017 and 2020. The widespread evidence of the effects that herbicides are having on non-target native and non-native vegetation is almost incontrovertibly the result of overspraying by cotton businesses, but the NSW Environment Protection Authority seems powerless to intervene. The community believes that their concerns and reports of pollution have not been taken seriously and that the monitoring stations that have been established in response to concerns from residents are not up to the task of establishing the source of any recorded pollution by chemicals used by the cotton industry.

The purpose of this call for papers is to establish the facts about how this Government is handling genuine community concerns about the destruction of vast swathes of vegetation in local and regional environments. These communities have watched The Nationals punch land clearing into top gear. They have seen the removal of protections for paddock trees and are now faced with the unenforceable and invisible poisoning of the land by businesses that are operating for the profits of multinational corporations. There is a reason-based concern that the New South Wales Government is not undertaking its regulatory role as it should. It is not particularly

surprising that The Nationals are happily destroying small-scale agriculturalists in favour of their mates in the cotton business. That has been their operational practice now for decades.

It is surprising that the Liberal Party is so keen to wash its hands of protecting the health and safety of New South Wales residents and the agricultural industries that are the backbone of agricultural productivity in this State. Something is going wrong. It appears that there are systemic failures in the reporting and regulatory responses to chemical overspray and drift. As a result, the community and the environment are suffering harm, and the community is doing all that it can to sort it out, but it is not being listened to. The Environment Protection Authority seems to believe that it does not have the power to act on what is a landscape-scale crisis, and the community has genuine fears that the State has been captured by corporate cotton operators.

The Government cannot keep looking away from the reality of reckless corporate conduct wherever it is happening. I get that it is a difficult issue, but it is our job to tackle it. It is too serious, and we need to find a better way to regulate if the current mechanisms are failing people and the environment. To tackle hard and big problems, we start by understanding where we are failing. Right now, we need to have a desperate look into the Government's files to find out what is going wrong, why it is happening and what we can do to improve it. We are talking about a landscape issue. We are talking about significant evidence of vegetation destruction. The Greens believe that it is not intended, and we need to sort it out. I commend the motion to the House.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (10:36): The Government does not support this motion. A diversion of resources to collect, collate and provide the materials and data requested would have a significant impact on the resources of the Environment Protection Authority [EPA] and put at risk the effective management of the pesticides regulatory program, including the pilot pesticides monitoring program that is currently underway. The EPA has consulted extensively with stakeholders in the development and implementation of the pilot pesticides monitoring program that is being undertaken in central-western New South Wales. The EPA is committed to transparent and collaborative relationships with all stakeholders and will continue to engage as the pilot progresses. The details and outcomes of the pilot pesticides monitoring program will be published when the program is complete.

The EPA is committed to a range of actions, including ongoing environmental monitoring to assess the potential risk of harm to off-target vegetation from herbicide application. The Government acknowledges that balancing the need for pesticide use for a strong and viable agriculture industry with the protection of environment and human health is a complex regulatory challenge and an ongoing concern for communities. The Government has heard concerns from across communities in the Narromine local government area about the use of agricultural pesticides. The community is concerned about the impacts of inappropriate pesticide use on farming businesses and natural environments. Community members are also concerned about securing access to pesticides to protect their farming businesses, local economies and natural environments from pests.

The New South Wales Government is responsible for ensuring that people use pesticides according to the conditions of use approved by the Australian Pesticides and Veterinary Medicines Authority. The APVMA is responsible for deciding which pesticides can be used in New South Wales and how people must use these pesticides. The New South Wales Government works closely with the APVMA, other jurisdictions and other New South Wales government agencies, including the Department of Primary Industries, to collectively address pesticide-misuse challenges and deliver nationally coordinated environmental protection.

The Government has in place a multifaceted program to regulate the use of pesticides in New South Wales. This includes close collaboration with the Commonwealth in relation to the risk assessment and approval of pesticides for use in New South Wales, proactive compliance campaigns, investigations of reports of pesticide misuse and overspray events, stakeholder engagement and education, environmental monitoring, the review of pesticide residue limits in foods and the use of partnerships with industry stakeholders to deliver positive environmental outcomes. This request under Standing Order 52 is an unnecessary distraction from the day-to-day running of the Government's pesticides regulatory program. Any action to divert resources may undermine the delivery of commitments made to the community by this Government to effectively regulate the use of pesticides in this State. For those reasons, the motion is opposed.

The Hon. PENNY SHARPE (10:39): I indicate that Labor does not oppose this request under Standing Order 52. It is a complicated issue. The best way for us to work through some of the complexities of it is partly through processes like this where there is some light shone upon what is happening here. As members would know, our general approach is to support Standing Order 52 motions. I hear what the Government has said, but I make one point. When it says it does not have enough resources, part of the problem is that over time there are fewer public servants who are actually doing some of the other work on these matters. I recognise that it will be a lot of work for the public servants who will deal with this, and I thank them for their work, but the Government

cannot hide behind the fact that it has cut the number of public servants in relation to these matters and made it more difficult.

Ms SUE HIGGINSON (10:40): In reply: Once again, I thank the Opposition for realising the importance of this order for papers under Standing Order 52. This is a big issue. I acknowledge it is a wicked and significant problem. It is complex. There is a regulatory scheme that involves the Australian Pesticides and Veterinary Medicines Authority, which is a Commonwealth regulatory body that also involves our State body. As a public interest environmental lawyer who has practised for decades in that field, I know that when it comes to enforcing the law and acting in the public interest—which is exactly what our public service does—the first point of doing that effectively is by having access to information.

Information is key to assisting the regulation and the management of our environment in the public interest for our benefit now and that of future generations. Access to information is step one; it is key and essential. To try to relegate a well thought out community call and call from the crossbench for information as an unreasonable diversion of resources is not on. It is ignoring the very first step to how we act in the public interest on behalf of communities. Access to information is the first and fundamental step to access to justice. At the end of the day, we are all trying to work together for better outcomes for justice, for people, for the land and for biodiversity. I thank the Opposition for supporting this motion and all those that will support us.

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

The House divided.

Ayes21
Noes 14
Majority.....7

AYES

Banasiak	Graham	Moriarty
Boyd	Higginson	Pearson
Buttigieg (teller)	Houssos	Primrose
D'Adam (teller)	Hurst	Roberts
Donnelly	Jackson	Searle
Fahrmann	Latham	Secord
Field	Mookhey	Sharpe

NOES

Amato	Franklin	Mitchell
Barrett (teller)	MacDonald	Poulos
Fang	Maclaren-Jones	Taylor
Farlow (teller)	Mallard	Tudehope
Farraway	Martin	

PAIRS

Moselmane	Mason-Cox
Veitch	Ward

Motion agreed to.

INSURANCE AND CARE NSW

Production of Documents: Further Order

The Hon. DANIEL MOOKHEY (10:53): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, excluding any documents previously returned under an order of the House, in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Treasurer, NSW Treasury, the Minister for Finance, the Minister for Customer Service, the Department of Customer Service, Insurance and Care NSW [icare] and/or the State Insurance Regulatory Authority [SIRA] relating to the administration of Insurance and Care NSW:

- (a) all correspondence, reports, briefs, research, modelling and/or other material from SIRA and Treasury regarding icare's performance as manager of the Nominal Insurer from 21 October 2021 to date;

- (b) all correspondence, reports, briefs, research, modelling and/or other material produced for or by SIRA regarding legislative and/or regulatory noncompliance by icare in respect of the Nominal Insurer activities from 21 October 2021 to date;
- (c) all correspondence sent to or received by the Treasurer, the Secretary of NSW Treasury, any Treasury deputy secretary, the Chair of icare, the CEO of icare, the Chair of SIRA, or the CEO of SIRA which was sent by the Treasurer, the Secretary of NSW Treasury, any Treasury deputy secretary, the Chair of icare, the CEO of icare, the Chair of SIRA or the CEO of SIRA since 21 October 2021;
- (d) the current risk registers for all icare business units;
- (e) the current icare gift register, or any other registers, recording all sponsored travel undertaken by any icare employee or contractor and the sponsor, and all gift registers or other registers recording any other benefit received by any icare employee or contractor, and the sponsor;
- (f) a list identifying the job title of all icare employees who are currently entitled to receive a bonus or performance-based payment in addition to their salary, the value of the bonus or performance-based payment they are entitled to, and the date they entered into their contract of employment with icare, redacting the name of the person or other personal information;
- (g) all briefs, including attachments to briefs sent to, signed by, drafted by, received by or approved by the Premier, the Department of Premier and Cabinet, the Treasurer, the Minister for Customer Service, the Secretary of NSW Treasury, the CEO of the State Insurance Regulatory Authority, the Secretary of the Department of Customer Service or any deputy secretary of either the Treasury or the Department of Customer Service since 21 October 2021 regarding any matter related to:
 - (i) icare, or the Nominal Insurer;
 - (ii) the State Insurance Regulatory Authority;
 - (iii) the Treasury Managed Fund;
 - (iv) any other fund managed by icare; and
 - (v) the New South Wales workers compensation scheme.
- (h) the following documents in the possession, custody or control of icare created since 21 October 2021:
 - (i) all documents prepared for all icare board meetings;
 - (ii) all documents which record decisions made by the icare board;
 - (iii) all documents prepared for icare's Investment and Asset Committee, People and Remuneration Committee, Governance Committee, board Audit and Risk Committee, and Foundation Committee; and
 - (iv) all documents which record decisions made by the icare board's Investment and Asset Committee, People and Remuneration Committee, Governance Committee, board Audit and Risk Committee, and Foundation Committee.
- (i) all agendas, minutes or meeting notes from meetings between icare and SIRA;
- (j) all monthly financial accounts for the Treasury Managed Fund or Nominal Insurer since 21 October 2021;
- (k) all capital management frameworks for the Treasury Managed Fund or Nominal Insurer since 21 October 2021;
- (l) all drafts and the final financial condition report as at 30 June 2022, however described, produced by the Chief Actuary of icare;
- (m) all notifications of significant matters made by icare to SIRA regarding:
 - (i) the Nominal Insurer; and
 - (ii) the Treasury Managed Fund.
- (n) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Mr Deputy President, I note that you are chairing an inquiry into the workers compensation system. I wish you godspeed as you take up the mantle to apply scrutiny to the conduct of the workers compensation scheme on behalf of the House. It is good that the Law and Justice Committee is applying its power of scrutiny to the administration of Insurance and Care NSW [icare]. Mr Deputy President, I note that you have had such experience. But the fact remains that there are serious concerns two years later whether the promises that the Government made about icare repair have indeed been kept. An inspection of the data published by the State Insurance Regulatory Authority [SIRA] shows that return-to-work rates are falling back to historic lows, which I accept is for complicated reasons. It has massive consequences for injured workers but also for businesses. Ultimately, the 326,000-odd businesses who pay billions in premiums to icare are the personnel who will be on the ropes.

I note that under the current Minister there seems to be some acknowledgement that something has gone wrong with the administration of icare, which is a step forward from the previous Minister—who is now the Premier. In a scenario where icare now has fewer assets than liabilities, where it continues to sustain billions of dollars in losses and where premiums are still set to rise by more than 40 per cent by the end of the decade, with 326,000 businesses having no choice but to pick up the tab, it is important that the Legislative Council maintains

a view of applying strict scrutiny to the conduct of that organisation. That is the first reason I am moving this motion today.

The second reason is that, having had the opportunity to speak with icare leadership at the most recent budget estimates hearings, it does not seem that they have the appropriate levels of situational awareness about their responsibilities to the scheme, which is disappointing. I would have thought that new leadership would have resulted in a new approach. I am still open to being convinced that is possible but, on the basis of what we have seen, it does not appear as though it is. At the same time, it is telling that the Government is refusing to let the House consider the Government's legislation around icare repair. Labor would like to have a debate about remuneration standards at icare. It is worrying that we do not know whether or not icare has decided to pay bonuses to its 200 executives this year. When we asked icare whether that was the intention, it maintained the view that it is an option.

I respect the fact that the Minister and I have a legitimate disagreement in this area. I am not impugning the Minister's motives whatsoever in terms of the view that he holds that remuneration decisions are a matter for the board of icare. That is fair enough. It is a legitimate decision, but it also requires scrutiny. If we accept the Government's logic that paying bonuses is a matter for the board, then we should know how its members deliberated and what was decided. We should know the exact reasoning for the decision to award or not award bonuses to its executives. I feel that we as a House should inspect that. I note that there is concern amongst various parts of the universe in which icare operates as to how it is interacting with the regulator. Equally, there are concerns about how the regulator is interacting with icare and whether or not some amity has been restored to that important relationship. The breakdown of that relationship led to so much destruction in the workers compensation scheme, so it is important that we scrutinise and hold both of those organisations to account.

I feel as though the House has done its job in regard to the administration of icare throughout the entire term. It is a credit to the House that we exposed so much of what went wrong in that scheme. The House would like to consider an appropriate response. That opportunity is yet to present. Nevertheless, here we are again with the opportunity to apply our oversight power, as we must, to a scheme that is so crucial to the health of the New South Wales economy. I commend the motion.

The Hon. SHAYNE MALLARD (10:59): I speak on behalf of the Government. It will come as no surprise or shock to the Hon. Daniel Mookhey that the Government opposes this motion. The order requests documents under 13 broad categories from four agencies and four Ministers and provides only 21 days for those documents to be returned. As the Hon. Daniel Mookhey suggested in his contribution, there are other avenues to pursue some of this information, such as the Standing Committee on Law and Justice, which is almost a standing committee on icare. I chaired it for some time, as did the Deputy President. It has considerable powers to request documents and prosecute observations. The Hon. Daniel Mookhey indeed said in his contribution that he had extracted information at budget estimates hearings. This call for papers under Standing Order 52, for all the usual reasons that we on this side of the House have issues with them, is a broad-sweeping blunt instrument to do this.

I will articulate more specifically our concerns. The motion is unreasonable in its terms. Some of the paragraphs could be characterised as purely a fishing expedition, which would undermine public confidence in the integrity of this House. For example, paragraph (h) seeks all records of decisions and all documents for all meetings of the following boards and committees of icare over the past 12 months: the icare board, the Investment and Asset Committee, the People and Remuneration Committee, the Governance Committee, the Audit and Risk Committee, and the Foundation Committee. These documents by their very nature will often contain highly sensitive operational and commercial information. Paragraph (i) seeks "all agendas, minutes or meeting notes from meetings between icare and the State Insurance Regulatory Authority", but is not limited by any time frame.

As can be seen from the example of the Transport Asset Holding Entity [TAHE], which was recently ordered to produce all board packs over a similar period, such broad calls for documents come with significant risk to the interests of the State. In that case, TAHE diligently produced its board packs and other documents in its privileged return, submitting that the public interest in maintaining the confidentiality of those board papers was to "foster open and frank discussions" at the board level and "the achievement of the board's commercial and financial objectives". Due to the vast volume of material, the submission requested an opportunity to make further specific submissions should a dispute be raised in respect of the privilege claim over a particular document in the board packs. No such opportunity was provided to TAHE before the arbiter concluded that the board packs were not privileged.

The Hon. Daniel Mookhey: You are criticising the arbiter?

The Hon. SHAYNE MALLARD: Indeed. Nor was TAHE given notice of the arbiter's engagement or the report. This has led to the public disclosure of information that harms the public interest, in the Government's view. The impost on the public service agencies charged with the processing of orders for papers cannot be

overstated. The Government accepts that the Legislative Council must be armed with such powers as are reasonably necessary for the proper exercise of its functions. I request another 30 seconds, by leave.

Leave granted.

The Hon. SHAYNE MALLARD: As noted by Justice Callinan of the High Court in *Egan v Willis*, having determined that a power to call for State papers does exist:

The only question which has to be answered in this case is therefore, whether what was done by the House was reasonably necessary for its functions.

Accordingly, the Council's powers are not limitless. During this Parliament, agencies have returned over 220 boxes of records in response to orders concerning the administration of icare, representing many thousands of records, substantial hours of public officers' time and very significant cost to taxpayers. For these reasons, the Government strongly opposes the motion.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (11:03): It is a really unusual thing when the Hon. Daniel Mookhey starts to give a person praise like, "There are things now that have changed under this Minister. He is now my best friend. We are getting on well together because I can now make unreasonable requests and he will comply with them."

The Hon. Daniel Mookhey: Don't stretch the friendship.

The Hon. DAMIEN TUDEHOPE: This is stretching the friendship—that is the point. This is an order for papers under Standing Order 52 which does stretch that friendship, because he admits that this organisation has taken to heart the recommendations, because it is being well led. I have never once heard the Hon. Daniel Mookhey criticise the chair of the board. And never once have members opposite called the chair of the board of icare to give evidence before a budget estimates hearing. They do not want John Robertson to appear, because John Robertson—

The Hon. Daniel Mookhey: John Robertson did come. We called him. That is misleading. He came to law and justice. You were there.

The CHAIR (The Hon. Wes Fang): Order! The Hon. Daniel Mookhey will have the opportunity to make another contribution.

The Hon. Daniel Mookhey: But the Hon. Damien Tudehope is misleading the House. He was there. We called him.

The Hon. DAMIEN TUDEHOPE: To the extent that my friend corrects me about an appearance by John Robertson, I withdraw that. There are frailties in us all.

The Hon. Daniel Mookhey: Not you. You are infallible.

The Hon. DAMIEN TUDEHOPE: Thank you. It is the religion I follow. I move:

That the question be amended by omitting "21 days" and inserting instead "42 days".

The Hon. Shayne Mallard made a very good point. When you see in such a motion a paragraph which states "all correspondence, reports, briefs, research, modelling and/or other material", immediately the lights go on that this is a massive scope when calling for papers. It occurs again in the next paragraph and then it states "all correspondence sent to or received by the Treasurer". This is potentially a massive document dump required by this member for the purposes of adding to the library. It is also a massive call on the resources of this organisation. He worries about the viability of this organisation; he is single-handedly trying to destroy it by using the powers of this House. No-one in their right mind can support a motion—

The Hon. Daniel Mookhey: Do you want an extension?

The Hon. DAMIEN TUDEHOPE: Yes. I request an extension for 30 seconds.

Leave granted.

The Hon. DAMIEN TUDEHOPE: The Hon. Daniel Mookhey just loves the sound of my voice. The amendment provides a reasonable time to comply with a notice that is as extensive as this one. If he had any care for the employees who work for icare or for the manner in which that organisation must, day by day, look after the injured workers of this State, he would not be moving an order for papers of this breadth and with that time limit attached. I urge members to support the amendment to the motion.

The Hon. CHRIS RATH (11:06): The Government does not support this call for papers under Standing Order 52. As the Hon. Daniel Mookhey suggested, there is currently already an inquiry by the Standing Committee

on Law and Justice into icare and the workers compensation scheme. These matters have already been well ventilated. Icare has put forward its submission. It answered very diligently all of the pre-hearing questions the committee put to it. A lot of the information the Hon. Daniel Mookhey is interested in can be found in those pre-hearing questions, as well as the submission. It is already well ventilated in that the head of icare appeared for a full day before a budget estimates hearing recently. The member had every opportunity in the world to ask some of the questions about the performance of the scheme. He had every opportunity to put questions on notice and supplementary questions to icare.

As I said, these matters have already been well ventilated. We have already had the McDougall review. We have already had extreme scrutiny over the performance of icare and the workers compensation scheme. This call for papers is nothing more than a fishing expedition and it is an extremely costly fishing expedition at that. This additional motion is anticipated to add nearly 500 additional hours of staff effort to the tally, at an additional financial cost in the vicinity of \$240,000. It is clear from reading the motion how extensive it is, how broad its scope is. Covering a full page, the motion goes all the way to paragraph (n), requesting all documents from the icare board meetings, all documents from decisions made, all documents from the Investment and Asset Committee, and the People and Remuneration Committee et cetera.

It is very broad in its scope and is nothing more than a fishing expedition for issues and matters that have already been well ventilated in the budget estimates process. The member can still participate, should he wish, in the law and justice inquiry into the scheme, where there is still an opportunity to ventilate these matters. Instead, he prefers to request more documents to add to his library. He is obviously a very busy curator. I do not know how he has the time to read all of the documents that he requests. The call for papers is nothing more than a very expensive fishing expedition. At the very least, the Government should be given 42 days to produce those documents to the honourable member.

The Hon. DANIEL MOOKHEY (11:10): In reply: I reject the contributions of the Government members. In fact, they are eager only to protect the reputation of the former Treasurer, who mismanaged this scheme for seven years. They are worried that the documents will expose the fact that, two years after Premier Perrottet ran the scheme into the ground, he has done nothing to fix it. As always, I appreciate the advice of the Hon. Chris Rath very much.

The Hon. Chris Rath: We missed you at law and justice.

The Hon. DANIEL MOOKHEY: I know the member did miss me at the law and justice inquiry. It got a lot more attention when I turned up. I stress that it was the performances of the icare executives who attended budget estimates that gave rise to my concern that perhaps they had no idea what was going on in this scheme and that it deserved some more scrutiny. I appreciate and respect the concerns that the Hon. Shayne Mallard flagged in his contribution. Nevertheless, I do not think that we should reflect on arbiter reports lightly, particularly given that the House had the opportunity to debate that arbiter's report and the Government did not take it up.

Minister Tudehope scolded me in his contribution for not naming John Robertson. I simply say to all members that, although we hold Ministers responsible, we have no issue with scrutinising the conduct of any of the icare board members whatsoever, including its chair, Mr Robertson, which we did do at a law and justice hearing. I recall asking him questions. He was there for a good three hours. It was a fine opportunity and an interesting contribution. I maintain my point that this Government, which has presided over such destruction, now has the temerity to say that the House should trust it to get it right. This Government has done nothing about \$5 million of employer money that has evaporated as rort after rort on icare has taken place. It did nothing as it stacked that organisation with Liberal Party stooges, but now it has the temerity to say, "No scrutiny." We will happily debate the Government's record and Premier Perrottet's record on icare each day, every day, from now until the March election.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. Daniel Mookhey has moved a motion, to which the Hon. Damien Tudehope has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes14
Noes22
Majority.....8

AYES

Amato
Barrett (teller)
Farlow (teller)

MacDonald
Maclaren-Jones
Mallard

Poulos
Rath
Taylor

AYES

Farraway
Franklin

Martin
Mitchell

Tudehope

NOES

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

Graham
Higginson
Houssos
Hurst
Jackson
Latham
Mookhey

Moriarty
Moselmane
Pearson
Primrose
Roberts
Secord
Sharpe

PAIRS

Mason-Cox
Ward

Searle
Veitch

Amendment negatived.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The question is that the motion be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.**The House divided.**

[In division]

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! I ordered that the doors be locked.

The Hon. Adam Searle: I was in the Chamber before the doors were locked, but I can leave if required.

The Hon. Damien Tudehope: The Government is not challenging the vote of the Hon. Adam Searle.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I will seek further guidance from the Clerk of the Parliaments and come back to members at a later time.

Ayes23
Noes14
Majority.....9

AYES

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

Graham
Higginson
Houssos
Hurst
Jackson
Latham
Mookhey
Moriarty

Moselmane
Pearson
Primrose
Roberts
Searle
Secord
Sharpe

NOES

Amato
Barrett (teller)
Farlow (teller)
Farraway
Franklin

MacDonald
Maclaren-Jones
Mallard
Martin
Mitchell

Poulos
Rath
Taylor
Tudehope

PAIRS

Veitch

Mason-Cox

Motion agreed to.*Bills***ELECTORAL LEGISLATION AMENDMENT BILL 2022****Messages**

The DEPUTY PRESIDENT (The Hon. Wes Fang): I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendments to the bill.

*Documents***TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES****Production of Documents: Further Order**

The Hon. DANIEL MOOKHEY (11:30): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, excluding any documents previously returned under an order of the House, in the possession, custody or control of the Premier; the Treasurer; the Minister for Finance; the Minister for Transport, the Minister for Veterans, and the Minister for Western Sydney; the Minister for Infrastructure, the Minister for Cities, and the Minister for Active Transport; the Department of Premier and Cabinet; NSW Treasury; Transport for NSW; Sydney Trains; NSW Trains; or the Transport Asset Holding Entity of NSW [TAHE] relating to the Transport Asset Holding Entity of NSW:

- (a) all drafts and the final "Statement of Expectations" (however described) issued by the Treasurer or the finance Minister to the Transport Holding Asset Holding Entity in December 2021;
- (b) all correspondence and communications between the current or the former transport Minister and the Transport Asset Holding Entity since 25 February 2022;
- (c) all documents prepared for all Transport Asset Holding Entity board meetings, and all documents which record decisions made by the Transport Asset Holding Entity board since 25 February 2022;
- (d) any update to the Transport Asset Holding Entity's business plan made since 25 February 2022;
- (e) all correspondence between the CEO of the Transport Asset Holding Entity and Treasury officials since 25 February 2022;
- (f) all briefs, including attachments to briefs, sent to, signed by, drafted by, received by or approved by the Premier, the Secretary of the Department of Premier and Cabinet, the Treasurer, the finance Minister, the current or former Treasury secretary, the transport Minister, the Secretary of Transport for NSW or any deputy secretary of either NSW Treasury or Transport for NSW since 25 February 2022 regarding any matter related to the Transport Asset Holding Entity;
- (g) all documents regarding the Transport Asset Holding Entity created since 25 February 2022 held by the Office of the Premier, Office of the Treasurer, Office of the transport Minister, and the Office of the Minister for Finance and Small Business; and
- (h) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Once again, this House has done its job well in getting to the bottom of what happened in the formation of the Transport Asset Holding Entity [TAHE], which has raised serious questions about the Government's integrity and its conduct when it comes to the reporting of the budget. I do not intend to repeat that ad nauseam, because I know that members have followed this saga closely and many members have engaged with it through the Public Accountability Committee as we discharged our responsibility of getting to the bottom of all of the events that took place last year.

There is a compelling need to seek some of these documents again. Let me set them out. The first is the fact that we still have not seen the State audit report for the last financial year, and the Transport Asset Holding Entity remains a high-risk matter according to the Auditor-General. Thus, it is important for us to have access to this information to understand the nuances of how the Government has gone about responding to the Auditor-General's concerns last year, especially given that, as we get to the end of October again, there is no sign of the State accounts.

I accept that the Auditor-General has discretion over when to table those accounts, but that all turns on when the Government formally signs its accounts. It has always been the practice that the State accounts come around October or November. It is entirely possible that we will see them shortly, but I would hate to see the State accounts tabled after Parliament has risen. That would deny us the opportunity to ask the Government questions, particularly about how it has responded to the TAHE concerns. The Auditor-General has made no secret of the fact that it is a huge accounting matter. It worries me that the Government may well be refusing to sign the State

accounts to preclude the Auditor-General from being able to table them as they relate to the Transport Asset Holding Entity and other matters.

Those are the first factors. The second factor is that a complicated game of musical chairs has taken place as to who exactly is the Minister responsible for TAHE. The portfolio Minister in charge of TAHE last December was Rob Stokes. By February it was David Elliot. By May it was Rob Stokes again. Which of them is responsible for issuing the statement of expectations? Which of them is now responsible for drafting the statement of expectations? It is difficult to keep up with how exactly the Government runs the transport cluster, and it is especially difficult given there are four Ministers in that cluster and they keep exchanging responsibilities with each other. But, given that David Elliot has made no secret of the fact that he does not want anything to do with the organisation, I am interested in why that is so and how that has impacted on the statement of expectations.

As to the other supervening events, helpful evidence was given by the CEO of the Transport Asset Holding Entity at budget estimates hearings. It is important to record when they are responsive. We appreciated some of the evidence that the CEO gave, but it raised questions as to whether there have been changes to the business plan that have been embarked upon. This is crucially important, given that the only reason the Auditor-General signed off on last year's accounts was because a commitment was made to her around the future directions of access fees and the like. It is important for us to see if there have been changes to the business plan and, if so, what they are exactly. For those reasons, I commend the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (11:33): This is another of the Hon. Daniel Mookhey specials, where he wants to learn how well Government does government. I move:

That the question be amended by omitting "21 days" and inserting instead "42 days".

This is a good opportunity to talk about the Transport Asset Holding Entity [TAHE] and the work that it does. Just today the Minister responsible for TAHE, Rob Stokes, has announced that we are progressing an affordable housing pilot program that will allocate surplus lands for new homes in the Bayside, Blacktown, inner west and Cumberland local government areas. The program will utilise previously unused space to take pressure off families. The Minister said:

From carers to cleaners to café workers, the people who keep our city functioning should not have to travel more than an hour to get to and from work. This new innovative model will empower stakeholders such as community housing providers to do their work without the barrier of having to raise large amounts of capital for the purchase of land.

The Transport Asset Holding Entity CEO, Bénédicte Colin, said that the organisation is looking to partner with providers to deliver this important social reform. That is something that those opposite never, ever get. They want to seek all of this information from TAHE. Their sole purpose is to destroy the good work that TAHE does, and this is an example of the good work that it does day after day. This organisation is getting on with the business of government, delivering for the people of New South Wales, while members opposite engage in this process just to tear it down. They tear it down to destroy the confidence that the people should have in an organisation that is delivering.

This social housing model, which is an innovative program, is exactly what TAHE was set up to do: to identify surplus land, identify opportunities to use it and identify social housing outcomes. But that is not good enough for those opposite. They want to tear down organisations like that. They would rather that TAHE come and pander to the likes of the Hon. Daniel Mookhey and give him information so he can launch attacks on good public servants doing a great job for the people of New South Wales. We should oppose this day after day and recognise the great work that organisations like TAHE do on behalf of the people of this State.

The Hon. CHRIS RATH (11:36): Unsurprisingly, I oppose the motion moved by the Hon. Daniel Mookhey. This has been the most accountable and transparent government in the history of New South Wales. Through the committee processes and all of the inquiries that the honourable member has set up, through all of the Standing Order 52 motions that have been put forward, this has been, as the Premier said at budget estimates hearings, the most accountable and transparent government in the history of New South Wales. We always will support greater accountability and transparency. But what we do not support is wasteful requests for papers where public servants are doing good work in this State.

These wasteful requests for papers all come because members opposite do not have any policies. They need to request information from the Government to find some of their policies. We know that is why these incessant requests for papers keep coming in. It is because they need more information for their policies because they do not have any. Just like the last Standing Order 52 motion, this one is broad in scope. It asks for all documents, all correspondence between the CEO and Treasury officials and all briefs, including attachments, to a wide range of Ministers and departments. It is completely wasteful when these matters have already been well ventilated on many occasions in this place and in the public domain.

The history is important. Since May 2019, Transport for NSW has already responded to 80 orders for papers, including those addressed to transport entities like Sydney Trains, NSW TrainLink, the State Transit Authority and/or Sydney Ferries. TAHE, a small, recently established State-owned corporation, has already responded to 13 separate orders over this time. That is compared with the singular order for papers for Transport for NSW during the entire previous four years of the last term of Parliament. These orders impose significant impact and pressure on TAHE's small and dedicated team who are diverted from delivering TAHE's strategic objectives and the functions required under the Transport Administration Act 1988. A response to a Standing Order 52 call for papers can divert many hundreds of staff from tasks that are critical to the effective operation of the Transport cluster, especially a request as broad in scope as this one. It is completely wasteful. It is clear that they just want more papers because they do not have any policies and they want to steal some of ours. That is why we oppose the motion.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. Daniel Mookhey 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.

The House divided.

Ayes15
Noes22
Majority.....7

AYES

Amato	MacDonald	Poulos
Barrett (teller)	Maclaren-Jones	Rath
Farlow (teller)	Mallard	Taylor
Farraway	Martin	Tudehope
Franklin	Mitchell	Ward

NOES

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

PAIRS

Mason-Cox

Veitch

Amendment negatived.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The question is that the motion be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The House divided.

Ayes23
Noes15
Majority.....8

AYES

Banasiak	Higginson	Nile
Boyd	Houssos	Pearson
Buttigieg (teller)	Hurst	Primrose
D'Adam (teller)	Jackson	Roberts
Donnelly	Latham	Searle
Faehrmann	Mookhey	Secord

AYES

Field
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Maclaren-Jones
Mallard
Martin
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Rath
Taylor
Tudehope
Ward

PAIRS

Veitch

Mason-Cox

Motion agreed to.**The PRESIDENT:** Order! According to sessional order, proceedings are now interrupted for questions.*Questions Without Notice***MANUFACTURING INDUSTRY**

The Hon. PENNY SHARPE (11:59): My question is directed to the Minister for Regional Transport and Roads. Given the Minister's comments to this House endorsing the foreign manufacture of our trains when he said, "I honestly do not think the community is concerned where they are built," does he agree with the Minister for Transport that they should be manufactured here, or does he agree with the Treasurer, who refuses to commit to local manufacturing?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (11:59): I thank the member for her question. On principle, just like many within the community, I do care about local manufacturing. We do care and we should support local manufacturing where it is sustainable. The reference that was made to a previous question was about a train fleet that was already built. If we can have a manufacturing policy in this country that works for this State, if we can have local content that can be built here and find those markets where it is supported domestically—and even export markets—that is a good thing, and that is exactly what this Liberal-Nationals Government is doing. We have an 8,300-bus fleet that we are going to transition to zero emission buses, and we are going to build a lot of those buses in this State. Minister Elliott, the Minister for Transport to whom the Opposition Leader refers, and I have been very clear. Recently at the New South Wales bus expo, the emerging technology, the New South Wales bus—

The Hon. Penny Sharpe: Point of order: I love the bus expo. I have been to bus manufacturing places and I love them. My point of order relates to Standing Order 65 (5), direct relevance. The Minister was doing quite well and then he strayed. Talking about the bus expo is not about whether he supports the transport Minister, who says that our transport infrastructure should be built in New South Wales, or the Treasurer, who refuses to guarantee that it will be.

The Hon. Wes Fang: To the point of order: The Minister was being directly relevant. The member opposite asked a question about the Minister for Transport. The Minister was referring to his visit to the bus expo with that Minister. I presume that the Minister was about to make a contribution as to what it was that they discovered at that bus expo. The contribution was directly relevant and the member was abusing the taking of points of order to try to restate the question.

The PRESIDENT: I do not think the member was abusing her right to take a point of order. I do not know what the Minister was about to say. It may well be directly relevant, but talking about buses moves away from the direct relevance of the question. The Minister will return to the question asked.

The Hon. SAM FARRAWAY: I was asked specifically about Minister Elliott's comments about domestic building and manufacturing in this State. I support Minister Elliott in this. The reference was that we are going to build zero emission buses. If we are talking about manufacturing public transport assets, this Liberal-Nationals Government is going to do that—8,300 buses by 2047. We are going to build them here. If we are talking about rail infrastructure, I should add that this Liberal-Nationals Government is building the new rail maintenance facility for our new regional fleet in regional New South Wales. It is supporting jobs in the regions.

We are making sure that we are organised and that our maintenance facility is built and ready to go before those trains arrive, before they are commissioned and before the commuters of regional New South Wales have a far better train to use. Whilst acknowledging that the XPT is a household name, and it has done us proud for 40 years, we are making sure that wherever possible the people of this State are supported. We are going to build what matters to them, and that is making sure that a new regional fleet of zero emission buses are built in this State. That will happen in western Sydney. We have bus manufacturers at Macksville, who I have visited, who are proud regional—

The Hon. Penny Sharpe: Point of order—

The Hon. SAM FARRAWAY: They do not like this.

The Hon. Penny Sharpe: No. Answer the question under Standing Order 65 (5), direct relevance.

The PRESIDENT: I uphold the point of order. The Minister may continue if he has something else to add about trains and where they are manufactured.

The Hon. SAM FARRAWAY: I do. The new maintenance facility in Dubbo will support local jobs, which will support the regional rail fleet. That is what a good government will do: it ensures that jobs remain in regional New South Wales.

The Hon. PENNY SHARPE (12:04): I ask a supplementary question. Will the Minister elucidate his answer? Given that he has now confirmed that he is with Team Elliott rather than Team Kean, does he intend to guarantee that the next fleet of Tangaras is going to be built in New South Wales?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:04): I am on Team Perrottet and Team Toole. I am on Team Liberal-Nationals because we build things that matter to the daily lives of people. We are the only option to secure a far brighter future for this State. It is not those opposite. I am on Team Liberal-Nationals, Team Perrottet and Team Toole. At the end of the day, it is this Government that is building the infrastructure, including transport infrastructure. It has a real plan that will deliver meaningful outcomes for the people of this State. Whilst we are at it, I am on the side of the commuter, unlike members opposite. They are on the side of Alex Claassens. They are on the side of the Rail, Tram and Bus Union [RTBU].

The Hon. Penny Sharpe: Point of order: It is Standing Order 65 (5), direct relevance. The Minister is now flouting your ruling.

The PRESIDENT: Indeed. I draw the Minister back to the question asked. Whilst the comments about which team the Minister may or may not be on were directly relevant, the reality is that he should now be moving towards the Tangara trains. If there is nothing more to add, the Minister should resume his seat. The Minister has the call.

The Hon. SAM FARRAWAY: Mr President, to further supplement the relevant point you made about my answer regarding teams, it is Team Perrottet, Team Toole and Team Liberal-Nationals that deliver for the people of New South Wales. We deliver the infrastructure that matters to the people of this State and that will be on display come March 2023. The choice will be very simple. It will be a government that listens, that delivers, or those that support absolute chaos. They support the RTBU—

The Hon. Penny Sharpe: Point of order—

The PRESIDENT: The point of order is upheld. Does the Minister have anything else to add?

The Hon. SAM FARRAWAY: I refer questions about the Tangara fleet to the Minister for Transport, who actually looks after the build of the Tangara fleet.

REGIONAL ROADS AND INFRASTRUCTURE

The Hon. WES FANG (12:07): For the record, I am on Team Mick. My question is addressed to the Minister for Regional Transport and Roads. Will the Minister inform the House how the New South Wales Liberal-Nationals Government is securing a brighter future for regional New South Wales through its regional transport and roads infrastructure pipeline and how a Chris Minns Labor government would make daily life harder for regional families?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:07): What a spot-on question because, as I said earlier to the previous Dixier, this Liberal-Nationals Government is putting regional New South Wales on the map yet again. We will continue to do that by building the vital infrastructure that the people of regional New South Wales need to secure a brighter future, but also by delivering the infrastructure that matters to their daily lives. It is all about strengthening our State's supply chain, ensuring that we have a freight

sector and a supply chain through safer roads. It is easier not only for our freight sector but also for families getting from A to B across this State.

Let us have a look at a snapshot. In the west, \$1.7 billion is being committed to the longest State highway, the Newell Highway. For the record and for the sake of the Hon. John Graham, there is no tunnel on the Newell Highway. Let us have a look at some of that upgrade: the new Dubbo bridge, the Parkes bypass and the heavy duty pavement for our freight sector and heavy vehicles between Narrabri and Moree. We are also upgrading the Great Western Highway, which is a project that will revitalise travel over the divide unless the Federal Labor Government, supported by the lazy Chris Minns Opposition in New South Wales, cuts that funding.

The Hon. Penny Sharpe: Point of order: It is very clear. I would argue under Standing Order 65 (5) that the Minister is not being relevant to his own Dorothy Dixier, but that is not the point of order that I am taking. My point of order is that the Minister is not allowed to refer to the member for Kogarah, and Leader of the Opposition, in the terms he used.

The Hon. Shayne Mallard: To the point of order: He said, "The lazy Chris Minns Opposition."

The Hon. Sarah Mitchell: It was a collective. So it was all of you.

The Hon. Shayne Mallard: Deconstruct that statement: The lazy Chris Minns Opposition.

The Hon. Penny Sharpe: Further to the point of order: If the Minister wishes to make imputations about a member in the other place, he should do so by way of substantive motion and not via a Dixier.

The PRESIDENT: Given that the two terms are being used together, if you like, I have taken advice from the Clerk. I rely upon his weighty advice in terms of the realities of political discourse. Where those phrases are used in that sort of political way, they do not offend the standing order relating to an individual from the other place. But, indeed, where comments go further as to impugn the reputation of an individual from the other place, then they should be by way of a substantive motion, and they are disorderly. So I will note that, but in this case the comments that have been made are not disorderly. There is no point of order. The Minister has the call.

The Hon. SAM FARRAWAY: Those opposite just don't like it. We have just outlined the extensive infrastructure pipeline in the west. Everyone knows the great work that the Government is doing along the Princes Highway in the south, including the Albion Park bypass, the Gerringong bypass, and the Berry to Bomaderry upgrade, which is now fully completed. I could go on and on. It is a \$19.4 billion regional roads and transport infrastructure pipeline. We would definitely not see that under a Chris Minns Labor Government. Let us go back to when Labor was in power 12 years ago. As we have discussed, it was a long, cold 16 years under Labor. Employment growth was the lowest in the country. It is also virtually impossible to do a comparison between this Government and what was the previous Government's track record on building what matters. That is because—

The PRESIDENT: Order! The Minister will resume his seat. I issue a caution to Opposition members. I can understand that when political comments are flying, naturally they provoke a reaction from the Opposition. My issue is that our friends in Hansard will not be able to hear the Minister. So if Opposition members could keep it down to less than a dull roar, that would be appreciated. I understand the context. As I have said before, this is not a church; this is a Parliament. But at the same time, we need to be cognisant of Hansard. The Minister has the call.

The Hon. SAM FARRAWAY: Let us wrap this up; let us make this as clear as we can. When Labor was last in Government, it did not build anything. When we came to Government, Labor had left us a \$30 billion infrastructure backlog. Compare that with our \$19.4 billion regional roads and transport infrastructure pipeline. As I said earlier today, this Liberal-Nationals Government is building infrastructure that matters to our communities, and we are going to make it easier for people and families living in this State, which means more jobs, better quality of life and a brighter future.

UNPAID TAXES

The Hon. JOHN GRAHAM (12:13): My question without notice is directed to the Leader of the Government, the Minister for Finance, and Minister for Employee Relations. Why do internal Revenue NSW documents say that the Government has no strategy to collect more than \$1 billion of unpaid taxes?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:13): What an astonishing question—in fact, it is my Dixier. Firstly, let me express that the hardworking tax collectors charged with the task of collecting that tax provide 38.3 per cent of the revenue that provides services for the people of New South Wales.

The Hon. Greg Donnelly: You shouldn't need to read this, Damien. You shouldn't need to read this. You should know this.

The Hon. DAMIEN TUDEHOPE: No, it is important that I get this on the record, because those opposite slur the reputations of people who collect revenue on behalf of this State. We expect this year—

The Hon. Greg Donnelly: And there's another note.

The Hon. DAMIEN TUDEHOPE: Well, I've got miles of them, mate. We expect to collect \$39.6 billion in taxes in 2022-23. Currently the tax debt is at \$1.2 billion, just 3 per cent of that amount. Potentially the shadow Treasurer would realise—but, as the Premier described, he is "fiscally illiterate"; he cannot count—tax debt is cyclical with peaks and troughs ranging through the past four years between a low of \$395 million in November 2018 and a peak of \$1.7 billion in March 2022. This was reduced by 41 per cent, or \$0.5 billion, down to \$1.2 billion by August 2022.

The Hon. Daniel Mookhey: Your own people said this last month, and in August 2022 they were saying that you have no strategy. Your own people are saying that.

The Hon. DAMIEN TUDEHOPE: Just calm down. There are several factors contributing to the current level of debt, and this is the problem—

The Hon. Daniel Mookhey: I don't think they are talking to each other enough. You're telling me to calm down. I thought that was unparliamentary.

The Hon. Sarah Mitchell: Point of order—

The PRESIDENT: I call the Hon. Daniel Mookhey to order for the first time. Repeated interjections are disorderly. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: There are several factors contributing to the current level of tax debt.

The Hon. John Graham: Is one of them that there is no strategy?

The Hon. DAMIEN TUDEHOPE: Is the new policy being announced by you guys today, "We want more tax collectors"? You are going to go out to the small businesses of this State and say to them, "We are only about killing your business. That is exactly what we are doing."

The Hon. John Graham: Point of order—

The PRESIDENT: Order! Those on the member's side might give him an opportunity to take the point of order.

The Hon. John Graham: My point of order relates to direct relevance. The shadow Treasurer is well aware of the debt figures. The question is about the strategy. The Government's documents say there is no current strategy. That is the question.

The PRESIDENT: Before the Minister answers, I will reflect for a moment. I uphold the point of order. But, in doing so, I note that the Minister's straying somewhat into other areas is perhaps a reflection of some of the comments being made by those opposite. If members continue to go down that path and interject, then they become the creator of the problem that they will start to own. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I am proud of the strategy, which is that we will give relief in circumstances where businesses are facing hardship. It is a strategy of the Government when we tell businesses facing tax debts in a pandemic that we will give them relief for those debts. We understand people and businesses were under pressure during the pandemic, and we gave relief to those businesses. Let me set members opposite right about the strategy. The strategy is that we understand the problems that taxpayers face. We work with those taxpayers, but members opposite want to remove that hardship opportunity. They want to persecute the taxpayers of this State. They want more tax, not less and not more compassion.

SYDNEY DOGS AND CATS HOME

The Hon. EMMA HURST (12:18): My question is directed to the Minister for Families and Communities, and Minister for Disability Services, representing the Minister for Local Government. Currently, the Sydney Dogs and Cats Home takes in hundreds of animals from eight councils in New South Wales. However, it has been reported that it may not be able to continue its important work due to lack of funding. What is the Government doing to ensure the ongoing welfare of the animals currently in the care of Sydney Dogs and Cats Home, and will the Government ensure that no animals will be euthanised as a result of lack of funding?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:18): I thank the honourable member for her question and acknowledge her longstanding dedication and commitment to advocacy for animal welfare, particularly in New South Wales. This Government takes animal welfare very seriously. I take this opportunity to reaffirm the Government's commitment

to the lifelong care of animals, which is why in this year's budget we announced \$2.5 million to RSPCA NSW to boost its animal welfare inspectorate work, along with an additional \$500,000 to the Sydney Dogs and Cats Home to support its operational needs into the future.

I am advised that, as a result of our close collaboration with local councils and animal welfare organisations, euthanasia rates under our Government have been steadily declining in pounds and shelters throughout the State. Between 2014 and 2021, there has been a 75 per cent reduction in the number of dogs euthanised and a 49 per cent reduction in the number of cats euthanised. To reduce euthanasia rates even further and increase the successful rehoming of companion animals, the Government is currently conducting a thorough review of animal rehoming practices in collaboration with metropolitan, regional and rural councils, as well as rehoming organisations. The review is expected to be completed later this year. To achieve the best outcomes for pets, their owners and the broader community, the Government understands too well the importance of working with local pounds and welfare agencies to ensure that lost or abandoned cats and dogs are either reclaimed by their owners or quickly adopted by new families.

The Government recognises the importance of the Sydney Dogs and Cats Home, which is why we assisted it with a \$500,000 investment in the most recent budget to support its animal rehoming services. This one-off payment was provided so that the organisation could maintain its existing impounding and rehoming services for its eight client councils in metropolitan Sydney. On top of the \$500,000 investment, the Government is supporting the organisation by providing a parcel of land at Kurnell through a 50-year peppercorn lease which it can occupy and ultimately build a new facility on. The application of the statutory minimum rent for the remaining years of the lease equates to an in-kind commitment by the Government worth approximately \$8 million. I am advised that the Government will continue to work with Sydney Dogs and Cats Home and its general manager, Melissa Penn, to ensure the ongoing welfare of the animals in its care.

SYDNEY EVENTS

The Hon. CHRIS RATH (12:21): My question is addressed to the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism. Will the Minister update the House on the Super Saturday in Sydney, which injected millions of dollars into the economy?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (12:21): I certainly will. We had a stellar Saturday in Sydney. In the morning, thousands of people flocked to the harbour to watch the Red Bull Cliff Diving World Series finale. At the same time, more than 100,000 punters from across the country donned their suits and stilettos, converging at Royal Randwick for the world's richest turf race, the Everest. Across the road, 15-time Grammy Award winner and international superstar Bruno Mars was warming up his vocals at the new Allianz Stadium, getting ready to perform in front of 40,000 people. Last weekend was a great time to be in Sydney. The weather was warm, and memories of COVID lockdowns had well and truly faded into the past.

Not only did this weekend showcase Sydney as one of the world's best cities to hold major events but it also brought an abundance of flow-on benefits, including support for thousands of jobs in our retail, hospitality and tourism sectors. In total, this weekend injected more than \$100 million into the economy. This Government knows how important the revitalisation of the CBD is to businesses and households, which is why we are committed to building a calendar of world-class events to make New South Wales the major events capital and premier visitor economy of the Asia-Pacific. Those events have come at an exciting time for our city. I am delighted to announce that new mobility data shows that Sydney has well and truly bounced back since COVID-19.

The Hon. Penny Sharpe: Let's talk about western Sydney.

The Hon. BEN FRANKLIN: In fact, more Sydneysiders are heading into the CBD on weeknights and weekends than they did before the pandemic. This is an incredibly positive sign for this city's much-loved arts and entertainment industries. As Minister for the Arts, I know that those industries are crucial to the uptick in visitor numbers not just in New South Wales but across Australia.

The Hon. Penny Sharpe: What are you doing for western Sydney?

The Hon. BEN FRANKLIN: By supporting our magnificent arts and entertainment industries, we can keep this momentum going. Over the coming months, Sydney will experience an events calendar to rival that of any city in the world, including the T20 World Cup, *Moulin Rouge! The Musical*—

The Hon. Scott Farlow: Point of order: I know that members opposite are disappointed because they could not go to any of those events on Saturday, but it would be nice if they would listen to the Minister talk about them and allow him to answer his question without interruption.

The PRESIDENT: Indeed. The Leader of the Opposition was perhaps pushing the envelope a little. I give the Leader of the Opposition and the Deputy Leader of the Opposition some latitude because of their position, but I think they crossed the line. The Minister has the call.

The Hon. BEN FRANKLIN: They might not have been able to go to those events on Saturday, but they can go to these: the T20 World Cup; *Moulin Rouge! The Musical*; the Sydney Festival, which I launched last night; *Madagascar The Musical*, out at the Colosseum Theatre, in western Sydney; the Sydney International Art Series; the Sydney Rugby Sevens; the Australia Sail Grand Prix; and, of course, Sydney WorldPride. Sydney is open for business as one of the premier entertainment destinations on the planet. I assure members of this House that last weekend was just the beginning of a full summer of stellar Saturdays in Sydney, in western Sydney and across regional New South Wales. I will talk about each of those on another occasion.

INDEPENDENT SCHOOLS

The Hon. MARK LATHAM (12:25): My question is directed to the Minister for Education and Early Learning. Is the Minister aware that over the past four years, three out of every four new students in New South Wales have enrolled in an independent school? That is a total of 18,000 new students. Given the teaching excellence, the focus on the basics and the strong student results in those schools, plus their accommodation of 75 per cent of enrolment growth in the State, will the Government renew and update the Berejiklian capital funding deal from 2019 with \$300 million in capital over the next four years and a further 10-year funding commitment, providing certainty over a decade for those outstanding schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:25): I thank the honourable member for his question, which contained quite a bit of detail and some statistics that he did not reference. I will take them in good faith. The crux of the question he is asking is that parents have choices for education in New South Wales. That is something we support as a Government and have been quite open about. We have arrangements in place for school funding, which includes capital funding for both our non-government schools and our great public schools. Parents are making decisions about where to send their children to school, and that is absolutely a matter for them. People have the right to choose to send their children to independent, Catholic or public schools. We do not make apologies—

The Hon. Courtney Houssos: They don't have a choice. You're not building the schools.

The Hon. SARAH MITCHELL: They do have a choice. My point is that we back parents and the decisions they make for their children about their education and where they send them to school. In terms of our funding—

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

The Hon. SARAH MITCHELL: —we have a current program in place to provide capital funding for the independent school sector. There are very strict guidelines and rules around that process, recognising that it goes towards schools that are non-government, Catholic and independent schools with lower fees. I refer the honourable member to the fact that the majority of funding for non-government schools comes from the Commonwealth Government. Indeed, quite a bit of capital funding for those schools comes from the Commonwealth Government. But we have a good working relationship with the non-government school sector. We meet regularly with both the Catholic and independent heads of schools in New South Wales to have open and frank conversations, and we will continue to do that.

The Hon. MARK LATHAM (12:27): I ask a supplementary question. The Minister never praises these outstanding schools, which in itself is curious, but will she elaborate on her statement that she has a capital funding arrangement in place for the independent schools? It is the Berejiklian arrangement from 2019, a four-year arrangement, which expires next year. What is the Minister doing to renew that arrangement and provide additional capital support for schools that are expanding faster than any other sector in the State?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:28): The budget this year included some funding for our Government's commitment to invest \$500 million over four years to support non-government schools to provide more student places in growing communities. It is known as our Building Grants Assistance Scheme funding. We work closely with both the Catholic and independent schools on the rollout and the administration of that money. The member is right in saying that it is a four-year commitment. I will not stand on the floor of Parliament and indicate what future commitments will be. I reiterate my earlier points: that primary funding for the non-government school sector comes from the Commonwealth Government, and that we have a good working relationship with those two school sectors. We work collaboratively with them and I am sure we will be able to say more about that particular commitment or support in the coming months.

The Hon. WALT SECORD (12:29): I ask a second supplementary question. Will the Minister elucidate her answer? Several times she mentioned that the majority of funding for independent schools comes from the Federal Government. Will she give a commitment today to increase funding and not cut it?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:29): As the member would probably be aware, we have the National School Reform Agreement relationships with the Commonwealth Government that we go through periodically when they are up for renegotiation and where we work through the processes to do with school funding in New South Wales. Those processes are underway. I think the next agreement is due to be negotiated shortly. We will do that following the appropriate process.

RECRUITMENT BEYOND NSW

The Hon. ANTHONY D'ADAM (12:30): My question without notice is directed to the Minister for Education and Early Learning. How many teachers have been recruited under the Government's Recruitment Beyond NSW program, which aims to recruit interstate and foreign STEM teachers? How many are currently teaching in New South Wales schools?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:30): I thank the honourable member for his question. I am really pleased to talk about the work that we are doing around teacher supply and acknowledge the fact that we do have a strategy. The member has asked how many teachers have been recruited through our Recruitment Beyond NSW program. Obviously, we introduced this as part of our Teacher Supply Strategy, with funding of \$125 million over the next four years. We know that it is important to look for a range of ways to bring new people into the profession in New South Wales. Our Recruitment Beyond NSW program is a part of that. In terms of specific numbers of how many people have been attracted to come and teach in New South Wales, I can tell the honourable member that, as of 11 July, we have had more than 8,000 expressions of interest submitted for the Recruitment Beyond NSW program. I am just looking to see if I have the most up-to-date number in relation to that program in the notes that I have in front of me. They may suddenly find themselves arriving to me.

The PRESIDENT: Order! Members will come to order. The Minister has the call.

The Hon. Walt Secord: Table the folders.

The Hon. SARAH MITCHELL: I am not tabling my folders, thank you very much. I have received some updated advice in relation to this program. We have received more than 11,000 expressions of interest, with 400 shortlisted.

The Hon. Courtney Houssos: How many in schools?

The Hon. SARAH MITCHELL: I am getting to that. To date, we have had three teachers appointed to New South Wales public schools, two of whom are due to start on day one of term 4 this year—so they would have started within the last week or two.

The Hon. Penny Sharpe: So they haven't started yet? So there's zero?

The Hon. SARAH MITCHELL: No. Two were due to start at the beginning of day one, term 4, which was a couple of weeks ago. We have a further five awaiting visa outcomes on track to start on day one, term 1, next year. We have 22 teachers in the offer stage of the recruitment process. Those are the statistics from early October.

The PRESIDENT: Order! The Minister is being directly relevant. If members opposite do not wish to hear what the Minister is saying, then I suggest they leave the Chamber and make their comments outside. The Minister has the call.

The Hon. SARAH MITCHELL: Those opposite have done nothing but talk down this program when the Federal Labor Government and the Federal Minister have said that these are the exact kinds of initiatives that we need to look at to bring new teachers into New South Wales. The Victorian Labor Government has announced a very similar policy to attract STEM teachers from overseas. Those opposite are not saying, "What a waste" about that. The reality is that this is a good program. There are processes involved in terms of visa applications, which have taken time. We wrote to the Federal Government and asked it to help us make the process faster. It agreed to do that. So we are on a unity ticket with the Labor Government in Victoria and the Federal Labor Government when it comes to this process. The only people who do not like it are those opposite. They have no plans of their own—zero. There is nothing on teacher supply from them. [*Time expired.*]

The Hon. ANTHONY D'ADAM (12:34): I ask a supplementary question. I listened to the Minister's answer. I believe the figure that I got from all that was three teachers. Will the Minister elucidate how many of those three teachers were recruited from interstate as opposed to internationally?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:34): I am very happy to take the specifics of that on notice, but once again I make the point—

The Hon. Rose Jackson: Someone hold up a finger over there.

The Hon. SARAH MITCHELL: Those opposite are so disrespectful.

The Hon. Wes Fang: I'll hold up a finger.

The PRESIDENT: I do not think that is helpful. The Minister has the call.

The Hon. SARAH MITCHELL: What is clear from those opposite is that they have zero policy plans in terms of teacher supply. They are actively talking down a process and a policy that we have in place that other Labor States are doing. They have got no idea.

The Hon. Courtney Houssos: Point of order: I take a point of order on direct relevance. My colleague asked a supplementary question seeking a very simple figure from the Minister. The Minister either has the figure and should provide it to the House or she should sit down, rather than provide an analysis of what she thinks about the Opposition's policies.

The PRESIDENT: I uphold the point of order. The Minister has taken the question on notice. Minister, do you have anything further to add?

The Hon. SARAH MITCHELL: I took it on notice. It is fine. That is it.

TAX COLLECTION

The Hon. TAYLOR MARTIN (12:35): My question is addressed to the Minister for Finance, and Minister for Employee Relations, and the Leader of the Government. Does the New South Wales Government need more and tougher tax collectors?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:36): I told the House it was a dixer. I thank the member for his question.

The Hon. Mark Latham: Point of order: Under the standing orders, repeating a question already asked and fully answered is out of order. We have heard this. It is tedious repetition.

The Hon. DAMIEN TUDEHOPE: No, I have got more to add. Members will want to hear it.

The PRESIDENT: There is no point of order.

The Hon. Daniel Mookhey: Point of order: I ask that the Hon. Taylor Martin repeat the question, because it sounds as though he is asking for an opinion. That would be out of order. He seemed to be asking whether the Minister thinks that additional tax collectors are needed. If that is the case, the question is not in order.

The Hon. DAMIEN TUDEHOPE: You don't like the answer, mate.

The PRESIDENT: Order! I have had a chance to examine the question. There is no point of order. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: As demonstrated in question time today, while we are focused on more teachers, nurses, paramedics and police, the Labor Party is calling for more tax collectors. I express my gratitude for the people who work at Revenue NSW and the work that they do, because those people work under very difficult circumstances and often deal with very vulnerable people. We expect to collect \$39.6 billion in taxes in 2022-23.

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

The Hon. DAMIEN TUDEHOPE: The shadow Treasurer has made a claim on the basis of a leaked PowerPoint presentation from a very zealous tax collector who would like to see every last dollar owing collected as soon as possible. He says that New South Wales literally cannot afford a government without a strategy to collect this money. What an ill-informed and financially illiterate comment. Tax debt was reduced by 30 per cent, or over half a billion dollars, in the seven months between March and October this year. Much of the current tax debt is a result of the deferrals and pauses in enforcement of taxes for those impacted by COVID-19 and floods. Of the current tax debt, \$133 million, or 11 per cent, is subject to agreed payment plans with over 3,815 individuals and businesses. That is included in the money that is outstanding.

Some people promise to pay their debts but never actually do so, and they should be pursued vigorously. For example, when a payment of \$103,461 in outstanding invoices from the Health Services Union's election campaign to a small printing business was due on 20 November 2012, the printer was told by the campaign

director—who now just happens to be the shadow Treasurer—"I guarantee that we will pay your bill soon." Earlier Mr Mookhey had told the printer, "Flick us the invoice. We will turn them around relatively quickly." [*Time expired.*]

FIRST NATIONS STUDENTS

The Hon. PETER PRIMROSE (12:40): My question without notice is directed to the Minister for Education and Early Learning. The Premier's Priorities promised that 69 per cent of First Nations students will attain their HSC by 2023. Given that Closing the Gap figures show that the proportion of First Nations students attaining their HSC has gone backwards, how does the Minister respond to community concerns that the Government is failing First Nations students?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:41): I thank the honourable member for his question. It is a very serious and important issue, and I appreciate the opportunity to put a few things on the record about the work that the Government is committed to doing to support and improve outcomes for Aboriginal students. We have a range of different initiatives and programs in place, and I know that very well from not just my time as education Minister but also when I held the Aboriginal Affairs portfolio for a number of years.

The PRESIDENT: Order! The Minister has the call.

The Hon. SARAH MITCHELL: The member's question said that there were community concerns that the Government is not providing the support that is needed for our Aboriginal students. I am happy to advise the member that \$108.54 million of equity loading in 2022—

The Hon. John Graham: No, that was not the question. It was about the targets.

The Hon. SARAH MITCHELL: The question was about community concerns regarding our support for Aboriginal students, and I am very happy to provide that answer.

The Hon. Damien Tudehope: Point of order—

The Hon. John Graham: Point of order—

The PRESIDENT: We have duelling points of order, and I will hear the Minister's point of order first.

The Hon. Damien Tudehope: If the member has an issue with the Minister's answer, then he should take a point of order, rather than continually interjecting and questioning the Minister across the table while she is giving her answer.

The PRESIDENT: I uphold the point of order. I will hear the point of order from the Deputy Leader of the Opposition.

The Hon. John Graham: The point of order relates to direct relevance. This question is explicitly not about the support. It is a very narrow question about the target, which the Government is failing to meet.

The PRESIDENT: I do not need any further arbitrators from the Opposition benches. The Minister was being directly relevant to the community concerns about First Nations students. The Minister will continue.

The Hon. SARAH MITCHELL: As I said, \$108.54 million in equity loading has been allocated to schools, funding 69,829 students from an Aboriginal background. That is very important because that support has to be provided throughout the entire time that students are at school in order to improve HSC attainment. It is also vital that the work of the Government to support Aboriginal education is done in true partnership with Aboriginal leaders and the Aboriginal community, particularly as it relates to the HSC. That is why Government members are proud to continue to work in close partnership with the NSW Coalition of Aboriginal Peak Organisations and the Aboriginal Education Consultative Group [AECG] to focus on Aboriginal student attendance, retention and cultural identity. In the past 10 years we have allocated \$26.9 million in funding to the AECG to deliver programs for Aboriginal students.

The Government has set ambitious Premier's Priorities targets for Aboriginal attainment because Aboriginal education is so important. It plays a crucial part in our Government's commitment to closing the gap. As in many facets of life over the past few years, the pandemic has had a significant impact on all of our students. We have also seen that for Aboriginal students undertaking their HSC over the past two years, which is demonstrated in the 2021 HSC attainment rates and will likely be reflected in the 2022 attainment rates. It is also worth noting that students have a further year to complete their HSC, so the final 2021 result—

The Hon. Damien Tudehope: Point of order: I took a point of order earlier regarding the interjections against the Minister. I know you give latitude to those who occupy the two Opposition chairs at the table, Mr President, but there must be limits to that latitude.

The PRESIDENT: Indeed, and from time to time I give some latitude to the people who occupy the two Government chairs as well. But the Deputy Leader of the Opposition has reached the edge of that envelope, so I warn him that he will be called to order if he continues. The Minister has the call.

The Hon. SARAH MITCHELL: While we have delivered a number of initiatives, it is obviously a complex space and there is always more to be done. During 2021 HSC attainment for Aboriginal students has been established as a pillar of our School Success Model. Currently schools have access to 16 universal resources, with strategic support to be delivered to the first 15 of those schools during this semester. Guided support will be delivered to those school communities from 2023. We are also focused on student attendance and retention when it comes to HSC completion, which includes identifying Aboriginal students with a low attendance pattern and those at risk of exiting school prior to completion. [*Time expired.*]

ILLEGAL FOOD PRODUCTS

Reverend the Hon. FRED NILE (12:46): My question is directed to the Leader of the Government in the Legislative Council, representing the Treasurer. Why did the Government invest \$25,000 of taxpayers' money into a fake meat product made by Vow Group that is currently illegal in this State? Was the Treasurer aware that the product was illegal at this time? What other illegal products has the Government invested in? Why did the Treasurer feel the need to invest in illegal products rather than legal ones?

The PRESIDENT: Order! We are all very interested in the Minister's answer to this question.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:47): This question is about fake meat, but a better question would have been about what we get from those opposite—fake politics. They have no policies, no nothing.

The Hon. John Graham: Read the note; it says "Sit down."

The Hon. DAMIEN TUDEHOPE: It does say "Sit down; don't even go near this." I do not even know how to respond to the premise of the question, and I have no idea where this goes. In deference to Reverend the Hon. Fred Nile, I will endeavour to obtain an answer from the Treasurer.

MENTAL HEALTH MONTH

The Hon. SCOTT FARLOW (12:48): My question is addressed to the Minister for Mental Health. October is Mental Health Month. Will the Minister provide an update on the New South Wales Government's efforts to support the mental health and wellbeing of the people of New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:48): Recently I wrote an open letter to all youth mental health and suicide prevention agencies and organisations in New South Wales, and I ask that members bear with me as I read it out in this place during Mental Health Month. It states:

I'm writing to you as an important stakeholder in our joint mission to reduce youth suicide in New South Wales.

And I'm writing to share some good news: the latest data from NSW Health Suicide Monitoring System shows that, together, we are turning things around.

As Minister for Mental Health, as a wife, a mother, it's always tough reading. Every number represents an unfathomable tragedy. Perhaps the most harrowing are those involving young people.

The people represented in the report must never be treated as just statistics.

They are people, they are loved and they are valued. My letter continues:

But the numbers are important, helping us understand whether we are heading in the right direction, that is, towards zero suicides.

The good news is, the data for 2022 shows the rate of youth suicide continues on a steady and significant decline.

At the end of 2020 the number of youth suicides decreased by 9.42% compared to 2019, with 13 fewer lives lost. At the end of 2021 it decreased again, with 27 fewer lives lost compared to 2019, a 19.4% decrease over two years. Among regional youth, there was an even larger decrease, with suicides down more than 30%.

This year has seen a further decrease, with nine fewer lives lost in the first eight months compared to the same period last year, and lower than in 2019 and 2020.

There will be no cause for celebration until youth suicide is at zero. But if the current decline continues to the end of 2022 with fewer young lives lost than in 2021, we will have witnessed the reversal of a 15 year uptrend in NSW.

This is important. No other major state has seen such a decline. And with three consecutive years of declining youth suicides, this is not a statistical aberration or a quirk of the pandemic. Rather, it shows that, despite the impression from ongoing media reporting on youth suicide and mental health, we are making a real difference and saving lives. And that comes down to the work you do.

Sometimes it is hard to measure; we can't always point to the intervention, it's the collective action that makes a difference. Every school session, every conversation with a young person, every text message from a concerned friend. It could be the location of a support service, or the postvention you activated following a tragedy. It all adds up to a web of support that is saving young people's lives in NSW.

I want to thank you for all you have done to contribute to the change we are seeing. I hope this decline in youth suicide is a source of encouragement to you, to keep up the life-changing work you do each and every day.

Of course, we are not there yet. Our young people are relying on all of us to provide the support they need, to help build their resilience and keep them healthy and safe.

BOURKE YOUTH SUPPORT SERVICES

The Hon. MARK LATHAM (12:52): My question is directed to the Minister for Families and Communities. After her recent visit to the town, what action has the Minister taken to end the epidemic of child sexual assault in Bourke?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:52): I thank the honourable member for his question. He is correct: I did visit the town of Bourke and have an opportunity to meet with a number of stakeholders and organisations that provide support services to children at risk and also support families. I met with the council and, most importantly, I had an opportunity to talk to caseworkers on the ground. I do that across the State. Wherever I go, I make the time to visit caseworkers to thank them for the work that they have done, particularly during the past couple of years and more recently, in some areas, during the floods. It also gives me an opportunity to hear firsthand from them about how things are operating in the local area and about some of the challenges that they may be facing.

To update the member on the meetings that I had, I am working with an organisation in Bourke that has an innovative idea to support young people who might be at risk of homelessness. I am working with them to look at opportunities where we can support them further. I know the member did not have a chance to meet with this organisation, but I highlight the Aboriginal Maranguka Community Hub, which has been operating for a number of years. It does some amazing work in conjunction with other agencies, including the Police Force, the Department of Education, the Department of Communities and Justice, and NSW Health.

The community hub is a new initiative. It was established a few years ago, similar to some other programs that we run across the State. The staff all come together and have daily meetings, and children who are identified as at risk are talked about. They define what the challenges are, and NGOs are also involved in those daily meetings. They work with the family or the individual to provide wraparound support to address the challenges they are facing. I commend them for the work that they are doing, and I will continue to work with them and with the community.

The Hon. MARK LATHAM (12:54): I ask a supplementary question. Will the Minister elaborate on the meetings that she mentioned in Bourke? In those meetings, what information was provided about the extent of child sexual assault in the town of Bourke, and what plans were mapped out for ending it?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:54): I thank the honourable member for his supplementary question. As I said previously when this was asked, quite some time ago, there is a responsibility on agency individuals—whether they be teachers, police or Department of Communities and Justice staff or others—for mandatory reporting. More importantly, if there are individuals within the community who believe that any child is at risk, they need to report that so that there is accurate information and action can be taken.

MUDGEES HIGH SCHOOL

The Hon. ROSE JACKSON (12:55): My question without notice is directed to the Minister for Education and Early Learning. How does the Minister respond to community concerns that students at Mudgee High School are missing out on a full opportunity to receive the education they deserve, experiencing 1,637 instances of minimal supervision to June this year, with classes merged 293 times?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:56): I thank the honourable member for her question and note again the Opposition's renewed interest in regional New South Wales. It is a pity that they could not show that interest on the weekend in order to keep the Hon. Mick Veitch, who is very much supported by those on this side of the Chamber.

The PRESIDENT: Order! The Minister has the call.

The Hon. SARAH MITCHELL: The member has asked a question about minimal supervision and merged classes at Mudgee at the start of this year. As I have said many times, particularly over the course of the past 12 months, we have had real issues with school communities in terms of sick leave. We have been very open and up-front about that. Of course, we want to do everything we can to ensure that, if staff are unwell, we are able to cover those positions. But it is really important to put on record once again that when large numbers of staff call in sick at the same time it is a challenge. It is a challenge for us; it is a challenge for all employers. This happens both in the city and in rural and remote areas. So far in 2022, in data up to 12 October, we have had teachers take more than 725,000 sick days. That is an increase of 62 per cent from 2021. The reason that we know school communities are finding it challenging at times to manage their staffing is that we have unprecedented sick leave in the system.

The Hon. Walt Secord: But what are you doing about it? What is she doing about it?

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

The Hon. SARAH MITCHELL: The Hon. Walt Secord asked what we are doing about it. I can answer that question. We have had a very strong plan in place to help schools manage staff absences due to COVID and other respiratory illnesses during winter. As at 17 October, I can tell the member that there were just over 240,000 casual teacher bookings made via the ClassCover platform since 27 January. It is an increase of 37 per cent compared with the same time period last year.

We have had more than 4,490 final year students granted interim teaching approval for casual and temporary teaching. We have done that to make sure that we can provide support to school communities. We have also had more than 660 previously retired teachers and principals who have been paid as casual or short-term temporary staff since the start of the year. We work very closely with school communities to help manage these issues. We have had department staff who have been able—

The Hon. Courtney Houssos: Point of order—

The Hon. SARAH MITCHELL: On what?

The Hon. Courtney Houssos: My point of order relates to direct relevance. The Minister has 26 seconds remaining. This was a very specific question about Mudgee High School. The Minister has provided a generally relevant answer up to this point, providing general reflections on what is happening. The Opposition wants to know about the 293 merged classes at Mudgee High School and the support that has been provided to that school to ensure that the students are not missing out on the education they deserve to receive.

The PRESIDENT: In the remainder of the time left for the Minister, she will directly answer the question so far as Mudgee is concerned.

The Hon. Walt Secord: You don't even know where Mudgee is. You fly over Mudgee.

The Hon. SARAH MITCHELL: That is so offensive.

The Hon. Ben Franklin: Point of order: The Hon. Walt Secord just alleged across the Chamber that the Minister did not know where Mudgee was. I think that is offensive. I think the Minister took offence. I ask him to withdraw it.

The Hon. Walt Secord: To the point of order: For the record, I actually said, "She only sees Mudgee when she flies overseas."

The Hon. SARAH MITCHELL: That is not what you said. You said, "You don't know where Mudgee is." That is what you said.

The Hon. Walt Secord: She only sees Mudgee when she flies over it.

The PRESIDENT: Order!

The Hon. Sarah Mitchell: Who lives in the regions? Anyone?

The PRESIDENT: Order!

The Hon. Walt Secord: If the member is offended by me saying—

The Hon. SARAH MITCHELL: I am very offended.

The Hon. Walt Secord: —that she does not know where Mudgee is, I apologise to the member and the Chamber.

The Hon. SARAH MITCHELL: Thank you.

The PRESIDENT: The Minister has 22 seconds left.

The Hon. SARAH MITCHELL: As I was saying, the member referred to figures that I suspect have come from the union. But can I say—

[Opposition members interjected.]

The Hon. SARAH MITCHELL: There we go! How dare I mention the unions. The member asked about why there are merged classes in regional New South Wales.

The PRESIDENT: The Minister's time has unfortunately expired.

The Hon. DAMIEN TUDEHOPE: If members have any further questions, they should place them on notice.

UNPAID TAXES

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (13:01): Earlier I made some observations in relation to a debt which was owed by the Health Services Union in 2012 and the invoices totalling \$103,000 that the now shadow Treasurer promised to pay immediately to a small business. I have to say that they were still unpaid two years later.

The Hon. Rose Jackson: He is really offended, okay? It really offends him when you are mean to him.

The PRESIDENT: Order! If the Hon. Rose Jackson could refrain from perhaps giving the Minister gratuitous advice in relation to the condition of the Hon. Daniel Mookhey, the Minister might complete his answer.

The Hon. DAMIEN TUDEHOPE: Have you ruled out that water tax yet?

The Hon. Courtney Houssos: Point of order—

The PRESIDENT: The Minister will resume his seat.

The Hon. Courtney Houssos: The Minister is supposed to be providing supplementary answers that are directly relevant to the questions that were asked of him. None of that contribution was directly relevant to the question that was asked of him.

The PRESIDENT: Indeed. I uphold the point of order. If the Minister has something directly relevant to add he should do so.

The Hon. DAMIEN TUDEHOPE: I was also asked about the strategy in relation to that debt. I add that the debt would be significantly reduced if the governments of Queensland, Victoria and Western Australia would pay what they owe us. If the governments of Queensland and Western Australia would pay what they owe us, that would be a good strategy.

The PRESIDENT: I think the Minister's time has expired and I caution that he is teetering on the edge. We might withhold the excitement for a moment, unless other Ministers have further answers. I caution in that regard, just generally for future reference, that making gratuitous comments that are not directly relevant is not the function of this part of the proceedings. In that regard, please take note of that for another time.

Supplementary Questions for Written Answers

BOURKE YOUTH SUPPORT SERVICES

The Hon. MARK LATHAM (13:03): My supplementary question for written answer is directed to the Minister for Families and Communities. In those meetings in Bourke, what meetings did the Minister have with the local police? What data did they provide about the extent of child sexual assault in Bourke? What plans were mapped out for ending it?

RECRUITMENT BEYOND NSW

The Hon. COURTNEY HOUSSOS (13:04): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Would the Minister be able to outline—in her answer she referred to two teachers that were due to start on day one, term 4—whether those teachers have commenced work? Of the other figures that were provided—the 400 short-listed, the three approved, the 22 at offer stage and the five awaiting visa approvals—how many are interstate and how many are overseas applications?

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.

RECRUITMENT BEYOND NSW

The Hon. COURTNEY HOUSSOS (13:04): Today in question time we asked the Minister about Recruitment Beyond NSW, which is a program designed to recruit teachers from overseas to fill the chronic teacher shortages that are plaguing our New South Wales schools. We uncovered the latest figures showing that instead of two teachers who have supposedly been recruited through this program, there are now three that have been approved—three teachers that have been recruited under a multimillion dollar program initiated by the New South Wales Government and designed to address the chronic teacher shortages. Today Opposition members asked about 293 merged classes at Mudgee High School. There are chronic teacher shortages plaguing our schools and the Minister has the gall to attack the Opposition for saying there are some problems with this program. We do not think this program will address the chronic teacher shortages that are confronting the State.

It may be that the Federal Government thinks this might be part of the solution. It may be that the Victorian Government has a similar type of program, but this program alone will not address the chronic teacher shortages that are plaguing our schools. We proudly stand up and say that. If the Minister wants to attack us for criticising it, bring it on. Parents, teachers and students are unanimously coming to the Labor Opposition to talk about the teacher shortages that are resulting in merged classes, minimal supervision and reduced educational outcomes for our students because this Government took so long to acknowledge that there was even a problem. Instead of addressing the problem in a meaningful way, instead of sitting down with the union as Government members accused the Opposition of doing today—the figures the Opposition provided in question time today were provided by the department to me in answer to a question I asked on notice—and instead of taking any of these constructive steps, the Minister has put her head in the sand.

The Government has refused to admit there is a problem and now is pointing to this program as though it is going to solve the problem of teacher shortages with three extra teachers. It just shows how out of touch this Government is. If after 12 years in office it thinks that three teachers will address the huge problems of teacher shortages across our schools, it has another thing coming. After 12 years the Government has failed to act. A series of media announcements will do nothing to address the serious teacher shortages that are confronting our schools. [*Time expired.*]

INDEPENDENT SCHOOLS

The Hon. MARK LATHAM (13:07): It is critically important in New South Wales to assist and uplift our disadvantaged schools, but it is also important at the other end of the scale to back in schooling excellence. Every student in this State, no matter which school they go to, deserves tuition and learning programs that maximise their potential in life. One of the strange aspects of the administration of the Minister for Education and Early Learning is that she never talks about the excellence in the independent school sector. These schools are leading the state in the HSC, NAPLAN and other measures of academic success. They deserve our recognition, our acknowledgement and our support.

I speak of a sector that is dominated by the Anglican, Christian, and Islamic school sector—504 schools in total—but also supported by other faith-based schools such as Baptist, Jewish, Greek, Lutheran and Uniting Church and non-faith based, such as Steiner and Montessori. It is a diverse sector that achieves outstanding results across the board. In 2019 former Premier Gladys Berejiklian arrived at a \$200 million capital support program for those schools over a four-year period. This resulted in \$800 million of capital outlays and provision in the school sector. For every dollar in capital that was outlaid by the State Government, an extra \$3 was provided by the schools, mostly through parent and community support.

The Government gets a good deal out of this for the capital outlay, but the funding agreement is now coming to a close and needs to be renewed. The Minister seemed to be flat-footed in question time when asked what the renewal of the capital funding might look like. It needs to be a bigger program of support because these are expanding schools. Over the past four years, three out of every four new students in New South Wales have enrolled in an independent school. There has been a net growth of about 4,000 students in the government sector and a tick over 2,000 students in the Catholic system. There has been an enrolment growth of 18,000 students in independent schools. Projections for the next 10 years show that the sector needs to build an extra 90 schools to accommodate the expected growth in independent schools in New South Wales, which is in the range of 52,000 to 130,000 extra students.

Independent schools are carrying the bulk of the enrolment growth. Why? That is because they provide teaching excellence. They provide the basics of learning and outstanding school results. They provide for a lot of parents who want discipline and values in the classroom. We must support those parents. You can no longer say that independent schools are at the top end of town. Increasingly, they are providing low-fee access for working people in the suburbs and the regions. I urge the Government to act promptly to provide a \$300 million capital

support program. That is what is needed to accommodate the growth. Better still, the Government should provide a decade-long capital support program to back in some of the best schools in New South Wales and provide opportunities for our young people. [*Time expired.*]

TRAIN MANUFACTURING

The Hon. MARK BUTTIGIEG (13:11): I take note of an answer to a question that was directed to Minister Farraway regarding the local manufacturing of trains. It was in response to an answer that Minister Farraway gave in May to a question about domestic manufacturing, where he said:

I honestly do not think the community is concerned with where they got built. I do not think commuters in New South Wales care about where they were built. What they care about is what that train offers them.

The outgoing Minister for Transport, Mr Elliott, is saying that trains should be manufactured here. The Treasurer is not committing to domestic manufacturing. There has been a litany of failures on projects like the new intercity fleet [NIF] and the inner west trams. Remember the cracked trams? There were trains that did not fit the tracks and tunnels. There were ferries that were riddled with asbestos. After all of those lessons, the Government still will not commit to domestic manufacturing. That is what came out of question time today: The Government will not commit to domestic manufacturing. It did not learn its lesson from the NIF. The reason there was so much trouble with the NIF and why there is this dispute now is that the Government did not sit down with the union, which is the expert on the subject matter, to find out what could have gone wrong.

The union would have told the Government that the trains would not fit the tracks and tunnels. There would not have been the issues with the guardless drivers. There would not have been the CCTV issues. There would not have been this dispute. If the Government were serious, it would have fixed the issues by now. Instead of learning its lesson, the Government is getting the regional fleet from overseas, so we are about to see the same litany of failures. The Government is exporting jobs and importing duds. Those opposite do not care about domestic manufacturing. They have not learnt anything from the 12 years they have been in government. They are intent on sending jobs overseas and importing duds. They have literally cost taxpayers billions of dollars in overrun because they are getting a dodgy product and exporting jobs. It is unbelievable that, after all this time, the Government is still refusing to commit to domestic manufacturing. It is disgraceful. [*Time expired.*]

REGIONAL ROADS AND INFRASTRUCTURE

The Hon. LOU AMATO (13:14): I take note of an answer given by Minister Farraway. It was the New South Wales Liberal-Nationals Government that put regional New South Wales on the map, and it will only be a Liberal-Nationals Government that will continue to deliver the vital infrastructure and services needed to secure a brighter future for regional New South Wales. The Government is upgrading major highways to protect and strengthen the State's supply chain and make travelling along these roads safer and easier for families. In a quick snapshot, \$1.7 billion has been committed in the west to upgrading the State's longest highway, the Newell Highway. The upgrade includes the New Dubbo Bridge, the Parkes Bypass, heavy-duty pavement, intersection upgrades and additional overtaking lanes.

The Government is also upgrading the Great Western Highway, which is a project that will revolutionise travel from the east to the west. Along the North Coast, there is the Pacific Highway upgrade. Down south, the Government has been upgrading the Princes Highway since 2011. The Albion Park Rail bypass, the Gerringong bypass and the Foxground and Berry bypass have already been opened. By the end of the year, the Berry to Bomaderry 10.5-kilometre duplication will be completed. I could go on and on, and I will. There is the \$19.4 billion regional roads and transport infrastructure pipeline.

But it is important to look at what life would look like under a Chris Minns Labor Government. One way to do this is to look at history. We all know that history has a habit of repeating itself. The last Labor Government was in power 12 years ago, and they were dark times. I remember it well because I ran a business in those dark days. Employment growth was the worst in the country, jobs growth was the lowest of any mainland State, the New South Wales economy was the worst in the country and business confidence was the lowest of any mainland State. I know it all too well because I lived during those days. Housing growth was also the lowest in the nation.

It is virtually impossible to compare this Government's record with the previous Labor Government's track record in building what matters, because the previous Government did not build anything. It left the State with a \$30 billion infrastructure backlog. The fact that there have been virtually no commitments from the Minns Labor Opposition in the regional roads and transport space means it can only be assumed that regional New South Wales will be forgotten again. The Opposition always forgets regional New South Wales. If those opposite ever get back into power, God help us. This Government is building infrastructure that matters to make daily life easier for families in New South Wales. It means less time in traffic and more time doing what you like. It means more jobs and a better quality of life. It means a brighter future for all.

RECRUITMENT BEYOND NSW

MUDGEES HIGH SCHOOL

The Hon. ANTHONY D'ADAM (13:17): I make a contribution to the take-note debate, specifically to the answer to the question that I directed to the Minister for Education and Early Learning. I asked about the Recruitment Beyond NSW Program. We heard that the total number of teachers this program has delivered to classrooms in New South Wales is three teachers. It is an admission of failure, but it is more than that: It is an admission of a failure to plan. This Government has had 12 years to develop a workforce plan. It knew that this problem was emerging. It has the data and the ability, and it knew that the State was heading towards teacher shortages. The Government has not put in place a workforce plan, and this is the consequence.

In her defence, the Minister said, "Others are doing this. The Federal Government is looking at it. The Victorian State Government is looking at it." I say to the Government that it should look at the experience in New South Wales and start looking at other solutions, rather than going down this path. This approach by the Government demonstrates that it thinks the solution to the teacher shortage is on the supply side, but it actually needs to be focusing on retention. The Government has ignored the retention issue for many years. Teachers are leaving the profession in droves, and working conditions and salaries are not adequate. Those are the measures that need to be taken, and those are the measures that this Government has ignored. We are now reaping the dividends.

In response to another question about the situation at Mudgee High School, we heard of 1,637 cases of minimal supervision. That is the consequence of this failure of the Government, in microcosm. Students are suffering—their education is suffering—in regional New South Wales because the Government has been unable to provide the staffing necessary to guarantee the basic education that they deserve. It is a disgrace, it is cold comfort to those students, and it is a testament to the neglect that this Government has shown to the New South Wales public education system.

SYDNEY EVENTS

The Hon. PETER POULOS (13:20): I take note of the energetic answer given today by the Minister for the Arts and Minister for Tourism. Minister Franklin highlighted three key events that took place in Sydney over the weekend: the Red Bull Cliff Diving World Series finale, the Everest at Royal Randwick and Bruno Mars at Allianz Stadium. The events showcase Sydney as one of the world's best cities to hold major events. They also brought an abundance of flow-on benefits, injecting more than \$100 million into the New South Wales economy.

New mobility data show that more Sydneysiders are heading into the CBD on weeknights and weekends than they did before the pandemic, which is an awesome update on how we are progressing. Arts and entertainment industries have been driving these increased visitation numbers. Over the coming months, Sydney will experience an events calendar to rival that of any city in the world, including the T20 World Cup, *Moulin Rouge! The Musical*, the Sydney Festival, *Madagascar The Musical*, Sydney International Art Series, Sydney Sevens, Sail Grand Prix and Sydney WorldPride.

As the Minister indicated, this Government knows how important the revitalisation of the CBD is to businesses and households, which is why we are committed to building a comprehensive calendar of world-class events to ensure that New South Wales is, and remains, the major events capital and premier visitor economy destination of the Asia-Pacific. Last weekend was just the beginning of a full calendar of stellar opportunities in Sydney. Many events will be held free of charge, enabling arts and entertainment experiences to be accessed by everybody, and this will continue on an ongoing basis. Last Saturday was only the beginning, with more to come.

MENTAL HEALTH MONTH

The Hon. SCOTT FARLOW (13:22): I take note of the answer given today by the Minister for Mental Health. As Chair of the Parliamentary Friends of Mental Health, I find the news that the Minister outlined today to be profoundly positive. After the extraordinary events of the past few years, supporting people's mental health is more important than ever. I take this opportunity to thank every psychologist, psychiatrist, counsellor, mental health nurse, social worker and allied health worker for the work that they have done every single day to support people's mental health.

October is Mental Health Month and the theme is "tune in". It is an important time to reflect and tune in to our own mental health and the wellbeing of those around us. Recently, I was proud to attend the Mental Health Month Parliamentary Showcase. It was great to see members from all sides of politics attend, including former Deputy Premier Carmel Tebbutt, who does wonderful work with the Mental Health Coordinating Council these days. The Minister and the New South Wales Mental Health Commissioner, Catherine Lourey, launched the Strategic Framework for Suicide Prevention in NSW 2022-2027. The framework has been co-designed by people

with lived experience, and focuses on early intervention, post-suicide care and support, and aftercare and support to shift the landscape and bring into sharper focus communities and people. I acknowledge that every suicide is a tragedy. It is a very complex issue. Of course, whenever you speak to somebody who is a survivor of a suicide attempt, and the families of those who unfortunately commit suicide, you see what a tragedy it is in each and every life that it touches.

In June the New South Wales Government announced the largest increase in State mental health investment in its history. We have committed \$300 million in additional funding, which will go towards continuing and expanding the Towards Zero Suicides program and supporting post-pandemic mental health recovery. The Government is rolling out universal aftercare to anyone who survives a suicide attempt. Every person in New South Wales discharged after a suicide attempt will receive at least three months of follow-up and wraparound support, as those who have attempted to commit suicide are the biggest indicator of those who may in the future.

For the first time, the New South Wales Government and the Federal Government are funding the Commonwealth headspace network, the new adult Head to Health centres and the child and adolescent hubs, or "junior headspace", as we like to call them. We are also establishing Head to Health hubs that will see multidisciplinary teams operating a "no wrong door" approach to support adults experiencing mental health challenges. We all have a joint mission to support the welfare of our constituents, and there can be no greater cause than to see youth suicide reach zero. I encourage every member of this House to tune in to their mental health this October. Check in on your kids and your mates and ask them if they are okay. As the Minister said, there are many little things that we have all done and it is great that in New South Wales we are starting to see some progress in attacking this very significant problem for our society.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SHAYNE MALLARD (13:25): As Parliamentary Secretary, it is my duty to wrap up this debate after question time, which was quite animated as always. As regularly is the case for me, I am particularly animated around the infrastructure legacy that we are creating for this State and that has really transformed the State. This was touched on by Minister Faraway in his really strong presentation around the manufacturing of buses, the future of our trains and, of course, the infrastructure that supports the trains. It is always disappointing—and it happens every single take-note debate—that I have to correct the record that Mr Buttigieg puts on the table, which is always exaggerated and incorrect, and it is in regard to intercity trains, which sit in mothballs, like the jumbo jets in the deserts of California, costing taxpayers a fortune because they are not on the tracks.

Those of us who live in the Blue Mountains—and I note that the Hon. Adam Searle is here—are dealing with 40-year-old trains. Whilst they are serviceable, a 40-year-old car is not as safe, functional and efficient as a new car. Those trains, whilst we do have some affection for them, are well overdue to be replaced, and I was told by Transport for NSW that the day they retire they will go into the museum—they are so unique. We do see steam trains up there—and perhaps they are what we should bring back, or the red rattlers—but it is not true to say that we bought trains that do not fit the tracks and do not fit the tunnels.

That was well known, and the budget was allocated and the whole track system for the Blue Mountains was upgraded to the metropolitan urban standard. The same trains can now go from Lithgow to the city, down to Wollongong and up to Newcastle. When we came into power in 2011, the interurban fleet, the new fleet that the Labor Party bought—and I give them credit for that; I think they were called the Endeavours—could not go up to the Blue Mountains. The power system was not strong enough, nor were the tracks, being an old line. We upgraded those. We made the hard decision to upgrade so that the whole fleet could go everywhere, but now it sits in mothballs. Let us stop the misinformation about that.

We also heard in the debate about the Opposition proposal for more tax collectors. Indeed, the Leader of the Opposition pointed out Mr Mookhey's appearance in the Justice Heydon royal commission around poor debts with printers. That is on the record now. The lazy Chris Minns Opposition wants to have more tax collectors. That is a policy they are taking to the next election and I am sure the business people of Sydney will note that. With those few words, I stand by the huge infrastructure legacy that we are creating across the State and commend the Government's answers to the House.

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

Motion agreed to.

Written Answers to Supplementary Questions

CLIMATE CHANGE AND EMISSIONS REDUCTIONS

In reply to **Mr JUSTIN FIELD** (18 October 2022).

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

I am advised the Department of Planning and Environment undertakes economy-wide modelling of greenhouse gas emissions to support the New South Wales Government's net zero targets and policies, and for tracking and reporting on progress being made towards achieving the State's net zero emission targets. The department models New South Wales emissions out to 2050 on a sectoral basis consistent with the NSW Greenhouse Gas Inventory and national emission projections. A sectoral approach is adopted to account for interactions and inter-dependencies between programs and the collective market impact of programs.

The sectoral projections are available in the *NSW State of the Environment 2021* report and the Net Zero Emissions Dashboard, and are given for base case and current policy scenarios. The dashboard and data can be accessed through the Government's Sharing and Enabling Environmental Data [SEED] portal (www.seed.nsw.gov.au). The department provides updated projections on a periodic basis. The currently available 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.

The Government is addressing emissions from industrial processes through the Net Zero Industry and innovation program and the NSW Hydrogen Strategy. Updated projections which include the contribution of both of these programs to emissions reductions in the Industrial Processes and Product Use sector will be released in late 2022.

The Government's Primary Industries Productivity and Abatement program [PIPAP] is addressing emissions from the land sector, including primary industries. Updated projections which include the contribution of PIPAP to emissions reductions in the Land Use, Land Use Change and Forestry sector will also be released in late 2022.

Attribution of emissions reduction by program will be assessed during mid and end of program evaluations, with such findings published when available.

SCHOOL INFRASTRUCTURE

In reply to **the Hon. COURTNEY HOUSSOS** (18 October 2022).

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

Since 2013, more than \$90 million has been allocated for Capital Works to create additional community preschool places across New South Wales. Funding for childcare centres has historically been the responsibility of the Commonwealth Government.

A list of grants distributed to early childhood and care services is available in the annual report.

Documents

OFFICE OF THE INSPECTOR OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The DEPUTY PRESIDENT (The Hon. Wes Fang): According to the Independent Commission Against Corruption Act 1988, I table the annual report of the Office of the Inspector of the Independent Commission Against Corruption for the year ended 30 June 2022, received out of session and published this day.

OFFICE OF THE INSPECTOR OF THE LAW ENFORCEMENT CONDUCT COMMISSION

Reports

The DEPUTY PRESIDENT (The Hon. Wes Fang): According to the Law Enforcement Conduct Commission Act 2016, I table the annual report of the Office of the Inspector of the Law Enforcement Conduct Commission for the year ended 30 June 2022, received out of session and published this day.

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

Private Members' Statements

LET'S GO GREEK FESTIVAL

The Hon. COURTNEY HOUSSOS (14:59): Sunday 11 September 2022 was a spectacular Sydney spring day. I, along with about 35,000 others, attended the Let's Go Greek Festival at the St Ioannis Greek Orthodox Church, organised by the Hellenic Orthodox Community of Parramatta and Districts. The festival was delayed for two years by the COVID pandemic. This year it attracted one of its biggest turnouts ever. The purpose of the festival is to bring the community together. It is a family-friendly event committed to the wellbeing of the community. It seeks to value diversity and tradition, welcoming community, participation and volunteering, and respect for self and others. There were a large number of community stalls and exhibitions. It really was a community-run event.

I particularly want to mention *The Evzones Collection*—a stunning collection of photos of the iconic evzones, the Greek Presidential Guard, taken in locations in both Sydney and Greece by Nick Bourdanotis. They are absolutely stunning photos. The collection has been on exhibition in Sydney at a number of locations including the Australian National Maritime Museum and the Hellenic Club. It is now going to travel to Greece. It is

incredible work by an esteemed Australian photographer. Nick has beautifully captured this iconic part of Greek tradition.

I also want to acknowledge the newly elected Federal member for Parramatta, Andrew Charlton, who was at the festival with his beautiful family. Andrew has clearly been embraced by the Greek community as one of their own. He gave a fantastic speech. Also in attendance at the festival were the Leader of the Opposition, Chris Minns; the shadow Minister for Multiculturalism, Steve Kamper; our colleague the Hon. Peter Poulos; and a number of councillors from around Sydney. I acknowledge the festival's energetic and enthusiastic emcee, Paul Nicolaou. He did a great job of keeping everyone entertained on a very hot Sydney day.

I especially want to mention John Bris and Kos Dimitriou. I also acknowledge Arthur Karoutzos and his lovely wife and three daughters, who I had a great chat with on the day. I first met John and Kos, members of the St Ioannis Church committee, about six years ago. They had ambitious plans for turning the new site of the church into a centre for the Greek community in western Sydney. It is situated right on the Parramatta Light Rail route. To be able to visit it on the day and see it absolutely pumping with community members was great. The church is established. They have a childcare centre on site and a plan for aged care. It is an incredible thing that they are building for the Greek community and also for the wider community of western Sydney. They should be congratulated and encouraged. I thank them very much for their efforts.

COMMERCIAL FISHING INDUSTRY

The Hon. MARK BANASIAK (15:03): All is not well in New South Wales commercial fishery. Following the announcement of reforms some 25 years ago, New South Wales commercial fishery is still struggling to stay afloat. In a 2019-20 study by BDO EconSearch, fishermen were asked whether they trusted the Department of Primary Industries [DPI] Fisheries office to make the right decisions for managing commercial fishing in New South Wales. The findings in the *Economic and Social Indicators for New South Wales Commercial Fisheries in 2019/20* report unilaterally show that most fishers do not trust DPI Fisheries. Why would they? The Department of Primary Industries says that the most recent regulatory change, the NSW Commercial Fisheries Business Efficiency Program [BEP], provides for changes to improve performance in the New South Wales commercial fishing industry. On its website, DPI states:

The BEP will remove red-tape, deliver efficiencies for government, and improve the economic performance of the industry while mitigating substantive change to the sharing or sustainability of fisheries resources in NSW.

Nineteen papers on different fishing activities have been released to the industry for consultation. Participants have been given nine days to respond with how the proposed changes will affect their fishery. The Government's own *NSW Government Guide to Better Regulation* stipulates 28 days. This is not the only issue causing stress to the industry. In the September budget estimates hearings, I again asked DPI Fisheries about the set pocket prawn draw. The Shooters, Fishers and Farmers Party has continuously raised the issue of the prawn draw with the department and with the Minister. No positive steps have been taken in the right direction.

The secretary, Sean Sloan, got it wrong in budget estimates when he told the hearing that all set pocket prawn draws are run the same. They may come under the same regulatory process, but they are not all run the same—and the way that is happening does not pass the pub test. In some regions there are only 2-10 balls in the draw, and there is a fairer opportunity. However, in other regions, there can be 100 balls in the draw. Many fishers are driving to the draw and do not get a peg at all. Hundreds and thousands of dollars' worth of potential income is being treated like a lottery.

This is where we have landed for prawn fishery after 25 years of reform. There are 1,055 fishing businesses still active in New South Wales, with 812 owners. That is not a lot considering our country's high consumption of seafood and what we export. It should be no surprise to members of this House that more than 80 per cent of seafood consumed by New South Wales is imported. That number will only increase as fishing spots are closed off and effort is reduced. A petition has been circulating through the industry for some time that hopes to raise a few of these issues with Parliament. It makes three points: The petition is against the reform instigated by DPI for the commercial fishing industry; marine park closures are a main concern to both commercial and recreational fishermen in New South Wales; and more than 80 per cent of seafood consumed in New South Wales is imported, and it increases every time fishing is closed to access or effort is reduced. It is time this Government heard the calls of the commercial fishing sector.

RURAL WOMEN'S GATHERING

The Hon. AILEEN MacDONALD (15:05): On Friday 14 October I travelled home to the Northern Tablelands to attend a Rural Women's Gathering at the Ben Lomond War Memorial Hall. It was a cool and damp day; however, the room was vibrant and colourful. The Hon. Bronnie Taylor kicked off the proceedings and acknowledged that after three years of not being able to meet, it was lovely to be together at the gathering and

celebrating the International Day of Rural Women. My Country Women's Association [CWA] Guyra Evening Branch co-hosted the event, together with the Glen Innes National Resources Advisory Committee, or GLENRAC. All this was made possible by Women NSW and, of course, all the volunteers who were there on the day to ensure the event ran smoothly.

As members may already know, the CWA is celebrating 100 years, having formed in 1922 when country women were fighting isolation and a lack of health facilities. The CWA has gone from strength to strength. In those 100 years, the CWA has set up baby healthcare centres, funded bush nurses and scholarships, provided funds during challenging times such as drought, and much more. If members of the CWA are walking the corridors of Parliament, then watch out. They are ladies on a mission. It is the largest women's organisation in Australia. They work tirelessly in their communities, lobbying for change, helping local communities and providing a network of support. They are the social fabric that often keeps a community going.

I am a proud member of the Guyra Evening Branch of the CWA and was its inaugural president back in 2018. The branch has a fantastic new president, Anne Starr—Starr by name, star by nature. Guyra has another CWA branch, which is celebrating over 90 years. It has been the glue that has kept Guyra together through thick and thin. The CWA is much more than tea and scones. Congratulations to the organising committee for hosting the Rural Women's Gathering and thank you to all the wonderful country women—dressed in their country attire—who attended.

HAYDN SPEAKS

The Hon. WALT SECORD (15:08): Members would be aware that my undergraduate degree in Toronto, Canada, was in the arts, and that I was shadow Minister for the Arts for almost 6½ years. I must admit that it was my most enjoyable shadow ministerial portfolio among the dozen or so positions that I have held over the past 11-plus years. That said, I still get invitations to support arts events, as my wife, Julia, who worked in Russian theatre before migrating to Australia in 1991, and I remain great supporters of the arts. Most recently, I had the pleasure of attending *Haydn Speaks*. It was a unique experience. It took place at Katoomba's Palais Royale, a boutique heritage hotel in the Blue Mountains. It was a wonderful evening involving the Australian Haydn Ensemble, led by artistic director and lead violinist Skye McIntosh, with renowned actor and founder of the Bell Shakespeare theatre company John Bell, AO, appearing as Joseph "Papa" Haydn.

John Bell's often witty monologue was interspersed throughout the musical evening. Ms McIntosh led the performance of some of the greatest hits, including an extended excerpt of the variations on Haydn's national anthem from the *Emperor Quartet*. Stripped back to a quartet and a flute, it involved Ms McIntosh and Matthew Greco on the violins, Karina Schmitz on the viola, Daniel Yeadon on the cello and Melissa Farrow playing the flute. The script, drawn from journals and letters, was by Rachel McDonald. It was directed by well-known actor, writer and director Mr Damien Ryan, founder and artistic director of the Sport for Jove Theatre, whom I deeply admire.

As background and for the benefit of Coalition members such as the Hon. Shayne Mallard and the Hon. Chris Rath, I will say that Joseph Haydn was an Austrian composer of the classical period and was instrumental in the development of chamber music for the string quartet and the piano trio. His contributions to musical form have led him to be called the father of the symphony and the father of the string quartet. Two of his most famous pupils were Mozart and Beethoven.

Mr Bell portrayed Joseph Haydn, highlighting his life and musical works, including his unhappy marriage and his 30 years "locked" in the Esterházy court in rural Hungary. *Haydn Speaks* was performed also at the City Recital Hall in Sydney's CBD, and in Berry. Later this week, there will be a performance in Canberra and another on the Southern Highlands. I commend this performance to my colleagues and members of this Chamber and urge anyone to find a way to get to the final two performances. I thank the House for its consideration.

TRIBUTE TO CLYDE THOMAS

The Hon. ROBERT BORSAK (15:10): It is with real sadness that I stand here today and pay tribute to one of our founding members and a great friend of the party, Clyde Thomas, who passed away on Saturday 24 September, surrounded by his family. On behalf of the party, I offer my deepest condolences to his wife, Jenny, and daughters, Codie and Holli. Holli works in our office here in Parliament. Clyde loved his family. He loved his two grandchildren, Mae and Tav, who would sit on his lap and pull his beard. He loved his friends. Clyde was one of the most hospitable people you would ever come across. His home was everyone's home. Being in his presence brought joy to him and everyone who had the privilege to sit and spend time with him. He was clever, witty and, without doubt, the best storyteller in the State.

Clyde spent much of his life on representing the interests of law-abiding firearms owners, hunters, fishers and all lovers of the outdoors. This passion was ingrained in him from an early age. He lived for the outdoors,

whether it was on land or water, until tragedy struck at the prime of his life. He remained passionate in advocating about those issues and many more, despite being confined to a wheelchair for the past 33 years as a paraplegic. However, his disability did not hinder him but gave him a new purpose in life. He would frequently talk about rights and freedoms because he saw some things as an infringement on our freedom to act of our own cognition in society. His wife and daughters were a bastion of strength for him, which allowed him to continue to enjoy his passions in life.

Just last week, hundreds from across the State and interstate attended his memorial service in Eden to pay their final respects. He was a mentor and father figure for so many people from all walks of life and for so many causes. Over the past few years, communities on the south coast of New South Wales have been repeatedly decimated, whether by both sides of politics in government or through natural disasters. Closing the timber industry down south had a devastating impact on timber workers and the community, as has the impact of government decisions by both major parties on the commercial fishing industry in and around Eden. Clyde personally felt their pain because many were his friends. He remained steadfast in advocating for them to the very end.

Clyde was also well respected among the Indigenous community and spent a lifetime on cultivating a special friendship with many different groups. He had a passion for elevating the profile of cultural hunting practices. His daily 5.00 p.m. drinking sessions will be remembered by many. One day, you could be drinking an immaculate home-made grappa. The next, you could be drinking from the same bottle, which had been besmirched and whose contents had miraculously increased in volume. He sure knew how to maximise the return on a bottle of grappa. He will be sadly missed by his family, friends and the party.

SUTHERLAND SHIRE COUNCIL OUTSOURCING

The Hon. MARK BUTTIGIEG (15:13): I bring to the attention of the House the actions of the Sutherland Shire Council. The council is outsourcing at least \$10 million worth of work each year, which is absolutely disgraceful, when the work should be undertaken by council workers in the shire. The council is taking deliberate action that prevents young people from having the opportunity to create fulfilling careers in their local community. The council could be creating jobs and opportunities for young people, including valuable traineeships and apprenticeships, but instead it is preventing the local workforce from growing when it outsources the work to high-cost contractors out of the area. It is a complete misuse and waste of ratepayers' money. Certain work contracted out is done so poorly and without adequate oversight from the council that it requires a great deal of correcting by council workers. Local council workers should be doing the work in the first place so that it is done in a quality way and does not require further resources to correct. The council is wasting ratepayers' money on contracting out maintenance work for parks and gardens when it has already spent ratepayers' dollars on the equipment.

Instead of issuing appropriate tenders, the council is employing contractors in a piecemeal method over 12-month periods and not via ongoing contracts. This is done in an effort to avoid scrutiny, making it extremely difficult to determine the overall cost of services. Ratepayers are not getting value for money from this approach. The CEO and the mayor should be accountable to ratepayers when contracting out millions of dollars' worth of council work. Council work should be done by council workers.

The Sutherland Shire Council has been making misrepresentations about contracting out work to local businesses. In one financial year, over \$3 million was spent on Ally Civil from Smithfield, \$1.7 million on TST Property Services from Wetherill Park, \$574,000 on Waratah Group Services from Moorebank, \$474,000 on KK Civil Engineering from Padstow, and \$71,000 on Skyline Landscape Services from Huntingwood. Those businesses are nowhere near the shire. It is absolutely disgraceful that shire ratepayers' money has been taken out of the local community. I join the United Services Union in urgently calling on Sutherland Shire Council to stop sending money out of the shire economy and to grow the local workforce by ensuring that council workers perform council work.

ILLAWARRA RAIL INFRASTRUCTURE

The Hon. PETER POULOS (15:16): Across New South Wales is an unprecedented level of investment in our transport infrastructure by the Perrottet Government. This is clearly reinforced by what is happening in the Illawarra along the South Coast Line. The Government is genuinely focused through its prudent economic management on funding important projects of infrastructure renewal so that everyone in the State benefits. In the Labor-held seats of Keira, Wollongong and Shellharbour, the Government is striving to improve the rail network and the commuter experience. Recently we announced that Illawarra commuters will have safe, modern and accessible train stations through the \$18 million upgrade to both Bellambi and Dapto stations. These major construction works are funded under the Government's \$2.2 billion Transport Access Program [TAP]. Since

2011 regional New South Wales has been allocated around \$600 million for TAP upgrades, with more than 470 projects either completed or currently underway.

The \$10 million for the upgrade to Bellambi will deliver a new accessible ramp onto the platform, two new accessible parking spaces, a formal kiss-and-ride zone and a bike shelter. The existing station building will be removed and a new one constructed further along the platform to deliver a wider platform on each side of the building. The \$8.1 million to Dapto will lead to ramps being upgraded and a formal kiss-and-ride zone introduced. Platforms 1 and 2 will be widened and made more accessible, in addition to improvements for the pedestrian zone on the level crossing, to achieve better safety outcomes. Along the South Coast Line are banners showcasing the extensive upgrades underway as part of the Government's \$5.3 billion More Trains, More Services program.

Dapto and Shellharbour Junction are being separately funded to enable longer and more accessible station platforms in anticipation of the arrival of the \$2.8 billion next-generation 10-car Mariyung or new intercity fleet to replace the aging V sets. This multimillion-dollar package of work includes also enhancements to signalling, overhead wiring and the construction of a new maintenance facility at Dapto. Improvements are earmarked to enable train turnbacks at Wollongong, Thirroul and Port Kembla, which are aimed at increasing the efficiency of rail operations. These exciting and record investments in modernising the South Coast Line are in addition to the significant rail upgrades currently underway in Coniston, Towradgi and Unanderra.

The \$20 million Unanderra station upgrade was an election commitment made by this Government in 2019 and the Government is seeing it through. The extensive project at Unanderra is improving accessibility for commuters. The key benefits of the project include a new footbridge and stairs, with canopies, three new lifts and a suite of other building works. Towradgi railway station is similarly being significantly upgraded, with two new lifts, a new footbridge and other refurbished amenities. Further improvements to accommodate the new intercity fleet at Coniston, Bellambi and Thirroul, and the upgraded stabling yard and platform extension at Wollongong reinforce this Government's comprehensive plan to fund a modern and accessible rail network along the South Coast Line, uplifting and delivering a twenty-first century experience for all Illawarra commuters.

PUBLIC TRANSPORT ASSETS

Ms ABIGAIL BOYD (15:20): Another day, another public transport disaster. I could publish a book filled with the litany of public transport asset procurement disasters that have occurred under the Liberal-Nationals Government's stewardship. To give them credit, Government members have demonstrated admirable versatility in their blunders, somehow managing to be miserly penny pinchers when it comes to procurement, dishing out contracts left and right to the lowest bidder and saddling us with dodgy assets, while simultaneously acting with the reckless abandon of carefree spendthrifts, blowing out the costs of major transport infrastructure projects by billions of dollars. No wonder the Government was desperate to try to cook the transport books, further spending millions of dollars on consultants to scheme up something as absurd as the Transport Asset Holding Entity.

Transport is one of those areas that can really show the true colours of a government. With other departments, it may be easier to make unfunded value statements or commitments to reform that can be hard for the public to get visibility over. Transport, on the other hand, is where the proverbial rubber hits the road. There is no hiding from one's failures when the cracks start to show, as they did on the Inner West Light Rail—or the ferries, for that matter. The Liberals love to tell us that they are the better economic managers, and they love to ask us to trust them with the State's finances. But their sole claim to legitimacy is cratering through its foundations, much like the buildings and roads succumbing to WestConnex-induced subsidence.

Let us cast our minds over the recent history of these actuarial gurus, these supposed lords of the ledger. In 2016 this Government ordered \$2 billion worth of new trains that were too wide for their tunnels. In 2017 it launched six new Emerald-class ferries, five of which were found to be corroding at astounding rates and three of which were found to be leaking seawater into their hulls. The first year of the operation of the Sydney Metro in 2019 was marred by enormous, repeated and persistent breakdowns and mechanical failures. In 2020 the Government ordered 10 new ferries that would have decapitated passengers traveling on the top deck when going under bridges along Parramatta River. And then it tried to buy even more of them!

In 2021 the Inner West Light Rail was shut down because of sizeable cracks discovered in the 12-vehicle fleet. This was shocking to all of us but apparently not the Government, which was informed of the issue in 2019 and proceeded to do exactly nothing about it. Now it has been revealed that the replacement ferries, the second generation Emerald class—when they are able to avoid becoming airborne—are unable to steer straight. They have been taken out of service after a dozen steering failures in 10 months. This list of failures barely scratches the surface. Did I mention the electric bus rollout that is already 17 years overdue on a strategy that is only a few years old?

Unfortunately, as simple and tempting as it might be to blame these cascading blunders on a single Minister bad at their job, it is never that simple. Since 2016 New South Wales has had four transport Ministers, plus the three spare ones that this Government seems to need. The truth is that this is simply one example of how badly the Liberals and The Nationals have been running our State. They never met a bad contract they would not sign, and they would not understand the value of a high-quality public transport system if it stole their credit card details and caused their party memberships to lapse.

THE HON. SHAOQUETT MOSELMANE

The Hon. SHAOQUETT MOSELMANE (15:23): As members know, my tenure as a member of this place will end on Saturday 25 March 2023, just as millions of Australians have their say on who they deem is best placed to lead New South Wales over the next four years. I will have more to say in my valedictory speech later tonight. For now, I take this moment to give my thanks and gratitude to those who have been by my side, especially those from my local community in the St George area. I give my thanks to the members of the union movement for their unrelenting pursuit of a better life for themselves and their fellow Australians. I also thank my party, the Labor Party, which values justice and a fair go for all. After 40 years my love for the Labor Party has never faltered. It continues to grow, no matter the hurdles. The party has given me, and millions like me, many opportunities. It is the party of universal health care and universal education, and social justice for all.

I have a lot to contribute still. Therefore I plan to double my efforts for justice for the people of Palestine, the people of Kashmir and, equally, our First Nations people. I thank our Indigenous Australians for their truth-telling and advocacy. I stand with them in their struggle for a Voice to Parliament and a right to constitutional recognition, which they deserve. Engaging with Indigenous groups over the years has been one of the highlights of my time in Parliament. They have my deepest and sincerest respect. My love and gratitude go to my community and the people of the St George region. I look forward to continuing to work with them. I thank the St George councillors, in particular Councillor Bill Saravinovski, Councillor Joe Awada, former councillor Tarek Ibrahim and Councillor Liz Barlow. I thank them for their friendship and support.

Local Labor branch members are the driving force of our party. I am grateful for all the support that they have given me and the Labor Party over the years. The sporting groups in the St George area—including Rockdale City Suns Football Club, Arncliffe Aurora Football Club and Banksia Tigers Football Club—the churches and the many faith-based institutions, and the many multicultural community organisations and cultural groups have my love and respect. I also thank the members of my duty electorates, especially my dearest friend Tony Catanzariti and his wife, Mary, from the electorate of Murray. You would never find two more wonderful people. I thank them and all the people who have stood by me over the years. I look forward to continuing to work with them to build a prosperous and better future for all of us.

LA PEROUSE MUSEUM

The Hon. CHRIS RATH (15:25): On Friday 7 October I had the pleasure of visiting the La Perouse Museum. My predecessor in this House, the Hon. Don Harwin, was previously the patron of the museum and always encouraged me to visit. I enjoyed my visit to the La Perouse Museum for a number of reasons. Not only did the museum contain a wealth of information about the expedition of French explorer the comte de Lapérouse and other topics; it was also in a wonderful location, situated in the historic cable station building on Kamay Botany Bay National Park's northern headland in the southern Sydney suburb of La Perouse.

The collections, exhibitions and programs run by the La Perouse Museum are centred around five key themes: the traditional custodians and Aboriginal community of La Perouse; European arrivals, including Lapérouse; the environment; science and communication; and the social history of La Perouse. The museum is home to almost 2,000 items featured throughout several exhibition rooms, which document the 1787-1788 expedition of the French explorer Lapérouse. One of the most notable items on exhibit was the complete atlas of the voyage of Lapérouse. The museum highlights his expedition, an element in Australia's history that is often forgotten.

As most of us know, on 20 January 1788 the First Fleet arrived in Botany Bay and thereafter went to Sydney Cove. But only four days later, Lapérouse's ships *La Boussole* and *L'Astrolabe* followed suit, carrying a total of 225 crew, officers and scientists into Botany Bay as the British were leaving for Port Jackson. His expedition stayed in Botany Bay for six weeks and was last seen by the British lookouts stationed at the south head of Port Jackson as it sailed away in March 1788. It would be completely amazing to most Australians—who would very much know the British history of Australia—that the French were sailing just off the coast when Captain Phillip landed in Australia.

Whilst some historians differ on whether, if the British arrived only four days later, we would have been a French colony, many others in our historical community acknowledge that the French under Lapérouse were here

more for astronomy, exploration, botany and good old-fashioned espionage of what the English were up to at the time. However, soon after Lapérouse left, he mysteriously vanished. Only 40 years later it was found that he was shipwrecked in the Solomon Islands. I thank the staff at the La Perouse Museum for kindly taking me on a tour through their museum. I strongly encourage others to visit the museum and its surrounds when they have the opportunity.

Bills

CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT (NO BODY, NO PAROLE) BILL 2022

CRIMES (SENTENCING PROCEDURE) AMENDMENT BILL 2022

CRIMES AMENDMENT (MONEY LAUNDERING) BILL 2022

DEDICATED ENCRYPTED CRIMINAL COMMUNICATION DEVICE PROHIBITION ORDERS BILL 2022

LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT (DIGITAL EVIDENCE ACCESS ORDERS) BILL 2022

CRIMES LEGISLATION AMENDMENT (ASSAULTS ON FRONTLINE EMERGENCY AND HEALTH WORKERS) BILL 2022

CRIMINAL PROCEDURE LEGISLATION AMENDMENT (PROSECUTION OF INDICTABLE OFFENCES) BILL 2022

ROYAL BOTANIC GARDENS AND DOMAIN TRUST AMENDMENT (FACILITATION OF SYDNEY METRO WEST) BILL 2022

SCRAP METAL INDUSTRY AMENDMENT (REVIEW) BILL 2022

SECURITY INDUSTRY AMENDMENT BILL 2022

WORKERS' COMPENSATION (DUST DISEASES) AMENDMENT BILL 2022

Assent

The DEPUTY PRESIDENT (The Hon. Adam Searle): I report receipt of messages from the Governor notifying Her Excellency's assent to the bills.

Documents

COMMISSIONER OF POLICE

Production of Documents: Order

Debate resumed from 12 October 2022.

The Hon. ROD ROBERTS (15:29): I continue my speech from Wednesday 12 October. This motion for papers only seeks documents and records relied upon by NSW Commissioner of Police Karen Webb when providing evidence to Portfolio Committee No. 5 in the budget estimates hearing on 31 August. On that day, in response to questions I asked about the employment status of a certain police officer, she provided answers on three separate occasions that indicated that the officer in question had been suspended and then reinstated at some stage. I assert that that was not a slip of the tongue or a gotcha moment on a technicality. The commissioner answered clearly and concisely, with no ambiguity. Her answers were consistent and systemic, three separate times.

Possessed of certain information, I asked a supplementary question for written answer. When provided, it showed that the answers given by Webb in the first instance were wrong. The written answer showed the constable had never been suspended at any stage. The same day that the answer was returned, written correspondence was received from the commissioner's office stating that it had become apparent in compiling the answer for the supplementary question that the commissioner had inadvertently indicated that the constable had been suspended. The commissioner wished to correct the record and acknowledge the constable was never suspended. No further explanation was provided. Had I not asked the supplementary questions, the record would never have been corrected and the answers provided by the commissioner would have stood. At no stage prior to my asking the supplementary questions did the commissioner or her representatives contact the Parliament in any way, shape or form to try to correct the record.

It is of grave concern to us all that the answers Webb provided in person on the day caused me to cease following a certain line of questioning. It stymied my ability to ask questions, which is our role as a House of review. Those wrong answers stopped me from doing my job and derailed my pursuit of the truth. Let us have a look at the briefing notes that were provided to the commissioner and see the information she had that led to her misleading Parliament. We cannot have sworn witnesses appearing before us and giving answers that are wrong in material fact. Witnesses cannot be blasé about the evidence they give or the manner in which they give it. We cannot allow it to go unfettered or unquestioned, and nor can we allow it to become a precedent.

The Hon. SCOTT BARRETT (15:32:35): The Government does not oppose the motion.

The Hon. TARA MORIARTY (15:32): The Opposition does not oppose the motion.

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

Motion agreed to.

CAMPBELLTOWN HOSPITAL MATERNITY UNIT

Production of Documents: Order

The Hon. GREG DONNELLY (15:33): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, created since 1 January 2021, in the possession, custody or control of the Minister for Health, the Minister for Planning and Homes, the Ministry of Health, Health Infrastructure, South West Sydney Local Health District and Campbelltown Hospital relating to safety at the maternity ward at Campbelltown Hospital:

- (a) all documents, including any feedback received during the design, consultation and/or construction phase regarding the new maternity unit at Campbelltown Hospital;
- (b) all documents, including any complaints made about the safety of the new maternity unit at Campbelltown Hospital;
- (c) all documents, including any feedback received during the current feedback process referred to in media reports in October 2022 about the safety of the new maternity unit at Campbelltown Hospital;
- (d) all documents, including any plans or options to improve safety that have been adopted to address safety concerns with the new maternity unit at Campbelltown Hospital;
- (e) all documents, including any plans or options to improve safety that were considered but not progressed in considering safety concerns with the new maternity unit at Campbelltown Hospital;
- (f) all documents, including any records relating to time lines/project status updates for the completion of work to improve safety that have been adopted to address safety concerns with the new maternity unit at Campbelltown Hospital; and
- (g) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

As members are all well aware, Government members speak often about their pride at building infrastructure. They also talk up all the time how successfully the building of infrastructure goes, but we never hear the Government acknowledge or accept responsibility for matters going wrong or mistakes being made. In those circumstances, a cone of silence comes down over the matter and nothing is said or explained. A case in point is what can only be described as the debacle over the design and construction of the new birthing units as part of the redevelopment at Campbelltown Hospital.

Just weeks after the opening of the new birthing units, their use had to be suspended because of "safety concerns" regarding the design of the walls in the baths. Accordingly, mothers from Campbelltown and the surrounding area have been unable to use their baths for water births and pain relief. That such an unnecessary design and construction flaw could occur beggars belief. It is not as if the Government did not know that there were serious issues to be addressed.

The specific safety concerns regarding the design of the walls in the baths were explicitly raised during the consultation process for the layout and design of the birthing units, which involved midwifery members of the NSW Nurses and Midwives' Association. Instead of paying heed to the sage advice provided without charge by those experienced midwives, the Government bumbled along, pretending it knew better. The midwives pointed out the potential for major accidents at the hospital that would directly impact on pregnant mothers and their babies. Why would the Government pretend it knew better? Who knows? That is the matter that the Minister for Health, the Hon. Brad Hazzard, needs to answer.

Attempts to get to the bottom of why things went so badly wrong with the birthing units at the Campbelltown Hospital have hit a brick wall, as usual. "Don't ask, don't tell" is the modus operandi of the Coalition Government when it comes to transparency in decision-making and acknowledging and accepting responsibility when matters go wrong or mistakes are made. That has been the case over the past 11½ long, hard years.

Accordingly, I bring this Standing Order 52 motion before the House. I encourage honourable members to support the motion. I commend it to the House.

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (15:38): I will talk to a few of the points raised by the honourable member in his motion under Standing Order 52 regarding Campbelltown Hospital. It is a ridiculous misstatement to say that the Government has not been open and transparent about issues in health. There are mechanisms within our system of government and particularly as members of the Legislative Council, where we now have budget estimates twice a year. Members are able to question the Minister and all of the senior bureaucrats, and anyone that is relevant or that the health committee chooses to call is there to provide evidence. That is twice a year, and I understand the Minister for Health has been recalled to answer all of those questions.

To say that our maternity units are unsafe is simply not correct. I understand that there were issues with the baths at this particular unit. Those questions can be asked. If there is anything to be said about Mr Hazzard, it is that he will front up and answer any questions. I do not think there has ever been any issue with that. He has plenty to say about the New South Wales health system. The moving of yet another Standing Order 52 motion means that many people in Health need to come off what they are doing—providing healthcare to people in our community, in our services and running that through the Ministry of Health—and spend all of their time accessing these different documents to respond to it.

I understand that transparency is important. I respect the processes of the House. But I think these mechanisms are within the jurisdiction of the Legislative Council through things like budget estimates and the fact that Minister Hazzard is always happy to front up. If Minister Hazzard is asked anything, he is very happy to talk to anyone. His door is always open. He does not mind what side of the House you sit on. He will always be extremely keen to make sure that he can answer any of those questions.

The good people who work within the health system are very open and transparent in everything that they do and in the answers that need to be provided. The senior members in the Health ministry—the secretary and the deputy secretaries—have always fronted up. They have always done what is required, and they will continue to do so. The foremost thing is that Campbelltown Hospital is absolutely committed to providing safe maternity care. Of course it is. Of course every single health facility in New South Wales—whether it is in a regional, rural or metropolitan area—is there to provide a safe and effective system. That is what they do, each and every day.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (15:41): I oppose the Standing Order 52 motion. I acknowledge the significant contribution that all NSW Health staff make across the entire State. I particularly acknowledge the nurses, midwives, obstetricians and others at the Campbelltown Hospital maternity unit. I have served on a number of inquiries chaired by the Hon. Greg Donnelly in Portfolio Committee No. 2. I refer to comments made by the Hon. Bronnie Taylor in relation to the willingness of the Minister for Health to appear at budget estimates and any subsequent hearings. It is fair to say that Minister Hazzard is probably the only Minister who voluntarily comes back in the afternoon, and he is always quite frank and robust in his answers.

I note that the Hon. Walt Secord is here. Many a time he has had some exchanges with the Minister for Health. But, particularly during that COVID time, the Minister was very forthcoming in ensuring that the process was respected and that information was provided. The only thing I will say in relation to Standing Order 52 motions is to note the amount of work that is required to fulfill the orders for papers. I think it is fair to say that if the Minister for Health and all the officials will be appearing at budget estimates in two weeks, that is a wonderful opportunity to ask all of the specific questions. This order for papers requests seven items in a 21-day time frame, which is quite tight considering the amount of work that is required in putting together all of the documents and information. It puts pressure on the staff—not only in NSW Health, but also within the hospital. I move the following amendment:

That the question be amended by omitting "21 days" and inserting instead "42 days".

In the event that the amendment is agreed to, it allows more time, particularly as the Minister and officials will all be appearing at budget estimates in two weeks. It also ensures that there is not too much pressure placed on NSW Health, which is already working at capacity, particularly coming off the back of COVID. We still are not always through everything, but this amendment ensures that they have the time and opportunity to provide all the documents as required.

The Hon. PETER POULOS (15:43): The Government opposes the motion moved by the Hon. Greg Donnelly. It appears that members of the Opposition have maintained their determination to increase the burden on the NSW Health department, which has worked tirelessly around the clock for the past two years to keep us all safe. I note that the Hon. Greg Donnelly is the Chair of Portfolio Committee No. 2, and he had every chance

to raise any questions about Campbelltown Hospital, or any hospital across New South Wales, with the Minister for Health and the NSW Health executive as recently as a couple of weeks ago.

I note that the honourable member will also have the opportunity to ask further questions of the Minister and the NSW Health executive when Portfolio Committee No. 2 convenes for the third budget estimates session of the year in less than two weeks. To ask this team to waste their time on a political exercise in the meantime is rather disappointing, especially given that members of the NSW Health executive have agreed to give up their time for this additional budget estimates session. In relation to the particular matter that the Hon. Greg Donnelly has raised, I am advised that the number of baths available to women in the new birthing unit has almost doubled as part of the Campbelltown Hospital redevelopment. That has been a magnificent redevelopment for the community of Campbelltown and its surrounds. I understand that the baths have been installed in accordance with the Australasian Health Facility Guidelines.

Campbelltown Hospital is first and foremost committed to providing safe maternity care for its patients, which achieves desirable health outcomes for both mother and baby. Essential to this commitment is ensuring slip protection and stability for women and their support persons during labour and birth as they enter and exit birthing baths. Safety rails are being mounted and installed this month, with baths coming back online this week. On this basis, I respectfully invite the honourable member to consider the ramifications of these orders for papers and the additional burden they place on a team that has gone above and beyond all measures in response to requests from members of the Opposition.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. Greg Donnelly has moved a motion, to which the Hon. Natasha Maclaren-Jones has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes15
Noes22
Majority.....7

AYES

Amato
Barrett (teller)
Farlow (teller)
Farraway
Franklin

MacDonald
Maclaren-Jones
Mallard
Martin
Mitchell

Nile
Poulos
Rath
Taylor
Ward

NOES

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

Graham
Higginson
Hurst
Jackson
Latham
Mookhey
Moriarty

Moselmane
Pearson
Primrose
Roberts
Searle
Secord
Sharpe

PAIRS

Mason-Cox
Tudehope

Veitch
Houssos

Amendment negatived.

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

The House divided.

Ayes23
Noes14
Majority.....9

AYES

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

NOES

Amato	MacDonald	Poulos
Barrett (teller)	Maclaren-Jones	Rath
Farlow (teller)	Mallard	Taylor
Farraway	Martin	Ward
Franklin	Mitchell	

PAIRS

Houssos	Mason-Cox
Veitch	Tudehope

Motion agreed to.

FIRE STATIONS CAPITAL WORKS PROGRAM

Production of Documents: Order

The Hon. MARK BUTTIGIEG (16:02): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, created since 1 January 2021, in the possession, custody or control of the Minister for Emergency Services and Resilience and Fire and Rescue NSW relating to a priority list of fire station repairs as referred to by the Minister in her answer to supplementary question No. 21 from the Portfolio Committee No. 5 budget estimates hearing on 2 September 2022:

- (a) the report prepared by KPMG for Fire and Rescue NSW completed in 2022;
- (b) the terms of reference for the review conducted by KPMG and the report prepared for Fire and Rescue NSW;
- (c) all documents relating to the review and report prepared by KPMG for Fire and Rescue NSW; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The order for papers relates to the Government's underinvestment in facilities for frontline responders. Firefighting is an inherently dangerous job, and aspects of the job are uncontrollable. However, the infrastructure facilities and safe work conditions for those workers is within the control of decision-makers and deserve legitimate consultation and transparency with workers as end users. Across the State there are hundreds of Fire and Rescue NSW fire stations that remain not fit for purpose. They do not provide adequate facilities for women nor for the necessary clean-and-dirty separation for adequate decontamination or protection from diesel particulate matter from fire trucks.

Deputy Commissioner Stiffler told budget estimates that there needs to be at least a \$399 million investment across the 334 Fire and Rescue NSW stations to upgrade facilities over the next 10 years. We know that 128 of those facilities do not cater to the needs of female firefighters, which is simply not good enough. Fire and Rescue NSW commissioned a KPMG report to list fire stations in New South Wales in priority order of urgent need for repairs and upgrades, but we do not know which stations need those particular upgrades nor how KPMG prioritised them. Firefighters and their industrial body, the Fire Brigade Employees' Union, have not been engaged in the process in any meaningful way. Without that information, we do not know what stations require the most urgent repairs. As a consequence of not having the information, we also do not know which communities are left the most vulnerable due to an underinvestment in fire stations by the Liberal-Nationals Government. That is terrible for firefighters.

The Liberal-Nationals Government should be transparent with the individuals who are working to keep us safe every day. What firefighters need to protect themselves and the public is best decided with full transparency and with firefighters at the decision-making table. We know that Fire and Rescue NSW spent \$87,125 worth of

taxpayers' funds engaging KPMG to draw up a list prioritising fire stations from one through to 334. A report that cost over \$87,000 should be subjected to the scrutiny of both the public and the Parliament to see whether value for money was obtained and whether the Government is choosing to adopt the recommendations by funding capital repairs accordingly.

The Government has paramount responsibilities, including ensuring that frontline responders are equipped to keep communities safe. The Parliament also has responsibilities to ensure that the Government meets that obligation. The Parliament is unable to fulfil that function without important information such as which communities are being left vulnerable because they have an urgent need for crucial repairs to their fire stations. Fire and Rescue NSW has said that there is a focus on the recruitment and retention of female firefighters. Upgraded facilities are critical to allow Fire and Rescue NSW to draw on the widest pool of talent to keep communities safe.

The Government has made a welcome \$50 million commitment in this space, so it should have nothing to hide in letting us scrutinise the report and see how that \$50 million will be allocated. The Minister has described the Government's investment in emergency services as "record amounts in relation to the investment in those organisations". If that is true, the Government should have nothing to hide in demonstrating this to Parliament and letting this House scrutinise the report and related documents to see how those record amounts have been allocated. The documents in the order for papers are essential in helping to ensure that firefighters and communities are kept safe. The Government should be completely transparent with the firefighters and residents of New South Wales. They deserve to know information that crucially impacts their safety and wellbeing and the ability of firefighting capacity in local communities. I commend the motion for order for papers to the House.

The Hon. LOU AMATO (16:07): The Government opposes the order for papers. I welcome the opportunity to speak about what Fire and Rescue NSW is doing to improve fire stations across New South Wales. In fact, Fire and Rescue NSW operates 334 fire stations across the State, covering major metropolitan areas as well as regional centres. With over 6,900 firefighters and 5,000 Community Fire Unit volunteers, Fire and Rescue NSW responds to emergency calls in areas covering 90 per cent of the State's population and is often the first emergency service to arrive at an incident to provide life-saving intervention. I am very proud of the New South Wales Government's ongoing investment in frontline emergency services organisations. This year's budget included a record \$4.2 billion—

The Hon. Wes Fang: Did you say \$4.2 billion?

The Hon. LOU AMATO: There is \$4.2 billion for our emergency services—a \$400 million increase—which will make communities right across the State both safer and stronger. I am also proud that, for the first time, the New South Wales Government is specifically allocating funding of \$50 million over 10 years to upgrade bathrooms, change rooms and amenities for women at Fire and Rescue NSW stations. That funding over the next decade will see dozens of stations upgraded, not only improving workplace conditions for all current female firefighters but also helping more women feel comfortable and supported in pursuing a career in our emergency services. That investment is important because gone are the days of firefighting being a male-dominated industry. As an example, of the 108 firefighters based at the City of Sydney fire station, 44 are female. This station is the busiest in Australia and responds to more than 8,300 calls each year.

Right across the State, we are witnessing a substantial increase in the number of female firefighters in the ranks of Fire and Rescue, and 14.9 per cent of all Fire and Rescue NSW employees are women. That is an increase of approximately 6.9 per cent in the past decade. At a Fire and Rescue NSW graduation ceremony in May, one in five new recruits was a woman. They join the 557 women recruited over the past five years. By investing record amounts to modernise our fire stations, we can create an environment where both men and women feel comfortable at work, which will support all our firefighters to do what they do best, and that is to make our communities safer and stronger. If this motion passes, it will distract the hardworking staff of Fire and Rescue NSW. The Government opposes the motion.

The Hon. SCOTT BARRETT (16:10:55): I welcome this opportunity to speak on the capital works program being undertaken by Fire and Rescue NSW, ably led by Commissioner Paul Baxter and Deputy Commissioner for Strategic Capability, Megan Stiffler. Fire and Rescue NSW's capital budget for 2022-23 is \$105.6 million. This is an increase of \$20 million when compared with 2021-22. This will see new and refurbished fire stations, state-of-the-art appliances and other capital projects undertaken to help keep our communities as safe and strong as possible. Fire and Rescue NSW has a long and proud history—it has been around for a long time—but that also means that nearly half of all fire stations are more than 50 years old so, of course, we need to do more work. That is why Fire and Rescue NSW is continuing to progress its capital works program, including the creation of clean-and-dirty work areas, building renovations, maintenance work and technology improvements.

This year's budget will see almost \$30 million invested in new fire stations at Broken Hill, Cessnock, Lithgow and Wentworthville; \$50 million committed over the next decade to deliver female amenities at various fire stations across the State and prepare for greater female firefighter numbers as they continue to improve; \$24 million allocated to ongoing projects at Alexandria, Busby, Dungog, Kingscliff, Marsden Park, Muswellbrook, Oran Park, Ryde and Wentworth Falls fire stations; and \$1 million invested in upgrading areas at fire stations where firefighter breathing apparatus is cleaned and decontaminated as part of the health and safety improvements for firefighters in recent years. A total of \$13.5 million has been allocated to fund the Stay Safe Keep Operational program, which maintains critical operational communications capability. This, of course, stands in stark contrast to the record we have seen in the past, presided over by those who were last in power.

I am proud of our Government's investment in our emergency services organisations, which will help them to continue their life-saving work with the equipment, resources and facilities they need and deserve, to protect communities across New South Wales. I am aware that a lot of school kids are just about to finish their HSC and make decisions about their future. This is another great career for them. They can get into Fire and Rescue, and do so in regional New South Wales, which is where the greatest facilities and the best people are—and that is why regional New South Wales is by far the best place to live, work and raise a family.

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:13): I oppose the motion but also move the following amendment:

That the question be amended by omitting "21 days" and inserting instead "42 days".

I will not speak for long or go into the details of the capital works to which the previous speaker referred—the significant \$30 million investment in Fire and Rescue NSW and the \$50 million being invested to support upgrades of women's bathroom amenities, which is fantastic news, as well as the \$13 million as part of the Stay Safe communications upgrades. However, I acknowledge and do a shout-out to all the RFS volunteers who came forward during the floods, particularly to drive the motor homes from Sydney to Lismore. There were 124 who travelled from Sydney and there were others who came from Brisbane to provide much-needed crisis accommodation for people during the flood period.

One of the key things about Fire and Rescue and all the people involved, whether they are rural or metropolitan, is that when a crisis occurs, whether here in New South Wales or in other jurisdictions—even overseas—they are the first to put up their hands and say, "We are here to help each other out", and they do a fantastic job. It is important that we acknowledge the 6,900 firefighters and the 5,000 community fire unit volunteers that we have in this State, which represents around 90 per cent of the State's population. They have done significant work, particularly over the past few years. I think New South Wales has had its fair share of challenges when it comes to natural disasters, whether it has been bushfires, floods or other events, but these guys and girls have been out there, day in and day out, across the State, supporting each other, protecting our homes, protecting our loved ones and the community, and I think it is important that we reach out.

Coming back to the motion before the House, which is about a call for papers, I think that it will be a burden, not only on Fire and Rescue NSW but also on the department, to bring forward these papers, which is why it is important that we ask the Opposition to support extending 21 days to 42 days to ensure that there is ample time. More importantly, I do not support this motion.

The Hon. MARK BUTTIGIEG (16:16): In reply: I thank my colleagues for the various contributions that were made—the Hon. Lou Amato, the Hon. Scott Barrett and the Hon. Natasha Maclaren-Jones. I am not sure whether those contributing to the debate read the terms of the Standing Order 52. The arguments were simply a restatement of what is in the budget papers. The Government has promised \$50 million, which I acknowledged in my opening speech. The nature of Standing Order 52 is to call for a KPMG report into how the \$50 million was allocated. What is the logic, the rationale, behind the priorities and the list of fire stations which will be allocated that \$50 million? It is very straightforward, and not one of the members addressed that.

The Hon. Natasha Maclaren-Jones moved an amendment to the motion. In the past I have acceded to requests to extend 21 days to 42 days but in this case I do not think it is reasonable as it is very surgical. The motion refers to a KPMG report that was completed in 2022, to terms of reference and to all documents relating to the review and report. It is all about the report. It will not take that long; it certainly will not take 42 days. We will retain the 21 days. I thank the Government for backing in my case that we want the qualitative nature of the \$50 million allocation so the public can make a determination about what sorts of resources are going into their areas. I commend the Standing Order 52 motion to the House.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. Mark Buttigieg has moved a motion, to which the Hon. Natasha Maclaren-Jones has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes13
 Noes21
 Majority.....8

AYES

Amato
 Barrett (teller)
 Farlow (teller)
 Farraway
 Franklin

MacDonald
 Maclaren-Jones
 Mallard
 Martin

Mitchell
 Poulos
 Rath
 Taylor

NOES

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

Field
 Graham
 Higginson
 Hurst
 Jackson
 Mookhey
 Moriarty

Moselmane
 Nile
 Primrose
 Roberts
 Searle
 Secord
 Sharpe

PAIRS

Mason-Cox
 Tudehope

Houssos
 Veitch

Amendment negatived.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The question is that the motion be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.**The House divided.**

Ayes21
 Noes14
 Majority.....7

AYES

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

Field
 Graham
 Higginson
 Hurst
 Jackson
 Mookhey
 Moriarty

Moselmane
 Nile
 Primrose
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Amato
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 Farlow (teller)
 Farraway
 Franklin

MacDonald
 Maclaren-Jones
 Mallard
 Martin
 Mitchell

Poulos
 Rath
 Taylor
 Ward

PAIRS

Houssos
 Veitch

Tudehope
 Mason-Cox

Motion agreed to.*Motions***JEWISH BOARD OF DEPUTIES****The Hon. SCOTT FARLOW (16:35):** I move:

- (1) That this House recognises that:
 - (a) the New South Wales Jewish Board of Deputies speaks for and represents the New South Wales Jewish community with 56 major communal organisations acting as its primary constituency;
 - (b) the Jewish Board of Deputies works towards a society where the political and physical security of the Jewish community is protected, combatting antisemitism and other forms of racism and encouraging a thriving New South Wales Jewish community;
 - (c) Mr David Ossip was elected as the President of the New South Wales Jewish Board of Deputies at their recent annual general meeting; and
 - (d) immediate past president Mr Lesli Berger is deserving of recognition for his work in advocating for the interests of the Jewish community throughout New South Wales.
- (2) That this House extends its congratulations to:
 - (a) Mr David Ossip on his election as president and extends its best wishes for a successful term; and
 - (b) Mr Lesli Berger on his very successful term as president and for providing an effective voice for the Jewish community.
- (3) That this House reaffirms that:
 - (a) the Parliament is united against disgraceful and disturbing acts of antisemitism and racism within the community; and
 - (b) support for an inclusive, harmonious and peaceful society for all members of the community, regardless of their religious beliefs.

I recognise the New South Wales Jewish Board of Deputies and the role it plays in our State with its work to combat all forms of antisemitism and discrimination within our communities. The Jewish Board of Deputies leads, speaks and advocates for the values of the Jewish community, acting as the primary constituency for 56 major communal organisations across our State. It further works to sustain the cultural awareness of our next generation through its Respect, Understanding, Acceptance program. Operating since 2006, this flagship school program has brought together thousands of high school students to share stories about their culture, demonstrate their faith and discuss issues of racism. The organisation represents a collective of hardworking Australians who support a prosperous, harmonious and inclusive Australia. The promotion of integrity and faith within its ranks reflects the diverse cultural tapestry of our great nation. Our State empowers like-minded individuals to collaborate and innovate for the wellbeing of their communities, and the Jewish Board of Deputies exemplifies this year after year.

There is no doubt that the board has gone from strength to strength in recent years under the strong stewardship of Mr Lesli Berger. For many years Lesli has been a leader not only in the Jewish community but also in the broader community, having served as a councillor on Woollahra Municipal Council from 1999 to 2004, as chairman of the Double Bay Chamber of Commerce, as a trustee of the Centennial Park & Moore Park Trust, and as the governor of the Centennial Parklands Foundation. He first joined the board's public affairs committee in 2014, became chair in 2015 and vice-president in 2016 before being elected president of the board of deputies in 2018. Through this time he has steered the board through a very challenging time, particularly with the COVID pandemic and its impact on the community through successive lockdowns and restrictions. Prior to becoming Chair of the Parliamentary Friends of Israel, I spent many a phone call with him in my former role as the Parliamentary Secretary to the Treasurer and for COVID Recovery, talking about how the community could navigate through those restrictions, particularly when it came to the high holy days.

During his time as president of the board I was honoured to work with him to support the Government's adoption of the International Holocaust Remembrance Alliance's definition of "antisemitism" and the banning of the display of Nazi symbols. One of the great achievements in recent years is the board's ever stronger role with other community groups. We have seen this through the formation of the Keep NSW Safe coalition and its recent work with the Hindu Council of Australia to address the display of Nazi symbols, which the Hon. Daniel Mookhey might like to reflect on. Lesli and the board made an astute choice in the appointment of Darren Bark as its CEO, building on the strong foundation left by former CEO Vic Alhadeff.

I take the opportunity to formally congratulate Mr David Ossip on his election as the president of the Jewish Board of Deputies. Mr Ossip is no stranger to the board, having served as its vice-president since 2018. It is also worth mentioning that Mr Ossip, like Mr Berger, served the community as a councillor on Ku-Ring-Gai Council

at the age of 20 and served also as the deputy mayor. I have known Mr Ossip for over a decade and know that he is an exemplar in his dedication to public service. I have full confidence he will lead the Jewish community with passion and diligence to ensure that it remains the vibrant, strong and safe community it is today into the future. I look forward to seeing the board go from strength to strength under the stewardship of the Masada College duo of him and Darren Bark.

The NSW Jewish Board of Deputies protects the freedom of Australia through its consistent work promoting cultural tolerance and awareness. It is welcome now more than ever given the prominent reports of antisemitism across the country. Antisemitism in Australia remains an issue that continues to impact the lives of members of the Australian Jewish community. It extends the far reaches of xenophobia, with open persecution of Jews, and denies them the right to exist collectively that all Australians have. The results of the 2021 census display a 9.8 per cent increase in the Australian Jewish community. Almost 100,000 Australians adhere to Judaism. Of course, the Hon. Walt Secord might make an extra one in the next census. This group of Australians should not be forced to suffer in silence as incidents of antisemitism continue to make headlines in this State—as we have seen recently with the displays of a Nazi symbol on an eastern suburbs preschool.

Presently the world faces a sharp increase in antisemitism, which has been largely attributed to social media abuse and the spread of misinformation. This form of discrimination is not isolated to individuals directly affected by racism, marginalisation and prejudice. No Australian should be forced to tolerate lesser treatment based on their beliefs, whether they be Jewish, Hindu, Christian, Muslim or non-religious. Reports of high school students being taunted with Nazi symbols and ridiculed for their heritage are some of the few cases of discrimination that are reported in the media. The NSW Jewish Board of Deputies has created its own portal for people to link and notify it of instances of antisemitism, because it is important to continue reporting. The New South Wales Government is incredibly supportive of the NSW Jewish Board of Deputies and wishes it all the very best in its future, as I am sure the House will today.

The Hon. WALT SECORD (16:40): The Hon. Daniel Mookhey will lead for the Labor Opposition in debate on this motion. But, as the Deputy Chair of the NSW Parliamentary Friends of Israel, the patron of the New South Wales Labor Israel Action Committee and a member of Emanuel Synagogue, I congratulate my colleague the Hon. Scott Farlow, who is the Chair of the NSW Parliamentary Friends of Israel, on moving the motion. It recognises the important role of the NSW Jewish Board of Deputies, especially in bridge-building and fostering a tolerant society. The board of deputies represents New South Wales Jewry and its monthly meetings are the "parliament" of the Jewish community, with more than 55 groups represented.

I acknowledge the new president, Mr David Ossip, and the outgoing president, Lesli Berger. I also acknowledge the work of its current CEO, Darren Bark, and his predecessor, Vic Alhadeff, for their hard work. The board is one of the most professional communal organisations in Australia and a role model on how to represent and defend interests and engage with governments. I have been familiar with the board since October 1988, when I covered it as a journalist for the *Australian Jewish News*. Over the years, I have continued to be associated with the board. In fact, I have known its last 12 presidents, including Justice Stephen Rothman, the late Leslie Caplan, the late Professor Graham de Vahl Davis, Robert Goot, Michael Marx, the late Jeremy Spinak, Peter Wertheim, David Knoll and Yair Miller.

Created during World War II, the board has always been at the heart of promoting an inclusive and harmonious society. It has also been at the forefront of the fight against antisemitism, intolerance and racism. Antisemitism is the oldest hatred on earth and a hatred that takes on many guises. Critically, the board has also taken a leadership role in its support of Israel and the International Holocaust Remembrance Alliance definition of "antisemitism", advocating for Holocaust education and opposing the vicious Boycott, Divestment and Sanctions movement. Over the years, I have participated in two visits to Israel supported by the board and attended countless events. Each year, I try to attend its Yom Hashoah commemorations, especially the Rookwood one.

The board continually reaches out to other communities. It spearheaded a three-year campaign at the helm of an alliance of more than 30 ethnic and community groups calling on the New South Wales Government to outlaw incitement to violence on the basis of religion, race, gender, sexuality and various other categories. The bill became law in June 2018. The board recently worked with the Hindu community to find a workable way to ban the hateful use of the swastika and other Nazi symbols in New South Wales while protecting it for religious purposes. These recent efforts follow its longstanding work building bridges with Australia's First Nations people. I seek an extension of time.

Leave granted.

The Hon. WALT SECORD: The work of the board has become even more important in current times, especially with the rise of antisemitism and far right activity in the State. I note that, when I was shadow police and counterterrorism Minister, I asked many questions of the Government about far-right activity in New South

Wales and started the debate that led to the banning of Nazi symbols earlier this year. New South Wales police say that about 20 per cent of its counterterrorism activities relate to the far right. In 2020 the New South Wales police reported that 31 incidents of displays of Nazi flags were recorded, including one outside a Newtown synagogue and one at Wagga Wagga water tower.

In April 2022 Executive Council of Australian Jewry Research Director Julie Nathan reported a 35 per cent increase in antisemitic activity. Just last week—and I note that the Hon. Scott Farlow referred to this—there was an antisemitic daubing outside a Rose Bay childcare centre and far-right-wing flyers were deposited in postboxes throughout Bondi. Australia is not exempt from the growing international phenomenon of antisemitism. That is why the work of the board of deputies to combat antisemitism is important, especially the work it does in schools and the work currently being undertaken by CEO Darren Bark. I thank the House for its consideration.

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:44): I thank the Hon. Scott Farlow for moving this motion. I support it. The Jewish community always has and will be valued and supported by the Liberal Party. I have always found the Jewish Board of Deputies great to work with, both as the previous Chair of the Parliamentary Friends of Israel and the previous multiculturalism Minister. As a result of the advocacy of the Jewish Board of Deputies, the New South Wales Government banned the public display of Nazi symbols without a reasonable excuse. I am proud that this Parliament made that happen.

That is just one example of how the Jewish Board of Deputies has worked effectively with the New South Wales Government to achieve outcomes for the Jewish community in the State. A lot of this is down to the immediate past president, Mr Lesli Berger. I thank him for his work and dedication since 2018. Mr Berger, alongside CEO, Darren Bark, led a campaign to encourage members of the Jewish community to get vaccinated against COVID-19 last year and I am grateful for that work. I also congratulate Mr David Ossip on his election as president. Mr Ossip served as the vice-president since 2018 and is one of the youngest presidents in the board's 77-year history. I wish him mazel tov and every success in his role.

It is crucial that our communities and our Parliament are united against antisemitism and racism. That is why I was so disappointed to learn that Jay Tharappel, who has been known to publicly display his hatred for the Jewish community, has been admitted to the NSW Labor Party. It is even more concerning that Chris Minns needed multiple news articles and many days to take action. He has not immediately kicked this man out of the party; he will only review NSW Labor's decision to welcome him. Let us be very clear: There is no place for this man and his antisemitism. I urge Chris Minns, should he have any credibility, to take immediate action to not just review his membership but also remove him from the party.

With the new Labor foreign Minister also removing Australia's support for West Jerusalem as the capital of Israel, it is disturbing that the anti-Israel sentiment continues to run strongly within the Labor Party. That is why the Jewish Board of Deputies is important and why the Liberal Party and this Government will continue to work with it to deliver a more inclusive, harmonious and peaceful community. This is what good parliaments and good communities do. We say no to antisemitism. It is a shame that we have to continue to do that work. The most recent incidents that we have seen publicly are an absolute shame. It behoves all of us to stand up against antisemitism and racism at every turn. I thank the Hon. Scott Farlow for his unwavering commitment in moving this motion to the House and for continuing the legacy of the Parliamentary Friends of Israel—an important group in this place. He does that with much enthusiasm. I thank members of this House for supporting the motion.

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:47): I make a brief contribution. I know that a number of members wish to speak in the time that we have allocated for debate. But I want to put on record my support for the motion moved by the Hon. Scott Farlow and for the work that the NSW Jewish Board of Deputies does. It has been a real privilege to work with it, particularly in my role as education Minister. Over the past few years we have been able to meet. I am catching up with it again next week. We have a very good relationship and a really deep understanding about ensuring that our schools, whether they are government or non-government, have zero tolerance for any racism or antisemitism and that students are respectful. To work with it is an honour and a privilege. I put on record my respect for the work that it does. I congratulate those who are coming into new positions, as noted in the motion, and thank those who are leaving for their leadership. As I said, I take the opportunity to put on record my respect for the important work it does.

Reverend the Hon. FRED NILE (16:48): I am very pleased to support the motion. I congratulate the Hon. Scott Farlow on moving it. I also note the strong support it has received from many members. I particularly encourage the Jewish Board of Deputies in their work, especially after the sad decision made the other day by the Federal Government to reverse its acknowledgement of West Jerusalem as the capital of Israel. I hope and pray that action will be taken and that governments will again agree to the capital of Israel being restored to where it has been for so long. I am very happy to support the motion before the House. God bless Israel.

The Hon. PENNY SHARPE (16:50): I make a short contribution to the debate on this motion to thank Lesli Berger for the work that he has done over many years. He has always been prepared to have very frank discussions with me on behalf of the Jewish Board of Deputies, and I have really welcomed that. It is a big job wrangling a large organisation, and I thank him for his work. I wish David Ossip all the best. He came to see me the other day to talk about our real concerns about how to manage the rise of antisemitism within our schools, how to broadly deal with the challenges of social media and the great work that is happening in many multi-faith organisations around tolerance and harmony within our community. I always welcome those discussions with them, and I thank David Ossip and Darren Bark for coming to see me to have a good discussion about how that works. That is all I want to contribute to this debate. We have to fight antisemitism in every corner, no matter where we find it. The Jewish Board of Deputies members do that every day, but they also contribute much more broadly to the welfare of their own community in the anti-racism space. I welcome that.

The Hon. CHRIS RATH (16:51): I acknowledge the terrific work of the NSW Jewish Board of Deputies, and I particularly acknowledge the good work that its members do in defending the State of Israel. I reaffirm my own unwavering support for the State of Israel, for its right to defend itself and for its promotion of democracy and freedom in a very troubled part of the world. I also acknowledge its eternal capital, Jerusalem. The board of deputies is of tremendous importance to the Jewish community and all here in New South Wales, serving as a beacon of tolerance, peace and safety for all who are part of, connected to or seeking to learn more about Jewish culture.

I congratulate my friend Mr David Ossip, who I saw last night at the bicentenary celebrations, on his election as president of the NSW Jewish Board of Deputies. Mr Ossip is one of the youngest presidents in the board's 77-year history, and I have absolute faith that his previous experience serving as the organisation's vice-president and on its public affairs committee will enable his term to be greatly successful. Congratulations are also in order to the outgoing president, Mr Lesli Berger, who has served diligently and built a strong legacy of prudent activism for Mr Ossip to inherit. I also acknowledge the CEO, Darren Bark, for the good work that he does.

It is a shame to me that this motion of reaffirmed commitment to our Jewish community comes at a time when Federal Labor has chosen to change Australia's position on the Israeli capital. To the cheers of proscribed terror groups Hamas and Palestinian Islamic Jihad, Penny Wong has reversed the Coalition's 2018 decision to recognise West Jerusalem as the capital of Israel, which is a tremendous shame. The motion specifically outlines antisemitism, and I noted with interest at Labor's conference at the weekend that former University of Sydney academic Jay Tharappel, who once wore a jacket bearing slogans that read "Curse on the Jews" and "Death to Israel", has been allowed to join the Labor Party. I note that that decision is being reviewed. I hope that Labor takes immediate action to ensure that that particularly unsavoury individual is not allowed in the Labor Party, because the standard you walk past is the standard you accept.

The Hon. MARK BANASIAK (16:54): My colleague the Hon. Robert Borsak and I support the motion brought forward by the Hon. Scott Farlow. We are strong supporters of the State of Israel and the Jewish Board of Deputies, and are also very active members of the Parliamentary Friends of Israel. We were on their most recent trip and enjoyed it wholeheartedly. I thank the Jewish Board of Deputies for their great organisation of that trip and for being great hosts. By the end of that trip, everyone on it was great friends with the members of the Jewish Board of Deputies who accompanied them. I thank the honourable member for introducing the motion for debate—or possibly "discussion and support" are better words—and reiterate that our door is always open for the Jewish Board of Deputies whenever they want to talk to us.

The Hon. ANTHONY D'ADAM (16:55): I make a brief contribution to the debate on this resolution, and I lend my support to the resolution. I first encountered the Jewish Board of Deputies many years ago when I was working for the Public Service Association. We signed up to a multi-organisation coalition called the Sydney Alliance that tried to bring together unions, community organisations and church organisations across the spectrum. One of those organisations was the Jewish Board of Deputies, and I got to know some of the people who were active in it.

I remember that the fact that the Jewish Board of Deputies had become part of the Sydney Alliance re-energised the engagement of one of my colleagues, Stephanie Cunio, with her own community, and so she got involved with the Jewish Board of Deputies. I also got to meet Uri Windt, who was active on the board at that stage. They told me the story about how the board had come together: There had been quite a fractious situation in the Jewish community with a whole multiplicity of organisations, and they wanted to bring all those organisations together to try to coordinate the community in a more effective way. That was a commendable objective, and they have certainly achieved that.

I am a bit saddened that the Coalition has decided to use a motion on the Jewish Board of Deputies to try to create a polarising debate and wedge Labor on the issue. That is a bit sad, to tell you the truth. I also make some

comments on the observations about this Jay Tharappel character. I do not know Tharappel, and the first time I had heard of the guy was what I read in the paper today. If the bloke is an antisemite, he has no place in the Labor Party—no place at all. We do not tolerate that. But having sat on the administrative committee of the Labor Party, which deals with admissions, I know that all sorts of people apply to the Labor Party. It is a broad church, and those applications go through. Sometimes they get close scrutiny, sometimes not so close. When issues are brought to our attention, there is a process to review them. It is not up to *The Australian* to decide who should and should not be in the Labor Party. But I give members an absolute assurance that if that bloke is an antisemite, he will not be in the Labor Party for very long at all.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (16:58): I also commend the motion and congratulate Mr David Ossip. Unlike many in this Chamber, I have not yet had the pleasure of meeting him, but I congratulate him on his election as president of the NSW Jewish Board of Deputies. I also reflect on the very successful term of the past president, Mr Lesli Berger. He is a passionate, authentic and genuine spokesman for the Jewish community, and I place on the record that he is a lifelong friend of mine.

New South Wales is home to one of the most vibrant Jewish communities in the world. That community has literally been part of the Australian social fabric since the late 1700s and boasts a wide range of institutions in both metropolitan and regional areas. Indeed, this community has been prominent in both this House and the other place. For example, in 1917 the Legislative Assembly closed for a day to allow the Speaker and the Deputy Speaker to observe Yom Kippur. Today the Jewish Board of Deputies is recognised by the New South Wales Government and I think, from what we have heard today, by all members in this Chamber as an established and important advocate for the modern New South Wales Jewish community.

This House knows just how hard the board works to ensure the political and physical security of the Jewish people. They combat antisemitism, promote social inclusion and maintain the unity, cohesion and continuity of that important community. Over the past four years, Lesli Berger has served the Jewish community and the broader New South Wales community as an utterly outstanding president of the board. He took the reins in a challenging time, and he has continually guided the board with integrity, decency and honour. Over the past 20 years, as my friend the Hon. Scott Farlow mentioned, he has also been an active member of the broader community, from being a councillor on Woollahra Council to governor of the Centennial Parklands Foundation.

On a personal note, I have known Lesli since he was literally a schoolboy in short pants when we went to school together and I had the privilege of coaching him in debating. What I want to reflect on, finally, is not his specific achievements but rather his style of leadership. He is consultative and engaging. The Leader of the Opposition made it clear that Lesli had a warm and open relationship with her, as he does with everybody. Lesli engages genuinely, from his heart, and builds a connection with people. He has always done that, ever since he was a child. It is wonderful to see him exhibiting the leadership that it was clear he had so many years ago. I thank the Hon. Scott Farlow for moving this motion, and I look forward to seeing how the newly elected president, alongside the impressive CEO, Darren Bark, can build on the legacy of Mr Berger in the years to come.

The Hon. DANIEL MOOKHEY (17:01): I lead for the Opposition in the debate on this motion. The Opposition supports the motion and praises the Hon. Scott Farlow for bringing it. I have a personal relationship with the NSW Jewish Board of Deputies that dates back to 2004, when I was the national secretary of the National Union of Students. We joined in partnership with the Australian Union of Jewish Students and the NSW Jewish Board of Deputies to force two universities in New South Wales to take seriously the display of Nazi symbols on their campuses, which far-right groups were using to intimidate Jewish students.

It is a relationship that I have valued under successive leaderships of the Jewish Board of Deputies, including with Mr Berger. I also include the ineffable Vic Alhadeff, who has given me many books on Judaism and the writings of Jonathan Sacks and others, as well as some of the world's leading theologians. I have read them all. He gave me an excellent book on Theodor Herzl as well, on the organising that Mr Herzl did in the wake of the pogroms launched during the First World War. I have certainly appreciated that relationship. I also appreciated meeting with Mr Ossip, who brought to my attention how worried the Jewish community was about the recent outbreak of antisemitism in certain schools, public and private, across New South Wales. It was very heartening to see the Minister take that seriously.

I reflect on comments other speakers have made in respect to the involvement of certain personnel in the Labor Party. I join with my colleague the Hon. Anthony D'Adam and others in saying that there is no place for any person in the Labor Party to have antisemitic views. We should acknowledge, truthfully, that all parties have had to contend with this. When the Young Nationals had 20 Neo-Nazis try to infiltrate their ranks as part of an organised plot, we paid attention to how the National Party responded and understood that it provided some elements of due process as it went about removing those members.

In recent times, Neo-Nazi organisers managed to get meetings with the leader of the Victorian Liberal Party without that leader knowing that they were Neo-Nazis. Equally, we have had a Neo-Nazi organising the Liberal National Party of Queensland. This is not to make a partisan point but simply to say that all parties must be vigilant around the arrival of antisemitism in their ranks. No side of politics is invulnerable to it, and all sides can learn from each other when it comes to dealing with this threat. I know that the New South Wales Liberal Party takes this seriously. I think that is a good thing. I know, equally, that the New South Wales Nationals have had incredible experience with this in recent times, and we can learn from their example as well. There is no place for antisemitism in political parties, in the Parliament or in New South Wales. [*Time expired.*]

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (17:04): I thank the Hon. Scott Farlow for bringing the motion, which calls on the House to reaffirm that the Parliament is united against disgraceful and disturbing acts of antisemitism and racism within the community. I welcome the observations that the Hon. Daniel Mookhey and the Hon. Anthony D'Adam have made in relation to that because, sadly, this reaffirmation is more necessary than ever after the Labor Party State Conference, held last Saturday. At it, a report was accepted on approvals given by the administrative committee under Labor Party rule A.6 (c) for applications for membership by persons who have been members or active supporters of another political party.

I am well aware of the observations that the Hon. Daniel Mookhey and the Hon. Anthony D'Adam made in relation to their positions on this. But leadership in this area starts with us. If we are to be fair dinkum about this, it is important that we call this out and do not run away from it. Among the new members whose applications were formally approved by the administrative committee was Jay Tharappel, a former member of The Greens, vicious antisemite, Stalin lover and admirer of North Korean totalitarianism.

The disgraceful and disturbing acts of antisemitism and racism of that new member of the Labor Party include wearing the badge that the Hon. Chris Rath alluded to, which said, "God is the greatest. Death to America. Death to Israel. Curse on the Jews. Victory to Islam", and racially vilifying journalist Kylar Loussikian for his reporting on the sarin gas attack by the Assad regime, which killed 89 civilians, by accusing him of being a traitorous scum who desperately wants a second Armenian genocide. Some of the members of the Labor Party administrative committee who approved Tharappel's application are Unions NSW Mark Morey—

The Hon. Penny Sharpe: Point of order: This is beneath you, Damien.

The Hon. DAMIEN TUDEHOPE: That is not a point of order.

The Hon. Penny Sharpe: My point of order is that this is well outside the details that are being dealt with in this motion. I know there is wide latitude given in the debate, but it has been made clear on this side of the House in relation to this—

The DEPUTY PRESIDENT (The Hon. Wes Fang): The contribution is in order. The Minister will conclude in the 15 seconds he has remaining.

The Hon. DAMIEN TUDEHOPE: They include the Rail, Tram and Bus Union's Alex Claassens and the man who aspires to be—

The Hon. Anthony D'Adam: Point of order: The member is abusing the opportunity to provide—

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

The Hon. MARK BUTTIGIEG (17:08): I wholeheartedly support the motion moved by the Hon. Scott Farlow. I think it is laudable, and I think the Jewish Board of Deputies should be congratulated and backed in 100 per cent. What I do not appreciate, and what I do not think any members of this House who are genuine about the motion appreciate, is that it has not retained its integrity. It has just been trashed by those who moved it in an opportunistic attempt to drag the Labor Party into disrepute. Those allegations have been addressed. We have a process. If this person is the antisemite that he is alleged to be, he will be kicked out of the party. It is a simple as that. The contrast between the contribution from the Hon. Mark Banasiak, who spoke directly to the motion based on its integrity and its essence, instead of trying to impugn the Labor Party, says everything about the motivation of members on the Government side.

The Hon. Natalie Ward: Point of order: I note that the Hon. Mark Buttigieg is straying well outside the terms of the motion on a matter that has been raised by our colleagues in this House. He is now reflecting on members' contributions to the motion.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I am happy to rule on the point of order, Minister.

The Hon. Natalie Ward: He can make his own contribution to debate on the motion and not reflect on others.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I note that a number of members have strayed from the motion in their contributions and I have ruled them all to be in order. The Hon. Mark Buttigieg has 14 seconds left. I invite him to conclude his remarks.

The Hon. MARK BUTTIGIEG: I simply finish by saying that if members come into this House with really good motions and then undermine them by vexatious debate, then they should expect the debate we have had now.

The Hon. Natalie Ward: Point of order—

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. Mark Buttigieg's time has expired. I call the Hon. Scott Farlow.

The Hon. SCOTT FARLOW (17:09): In reply: I thank all members who contributed to the debate. I thank the Hon. Walt Secord, who is the Deputy Chair of the Parliamentary Friends of Israel. I wish to pay tribute, as I have done before, to his advocacy on behalf of the Jewish community in New South Wales and his advocacy within the Labor Party for the Jewish community.

The Hon. Daniel Mookhey: As a Jewish member of the Labor Party.

The Hon. SCOTT FARLOW: And, I will acknowledge, as a Jewish member of the Labor Party. Unfortunately, the Hon. Walt Secord will not be continuing in this place and will not be here next year. I note the strong role he has played in his advocacy. I also thank the former Chair of the Parliamentary Friends of Israel, the Hon. Natalie Ward, for her contribution. She has been a very strong voice for the Jewish community and a great advocate of and worker for the Jewish community in her role as the Chair of the Parliamentary Friends of Israel but also in her prior role as the multiculturalism Minister.

I pay tribute to and thank the Hon. Sarah Mitchell for her contribution, particularly for the work that she is undertaking at the moment with the New South Wales Jewish Board of Deputies in terms of the troubling rise of antisemitism and addressing that in our educational institutions. I thank Reverend the Hon. Fred Nile for his contribution in the debate and for noting his longstanding commitment and support of Israel, and his long connection with the New South Wales Jewish Board of Deputies. I thank the Hon. Penny Sharpe for her remarks and her engagement with the board, Lesli Berger, incoming president David Ossip, and CEO of the Jewish Board of Deputies, Darren Bark.

I thank the Hon. Chris Rath for his contribution to the debate and for his advocacy on behalf of the Jewish community and for his reflections on the troubles that the Jewish community continues to face and the threats that are coming. I thank the Hon. Mark Banasiak for his contribution to the debate and his reflections that his door is always open to the New South Wales Jewish Board of Deputies. I thank the Hon. Anthony D'Adam for his contribution to the debate and for his reflections on his work in the union movement with the Sydney Alliance and his engagement with the Jewish Board of Deputies. I thank the Hon. Ben Franklin for his contribution in the debate and for his reflections on his lifelong friendship with Mr Lesli Berger—ever since he was in short pants at school—and for his role of leading him astray as his debating coach.

I thank the Hon. Daniel Mookhey for his sensible contributions, as always, on behalf of the Opposition in such debates as this. He has done something that I have not done, which is read all the books that Vic Alhadeff has given him. I trust that is the case with Mr Mookhey. I also thank the Hon. Damien Tudehope for his contribution to the debate. It is sad that he was not able to finish his contribution.

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

Motion agreed to.

Bills

COMPANION ANIMALS AMENDMENT (PUPPY FARMS) BILL 2021

Second Reading Debate

Debate resumed from 24 November 2021.

The Hon. SHAYNE MALLARD (17:13): On behalf of the Government I am pleased to have the opportunity to speak in debate on the Companion Animals Amendment (Puppy Farms) Bill 2021. I know how important this issue is to the community, to me and to many of my friends and family. As a member of this Government, I am committed to ensuring that it is appropriately addressed. I think we all come from that position. I have no qualms in adding my voice to those of others who have condemned puppy factories. There is no place in New South Wales for breeders who fail in any way to care for and meet the needs of their animals. I echo the

sentiments of others in that the intent of the bill is good, and the intent of the mover of the bill is not in question, but the execution of the bill is not good and the Government believes it is flawed.

Following consideration of the bill by the Select Committee on Puppy Farming in New South Wales, others and I remain concerned about the risk of unintended consequences—a concern that is shared by professional welfare-focused dog breeders right across New South Wales. I referred to that in my earlier contribution to this debate. This is an important issue and one we need to get right. We need to ensure that the way we address issues associated with puppy factories achieves the desired outcomes and does so without generating unintended consequences. That feeling is no doubt shared by numerous members of the community who have gone to the effort of making a submission to the committee—and who contacted nearly all of us; I certainly have been contacted—including those professional breeders whose livelihoods are now at stake. Professional breeders have raised very real and legitimate concerns with the proposed new regulatory regime contained in the bill.

I will now expand on some of those concerns. The bill makes substantial amendments to the Companion Animals Act 1998 to introduce a range of new provisions to regulate companion animal businesses, which includes breeders but also includes the likes of pet shops and animal training and boarding establishments. The bill effectively creates two new registration schemes: one registering business premises with local councils and the other obtaining approval from the State Government to sell or even give away companion animals. That creates a huge amount of administrative burden for breeders and for councils, especially since elements of both schemes overlap existing legislative provisions that they are required to comply with. The bill also introduces a maximum cap on the number of breeding animals a person can keep—set at 10 breeding animals, either kept directly, or under guardianship arrangements—and sets a lifetime limit of two litters.

We know that a key driver of increased puppy factory activity has been the significant increase in the demand for pets, meaning higher prices in the market for puppies. Introducing provisions that simultaneously increase the costs for reputable breeders and reduce the supply of animals only makes the problem worse and effectively leads to a black market or an underground market emerging. Reputable breeders will be able to supply fewer animals and incur higher costs to do so as they navigate complex registration frameworks across multiple levels of government. Indeed, all of the peak bodies for breeding—DOGS NSW, the Pet Industry Association of Australia and the Master Dog Breeders & Associates—have voiced their concerns about the bill. They have testified that it will eliminate legitimate professional and hobby breeders, and instead incentivise the poor operators. This will make regulation more difficult and will absolutely result in poor animal welfare outcomes—the opposite intent.

Let me give an example of the unnecessary and duplicative provisions that the bill will deliver. The bill requires that anyone selling or giving away an animal must include a source number in their advertisement. This is broadly duplicative of existing provisions under the Prevention of Cruelty to Animals Act [POCTAA], which already requires people to include an identifying number in advertisements. Under the bill, there would now be two distinct offences in two different Acts with two different penalties for not including an identifying number in an advertisement, and breeders would need to go through two separate processes to obtain each number.

The bill also introduces a range of requirements around frequency of veterinary treatment, staffing ratios, health management plans and record-keeping requirements. Some of those provisions are already covered by the existing *Animal Welfare Code of Practice Breeding Dogs and Cats*. The animal welfare code of practice is not a static document. It is revised from time to time to take into account new knowledge of animal physiology and behaviour, technological advances, developments in standards of animal welfare and changing community attitudes and expectations about the humane treatment of animals. Recent updates were made to the code of practice in August 2021 to reflect the ongoing assessment of regulation in this important sector. The updates are commonsense changes that are designed to ensure that everyone who is covered by the code can understand and follow the code requirements and guidance.

The new updates relate to requirements around heights of enclosure fences, vaccinations and mating ages of animals. Some terminology within the code has been updated to make it easier to understand. The breeding code applies to everyone involved in the business of breeding dogs and cats. To ensure that the updates are fit for purpose, the Government consulted with stakeholders, including Animal Care Australia, the Master Dog Breeders and Associates, DOGS NSW, the Australian Federation for Livestock Working Dogs, NSW Farmers, Australian National Cats Inc., Cats NSW and the New South Wales Cat Fanciers Association. The animal welfare enforcement agencies—RSPCA NSW, the Animal Welfare League NSW and the New South Wales Police Force—were also consulted, and the updated code has been endorsed by the Animal Welfare Advisory Council. The code contains both standards and guidelines for the care of dogs and cats for breeding.

The standards have legal effect in three ways: firstly, failure to meet a standard may result in a penalty infringement notice; secondly, failure to meet a standard may result in prosecution under clause 26 of the Prevention of Cruelty to Animals Regulation 2012; and, thirdly, in more serious cases, failure to meet a standard

may support a prosecution for an offence under the Prevention of Cruelty to Animals Act [POCTAA]. I reiterate that I am supportive of the sentiment of the bill; I do not think anybody doubts that. The New South Wales Government knows that this is an important issue. It knows that there are community concerns about large-scale breeding facilities, and it certainly agrees that puppy factories need to be stamped out. However, most breeders in New South Wales love their animals. Most breeders in this State care for their animals as members of their own family. Most breeders in New South Wales are doing the right thing. We do not want to design rules that lump those breeders in with the small number of abhorrent puppy factory operators who make the decision to mistreat and abuse their animals and take advantage of consumers.

Puppy factories are horrific, but they are not representative of the way that most breeders in New South Wales operate. That sector is quite concerned that that impression is being given. We know that the focus of the bill is not on the law-abiding, welfare-focused breeders across New South Wales, but there is a huge risk that they get caught and damaged in the crossfire. Action needs to be targeted to have the maximum effect on the real problem while minimising impacts on those who have always done the right thing and whom we should support. In recent years the Government has taken a range of actions to improve regulation of companion animal breeding with the aim of doing just that. In 2019 the Government introduced the aforementioned advertising identification requirement to improve traceability and transparency and to help would-be pet owners to make more informed choices.

In 2020 the Government funded the establishment of the Puppy Factory Taskforce, with a focus on the compliance of large-scale breeders. In 2021 the Government increased the maximum penalties for the most common animal welfare offences under POCTAA to ensure that people mistreating animals in their care are appropriately held to account. The Government is not stopping there. It is continuing to work towards delivering streamlined and modernised animal welfare laws and is using the feedback received on the consultation paper on the regulation of breeders to inform what more needs to be done. Buying a pet, whether it is a first pet or another addition to the family, is an exciting time. Australians have one of the highest rates of pet ownership in the world and in the main treat their pets with the love and care that they deserve, as if they are part of the family.

The benefits of owning a pet are significant and many. Some of the benefits of pet ownership outlined by the RSPCA include increased physical health, such as increased cardiovascular health—dogs especially help people get out, enjoy the outdoors and get regular exercise—and fewer visits to the doctor. According to the RSPCA, children who have pets are less likely to miss days of school due to illness. We know that there are significant mental and psychological benefits of pet ownership as well. Pet owners report less depression and appear to cope with grief, stress and loss better than non-pet owners, which is why it is important that consumers arm themselves with as much information as possible before making the life-changing decision to buy a pet.

The New South Wales Government is supporting consumers to make informed decisions by publishing tips for buying a puppy or kitten. Consumer education and awareness is the first and best line of defence to stamp out dodgy breeders. Consumers can log onto the Department of Primary Industries website and review their responsibilities when it comes to purchasing a companion animal. That includes how to choose a responsible breeder, avoid scams, consumer rights, getting a vet check and how to report a puppy factory. Local government is also very involved in promoting education and awareness. The Government also encourages anyone that is considering bringing a new puppy home to check the RSPCA's Smart Puppy and Dog Buyer's Guide so that they know what to expect when starting this exciting chapter of their lives.

The bill would have a devastating impact on good industry operators across the pet breeding sector and would ultimately impact the ability of families across New South Wales to affordably acquire a pet. The bill has had a significant lack of consultation with the industry and would lead to a range of unintended consequences, such as encouraging a black market trade in pets and punishing good industry in the pet breeding sector. Ultimately, the bill would lead to a shortage of puppies and cats through over-regulation, and it would deprive families and individuals of the privilege of owning and caring for a pet. For the reasons outlined in my speech, the Government does not support the bill.

The DEPUTY PRESIDENT (The Hon. Wes Fang): As it has been a while since the bill has been debated, I take this opportunity to remind members of the list of speakers who have already made a contribution to the second reading debate on the bill. The Hon. Emma Hurst, Ms Abigail Boyd, the Hon. Mark Banasiak, Reverend the Hon. Fred Nile, the Hon. Mick Veitch, the Hon. Walt Secord and now the Hon. Shayne Mallard have all made contributions to the bill prior to tonight. With that in mind, I call the Hon. Chris Rath.

The Hon. CHRIS RATH (17:25): From the outset, I reiterate the Government's commitment to maintaining the highest standards of animal welfare and promoting responsible pet ownership across New South Wales. It goes without saying that puppy factories are abhorrent and clearly violate the State's animal protection laws. There is no justification for the appalling brutality and neglect that results when individuals fail to achieve the standards imposed on them by law and fall short of the expectations of the community. As members would be

aware, New South Wales already has one of the most stringent animal cruelty penalty frameworks in the country, which allows for the effective punishment of those who engage in one of the most heinous acts conceivable. The Government has a clear reform agenda in place to deal with this matter effectively. It is a matter that has only worsened during the COVID-19 pandemic, which has seen the demand for pets skyrocketing.

If passed, the Companion Animals Amendment (Puppy Farms) Bill 2021 would represent a backwards step in animal welfare reform in this State. It would appear to create unprecedented powers for councils, with no checks and balances, particularly in relation to powers of entry. The bill is not fit for purpose and would have unintended consequences, including significantly increasing the regulatory burden for both breeders and regulators without providing any real benefit. In this regard, I make it clear that the Government is committed to its intergovernmental agreement with the local government sector, which it signed in October 2019. The agreement is based on a shared commitment to working together, and it highlights the importance of consultation, open communication, mutual trust and respect between the two levels of government. Importantly, the agreement includes robust mechanisms to address cost shifting. Under the terms of the agreement, if councils are asked by the Government to take on the cost of providing a service, the financial impact must be assessed and any impact on local government must be considered. This bill does not do that.

I turn to the inappropriate enforcement powers and increased regulatory burden on councils. If passed, the bill would create powers for councils to go into breeding businesses, pet shops, animal boarding establishments and the like with unfettered powers. That is inconsistent with the Government's current policy and the current laws providing powers of entry to New South Wales councils. Further, the increased function that would be expected of councils would increase the regulatory burden on them without quantification of the costs and benefits or consultation. There is a clear desire to simplify existing laws and bring them well and truly into the twenty-first century. The Government is working to address community concerns relating to puppy factories and issues with companion-animal breeding.

The Government has sought public feedback on options to regulate the conduct of companion animal breeding through the release of the *NSW DPI Consultation Paper: Licensing and regulation of cat and dog breeders*. That is in addition to the *NSW Animal Welfare Reform - Discussion Paper* published in August of last year, which outlined a series of ideas for new animal welfare laws. As predicted, the reaction from the community was enormous. We received around 4,800 submissions and survey replies from all throughout the community. The consultation response informed the drafting of the draft Animal Welfare Bill 2022, which was released in January this year. The draft bill was then explored by the Standing Committee on State Development where several members of this House were engaged, and it was the third chance for stakeholders and the community to have their say on future animal welfare regulations. It is fair to say that this issue has been well and truly ventilated.

The findings of the investigation noted the vast diversity of opinions on the draft bill and recommended that it not be advanced until regulations are drafted and published so that the complete package may be reviewed simultaneously. That recommendation demonstrates the Government's commitment to consulting with the community on changes to the animal welfare legislative framework. That is why the Government is considering the recommendations of the recent inquiry into puppy farming in New South Wales. Through that inquiry we heard a range of views on the bill and the serious concerns about unintended consequences. It would be remiss of me not to highlight that the inquiry process—which has a wider focus than the bill—revealed that there are a variety of perspectives on how puppy factory concerns should be handled. There were also differing opinions on whether the bill is appropriate for addressing such challenges. The approach that we take to prevent puppy farms must be carefully examined so that we achieve the desired result while at the same time avoiding unforeseen repercussions. Based on the evidence presented before the inquiry, it is evident that an alternative approach is required.

Animal welfare in New South Wales is primarily protected through the Prevention of Cruelty to Animals Act 1979 [POCTA], which sets requirements for the care and protection of animals. It includes provisions that enable the regulation of animal trades. Breeding of companion animals is classed as an animal trade, which requires that people operating a business in which dogs or cats are bred for fee or reward must comply with various requirements, including the *Animal Welfare Code of Practice Breeding Dogs and Cats*. The breeding code provides welfare rules established primarily for companion animal breeding. It addresses issues such as the minimum age at which animals may be bred and sold, the frequency with which animals can be bred, immunisation requirements, and recordkeeping specifications with respect to breeding operations. Let me be clear, any dog or cat breeder found to be breaking the law may be issued with written instructions, have their animals seized, face financial fines, be prosecuted, or be barred from owning or having control or influence over animals.

This Government introduced a bill in 2018 to amend the POCTA Act to create tracking regulations for pups when being transferred from breeder to owner. Those amendments went into effect on 1 July 2019 and enable prospective pet buyers to make better informed selections while also allowing enforcement authorities to identify

unscrupulous breeders. The amendments demand that ads for dogs and cats that are being sold or given away contain an identification number. That obligation is applicable to all advertising, including social media posting, and even holds true when an animal is being given away for free. It is illegal to omit or falsely misrepresent such a number.

In 2018 additional tools were made available to allow consumers to undertake pre-purchase research on the animal, the breeder, or the organisation that is providing the animal for adoption. A search using one of those numbers gives us information such as a pet's breed, age, gender, if registered and desexed, or the name and address of a breeder or rehoming organisation. The Government is presently undertaking an education and awareness campaign that attempts to educate both consumers and breeders of their responsibilities and expectations under the *Animal Welfare Code of Practice Breeding Dogs and Cats*. To make it more difficult for unethical breeders to go unnoticed, the internet advertising campaign urges prospective pet owners to properly prepare for their new family member, detect problem breeders and advance their awareness of animal welfare. In contrast, the principal object of the Companion Animals Act 1998 is to provide for effective and responsible care and management of companion animals.

The Companion Animals Act includes provisions relating to the registration and microchipping of companion animals with local councils and the management of dangerous dogs. Therefore, the amendments put forward in the bill, which purport to improve animal welfare, seek to make changes to an Act that does not actually have animal welfare as its central concern. The inquiry process has highlighted that the bill will have unintended consequences and result in breeding businesses, pet shops, animal boarding establishments, dog trainers, local councils, State agencies and enforcement agencies having an additional regulatory burden. That increased burden is likely to impact on their existing responsibilities and take valuable and already stretched resources away from current programs. For breeders and businesses—including pet shops, animal boarding establishments and dog trainers—those changes are likely to cause red tape to negatively impact on how they register to conduct their activities. The lack of consultation and a grandfathering provision means that the impact of this extra time and cost has not been assessed.

In her second reading speech, the Hon. Emma Hurst referred to the Victorian regulatory framework as the basis for the bill. However, the Victorian approach is not supported by certain breeding stakeholders in New South Wales, as the complexity of the application and approval process has resulted in long delays and prohibitive costs for some breeders. Those outcomes are expected to drive some breeders to operate outside of the regulatory framework, which could potentially result in worse animal welfare outcomes. As we have seen in the recent puppy farms inquiry, there is a diverse range of stakeholder views in what is an incredibly complex policy area. The bill does not address many of those legitimate views.

In June 2021 the Government passed the Prevention of Cruelty to Animals Amendment Act 2021 and created some of Australia's toughest animal cruelty penalties. That amendment Act dramatically increased penalties for animal welfare offences and expanded the range of tools available to courts to better and more effectively deal with animal welfare offences, including those related to puppy factories. The amendment Act reinforces the Government's firm belief that animal cruelty is already unacceptable and illegal in New South Wales, and it brings down a harsher suite of measures for those who fall foul of our laws and community expectations. The amendments are a clear signal of the Government's and the public's opinion of that awful behaviour, and the increase in penalties will serve as a deterrent.

The tougher penalties will complement earlier action this Government took to combat the scourge of puppy farming. In October 2020 the Government funded the establishment of the RSPCA NSW Puppy Factory Taskforce. A dedicated team of inspectors were assigned to ensure that breeding facilities complied with this State's robust animal welfare legislation and codes of practice. With tougher penalties now at the disposal of inspectors and the possibility of jail time, individuals involved in the repugnant business of puppy farming will think twice. Knowing a task force inspector could turn up at any time will deter individuals from this appalling business when weighing up the risk versus the reward.

The amendment Act also ensures that when a person is convicted of animal cruelty offences, regardless of whether the charges were brought under the POCTA Act or the Crimes Act, the prosecution can seek a disqualification order upon conviction. For example, a court may make an order that prohibits a convicted individual from purchasing or acquiring an animal, keeping or participating in keeping an animal, being party to an arrangement where the person is entitled to control or influence the keeping of an animal, or having any other involvement with the keeping or care of an animal. The community expects that those who commit serious animal welfare offences will be prevented from repeating those disgraceful acts. The Government delivered on that expectation by closing that loophole. The public can be confident that those unscrupulous breeders engaging in puppy farming will not only face harsh penalties but also be prevented from having any further involvement with animals in the future.

If it were to pass, this bill would take us into uncharted territory. Councils would have unfettered powers of entry. There are unknown costs and impacts on our New South Wales community, and in particular for businesses. The New South Wales Government has been methodical in its reform of animal cruelty laws in this State. We know the job of ridding our society of animal cruelty is not yet done. We acknowledge that there is still a lot more to do to tackle the scourge of puppy factories in New South Wales. But I want to assure the New South Wales community that the Government is listening. The Government has put in place a transparent and consultative mechanism to ensure that revisions to animal welfare legislation and their enforcement are fit for purpose and take into account the variety of perspectives on this topic.

As the Government continues to work through these animal welfare reforms, it will continue to consult with key stakeholders and the community to ensure that the new framework reflects evolving community expectations. Supporting the bill, with its unintended consequences and uncosted amendments, would mean abandoning key stakeholders and the general public who we have worked with so closely over these past few years to improve animal welfare in this State. The Government is not prepared to do that. I hope you have all enjoyed my very comprehensive speech. The Government opposes the bill.

The Hon. MARK LATHAM (17:41): The Companion Animals Amendment (Puppy Farms) Bill 2021 is an unnecessary bill that punishes working families in the suburbs and regions who simply want to buy a dog or a cat for their children at an affordable price. The bill is strongly opposed by One Nation. The timing of the bill is all wrong, because we have recently seen in our society a general improvement in the treatment of domestic pets and an increase in the expenditure on them. All the data shows that households are spending more than ever on pampering their pets and looking after them in a reasonable way. Many pets are now living better than some humans who are out on the street or living in poverty.

The Hon. Penny Sharpe: My cat does.

The Hon. MARK LATHAM: The very lucky cat of the Leader of the Opposition is one such animal enjoying a pampered lifestyle. I could go around the Chamber, like Dr Doolittle, collecting the names of a whole menagerie of members' animals that are doing very well. I can attest that my beautiful French bulldog, Leila, lives a wonderful life and pretty much runs the house whenever she wants to. Those who are familiar with the breed will know that French bulldogs are full of character. On social media—Instagram, memes and the like—some say they are a little bit nutty, which is why I love her and she loves me. It is that whole thing about getting an animal to suit one's own personality. The most endearing aspect of the French bulldog is the use of their paw to tap you and, if need be, hit you to let you know what is going on. If she could talk or do more than bark to order me around, she would. But the paw order actually gets the result. So that makes the point: Around this Chamber, as an indicator of the social standard, the treatment, expenditure, love and care of domestic pets has improved dramatically in our society.

The COVID period added to this trend. We were locked in our homes and told not to move. The purchase of pets—dogs and cats—increased exponentially during that time. It was predicted that at the end of the COVID lockdowns these animals would be abandoned. No such thing has happened. The data does not show any level of abandonment. The dogs and cats that were brought in for companionship during the COVID period are still loved and cared for. So the social trend is heading in the right direction. But let us be mindful of the fact that with increased demand and limited supply, prices for domestic pets have gone up. Some of the prices being asked for these animals is outrageous. A purebred cavoodle, French bulldog or other fashionable breed can cost between \$6,000 to \$9,000 to buy in the suburbs. These are very expensive animals.

We must be mindful as a parliament, as a social justice measure, to ensure that loving an animal is within the price range of working families in the suburbs and regions. The bill moves against that trend by over-regulation, by smothering the breeding establishments in red tape and in one instance stopping them from on-selling to pet shops, effectively putting them out of business. I do not know why anyone would think that this Parliament has the skills to set an upper limit on how many female breeding animals can be held. Why 10? Why 50, as suggested by Labor in its amendment? There is no such limit in other areas of animal breeding—cows, pigs, horses, sheep. These are arbitrary numbers outside the expertise of parliamentarians. I agree with the Master Dog Breeders and Associates, which wrote:

Simply reducing the number of dogs a person may own or over-regulating them will not automatically make them better or a more humane owner. There is no magic number that will suddenly make someone a better dog owner or breeder. Having a human on a property for every five dogs or having state-of-the-art facilities doesn't ensure that the humans and the dogs interact or spend more time with each other. It is rather ridiculous to have a higher human-to-dog ratio for breeders than is required for staff to children in day care centres or staff to residents in aged-care facilities. Arbitrary numerical caps cannot work as there are a multitude of variables in the activity of dog breeding. For example, there are different requirements for managing 10 Great Danes versus 10 Chihuahuas. Caps will not change whether the owner has the ethics to ensure their dogs needs are met, and kennel management and house designs can be better or worse. No amount of regulation will automatically permit dogs to be happy and healthy with regular enrichment that allows them to engage in their innate behaviours. This is done through education, not more and more regulation.

It is certainly true. There is no guarantee that nanny-state social engineering in this space will achieve the desired result. For this Parliament—where the major parties both turned their back on nurse-to-patient ratios in hospitals—to set a 1:5 staff-to-breeding dog ratio, as proposed in the bill, is absurd. If a cap is set, whether it is 10 or 50 breeding animals, if a staff-to-breeding dog ratio of 1:5 is brought in and if these breeding operations are buried in red tape and regulation and stopped from onselling to pet shops, they will effectively be put out of business. I do not think that should be the purpose of any legislation at a time when the demand for pets is up and the prices have never been so high. We need, in a reasonable, effective and humane way, to increase supply to ensure that in the suburbs and regions the working families that just want a dog or a cat for their children as a domestic pet can achieve that at an affordable price.

The over-regulation, the arbitrary caps, the nanny-state approach should be rejected on pricing grounds alone. But there are other reasons. It is an unnecessary bill because the social standards have already risen. I have spoken to several pet shop owners in south-west Sydney who have said, "The reality is unless we sell healthy, well-fed, presentable animals, we won't have a business here." The social standard now, particularly among middle-class families, is very high. They expect the animals to be in great condition. The pet shop owners say, "We are in the business of effective self-regulation, if you like, because if we don't meet that consumer demand, if we don't have these animals to sell, we won't have a business at all. We will be out the door." I think when we take that assurance, knowing that is the reality in the outer suburbs, it is a very good guarantee for this Parliament that the bill is unnecessary.

Furthermore, pet shops will be put out of business and a significant number of people will join the unemployment queue if a rule is introduced, according to this legislation, that pet shops can only sell animals that have been rehomed. Not all rehomed pets have been abandoned. Some have been let go of for valid reasons—they might be dangerous, bite, bark too much, are not good with children, have a personality problem or are not suited to a particular home. Not all rehoming is done on the basis of abandonment; sometimes it is for valid reason. If those types of animals are sold to families, then buyer beware. If they are dangerous, they may present a risk to small children.

On the grounds I have stated, the bill is not needed. It would be absurd if this Parliament that will not introduce nurse-to-patient ratios in hospitals were to introduce staff-to-breeding animal ratios in puppy farms and the like. That really is an overreach. Let us get our priorities right. One Nation puts humans first, animals second, plants third—I will not run through the full list—and the list goes right down, with The Greens right at the bottom. We stick to that order of priorities. That is our pecking order for how we judge these matters. It is valid, of course. What sort of parliament would not have humans first? But that is what you find in legislation like this for parties with different priorities.

The one area of practical improvement in government administration we could find is about the RSPCA's inspections of the breeding establishments. I would like to see publication of how many inspections are held each year. I am told that they are plentiful. I know that animal justice activists are already complaining about those facilities. The RSPCA is a trusted and well-funded body. I think it has \$3 million in government funding for inspections. The RSPCA is looking at the establishments to make sure that they are in good nick. Those facilities should be inspected at least annually or biannually to make sure that there is no particular problem and the data should be published. I am not saying that this area is without the possibility of public administration improvement, but it does not require this bill or special legislation. It just requires a beefing up of the transparency of the operation of the RSPCA, which is well funded by the Government. We oppose the bill.

The Hon. LOU AMATO (17:50): I recognise that there is significant community concern associated with the current approach to regulating cat and dog breeders in New South Wales and that the current approach needs to change. But the Companion Animals Amendment (Puppy Farms) Bill 2021 does not deliver on the change that is needed. I was part of the puppy farming inquiry and believe this bill will have grave unintended consequences with unquantified costs and impacts on businesses, including small businesses, companion animal breeders and councils.

The Government is currently in the process of reforming animal welfare laws in New South Wales. This bill would pre-empt the outcomes of that process. Also, it is not fit for purpose and will have unintended consequences, including significantly increasing the regulatory burden for breeders and regulators. The onerous requirements will generate vocal opposition from some breeders, while potentially driving others underground, resulting in worse welfare outcomes. The Government has been meticulous in its reform of animal cruelty legislation in our State, and it recognises that the task of ridding our society of animal cruelty is far from complete. That is why the Government is working hard to address community concerns about puppy factories and companion animal breeding. But this bill is not based on firm facts and figures. There is no regulatory impact statement outlining the costs and benefits of this proposal. We cannot know the bill's consequences for small

businesses and households in New South Wales. Members should not support a bill that does not have the backing of a detailed cost-benefit analysis.

On 22 October 2020 the then Minister for Agriculture and Western New South Wales announced that the Government was cracking down on illegal puppy factories across New South Wales. At that time the RSPCA NSW puppy factory task force was created, establishing a dedicated squad to weed out rogue operators. The Government provided \$400,000 in additional funding to the RSPCA to inspect breeding facilities to make sure that they meet the State's robust animal welfare requirements. As of 31 August 2022, inspectors had attended 493 breeding establishments, conducted 227 revisits and initiated three prosecutions. However, there is still a lot more to do to tackle the scourge of puppy factories in New South Wales.

Those efforts have been made easier by improved access to information about animals sold or adopted in New South Wales. In 2019 the Government introduced new requirements for when dogs or cats are advertised for sale or to be given away. Under those requirements, anyone advertising a dog or cat for sale or to give away must include an identifying number in the advertisement—a microchip number, a breeder identification number or a rehoming organisation number. Those changes were implemented through the NSW Pet Registry to improve information for consumers and traceability at point of sale. It will help also with the whole-of-life tracking of cats and dogs.

Last year the Government released the *NSW Animal Welfare Reform Discussion Paper*, which set out proposals for the new animal welfare laws, informed by the outcomes of a first round of public consultation, which was undertaken in 2020. Approximately 4,800 written submissions and survey responses to the discussion paper were received during the feedback period, which closed on 17 September 2021. The comments were used to inform the drafting of our new Animal Welfare Bill 2022. That demonstrates the Government's commitment to consulting with the community on changes to the animal welfare legislative framework every step of the way. Clearly, the volume of feedback we have received in response to only this one discussion paper means that the public has a real interest in this matter. The draft Animal Welfare Bill 2022 has since been examined in depth by the Standing Committee on State Development, who received a further 309 submissions.

It is important that all views be heard and understood as the Government considers the best way forward. That is why the Government is considering the recommendations of the recent inquiry into puppy farming in New South Wales. Through that inquiry, we heard that there are a range of views on this bill and serious concerns about unintended consequences. In contrast, this bill has not been subject to broad public consultation. If proper consultation had been carried out, it would have been clear, as we have discovered, that there is no broad agreement among key stakeholders and the public about which regulatory model is optimal. It would be highly inappropriate for members to support the amendments laid out in this bill without first ensuring that the legislative changes we make are fit for purpose and maximise animal welfare outcomes. It is only fair that the New South Wales community should have its say before any changes are made to existing laws.

The Government welcomes the final report of the puppy farms inquiry and is carefully considering the recommendations made. The Government will provide its response in due course. This bill is an attempt to short-circuit this well-established process. The feedback received during the inquiry, along with previous feedback received, will be incorporated into the current reform process. The inquiry has shown that the bill will certainly have unforeseen repercussions. Breeding operations, pet stores, boarding facilities for animals, dog trainers, local councils, State authorities and enforcement organisations may experience unforeseen repercussions. Those agencies will probably have to deal with more regulations as a consequence of the recommendations. This added responsibility will probably affect their present obligations and divert vital resources from already overstretched initiatives. The amendments may increase red tape and have a detrimental effect on how breeders and enterprises, such as pet stores, boarding facilities for animals and dog training facilities, register to perform their operations.

If approved, the bill will provide councils unrestricted authority to enter breeding companies, pet stores, animal boarding facilities and the like. That is incompatible with the Government's current policy and the current laws granting entry powers to councils. Furthermore, the increased functions that would be expected of councils would increase the regulatory burden on them without consultation or quantification of the costs and benefits. Notably, due to a lack of consultation and a grandfathering clause, the effect of this additional time and expense has not been evaluated. The Hon. Emma Hurst's second reading speech mentioned the Victorian regulatory system as its inspiration. However, there are certain breeding stakeholders in New South Wales who disagree with the Victorian method because it has caused some breeders to face exorbitant expenses and lengthy delays as a consequence of the application and approval procedures' complexity. As a consequence of those results, some breeders are anticipated to operate outside of the legal system, which may lead to poorer outcomes for animal welfare.

In what is a complicated policy topic there are a variety of stakeholder viewpoints as we have seen in the recent puppy farms inquiry. The majority of these viewpoints are not addressed by this bill. The Government has

already made a series of important changes to the animal welfare regulatory framework. These have strengthened the protection of animal welfare in this State and focus in particular on improving breeding practices for companion animals. In August last year the Government published the revised breeding code, which sets out the welfare requirements and guidance applicable to anyone in the business of breeding dogs or cats for fee or reward. The updates made to this document were aimed at ensuring that everyone who is covered by the code could understand and follow its requirements and guidance. The code has also been changed to improve requirements around enclosure fence heights, vaccination requirements and mating ages. The Government opposes the bill.

Debate interrupted.

Members

VALEDICTORY SPEECHES

The PRESIDENT: According to the resolution of the House of Wednesday 12 October 2022, proceedings are now interrupted to enable the Hon. Shaoquett Moselmane to make his valedictory speech without any question before the Chair. Before I call the honourable member, I welcome into my gallery many guests of the Hon. Shaoquett Moselmane, including Mika Fukuta Moselmane, his wife; Joseph Moselmane, his son; the Hon. Linda Burney, MP, Federal Minister for Indigenous Australians; the Hon. Amanda Fazio, former President of the Legislative Council, who is on her way and should be arriving shortly; Mr Muhammad Ashraf, Consul General of Pakistan; Emeritus Professor Stuart Rees, AM; Dr Anthony Pun, OAM; and Vincent De Luca, OAM. I welcome them all and note that there are many family and friends in the public gallery as well. I now call the Hon. Shaoquett Moselmane.

The Hon. SHAOQUETT MOSELMANE (18:01): I acknowledge the rightful owners of the land, the Gadigal people of the Eora nation and pay my respects to their Elders, past and present. I extend that acknowledgement to members of our First Nations people amongst us here tonight. I acknowledge the presence in the President's gallery of the Hon. Linda Burney, MP, member for Barton, Minister for Indigenous Australians. The Hon. Linda Burney is the first Aboriginal female member in the House of Representatives and the first Aboriginal female Minister for Indigenous Australia. I was honoured to have supported her nomination for Barton, honoured to have campaigned for her and honoured by her decision to join us here tonight.

Honourable members, my friends and special guests in the President's gallery, all of you in the public gallery, those in the Strangers' Dining Room and those watching today's proceedings on live stream, I am forever grateful to you all for your friendship. When I entered Parliament in December 2009, the Labor Government was in its dying days. Twelve years later the tide appears to be turning. The Liberal Government is about to be thrown out. I was therefore hoping that in March 2023 I would be on that side of the Chamber, representing you in government. Sadly, it is not to be.

Many ask me why I am leaving. Well, to be frank, certain political forces wanted me out. The decision was then taken to remove me. That is it. It was falsely put in the media that I wanted to retire. It was not true. My nomination was in, and I insisted on leaving my name on the upper House ballot paper to make the point. I accept that politics can be cruel. But it did not have to be this way, nor was there a need for it to be brutal. In any event, that is history. But that is why I am leaving. It is why I am here today to deliver my valedictory, my final speech, which gives me an opportunity to thank you for your support, make a few remarks and recount a little of my political journey in this House.

First of all, I would like to put on record that I am honoured to have been a member of the Australian Labor Party [ALP] for the past 40 years, during which time I served 16 years as a local councillor, deputy mayor and mayor, and 12 years as a member of this Parliament. I have another 15 years in the tank. So I have a lot more to give and look forward to serving the community in whatever capacity I can. After 40 years in the party, my love for the party has never faltered. It continues to grow, no matter the pain. It is a party that has given me, and millions like me, many opportunities. For that I am grateful.

It is through the party that we have effected much change. One stand-out example is the party's change on justice for Palestine. It is the party of universal health care and universal education. It is a party of social justice for all. I was honoured as a member of the Australian Labor Party to be the first member of the Islamic faith to be elected to the New South Wales Parliament. In fact, I am honoured that I am the first in any State and Federal parliaments. It was a rare privilege, an immense honour for which I can only be grateful. My loyalty to the Australian Labor Party is a lifetime commitment. It is through the ALP that I was able to serve those who sought my assistance. I never, ever turned anyone away. I never said no. I always tried to help to the best of my abilities.

How do you sum up 12 parliamentary years in a 30-minute valedictory speech? I tried to sift through the 740 speeches, questions and motions I made over my time in this Chamber. I found it dauntingly difficult. I have no choice but to cherry-pick and recount some of the important things I was able to do over the years. I am proud

of what I have achieved for multicultural communities in New South Wales. For them, I opened wide the doors of this Parliament. I always dealt with people with respect. Never did I treat people with disdain. Never did I bully anyone. Bullying must be stamped out at all costs. I am grateful to whoever came up with the idea of the Broderick report into bullying and harassment in this Parliament. I know some people who have suffered, and the scars are forever with them. I am glad those bullies have been rooted out. It is a huge win for all the members, their staff and the workers in this Parliament that some bullies have been exposed.

I understand new Australians and appreciate their circumstances, for they are a mirror image reflecting my own experiences. Many struggle to get by. That is why many saw in me and in Labor the natural political ally. Many vote Labor without hesitation. Labor was their party of choice—like my dad, who is 86 years old, a rusted-on Labor man. You could not speak highly enough of Gough Whitlam and Paul Keating and Bob Hawke. "Real leaders", he would say. The abiding belief in Labor, however, is slipping away. It is no longer automatically there in the hearts and minds of second- and third-generation migrant communities. Migrants of today are aspirational and want to better their own. To succeed, the party must move with them.

There is an inherent presupposition that migrant communities are rusted-on Labor voters. That is no longer the case. Educated electorates in New South Wales—as in western Sydney—can no longer be taken for granted. To them, politics is a two-way contract. It is an exchange of votes for delivery of services. No delivery, no vote. Western Sydney's multicultural communities now vote with their eyes wide open. The Federal seat of Fowler is a case in point. Any community with a 10 per cent vote can topple any sitting member, no matter who they are. That is the way of the future. There will be no more safe seats.

To address this, the ALP must be more inclusive of our multicultural communities. They refuse to be taken for granted. Political parties must never take multicultural communities for granted, and they do so at their own peril. Furthermore, offering migrant community groups a grant here or there and thinking that will win them over no longer works. What works is genuine inclusiveness in decision-making and real inclusiveness in representation. To win their hearts and minds, political parties must make multicultural communities part of their political mission.

Since the 1990s, for instance, Labor has used gender quotas to increase female representation. That wonderful and progressive initiative has certainly achieved much for the party, but especially for its political image as a progressive party open to all. Just look around us here in this Chamber and you will see women everywhere, which is a great outcome. However, you will also note the lack of diversity. With the exception of a few honourable members, this House is monocultural while the community is multicultural. It is time for Labor to boost cultural diversity in the party, in its machinery, in Parliament and in all institutions of government. We need to shift the dial on that issue. What is wrong with having Sandra Doumit in this House, for instance? Why not have Durga Owen, Trish Marinozzi, Tu Le, Nadia Saleh, Ola Hamed or Charishma Kaliyanda in this place? Why can't those women of ethnic and religious diversity, who are extremely active in the party, be part of Labor's affirmative action policy?

I now speak to our multicultural communities directly. As electors, you have the power to find your own voice and speak out. You will have to stand up and be counted. No-one will give you what you want; you will have to stand up and fight for it. It is never easy, but you have to stand up for it. That is why I have tried hard to work to engage our multicultural communities in the political process. I have tried hard to encourage them to stand up and fight for their rights, to fight against passive and active discrimination, racism and religious vilification. Sadly, racism continues unabated. Every few years racism raises its ugly head and an ethnic community is targeted, whether it is Sudanese, Lebanese, Palestinian, Indian or Asian. Racism is ugly, and we must all work together to starve it of oxygen.

Following the onset of the pandemic, racism against the Chinese Australian community has seen them ostracised and dehumanised. Tonight I express my ongoing solidarity with them and acknowledge their pain. Chinese Australians are a hardworking, peaceful and respectful people who are wholly committed to their community, their family and the future of our country. They do not deserve the terrible ill-treatment they received during the pandemic. Australia and China must reset their relationship and base it on mutual respect and understanding, which will require continued open dialogue at all levels to avoid further tension. We should reach out to our Chinese Australians rather than vilifying them. Australia has no deeper national interest than to ensure that the great success story of our century continues—the economic transformation of Asia in the Asian Century. We must do away with the deep-seated Sinophobia that is fuelling racism and hate against our own Australians of Chinese heritage.

Another people that have suffered and continue to suffer are our First Nations people. I am proud that I have worked to raise awareness of the plight of Indigenous Australians amongst many of our multicultural communities. I am proud that I have advocated for justice for a people colonised, dehumanised, dispossessed, impoverished and incarcerated while justice continues to be denied. I am proud to have established the first ever

National Indigenous Human Rights Awards in the country, recognising so many social justice warriors and celebrating their achievements. I am proud to have moved a motion to raise the Aboriginal flag in this Chamber and proud to have been part of the delivery of \$73 million in financial reparations for the Stolen Generations. It is now over 230 years since colonisation, yet we are still a long way away from reconciling with our First Nations people. I hope soon we can at least answer the Uluru call and enshrine a First Nations voice in our Constitution and into Parliament to give Indigenous Australians the platform they need to articulate their concerns and to define their rights.

I am also proud that I have never taken and will never take a backward step in standing up for justice for the Palestinian people. Justice is a matter of principle, and human rights are universal rights. You cannot cherry-pick and choose. Anti-Palestinianism must stop and humanity must prevail. I am often speaking about justice for all multicultural communities in Australia and about the plight of their people. How could I not speak about justice for the Palestinian people? Never does a day go past without a Palestinian being incarcerated or murdered, or an olive tree being uprooted. Never does a day go past without a Palestinian home being demolished, a household being raided or a community or village being removed, the land stolen to make space for more illegal settlements.

Palestinians are made to walk on separate footpaths, drive on separate roads, eat in separate eateries and wait in long and at times caged lines at checkpoints on their way to and from work. The sole aim is to denigrate and humiliate them into submission. Incarcerating young men and women and subjecting children as young as eight to police or military brutality are not the practices of a democracy but of an apartheid State. The incarceration of over two million people in Gaza, the world's biggest open-air prison, is not the practice of a democratic State but of an apartheid State. I hope for and believe in peace. The people of Palestine deserve to live in peace on their own land in their own State.

I am delighted that Labor is now in Federal Government and thrilled to see the election of the Albanese Labor Government. I believe in our Prime Minister. I believe his Government will do justice to the Palestinian people. I express my gratitude and that of the Arab Australian community, the Islamic community and the wider Australian society to the Albanese Government for its decision to reverse the former Prime Minister's unilateral decision to recognise Jerusalem as the capital of the State of Israel. Israel should not be allowed to steal more land. All lands must be returned to their rightful owners. For there to be peace in the Middle East, Israel must return the Shebaa Farms to the Lebanese and the Golan Heights to the people of Syria.

I am proud to have made some small but positive changes in this House. I am proud to have introduced the *Holy Koran* and the *Bhagavad-gita*, the Hindu holy book, into this House. I am proud to have motions celebrating those in our multicultural community who are revered or respected in their communities. I am proud to celebrate the life of His Holiness the late Pope Shenouda III and to have recognised the work of religious leaders too numerous to name. They have done a wonderful job in guiding their communities. I am proud to have moved motions to celebrate the many multicultural communities that I have been working with, including the Chinese Australian, Arab Australian, Bangladeshi, Pakistani, Indian, Nepalese, Egyptian, Syrian, Macedonian, Armenian, Turkish, Iraqi, Jordanian, Kashmiri, Pashtun, Punjabi, Vietnamese, Japanese, Indonesian, Fijian, Greek, Italian and Macedonian communities, and many others. I am proud to have stood up for their issues, no matter the pushback.

I am proud to have worked hard to raise funds to support people around the world who have been victims of natural disasters—as in Australia, Japan, China, Afghanistan, Nepal and countless other countries—and the not-so-natural disasters, as in Iraq, Syria, Libya, Lebanon and many others around the world. I am proud of the countless fundraising events for Australian victims of bushfires and floods, and proud of the many shipments of wheelchairs to thousands of children with disabilities around the world. It would not have happened without your support and the support of Wheelchairs for Kids and the kind people in the multicultural communities around New South Wales.

I am proud of the many community recognition statements and motions that I moved in this place. I make special mention of Dr Moustapha Alameddine and Dr Alex Ashy and family recognition in exemplary achievement in education. It shows and celebrates our migrant community's commitment to education and work ethic and, equally, it goes to the opportunities Australia has provided for this to happen. My community recognition of multicultural music, multicultural dance, multicultural poetry and art has been there for all to see, including that of my favourite renowned sculptor, painter and Islamic calligraphist, Mr Anjum Ayaz. I am grateful to have been the Opposition Whip for 4½ years. I was honoured when members of this Chamber elected me Assistant President. I am proud to have established and been part of many associations and friendship groups in this Parliament.

Before I come to the final part of my speech, I cannot but make mention of the terrible Australian Federal Police ordeal that my family and I went through. You may recall that on Friday 26 June 2020 the Australian

Federal Police raided my home. At that time the Australian Federal agent said to me, "As I have reiterated to you a number of times, you are not considered a suspect in relation to this investigation." As noted by the Privileges Committee, the Australian Federal Police search warrant did not allege that I had committed any offence under Commonwealth legislation. So who decided that it was necessary to raid my home and for the media to accompany the Federal Police?

I am grateful to a journalist who shed some light on these questions by sharing freedom of information material with me that revealed the raid was being discussed with government departments by Australian Federal Police media, and whole-of-government talking points were being drawn up a week before they even got the warrant. Maybe it was supposed to be a top-secret espionage raid, but the media beat the police to the scene of their own search warrant. They were waiting and filming when police arrived. I will not recount any further what happened. Suffice to say that it was traumatic and painful. It was no different to the tactics used by countries we describe as authoritarian. I am glad that I was fully cleared of any wrongdoing.

I am eternally grateful to the Clerk of the Legislative Council, Mr David Blunt. Again, I say he is worth his weight in gold. He is an absolute professional. I thank him sincerely for facilitating and affording me the assistance that I needed to get through these traumatic times. I also thank the Deputy Clerk, Mr Steven Reynolds, for his assistance. While Mr David Blunt is worth his weight in gold, Ms Kate Cadell is worth her weight in platinum. I am eternally grateful to her for her assistance throughout my ordeal and for the support she gave my wife during these trying times. There is much more to say, but I am conscious of time and would like to come to the final parts of my speech. I wish to extend my respects to the union movement, the Labor Party executive and party machinery, the administrative committee and all my Labor colleagues. I am grateful for their support over the years.

I have nothing but respect for all my parliamentary colleagues. I thank the fathers of the House, Reverend the Hon. Fred Nile and former President the Hon. Peter Primrose. I thank all my friends in Government and The Greens, especially Mr David Shoebridge, now Senator, whom I hold in high regard for his position on the rights of First Nations people and the Palestinian people and the people of Kashmir. I thank my friends in the Animal Justice Party, whose work is amazing. They bring voice to the voiceless. I thank my friends in the Shooters, Fishers and Farmers Party, as well as the Hon. Mark Latham and the Hon. Rod Roberts. I am grateful for your friendship. I extend my gratitude to every staff member in this building.

I am keen to place on record my gratitude to the many people who stood by me, many of whom are here tonight. I must thank Rick Mitry, the Hon. John Ajaka, Mr Anthony Bazounis, Mr Stephen Stanton, the Hon. Amanda Fazio, Professor Stuart Rees, Dr Anthony Pun, OAM, and my staffer Louay Moustapha. Their support and guidance has been phenomenal. I have been blessed with so many great friends and colleagues. I do not know where to start to thank them. I agonise over the desire to express my gratitude to everyone who has stood by me or supported me in my time in community and in Parliament but, if I did, I fear I will accidentally omit some people. In advance, I apologise if I do not mention you by name. My memory will fail me. Please be assured you are deep in my heart. I have organised an individuals and organisations thankyou list. I seek leave to have the list incorporated in *Hansard*.

Leave granted.

Abbas Alvi, Abbas Batth, Abbas Rana, Abdallah Chami, Abdul Hoq, Abdul Karanouh, Abdul Majid Zahra, Adrian Murad, Afrina Chowdhury, Aftab Syed, Ahmad Bah (Sheikh), Ahmad Skaf, Ahmed Belghali, Ahmed Dib, Al Noman Shamim, Alan Khan, Alex Mitchell, Ali Hammoud, Ali Karnib, Ali Kazak, Ali Mourad, Ali Saab, Ali Salami, Alison Broinowski, Allen Zreik, Amir Salem, Ammar Nasser, Andrew Bartlett, Anthony Mundine, Antonios Bourizk, Anwar Harb, AO, Aref Ghamraoui, Arifur Rahman, Ashar Nizar, Asim Raza Rizvi, Associate Professor Ian Bickerton, Associate Professor Peter Slezak, Ayman Haboob, Azam Mohammed, Azzam Mesto (Sheikh).

Barbara McGrady, Bashir Sawalha, Bedro Hajji, Bijinder Duggal, Bill Saravinoski, Bir Khan, Bishop Charbel Tarabay, Bishop Daniel, Bishop George Browning, Bishop Robert Rabbat, Bruce Haigh.

Camille Shelala, Chadia Hajjar, Charbel Baaini, Clinton Pryor, Councillor Anthony Bazounil.

Dame Marie Roslyn Bashir, AD, CVO, David Dawson, David Harris, MP, Don Palmer, Dr Aila Khan, Dr Alaa Alawadi, Dr Amira Issa, Dr Anthony Pun, OAM, Dr Fasihud din Khan, Dr Haider Naqvi, Dr Ibrahim Abu Mohamed, Dr Ibrahim Al Shafee, Dr Imad Berro, Dr Imran Kassam, Dr Kassem Moustapha, Dr Khurram Kayani, Dr Md Serajul Hogue, Dr Rafiq Hussein, Dr Raghid Nahhas, Dr Rateb Jneid, Dr Sayeed Khan, Dr Shabbir Haider, Dr Swapan Paul, Dr Syed Aslam Shaheer, Dr Waliul Islam, Dr Yasmin Rao, Dr Zeina Merhi, Dr David Brophy, Dr Erik Paul, Dr Evan Jones, Dr Gideon Polya, Dr Kenneth Macnab, Dr Marcelo Svirsky, Dr Nick Riemer, Dr Peter Manning, Dr Sue Britton, Dr Vacy Vlazna.

Eddie Zananiri, Ejaz Khan, Elias Tanos, Elie Kaltoum, Elie Nassif, Fadi Haje, Fadwa Kebbe, Farhat Jaffri, Faten El Dana, OAM, Fawz Chawk, Fawzi Amin, Fouad Bazzi, Father Augustinos, Father Jacob, Father Mikhail.

Gail Mabo, Gama Kadir, Gandoura Bazzi, George Bousamra, Gerry Georgatos, Ghassan Achi, Ghassan Al Assadi, Greg Barns.

Hall Greenland, Hamid Khan, Hasan Fahridin, Hasan Marhaba, Hassan Bazzi, Hassan Chebli, Hassan Moussa, Hassan Tanana, Hilmi Dabbagh, His Eminence Sayed Hashem Nassrallah, Hussein Dirani, Hussein Hawchar.

Iftikhar Rana, Iftikhar Shah, Ilham Hafez, Issam Obeid.

Jamal Tanana, James Levy, Janai Tabbernor, Javed Nazar, Javed Shah, Jeanette Wang, Jeff McMullen, Jenny Munro, Jim Casey, John Karkar, QC, John Townsend, Joseph Dirani, Joseph Khoury, OAM, Joseph Rizk, OAM, Joseph Sabella, Joumana Menzaljie, Joumana Nassour Tanana, Jow Awada, Judith White, Jugni Chaudhary.

Kamal Ahmed, Karl Saleh, OAM, Karla Grant, Kassem Chalabi, Kassim Abood, Kenrich Cheah, Khaldoun Charrouf, Khaldoun Obied, Khalil Haragli, Khalil Ibrahim, Khalil Jaber, Khalil Nehme, Khoder Ibrahim, Khoder Nasser.

Lee Rhiannon, Lex Wotton, Louay Moustapha, Louisa Romanous.

Mahmoud Al Sahili, Mahmoud Hussein, Mahmoud Mouhana, Mahmoud Youssef, Majida Aboud Saab, Mamdouh Sukarieh, Maria Chan, Mary Kostakidis, Mayor Nick Katris, Megan Krakouer, Mehme Moustapha, Meredith Wallace, Mervyn Eades, Michael Bazzi, Michael Rosser, Mohamad Mehio, Mohamad Moubayad, Mohamad Shames, Mohamed Al Gharib, Mohamed El Qadi, Mohamed El Zoubi, Mohamed Hammouri, Mohamed Mousslimani, Mohamed Noman, Mohamed Omar, Mohamed Sabsabi, Mohamed Tanana, Mohammad Nader Azmy, Mohammad Rauf, Monther Amer, Moserof Hossain, Most Rev. Bishop Issam John Darwish, Mouhamed Ayoubi, Moussa Fares, Mumtaz Mian, Murshed Amer, Mustafa Hamed, Mustafa Mahfoud, Mustapha Hijazi.

Nabiha Hadarah, Nada Farid, Naddem elchiekh, Nadia Saleh, Nadine Chaar, Naji Harika, Natalie Ahmat, Nazih Azan, Nazikh Kheir, Nedhal Amir, Nick Deane, Nikki Barrowclough.

Ola Hamed, Omar Achouch, Omar Kabout, Omar Yassine, Oula Bayad.

Paul Barratt, AO, Paul Heywood-Smith, QC, Paul Sedrak, Peter Boyle, Peter Murphy, Phillip Adams, AO, Professor Emile Chidiac, Professor Philip Boyce, Professor Richard Hil, Professor Stuart Rees, AM, Professor, Ahmed Shboul, AM, Professor Frank Stilwell, University of Sydney.

Rahmat Ullah, Rami Dandan, Rao Insaf Khan, Rassem Asmaer, Richard Broinowski, Rick Mitry, Roysul Khan.

Sabri Fazai, Sadaqat Sadiqq, Sajid Ali, Saleh Sakaf, Sam Harb, Sam Iskander, Samir Fardos, Sandra Doumit, Sashi Lal, Sayed Mikhael, Scyma Afriecq, Senator Malarndirri McCarthy, Shahid Iqbal, Shawki Mousslimani, Sheikh Ahmad Jneid, Sheikh Azam Misto., Sheikh Fayz Sayf, Sheikh Kamal Mouslimani, Sheikh Kamel Wehbe, Sheikh Malik Zeidan, Sheikh Mounir Hakeem, Sheikh Prof. Salim Alwan, Sheikh Salam Ghattas, Sheikh Shadi Sleiman, Sheikh Taj Din Hilali, Sheikh Yehya Safi, Sheikh Yusef Nabha, Sister Susan Connelly, Sohail Khan, Stephen Stanton, Syed Atif Faheem, Syed Hamid, Syed Javid Hussain Shah, Syed Zafar Hussain, Sylva Mezher, Sylvia Hale.

Talal Saifo, Tannous Francis, Tarek Ibrahim, the Hon. Linda Burney, MP, the Hon. Amanda Fazio, the Late Bonita Mabo, the late Metropolitan Archbishop Paul Saliba, the Late Michell Jarjoura, OAM, the Late Rosalie Kunoth-Monks, AO, the Late Tauto Sansbury, Tito Scohel, Tony Bou Melhem, Tony Kazzi, Tony Taouk, Trish Marinozzi, Tu Le.

Valerie Levy, Veronica Giles, Vincent DeLuca, OAM.

Wajieh Hawchar, Widad Farhan, Wissam Azzi.

Yalmy Yunupingu, Yousra Karnib.

Zafar Khan, Zaheer Alavi, Zahid Jamil, Zahid Rana, Professor Dr Rahat Munir Sahib, Munir Mohammad.

2000 FM Arabic radio 98.5 FM, 2me Radio Australia - 1638 Am, AASHA Australia Foundation, A-B Street Library, Abu Fazal AlAbbas, Afghan Community Support Association NSW, African Australian Islamic Association, Ahl AlBayt, Al Ahad Newspaper, Al Ghorba Media, Al Mina Association, Al Minia Charitable Association, Al Wasat, Alamdar Australia, Al-Moustakbal (Future), AMU Alumni of Australia Inc., An-Nahar, An-Nanda Association, An-Noujoum Magazine, Arab Australia Online Magazine, Arab Australian Federation, Arab Australian Women Group, Arab Book Club, Arakan Rohingya Development Association, Auburn Islamic Community Centre, Australia Bangladesh Business Council, Australia Pakistan Aran Paktoon Association, Australia Pakistan Association, Australia Pakistan Medical Association, Australian Arab Cultural Forum, Australian Arabic Cultural Centre, Australian Community Network, Australian Egyptian Forum Council, Australian Health Reform Association Inc, Australian Jordanian Community Association, Australian Lebanese Independent Forum, Australian Palestinian Club, Australian Palestinian Professionals Association, Australian Palestinian Seniors Association, Australian Panorama.

Bagdad Cultural Association, Bangabandhu Parishad, Bangla Press & Media Club, Bangladesh Association of NSW, Bangladesh Aus Disaster Relief Committee, Bangladesh Awami League, Bangladesh Cultural Association, Bangladesh Environmental Network, Banksia Tigers Football Club, Baraachit Association, Bayside Bangla Club, Bayt Al Zakat Australia, Beirut Charitable Association, Bhanin Association, Bint Jbeil Association, Council of Australia Pakistan Medical Association, Darulfatwa Islamic High Council of Australia, Edhi Foundation Inc, El Dunnieh Sons Charitable Association, El Telegraph, Federation Nationals of the North, Fijian Australian Association, Granville Youth Association, Hearts To Heal Charitable Association, Iaal Charitable Association, Idara Minhaj ul Quran Australia, Imaar Association, India Pakistan Friendship Association, Indian Crescent Society of Australia Inc, Indian Minority Education Society of Australia In, Iraqi Renaissance Inc., Islamic Charity Projects Association.

Jabel Amel Association, Jarjour Association, Kafarhilda Assocaiton, Kalimat Publications, Kashmir Council of Australia, Kfarsaroun Association, Koocha-e-Saqafat Aust, Lebanese Community Council of NSW, Liverpool Australian Sudanese Community, Macquarie University Students, Mandaean Women's Union, Mandaen World Congress, Maroun Al-Ras Association, Meryatah Association, Meryatah League, Middle East Herald, Middle East Times, Muhammadi Welfare Association INC, Multicultural Association of Australia, Multicultural Communities Council of NSW Inc., Muslim Community Radio, Muslim Community radio 2MFM, Muslim Society of Liverpool, Muslim Womens Welfare of Australia, National News Agency (Lebanon), Overseas Pakistani Professionals & Business Syn, Pak-Aus Engineers Association, Pakistan Arts Council, Pakistan Association of Australia, Pakistan Australia Business Council, Pakistan Tehreek e Insaf, Panjtan Society INC, Proshantika, Rahma Islamic Association of Australia, Rockdale Bint Jbeil.

Sister City Committee, Sabian Mandaean Association, Sabian Mandaean Association - Mandaean Voice, Sada-e-Watan Sydney, Sawt Al Farah, Sawt Sydney, SBS Radio Arabic Program, Shahid Afridi Foundation of Australia, Shaikat Khanum Trust, South Asian Association, South Asian Muslim Association of Australia Inc., South West Lebanese Association, Southern Communities Council, Spears Sports Club, St George Lebanese Joint Committee, The Chinese Community Council of Australia Inc, The United

Arab Moslem Association, The World Observer Online, Tripoli Alfayha Association, Tripoli El Mina Association, United Australian Palestinian Workers, Urdu International, Voice of Islam Radio 87.6 FM, WACCI, Wednesday Forum.

I wish to point out the presence of one individual who is dear to my heart and who has joined us today. He was my first special English teacher at Rockdale Public School in 1977, Mr Stanley Beaman. I invite him to please stand up. Forty-five years later, he is still here for me, and I thank him. To him I bow my head in respect and thank him for instilling in me a hard work ethic.

I thank my colleagues in this place, both past and present, and the Labor Party members across New South Wales for the remarkable opportunity and honour they afforded me to be a member of the Legislative Council of New South Wales. I thank all my friends and supporters and members of the Labor Party in Rockdale and elsewhere, many of whom are here tonight. They are numerous and extraordinary. They are the people who are loyal and kind and who are always there for me, eager to contribute and make a difference.

All members of this House know that to be truly successful in public life one needs a loving and supporting family. I am truly blessed in that regard. I place on record the enormous contribution my family has made to all my endeavours in public life. I pay tribute to my mum, the late Jawaher Mohanna Mouslimani. She was a cradle of love for all of us. She raised a family of 11 with love and understanding. I miss her dearly. I also pay tribute to my late father-in-law, Eichi Fukuta. He was a wonderful grandfather and a beautiful man; I miss him dearly. I thank my dad, Mr Chaher Ali Mouslimani, who could not be here today because of mobility issues. He is a man of kindness and charity. I love him very much. To all my sisters and brothers, I thank you for your love and guidance.

I wish to acknowledge and thank my own family. My beautiful, loving wife, Mika Fukuta Moselmane, has a heart of gold. She is kind and caring. I love her very much. Equally high on my love scale is my son, Joseph. When I entered this House, he was 5½ or six years old. Now he is 18. He is my heart and soul. I love him dearly. He is about to sit his International Baccalaureate exams—I know he will smash them. I wish him every success and I will always be by his side. I close by noting that we share an incredible country: a land of diversity, of democracy and humanity. I thank you for the honour and the privilege to have served you. Thank you.

Members and officers stood in their places and applauded.

The PRESIDENT: I will now leave the chair. The House will resume at 8.00 p.m.

Bills

COMPANION ANIMALS AMENDMENT (PUPPY FARMS) BILL 2021

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. MARK BANASIAK (20:02): By leave: To suit the convenience of the House, I will pick up where my previous truncated speech left off and look at the proposed amendments in the Companion Animals Amendment (Puppy Farms) Bill 2021 in more detail. Noting that the bill is similar or almost identical to the legislation in Victoria, I will detail some of the perverse outcomes that have occurred from amending the laws in that State. Schedule 1 [1] (b) to the bill inserts proposed division 2, which contains provisions for the registration of companion animal business premises. In Victoria this resulted in the implementation, through the planning Act, of animal number restrictions for non-rural zones of five animals to each property. In that State each application is now treated subjectively, which has resulted in many families having to surrender pets to be killed simply because they exceeded the cap of five. That has obviously resulted in a high number of companion animals being killed.

Schedule 1 [1] (d) to the bill inserts proposed division 4, which deals with source numbers. Associations in Victoria have advised me that the source number system is not really effective, and some breeders simply sell their animals via other, non-regulated means. Schedule 1 [2] (d) enables enforcement officers to enter property and seize dogs and cats from proprietors of companion animal businesses. The House should be cautious and not entertain passing legislation that allows any enforcement agency to enter a property without a warrant. It is a severe trespass on personal rights and liberties. The idea of a local council being able to deregister a proprietor is really ludicrous. Councils and rangers are not animal welfare or behaviour experts. That was obviously clear from their testimonies in the puppy farm inquiry. This amendment to the Companion Animals Act provides them with that decision-making role.

New section 61A (2) goes against animal welfare and veterinary standards. It would see premature separation of pups or kittens from their mothers. New section 61B introduces the definition of a "breeding arrangement". This entire section falls within commercial agreements and contracts and is better protected under fair trading laws. Attempting to duplicate such a thing would only cause confusion. Most members would agree

that NSW Fair Trading does not need assistance in confusing itself. It is quite capable of doing that on its own. If implemented, new section 61B (4), which relates to the agreements in a breeding contract/arrangement, would encourage the likelihood of more surrendered or abandoned animals.

New section 61C looks at the meaning of a "business code of practice". To insert a code of practice that goes more to business operation than animal welfare is misplaced. It also gives the Government power to amend and make further codes without key stakeholder consultation. This Government has a wretched history of poor consultation, and we do not need to give it carte blanche permission to go further in that regard. New section 62D looks at the meaning of a "companion animal business". This proposed amendment to the Act raises a few questions for the Shooters, Fishers and Farmers Party. Does it include the RSPCA, the Animal Welfare League, local pounds, shelters or veterinarians? And who is responsible for ensuring their compliance? Who will authorise their annual registration? The likelihood of a council or any of these other groups rejecting their own registrations is highly unlikely. This new section, particularly, is a bit poorly thought out and messy.

New section 61D deals with enterprises that train or board dogs or cats for profit. It really concerns us. We start to see maybe the true motive of this bill, which is the banning of all animal enterprises through over-regulation. How or why does the training or boarding of dogs and cats warrant being included in a breeding restriction amendment bill? These businesses charge for services in relation to companion animals. That is not illegal. It is unreasonable to expect people to work for free just because they work with animals. This amendment to the Act seems to demonise anyone who works in a companion animal business, whether they are doing the right thing or not. Boarding facilities already have a code of practice that they must comply with.

The Shooters, Fishers and Farmers Party feels new section 61F gives too much power to councils. Councils are not qualified to assess or evaluate animal welfare. They are certainly not currently legislated to do so under the Prevention of Cruelty to Animals Act [POCTAA]. In Victoria local councils have overzealously introduced additional restrictions and requirements that have resulted in inconsistency across different local government areas. Councils in Victoria have demanded exorbitant application fees and put in place additional requirements outside the Victorian Domestic Animals Act, which has shut down small, responsible breeders. New section 61F (1) states that a person "may" apply to a council, which is a bit confusing. Should it not be "must"? What happens if they choose not to? How is this enforceable? The short answer is it seems it is not.

New section 61F (4) seems to place additional requirements on associations like the Cat Fanciers' Association and muster dog breeders et cetera. They already have their codes of ethics and codes of practices. It is unclear whether the Government is prepared to support the seizure of these animals, compensate breeders and support older animals being killed because they will not be the target of pet-seeking shelter attendees. If members do not believe councils can do that, then I refer them to new section 61I, which gives them all that power.

For years the Animal Justice Party has called for more accountability and transparency for the RSPCA and the Animal Welfare League. We agree with them, although probably for different reasons. But the bill simply hands a lot of that responsibility to councils, and the puppy inquiry heard that they are not qualified and do not have the funding or resourcing to do that. That is a real concern. New section 61K (a) deals with a proprietor that has at any time declared bankruptcy. Councils are not financial or business experts either. That amendment means that if a business, even one totally unrelated to the breeding of companion animals, declares bankruptcy then it is forever tarred with that brush. Many businesses had to declare bankruptcy through no fault of their own during the COVID-19 pandemic, so we feel that might catch people unfairly.

New section 61K (b) refers to applicants who "may not be able to meet the expenses" of running a companion animal business. How would that be judged? How would a council show cause to justify that decision? The simple answer is they cannot. New section 61K (e) deals with sufficient qualifications or experience in caring for companion animals, so now we are expecting councils to be educational assessors. What qualifications does someone need to have to care for companion animals? Who will set those criteria? Who will vet those criteria? Will the Government fund that requirement for training? That is all unclear.

New sections 61N and 61ZC combine to end preservation breeding in this country, which is structured, ongoing breeding designed to ensure the future of vulnerable breeds. That requires multiple years of breeding. If a breeder's registration needs to be reviewed annually, there will not be the certainty and consistency necessary for that preservation breeding to occur. In fact, it even puts breeding programs beyond preservation in jeopardy if the breeders cannot see a future beyond that one year.

We are concerned that new section 61O creates a searchable database through freedom of information applications that may be abused to create a breeder version of Aussie Farms. New section 61P creates additional cost burdens and pointless administration for councils. Councils are struggling to keep up-to-date records on microchipping, and the inquiry heard that they are six months behind. The additional burden will render the data

largely useless. If it is not up to date, it is pointless. How can one run an enforcement regime using data that is over six months old? It just does not work.

New section 61S is to do with the source numbers. In Victoria those numbers have incentivised and encouraged underground breeding. We know that the New South Wales Government is looking at solutions involving the Pet Registry system and making some improvements around the breeder identification number, and we have received advice from the industry that that is where they think it can be fixed. New section 61U has the effect that once people are guilty then they are guilty forever, even if it is a minor offence, and legislation like that is a slippery slope. Provisions similar to new section 61Z have been abused in Victoria, with councils proposing moronic conditions on residential premises where breeding may occur. A residential premises might be home to a recreational hobbyist breeder, and then the council can put in requirements that they have a public car park and public toilets at their house. That is the effect of that provision.

New section 61ZE mandates vet certification before breeding. But dogs do not go into season at a designated time, so restricting the time frame to within four weeks is impossible. A lot of breeders will breach the bill through no fault of their own. It should be noted that a veterinary practitioner is not a breeding or reproductive specialist, and therefore many of them are unable to certify if an animal is suitable for breeding, particularly given nature tends to control how viable a bitch or a queen will be. The best outcome a vet could provide is a basic health check.

New section 61ZF (a) goes against accepted practice. Fertile females can breed healthy litters beyond just two, and current legislation already restricts dogs to no more than two litters in a two-year period and cats to no more than three litters in a two-year period. If the bill is passed, breeders will not import lines from overseas as they will not be economically viable. A breeder's importation of cattle or dog sperm costs tens of thousands of dollars. If they only get two litters out of that, they simply will not do it because it does not cover the costs. We therefore have the issue of preservation breeding, with more interbreeding and more defects, which no-one in the industry wants to see. No-one in New South Wales or Australia wants to see dogs and cats with defects; it is not good.

New section 61ZG covers staff ratios, which are not even supported by the animal control officers. I have been in regular contact with them, and they have said it is not supported, it is not enforceable and they cannot do it. The average litter of dogs is nine to 12 puppies, with some breeds having up to 20. The average litter of cats is four to six kittens, with some breeds having nine or more. That would mean that if a breeder has at least three adult females and one male then the average number of staff required per litter is three to four. The staff must always be present under this new section, which would equate to all staff needing to be housed or accommodated by the breeder, regardless of whether they are a facility or a family residence. It raises the question: What is the definition of "staff"? Does it include paid employees, volunteers or unpaid friends and family? A multitude of other laws and obligations come with having paid staff, such as taxation law, superannuation, OH&S, leave entitlements, et cetera. This new section effectively legislates a hobbyist into a commercial entity, which becomes more absurd when the hobbyist receives a prison sentence for not complying.

New section 61ZI is also outside the scope of a veterinary practitioner's qualifications. Why would a vet want to renew the plan for each animal on a yearly basis? Vets are already overrun, and we are hearing about the shortage of vets in the bush. They are overworked and understaffed. Not all vets are qualified in environment enrichment, grooming or socialisation. Once again, vets are not breeding specialists who are qualified to make determinations. It is impossible to document, and how does one know in advance when, where or if a particular animal will be staying and retiring or will require rehoming? The vet will apparently have to be a fortune teller as well as being a specialist in breeding, so we cannot support that new section either. The Animal Justice Party constantly reiterates the idea that an animal is not someone's property. But the bill subjects that animal to a contract with an expiry date, particularly the last provision I spoke about. If the bill passes, shelters in New South Wales will be killing at ridiculously high rates.

I now move to the provisions around pet shops. The breeding code of practice already states a kitten can be sold at eight weeks. All cat breeders in New South Wales with a prefix registered with a recognised registration body must not sell or rehome a kitten prior to 10 weeks. Most dogs older than six months that end up in shelters are surrendered for behavioural issues, as we saw during the inquiry. A lot of the dogs in the Yagoona facility were a little bit older and larger—staffies and hounds. How would they go in a pet shop? It is not practical or feasible for dogs of that size or with behavioural issues to be sitting in a pet shop. Most families, particularly those with children, want a puppy or kitten. That six-month-old dog will just be overlooked and will end up being killed anyway. Through education, we should be encouraging people to maybe look at a shelter animal as a choice or as an alternative, but we should not necessarily be mandating it. That takes us into the area of restriction of trade.

There are concerns with the pet shop amendments. There are not a lot of pet shops in New South Wales, but owners say they are already highly regulated through the Prevention of Cruelty to Animals Act. They have to

produce a source book, essentially, to show where they get their pets from. If there are examples where that is not happening, let us raise them through the appropriate means and have them dealt with accordingly if they are not being followed up.

The Shooters, Fishers and Farmers Party cannot find anything positive in the bill. There are too many fundamental flaws in its drafting. The bill in Victoria, which this bill is copied from, has clearly had severe perverse outcomes that go against what I think is the intention of the bill. The bill is not supported by any of the enforcement agencies or the Australian Veterinary Association. For that reason alone, I do not think the House should support the bill. I encourage all members to rethink their support for the bill, noting my detailing of the clauses and the concerns and also noting the concerns of other members across the Chamber who have raised similar issues. The intent of the bill might be genuinely to deal with the puppy farm issue. Unfortunately, the execution of it has failed and is lacking here.

The Hon. PENNY SHARPE (20:21): The first point I make is that I have not been the member with carriage of the Companion Animals Amendment (Puppy Farms) Bill 2022. That has been the Hon. Mick Veitch, who has been very engaged with this issue for a long time. He has taken two Labor policies on puppy farms to the last two elections. Labor's desire to fix this problem is very genuine. The second point I make in my opening remarks is that I am the owner of a rescue dog, a toy poodle, and of a cat called Phil, who was a stray that was adopted by my house. I say that to show I have personal experience. Within our family we have purebred dogs and rescue dogs. I believe, in hindsight, one dog we had probably came from a puppy farm. We know that now, after he died prematurely as a result of terrible breeding. I wanted to put that on record not because I think I have to declare an interest but because it is important to mention these things.

We know that people are exploiting dogs and cats in horrendous situations across this State. I do not think it is a massive problem. Many people are very carefully looking after the animals in their care, and breeders care for their animals deeply. However, there are people doing the wrong thing and there have long been attempts to clean that up. I acknowledge the Hon. Emma Hurst's attempts to do so. This bill tries to deal with a number of issues. It would enforce a cap on the number of breeding dogs and cats that a companion animal business can have as well as a cap on the number of litters that a dog or cat can have in their lifetime. The cap includes animals living offsite under breeding arrangement contracts. We understand how important it is to try to protect animals through this process.

Labor has a strong history in relation to protecting animals. I remind members that the Prevention of Cruelty to Animals Act 1979 was another groundbreaking piece of legislation introduced by the Wran Government. Its objects are to prevent cruelty to animals and promote the welfare of animals through proper care and humane treatment. That is a fundamental principle and something that Labor continues to push for. As I mentioned, Labor took an animal welfare policy to the 2015 and 2019 State elections. We will do so again. We have sought to crack down on puppy farms by introducing a licensing system for breeders with three or more dogs, by cutting down the number of litters a breeding dog can have, and by enhancing the enforcement powers available to local councils and animal welfare agencies.

In 12 years this Government has done very little in this space. It was interesting to listen to the contributions of Government members to this debate. They kept pointing to all of the things that they have done, but they have not landed anything. They say that they are working to address community concerns. We have got nothing in this space from them, despite their promises throughout the past 12 years to do something about it. At the moment we have a bunch of policies hanging there. None of them has landed.

The Department of Primary Industries has the licensing and regulation of cat and dog breeders out for more feedback. The NSW Animal Welfare Reform Discussion Paper from August last year is still out there and nothing has come of it. We have a Draft Animal Welfare Bill from January, which is still not there. During this debate, Government members talked about how they are methodically working through it. That is just not the case. That is part of the reason why the Hon. Emma Hurst has moved forward with her bill—it is out of great frustration at the lack of engagement from the Government on landing these issues. When this bill was first introduced, it was referred to a committee. I thank all the members of the committee who worked through that inquiry. Let us remember the comments of the chair at the time, Adam Marshall, who is the member for Northern Tablelands and the former agriculture Minister. In response to calls for greater action he said:

Both Mr Veitch and I are of one mind in terms of the changes that need to be made in New South Wales, to make sure we have companion animal commercial breeding that is conducted with the welfare of the animals at its heart.

Precisely nothing has happened after all of that time. I acknowledge that the Hon. Mick Veitch has consulted with a large range of stakeholders. We know that this is a complicated matter. We know that people have strong views, and Labor has tried to work through those as much as possible. So that people are in no doubt, I indicate that Labor members are prepared to support the bill at this point in time because we want to get it to the Committee of

the Whole, where we will move a range of amendments that we believe will improve the bill and are essential before we can support it through its final stages. I will quickly run through those amendments, because I understand we will deal with them when we come back in a couple of weeks.

The bill is broadly modelled on the Victorian legislation, but several key parts of it are not picked up. The first is the provision for approved organisations to be exempt from the registration scheme. In the Victorian legislation, members of approved organisations are exempt from registration because their organisations' individual codes of conduct are more stringent than the current Animal Welfare Code of Practice. Labor will seek to amend the bill to allow members of applicable organisations to be exempt from registration. These applicable organisations can only be approved by the Minister.

The Victorian legislation also allows for the registration of approved commercial dog breeders. An approved commercial dog breeder must not have at any one time more than 50 fertile female dogs, including a fertile female dog that is the subject of a breeding arrangement. Commercial dog breeders can only operate if directly approved by the Minister, and are subject to more frequent inspections and audits for compliance. Also, Labor will move amendments to change staff ratios and bring them into line with Victoria. We also have amendments to ensure that small breeding operations will not come under the purview of this bill. They will be exempt.

As the Hon. Emma Hurst stated in her second reading speech, the aim of including all companion animals, breeders, pet shops and animal training, boarding and rearing facilities is to cover the field and to ensure puppy farmers cannot masquerade as other businesses. Opposition members do not support that definition because we believe it will unfairly restrict those who are operating ethically. Instead, we will seek to amend the bill so that the Minister, by regulation, will implement a code of practice for each companion animal business within two years of the commencement of the Act. After consultation with local government, and after hearing input through the inquiry, Labor also has an amendment that seeks the commencement of the Act in two years to give enough time to put the necessary infrastructure in place to be able to deliver that.

The Opposition will also move an amendment so that pet shops must adhere to an industry code of practice implemented by regulation within two years of commencement. Annual audits are to occur against the code of practice as well as random audits. If we do not allow pet shops in regional and rural New South Wales to sell puppies, people will be selling them from their boots in car parks. Introducing a code of practice will ensure the welfare of animals in pet shops is paramount and will reduce any unintended consequences that no-one is seeking as we debate this bill tonight.

In relation to the role of the local council, we will be looking for commencement in two years to allow time for the necessary training of council workers and to enact their responsibilities. We will also be looking for ways in which to sort out the funding arrangements for councils in relation to this. Local government has also suggested that unless the current Pet Registry was upgraded to enable the business registration, eligibility checks and council reporting to occur, the arrangements proposed in the bill would not be feasible, hence Labor's amendments. The Legislation Review Committee also raises the issue of the significant penalties in the bill attached to the strict liability offences, including potential imprisonment. Labor will be looking to amend the penalty units in relation to that.

The Hon. Emma Hurst knows that there have been many discussions about fit and proper people tests. If a person fails this test they should not be allowed to breed animals or take care of animals, and they should have their registration revoked. In our final lot of amendments, we will move that there is a review of the bill as soon as possible after the period of five years from commencement of the bill to determine if the bill is fit for purpose and meeting the policy objectives. Action against rogue puppy farm operators is long overdue. Labor is committed to making the law stronger and ensuring that families can enjoy companion animals, that the animals are safe and healthy, and that they are treated with the utmost care. We on this side have no truck with people doing the wrong thing. The Government has allowed this to go on for too long with no action. We look forward to being able to support tidying this up.

Reverend the Hon. FRED NILE (20:31): By leave: I particularly thank the Hon. Emma Hurst for her efforts in supporting and introducing the Companion Animals Amendment (Puppy Farms) Bill 2021. She has had to be very persistent to keep the bill alive in spite of the negative responses by some members. The bill will award protections to animals bred for the pet trade industry where none currently exists. The inquiry into puppy farming conducted this year received more than 900 submissions. Some of the issues outlined in the submissions included that there were no limits on the number of female dogs any breeder can have, no limit on the number of litters any dog can be forced to endure, and no mandatory checks or staffing ratios to ensure animals are given proper care.

There are a number of areas of concern, and some of those obviously will be rectified by the amendments. Someone can set up an intensive dog farm with 800 dogs and force them to pump out litter after litter for their

entire lives until they die. That should not be allowed. The facility could have only one person assigned to care for all the animals and this would be perfectly legal, but it is not proper. To have no protections for such loyal and loving creatures is shameful and disgraceful.

Some of the recommendations that came to the inquiry included introducing a cap on the number of female breeding animals that a proprietor of a companion animal breeding business may have; lifetime litter limits for dogs and cats used for breeding; and staff to animal ratios for companion animal breeding businesses. The left-wing amendments that have been suggested by Labor include increasing the number of fertile females from 10 to 50 for approved breeders and with ministerial approval. There is also a new category called recreational breeders, which is someone who has up to 10 dogs, and who is also a member of a breeder organisation. They will be exempt from the requirements to register with council.

Some of the problems include removing the staffing ratios except for commercial breeders—commercial breeders being those with up to 50 female dogs—delaying commencement of the bill from one year or even up to two years, which is a problem; the broadening of the definition of micro breeders increases the number of dogs from two to five; and it also exempts them from complying with the legislation except for the traceability source number requirements. Even with these amendments it will make it a strong piece of legislation and much better than just having a breeder code that cannot be enforced. These animals cannot speak for themselves. That is why I am speaking up today in support of the animals in legislation to regulate the puppy farming industry. I hope that all members of the House will support this legislation.

The Hon. EMMA HURST (20:36): In reply: I thank all members who participated in debate on the Companion Animals Amendment (Puppy Farms) Bill 2021—Ms Abigail Boyd, the Hon. Mark Banasiak, the Hon. Mick Veitch, the Hon. Walt Secord, the Hon. Shayne Mallard, Reverend the Hon. Fred Nile, the Hon. Penny Sharpe, the Hon. Chris Rath, the Hon. Lou Amato and the Hon. Mark Latham.

It has been some time since the second reading debate on this bill occurred. Honourable members may recall that just prior to the debate, this bill was sent to an inquiry, against the wishes of the Animal Justice Party [AJP]. I am not sure what other members were hoping to achieve out of that inquiry, but I am pleased to tell the House that the resulting inquiry report only further highlighted the urgent need for puppy farming legislation and supported the key elements of this bill. That includes the need for a licensing and registration system of breeders, a cap on the number of breeding females, litter limits, staffing ratios and a ban on the sale of dogs and cats in pet shops, other than animals from pounds and shelters.

I note that when we move into Committee of the Whole in a couple of weeks, we will be dealing with amendments from the Labor Party. I would like to say from the outset that the Animal Justice Party will not be opposing any of the Labor amendments. While we do feel that the current version of the bill, as drafted by the AJP, is the best and most effective version of this bill, for the sake of hopefully passing the bill, we will not be opposing those amendments. I want to particularly thank the Hon. Mick Veitch for his cooperation and his willingness to lead his party on this puppy farming issue.

This bill will bring about much-needed change to finally ban puppy and kitten farming in this State. This has been a long-awaited change. There have been numerous comments made in this debate by the Hon. Mark Latham and the Hon. Mark Banasiak, which will actually be too numerous to cover in relation to some of the issues they raised and their lack of understanding of what this legislation will be. I direct them to take a look at the puppy farming inquiry report, which clearly shows the evidence against those very broad statements that have been made and that actually do not accurately reflect the current situation. The community wants to see this bill passed. So do councils, animal protection organisations and anyone who cares about animals. It is time to get it done. I urge all honourable members to support this legislation.

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

The House divided.

Ayes17
Noes16
Majority.....1

AYES

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

Graham
Higginson
Houssos
Hurst
Mookhey

Nile
Pearson
Primrose
Searle
Sharpe

AYES

Field

Moriarty

NOES

Amato
Banasiak
Barrett (teller)
Borsak
Fang
Farlow (teller)

Franklin
Latham
MacDonald
Mallard
Martin

Mitchell
Poulos
Rath
Roberts
Tudehope

PAIRS

Jackson
Moselmane
Secord
Veitch

Ward
Maclaren-Jones
Taylor
Farraway

Motion agreed to.**The Hon. EMMA HURST:** I move:

That consideration of the bill in Committee of the Whole stand as an order of the day for the next sitting day.

Motion agreed to.*Committees***PORTFOLIO COMMITTEE NO. 2 - HEALTH****Reference****The Hon. MARK LATHAM (20:51):** I move:

That Portfolio Committee No. 2 – Health inquire into and report on a matter arising from budget estimates relating to the COVID classification of Minister the Hon. Brad Hazzard, and in particular:

- (a) the classification of Minister the Hon. Brad Hazzard as a casual contact following a potential COVID exposure on 22 and 23 June 2021, including:
 - (i) the manner in which he was classified;
 - (ii) what information was sought, including CCTV information from Parliament House; and
 - (iii) the decision-making in relation to classifications at the event.
- (b) the relevant COVID testing and isolation laws, regulations and protocols in force at the time of the event; and
- (c) any other related matters.

This is an inquiry to solve the greatest mystery since Watergate. How did Brad Hazzard get off the hook? The facts of the matter are crystal clear. He walked into the National Party budget fundraising dinner on budget night last year in June 2021. He was greeted with a handshake by Adam Marshall, later identified as COVID-infected but at that stage unknown. They had a conversation about a topical issue: How to get the pharmacies to roll out the vaccination program in country New South Wales? They were surrounded by a couple of representatives of the Pharmacy Guild, including the head of that organisation. They stood in a group for four or five minutes before Hazzard then proceeded to give his speech to the National Party dinner.

People who went nowhere near Marshall at that gathering were told to isolate for a fortnight. The catering staff, who did not go near Marshall, had to isolate for a fortnight. But the Minister, who had a handshake and a conversation—direct close contact with Adam Marshall—escaped the noose. He was allowed to be classified as a casual contact and had no isolation requirements. How did he do it? Amid all those fascinating character—I was going to say assassinations, and I suppose they were—assessments of my good self at budget estimates—

The Hon. Greg Donnelly: Both.

The Hon. MARK LATHAM: Both. There were things I had done I had forgotten 20 years ago, but it was good to go down memory lane. Amid all that, we had what now seems like a completely bogus explanation from health officials that Brad Hazzard had an individual assessment. They say the broadbrush assessment is that

you can all go and isolate for a fortnight even if you went nowhere near Adam Marshall, and I know there is a whole bunch of National Party members of Parliament who were in that category and possibly aggrieved by it. But Hazzard was said to have an individual assessment, which was down to the detail of which direction he was facing, how loud he spoke, who breathed on whom, and on it went. You would think that they were writing up a PhD in personal contact with Adam Marshall. Then, having missed this document in the SO52 call for papers, out of budget estimates we find the assessment—not detailed at all, not sophisticated, not intricate in any shape or form—performed by the former head of the COVID response and the assessment team, Jennie Musto. I can read it because it is so brief. It is dated 24 June 2021, and it simply says:

Min Hazzard

- reception in office but not face-to-face
- 6.30pm, Nat Strangers dining room
- head of pharmacy
- 3m past Heff and David
- 20 second speech then left
- left 6.50 pm

Casual

The final classification written there and underlined is "Casual". There is not even any mention of Adam Marshall. What sort of assessment was this? This is how he got off the hook, because the health officials provided an assessment that had no business about which way he was facing, who he spoke to, how loud he spoke or who he breathed on. They did not even mention the infected Adam Marshall. Marshall himself, in other aspects of the Standing Order 52 documentation, clearly spoke to three of the contact tracers and said that he had close, at times physical contact with Brad Hazzard. So the evidence for Hazzard having to isolate for a fortnight is completely compelling.

I am working on the assumption either Hazzard got himself off the hook or the health officials panicked. Foolishly, they said in the middle of this COVID situation, "We can't live without Hazzard and we'd better get him off the hook." Either way, a great wrong has been committed that needs to be the subject of an inquiry with the terms of reference mentioned by Portfolio Committee No. 2 – Health, chaired by the Hon. Greg Donnelly. The millions of people in New South Wales who were told as a matter of life and death, literally, that they needed to follow all the health rules, at least need to know what happened with the Minister himself, the person making the rules.

If you have one responsibility in public life it is that: If you are the rule maker, follow those rules yourself. Do not be labelled a hypocrite. Do not get into the humbug of disregarding rules that you are happy to apply to millions of other people in New South Wales. For all those who were locked down, for all those who suffered the curfew, for all those who were told to isolate for extended periods of time, to wear a mask and to do the social distancing—the whole litany of rules that were rolled out and people were ordered, with the wagging finger, to follow—and here is the Minister himself who did not, we need to get to the bottom of how this atrocity happened and how the Minister who set the rules did not follow them. We need to get to the truth of the matter, and that is the purpose of the motion and the inquiry.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)
(20:57): Mr Latham is entirely consistent on this issue. He has had an obsession about the poor health Minister for some time and his approach to this issue has been available for all to see. What is extraordinary about this motion tonight though is that an identical motion was moved by the Hon. John Graham on behalf of the Opposition. Five months before an election, at a time when they do not have a health policy which breathes of any circumstances where it is capable of being intelligible, they have decided in their wisdom that they want to attack the Chief Health Officer. The Chief Health Officer is their target. This is a decision of the Labor Party, which aspires to be in office. They want an inquiry in which they can attack the person who in this State is recognised as having provided exemplary service to the people of this State.

Everyone in the State believes that the team that she led and the service they provided to the people of this State during the pandemic has been worthy of the utmost admiration. But not those opposite. They are working towards a new policy where they attack the Chief Health Officer, not the Minister or the other people involved. This is an attack by Labor. Mr Latham has always wanted to attack the Chief Health Officer. But that is okay; he has always been in that territory. Now Labor is getting on the bandwagon. They are going into the election with no policy and are wanting to try to trawl some mud against the most respected health officer in this State. I would suggest that no special attention was given to Mr Hazzard. When asked—and he is on the record multiple times in relation to supplementary questions asked by Mr Latham just last week—the answer that has been given is:

The classification of persons as close or casual contacts following a confirmed COVID-19 positive case in the NSW Parliament in June 2021 was undertaken independently by specialist staff in NSW Health.

And it goes on to the say that they made a decision independently. This is an inquiry which Labor is complicit in for the purpose of some political gain. But the consequence of attacking the Chief Health Officer of this State will play out in the future. [*Time expired.*]

The Hon. JOHN GRAHAM (21:00): The Leader of the Government seemed quite agitated when he put his case. I will not be. The Opposition will support the motion. The Opposition will support the inquiry. In part, we will do so to protect the dignity of the committees of this House. One of the things that tipped the balance for those of us on this side was when the Minister was asked some of these questions that members had pursued over quite some time. I direct members who have any doubts to go and read that *Hansard*, because it really was extraordinary. It did cover significant territory.

It covered some very blunt assessments of the member by the Minister, over the course of a couple of decades. It included a whole lot of attacks, some of which I had certainly forgotten. It covered everything, in fact, except some simple answers to the questions. It went for quite some time, and it did not come anywhere near answering the simple questions that had been put a number of times in the Chambers. If members have doubt, they can go back and read the *Hansard* transcript of the budget estimates hearing on 7 September. I think that will assuage any concerns that members opposite have.

The Government has put a view about the facts here. I am not disputing that. Labor is simply saying we will support an inquiry. The Leader of the Government has tried to turn this into some attack on the Chief Health Officer. I reject that categorically. If members think about that for even a moment, they will realise that we do not need a separate inquiry to call the Chief Health Officer. If there were questions for the Chief Health Officer, they would be raised in the estimates process. The Leader of the Government might want to reflect on why we are going to a separate inquiry and stepping outside the estimates process. That will give him a clue about where this is heading, and it is not towards the Chief Health Officer.

Finally, I will indicate the view of the Opposition. I think it was best summed up on 7 September 2022 the chair of the committee—and I recognise the Hon. Greg Donnelly, who chaired what was a torrid section of budget estimates. Sadly, on that occasion we did not get to the truth. We did not get the facts. It was not through any fault of the chair or the members of the committee; it was through the fault of the Minister. I will put it that plainly. In that session the chair said at one point, in amongst the chaos, "The evidence will fall where the evidence falls." That sums up the attitude of the Opposition. That is the approach the Opposition takes to this inquiry. We support the motion.

The Hon. SCOTT FARLOW (21:03): "We'd rely on the advice of the Chief Health Officer Kerry Chant. We've made this really clear, I think, over the last couple of years." They are not my words, they are not the words of the Leader of the Government, and they are not, of course, the Hon. Mark Latham's words. They are the words of the Leader of the Opposition, Chris Minns, on 18 July 2022. As the Leader of the Government has outlined to the House, there is somebody in this House with a very consistent position. That is, of course, the Hon. Mark Latham, who has prosecuted this case for a while. But the Opposition has come to this Chamber with a changed position. What has changed between then and now? At what point did the Opposition decide not to rely on Dr Chant's advice. Those opposite are so desperate to have something worth saying on Health that they have decided not only will they steal the Government's policies but they will steal the Hon. Mark Latham's motions.

The Opposition no longer supports the State's Chief Health Officer of 14 years. On Sunday at the 2022 NSW Labor State Conference, the Leader of the Opposition said, "I remember speaking with my colleagues about how to handle a global health emergency that no one alive had ever been through. We made a decision to put the public first. I asked myself, 'If I was getting the same advice that the Government was, would I do things differently?' And the answer, often, was 'No'. We wanted the Chief Health Officer, Kerry Chant, as well as senior scientists, clinicians, and public servants focusing on the pandemic—and not on political attacks. Delegates, I'll never play politics with the safety and lives of the people of New South Wales. And we'll put real issues—not old-fashioned political punches—at the heart of everything we do."

So between Sunday and today, what has changed? It is clear that those opposite do not comprehend a thing about how to manage a pandemic. We all had hope when Chris Minns came to the leadership that there would be a bit of a difference from Jodi McKay's style of leadership. But we see when politics comes into play that politics always comes first. That is why the Government will not be supporting the motion.

The Hon. WES FANG (21:05): I make a brief contribution on the motion before the House. I do so noting that, as other members have said, the Hon. Mark Latham comes at this with consistency. We know that he has raised these issues previously and he has raised them very prominently. But the Leader of the Government made some startling observations that the Labor Party has brought effectively the same motion that the Hon. Mark Latham brings to this House. This is the same party that was saying for the whole duration of the pandemic how they trusted NSW Health, how they believed in what the Health department was doing by way of

guidance, and by way of process. And now the Leader of the Government has told us that those opposite were going to come into this Chamber and question everything that the leadership of the Labor Party have been saying to us about NSW Health and the people making the decisions.

I think it is an indictment on the Labor Party—and this is no reflection on the Hon. Greg Donnelly or members of Portfolio Committee No. 2—that these matters have been ventilated time and time again, through estimates, through the House, through inquiries. I again acknowledge the Hon. Mark Latham has continually pushed this, but those opposite have not at all attempted to get to the bottom of these matters. They have asked questions and they have gotten nowhere. Now, as we approach an election, they are seeing an opportunity to rake mud. That is what this is. This is a political hit job against the department and the decision-makers and the analysis that they did. What this shows is that those opposite are not fit for government, because on this side of the House we back our public servants and we back what they do. Those opposite do not.

The Hon. MARK LATHAM (21:08): In reply: Let us clear a few things up. The only reason we are having this inquiry is that at budget estimates Brad Hazzard refused to answer any questions. If he had answered my question and said, "Look, this is how I got off the hook. It's true I shook Adam Marshall's hand. I was a close contact, but this is how I was classified as casual and didn't have to isolate for a fortnight", if he had just been honest at the budget estimates there would be no need for an inquiry. In terms of taking the advice of Kerry Chant, that is the purpose of the inquiry. She was absent from budget estimates. There was no chance to question Dr Chant at the budget estimates. So if the position of the Labor Party and Chris Minns is to get the advice of Kerry Chant, that is what the inquiry will do. That is exactly what it will do. She will be asked to appear as a witness and we will ask questions and get her advice about what happened. That is perfectly legitimate.

I must say, about the reputation of the Hon. Wes Fang, that sometimes it is just hard to help people. Those who will benefit overwhelmingly from this process are the members of the National Party, who have been completely flummoxed and puzzled for 16 months that they did not go anywhere near Adam Marshall that day and at that dinner and yet, somehow, they were locked in their houses for a fortnight while Hazzard was not. They saw it with their own eyes. There he is, over there. They saw the handshake, the conversation, the little huddle. The guy who had the close physical contact with Marshall was off the hook and did not have to isolate.

I am here to help all those National Party MPs puzzled by this for 16 months. I am here to solve the mystery through this inquiry. The great beneficiary, the National Party MPs, who have been scratching their heads and other parts about this for 16 months will finally get an answer to what happened. I will clear up one other aspect of this conundrum. The Hon. John Graham said that it was a torrid session at the estimates inquiries. I suppose that it was. Many serious allegations were made against my good self, and I want it known in this House, only half of them are true.

The Hon. John Graham: Which half? We will need another inquiry.

The Hon. MARK LATHAM: We can have an inquiry into that. It will be a long list of witnesses coming forward, some of them very willing to participate. Others will have to be subpoenaed. Only half of the allegations are true. We will have to save that for my valedictory speech about 20 years from now, when I am toddling around like Reverend the Hon. Fred Nile. We will wait for that.

The importance of this motion is that through the COVID period many hundreds, if not thousands, of people contacted my office alone complaining about the severity of the rules. It was like martial law. You were locked in your house and told to undertake a medical procedure. Otherwise, you could not get out of the house. Some areas had a curfew. There was masking, social distancing, isolation rules. It was tough for a lot of people. They suffered, particularly young people. All those who followed the rules have the right to know why the health Minister, who set the rules, did not follow them. That is the great shame and what needs to be inquired into.

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

The House divided.

Ayes20
Noes13
Majority.....7

AYES

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

Field
Graham
Higginson
Houssos
Hurst

Mookhey
Moriarty
Primrose
Roberts
Searle

AYES

Donnelly
Faehrmann

Jackson
Latham

Sharpe

NOES

Amato
Barrett (teller)
Fang
Farlow (teller)
Franklin

MacDonald
Maclaren-Jones
Martin
Mitchell

Poulos
Rath
Tudehope
Ward

PAIRS

Moselmane
Secord
Veitch

Farraway
Taylor
Mallard

Motion agreed to.

*Documents***WATER RESOURCES PLAN****Production of Documents: Order**

Mr JUSTIN FIELD (21:21): I move:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Lands and Water, Department of Planning and Environment and WaterNSW relating to water resource plans and the Murray-Darling Basin Plan:

- (a) all correspondence, created since 27 April 2021, between the Minister for Lands and Water and the Chief Executive Officer of the New South Wales water sector of the Department of Planning and Environment regarding any direction from the Minister on the submission or accreditation of water resource plans;
- (b) all written notices of the grounds, including any attached grounds, created since 1 May 2022 by the Murray-Darling Basin Authority, that formed the basis of a recommendation by the authority not to accredit a proposed water resource plan;
- (c) all briefing notes prepared for the September 2020 Basin Officials Committee meeting regarding the Sustainable Diversion Limit Adjustment Mechanism [SDLAM], Menindee Lakes, water recovery targets and/or time line extensions; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This Standing Order 52 motion relates primarily to the New South Wales Government's curious failure to comply with its obligations under the Murray-Darling Basin Plan to have water resource plans for each of the water resources in New South Wales—about 20 are accredited by the plan—and to deliver water savings under the sustainable diversion limit adjustment mechanism [SDLAM] project on which the States and the Commonwealth agreed. Every other State with a responsibility to establish water resource plans has had their plans submitted and accredited. New South Wales is now a couple of years late. The Government submitted the plans late. The Murray-Darling Basin Authority handed them all back with a request to resubmit. A lot of time went by. It has submitted them again. I looked this afternoon and a number of the plans, again, have been sent back with a request to be resubmitted.

None of this process is transparent—neither the plans that had been submitted nor the rationale for why they have been handed back by the Murray-Darling Basin Authority. It is inexplicable why New South Wales has been so late. The call for papers tries to shine a light on this. I have asked questions on this in budget estimates and through questions on notice over several years now. We are none the wiser about it. Let us look at the directives given by the Minister to the agency around this, the correspondence from the Murray-Darling Basin Authority and the details around the development of the SDLAM project. I know that other members in this House have also raised questions on those projects before. That is the substance of the motion.

The DEPUTY PRESIDENT (Ms Abigail Boyd): There is a considerable amount of noise in the Chamber. Members will keep disruption to a minimum, particularly those on the Government side of the Chamber. To be clear, I am not asking them to do so just because I am not getting any of those Minties.

The Hon. ROSE JACKSON (21:24): The Opposition supports the motion.

Ms CATE FAEHRMANN (21:24): I move:

That the question be amended as follows:

- (1) Omitting "relating to water resource plans and the Murray-Darling Basin Plan" and inserting instead "relating to water resource plans, water sharing plans and the Murray-Darling Basin Plan".
- (2) Inserting after (c):
 - (d) all documents, correspondence and advice created from 1 January 2007 to 30 November 2008:
 - (i) which relate to the change to the carry-over limit for general security water access licences in the Murrumbidgee Valley (i.e. in the Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2003); and
 - (ii) all documents, correspondence and advice which relate to a review of the possible impacts of changes to carry-over rules (including draft and final versions of a review).
 - (e) any reviews conducted since 1 January 2003 of the Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2003 or Murrumbidgee Regulated River Water Source 2016, which dealt with the impacts associated with the introduction of the inter-valley transfer for the Murrumbidgee Valley; and
 - (f) all reviews since 2016 related to the introduction of inter-valley transfers to the Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2016 and/or the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2016 (including draft and final versions of a review), and

I broadly support this Standing Order 52 motion and agree with the reasons for it outlined by Mr Justin Field. This year, despite every dam in New South Wales being at capacity and flooding rivers everywhere, Murrumbidgee irrigators are still sitting on an allocation of just 50 per cent. The Murrumbidgee Valley water sharing plan was suspended from 10 November 2006 to 16 September 2011. Despite this, which is unusual, on 21 November 2008 New South Wales increased the carry-over limit from 15 per cent to 30 per cent in the Murrumbidgee Valley water sharing plan. The requested documents are important and in the public interest, because they will shed light on the process that has led to this situation. I commend my amendment and the motion to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (21:27): I have not seen this amendment. The Government is completely taken by surprise by the amendment and the scope of it.

Ms Cate Faehrmann: There you go.

The Hon. DAMIEN TUDEHOPE: The member has just handed it to me. That is courteous.

Mr Justin Field: You're quick on your feet. You know all about water.

The Hon. DAMIEN TUDEHOPE: It may well be just about water. But I assume Mr Justin Field has seen this. I assume he is aware of the extended scope of it. His motion calls for a 14-day return. The amendment calls for documents that go as far back as 2007.

Mr Justin Field: It is 2003.

The Hon. DAMIEN TUDEHOPE: It says, "all reviews conducted since 1 January 2003". The broadening of the extent of documents that are being sought is such that it will be impossible to comply with the order in the time limit set by the original motion. I move:

That the question be amended by omitting "14 days" and inserting instead "42 days".

Forty-two days would be a reasonable time for a department to comply with this new scope of documents requested by Ms Cate Faehrmann. I have the utmost respect for Mr Justin Field, who does not move calls for papers lightly. Some members mindlessly support orders under Standing Order 52 all the time without thinking about it—"It's a Standing Order 52, so we support it". Those mindless, unthinking members never even consider what is in it, whether it is reasonable or whether it is an improper use of the power. We will watch the robots opposite get up to vote for it, because that is just what they do. The need for this call for papers under Standing Order 52 could have been avoided just by asking for the documents, but Mr Justin Field has sought to go down this path. The Government will oppose both the Standing Order 52 motion moved by Mr Justin Field and the amendment moved by Ms Cate Faehrmann.

The Hon. WES FANG (21:30): I speak on this call for papers under Standing Order 52 from a different perspective to the goading that I am receiving from those opposite. I put on the record that the manner in which the call for papers is to be amended is against the spirit of the House. We have a process to table a motion in this place that allows all sides to view that motion and consider it before it comes to the House. I understand that the amendment is on matters related to the call for papers that Mr Justin Field has moved. But it substantially amends the motion and substantially widens its scope, with a considerably shorter time frame than we would normally have for a return to order under Standing Order 52. It is a disingenuous way to seek papers. I believe Ms Cate

Faehrmann should have given notice of her own accord, put her motion on the *Notice Paper* and allowed the House to go through its proper process in seeking those papers.

It was originally my intent to talk about why the water-sharing plans for New South Wales are not yet finalised. I suggest that it is because on this side of the House we are seeking to achieve a triple bottom line as best we can, so that we have environmental water, productive water and water for communities. All of those are our focus when we are looking at the most precious resource in this country. From that perspective, this Government is not prepared to throw our farmers under a bus, as other States might be. That aside, to amend a motion in this way is disingenuous, and I do not believe it is within the spirit of the way that we conduct ourselves in this House.

The Hon. SCOTT FARLOW (21:33): I too oppose this call for papers under Standing Order 52. As the Leader of the Government and the Hon. Wes Fang have both mentioned, we are used to Standing Order 52 motions in this House. We are used to the process, and we are used to all members knowing what is included in the motion. But Ms Cate Faehrmann's amendment is a substantial one to drop on the House without any notice. As the Leader of the Government talked about, significant documents are being looked for. The documents do not go back a week, a month or even a year. They go back to 2003. They will be nearly 20 years old and must be returned to this House within 14 days. That is an extraordinary request to throw in front of the House at a little bit after nine o'clock on a Wednesday night.

We are used to Mr Justin Field bringing Standing Order 52 motions in this area to the Chamber, and the Hon. Wes Fang has outlined the concerns that the Government has in this area. Government members are trying to make sure that we are being open and transparent but that we are also looking after the interests of both the environment and the users of water throughout New South Wales. But week in, week out, these motions are looking for a conspiracy that is simply not there.

The documents called for in the amendment include "all documents, correspondence and advice created from 1 January 2007 to 30 November 2008", which is an extraordinary request for the public service in New South Wales. It could not be complied with within 14 days, and it would be very difficult for the bureaucracy to get their heads around that with absolutely no notice. Calling for "any reviews conducted since 1 January 2003" is an extraordinary request for such specific and extensive information, which I dare say would likely be read in full when it was provided to the House. Every member should be concerned about that. Government members are used to Standing Order 52 motions, and we know where the numbers may fall. But on this motion, or at least on the amendment, I hope some members could perhaps give pause and consideration to the extraordinary request that is before this place.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (21:36): I am loath to speak on Standing Order 52 motions, because they are an important instrument of this House.

Mr Justin Field: Hear, hear!

The Hon. BEN FRANKLIN: I acknowledge the "Hear, hear!" from Mr Justin Field, because I believe he uses Standing Order 52 appropriately to be forensic in holding the Government to account. That is frankly what they are for, and he does that very well. I think this motion is not—actually, I do not know what our position is. I think that there is some validity in this motion.

The Hon. Sarah Mitchell: We are opposing it.

The Hon. BEN FRANKLIN: We are certainly opposing this motion, but I understand the motivation behind it. I agree with the general thrust of the Hon. Wes Fang's contribution, although I would phrase it in a slightly different way. This House works best when we actually talk to each other. When moving a broad amendment like this, which seeks substantial and detailed information, it does not help the process not to talk about it beforehand. I have worked with every member in this House through committees and other forums to ensure that we land in a place that is reasonable. I do not say it is outrageous; I just say it is not helpful. I have just had a conversation with Ms Sue Higginson. She relayed to me that although they will be sticking with the 14-day limit for Mr Justin Field's initial motion and will not be changing that request, Ms Cate Faehrmann is happy to talk to the Government about lengthening the time for the documents captured by the amendment. Is that a fair assessment?

The Hon. Sarah Mitchell: It is on the record now.

The Hon. BEN FRANKLIN: That was what Ms Sue Higginson just said to me. Having those discussions is helpful, and I appreciate the comment.

Ms Sue Higginson: I said I would have a chat.

The Hon. BEN FRANKLIN: And I appreciate the genuineness with which that conversation happened, because that is how it should happen. But it should have happened well before this discussion rather than happening right now, at 20 minutes to 10, when an amendment is placed in our hands without any notice. I say gently that perhaps next time it would be much more helpful if we could have those discussions well before we throw it before the House with no notice whatsoever.

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (21:39): My contribution to this debate is not actually about the substance of the call for papers in the original motion moved by Mr Justin Field. It is to reiterate the points that have been made by some of my colleagues in terms of the amendment moved by Ms Cate Faehrmann. I know better than many Ministers that lots of Standing Order 52 motions pass in this House. What is particularly concerning about this amendment is that it is almost inserting an entire new motion within an existing motion, as other members have said.

While I appreciate the contribution of the Hon. Ben Franklin and the conversations he may have had with Ms Sue Higginson—I am not going to verbal her because I was not part of that—the fact that there is some discussion or consideration about a longer time frame for the amendment, as opposed to the original motion, further makes the point that this is a whole new call for papers. I think that is about trying to find a sensible way through the situation that we find ourselves in. That is reasonable. But to me it is almost an admission that this is actually separate if it is longer, it is different and we will give more time.

I am not sure what the procedural opportunities might be if someone is looking to move an amendment to allow more time for the amended part of the motion. Members on this side of the House can count, and we know our luck when it comes to orders for papers. It is no-win Wednesday, I think. We can probably predict the outcome. But, like I said, in and of itself the amendment really does indicate that this is very different. I also make the point—and I do this quite often in relation to Standing Order 52 motions that come within my own portfolio—that these are obviously very serious orders of the House, which government departments take seriously. To find records from many years ago and do full searches takes time. It is not disingenuous to say that 14 days is not enough, particularly when there are very detailed requests, as there are in the amendment moved by Ms Cate Faehrmann.

The people who work within the departments have to stop doing their day-to-day jobs to go back and search for these documents. It takes a considerable amount of time. I certainly see it within my own portfolio and the work that my department does. The complexity would be similar, in terms of this motion, for the Department of Planning and Environment and WaterNSW. We do our best in this place to operate in good faith. I would hope that Ms Cate Faehrmann or Ms Sue Higginson might potentially speak to the opportunity for that amendment to have a time period to at least try to get some kind of reasonable outcome here, rather than passing something which has no hope of being able to be returned in the 14 days that is currently listed.

The Hon. SCOTT BARRETT (21:42:47): I too hesitate to contribute to the debates on Standing Order 52 motions. In fact, I would not have done so on the original motion put forward by Mr Justin Field, who I am sure had a specific purpose for his order for papers. However, the increased scope of the motion through the amendment put forward by Ms Cate Faehrmann goes a bit too far. It goes back as far as 2003. In 2003 I remember having my heart broken when Jonny Wilkinson kicked that field goal in the World Cup. That is how long ago it was. It was way back then, when Sydney hosted the Rugby World Cup. John Howard was Prime Minister. Robert Irwin was born. Robert Irwin is grown up now—that is how long ago it was. It was also the year that Shane Warne shocked the cricketing world by testing positive to a banned substance, which of course rocked the Australian team's World Cup campaign in the Caribbean—but only momentarily, because they went on to win. What else happened? The Panthers won the grand final, which of course they did again this year. I will not keep going with that.

The Hon. Mark Banasiak: Are you going to amend the motion to include all the documents about that?

The Hon. SCOTT BARRETT: I would love to keep going. I move:

That the amendment of Ms Cate Faehrmann be amended by omitting paragraphs (d) and (e).

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (21:44): The amendment of the Hon. Scott Barrett seeks to curtail some of the more egregious parts of the motion that require documents from as far back as 2003. I take the Hon. Mark Banasiak at his word when he says that these reviews are done every five years and that it will not take someone very long to find the relevant documents and there will not be many of the reviews. I may accept that. But the problem is that if, in fact, Ms Cate Faehrmann's amendment had been a Standing Order 52 motion in its own right, moved according to ordinary practice, as the Hon. Sarah Mitchell has explained, then that point would have been well made. The onus that may have been imposed upon public servants to collect archive documents and the like would have been dealt with as part of the debate.

The way that this request has been moved by adding an order for papers on to an existing Standing Order 52 motion shows The Greens are jumping the gun. There are other items of business that were due to be debated tonight. They have seen fit to impose a new Standing Order 52 motion on top of the existing one. That has given rise to a considerable amount of opposition from the Government because that is just not the spirit in which we have approached these orders for papers. Madam Deputy President Boyd, I seem to recall that you had an order for papers which seemed to incorporate 20 orders in the one demand for documents. That elicited a similar response. I do not recall the subject matter, but it was a significantly broad motion that, I think, encompassed many potential orders for papers.

The DEPUTY PRESIDENT (Ms Abigail Boyd): It is still on the *Notice Paper*.

The Hon. DAMIEN TUDEHOPE: Is it? The Government supports the amendment of the Hon. Scott Barrett because it reflects that the spirit of this House should be honoured in the way we move amendments to existing Standing Order 52 motions. Members should not seek to use this process to jump the queue and deliver another order for papers to the Government as part of a fishing expedition. This debate has taken up a lot more time than it should have. [*Time expired.*]

Ms CATE FAEHRMANN (21:48): I seek leave to withdraw my amendment.

Leave not granted.

The Hon. WES FANG (21:49): I support the amendment moved by the Hon. Scott Barrett. The circumstance in which we find ourselves is that effectively this House has been hijacked. Members opposite really need to note two things. The first is that we all learn in this House through osmosis. Opposition members who seek to be in government one day should be very careful about what precedents they set. Allowing and supporting hijacking amendments will only result in those tactics being used against them, should they ever come to government.

The second thing is that members opposite should perhaps reflect on what is going to occur due to this. There was some goodwill in the way we were approaching these matters, but now I suspect that this occurrence will cause a lot of members to stop and reflect on what has happened and how it will affect private members' days moving forward. The Hon. Ben Franklin was right: Perhaps some level of goodwill exists between members of this House. When we do not see the goodwill which this House operates on honoured, it creates a lot of disharmony. [*Time expired.*]

The DEPUTY PRESIDENT (Ms Abigail Boyd): Mr Justin Field has moved a motion, to which the Hon. Damien Tudehope moved an amendment. Ms Cate Faehrmann has also moved an amendment, to which the Hon. Scott Barrett moved a further amendment. The question is that the amendment of the Hon. Damien Tudehope be agreed to.

Amendment of the Hon. Damien Tudehope agreed to.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the amendment moved by the Hon. Scott Barrett to the amendment of Ms Cate Faehrmann be agreed to.

Amendment of the Hon. Scott Barrett to the amendment of Ms Cate Faehrmann agreed to.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the amendment moved by the Ms Cate Faehrmann as amended be agreed to.

Amendment of Ms Cate Faehrmann as amended negated.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the motion as amended be agreed to.

Motion as amended agreed to.

Committees

PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE

Extension of Reporting Date

The Hon. DAMIEN TUDEHOPE: By leave: I move:

That the reporting date for the inquiry into the Property Tax (First Home Buyer Choice) Bill 2022 by Portfolio Committee No. 1 – Premier and Finance be extended to Friday 4 November 2022.

Motion agreed to.

STANDING COMMITTEE ON SOCIAL ISSUES**Extension of Reporting Date**

The Hon. DAMIEN TUDEHOPE: By leave: I move:

That the reporting date for the inquiry into the provisions of the Crimes Legislation Amendment (Coercive Control) Bill 2022 by the Standing Committee on Social Issues be extended to Friday 4 November 2022.

Motion agreed to.

*Documents***WESTERN SYDNEY AEROTROPOLIS PRECINCT PLAN****Production of Documents: Further Order**

The Hon. MARK BUTTIGIEG (21:56): I move:

- (1) That this House notes the resolution of this House, dated Wednesday 21 September 2022, ordering the production of papers relating to the Western Sydney Aerotropolis Precinct Plan by Wednesday 26 October 2022.
- (2) That this House notes the correspondence received, dated Tuesday 4 October 2022, from the Leader of the Government in the Legislative Council, to the Clerk of the Parliaments, questioning whether it is reasonably necessary to fulfil the House's scrutiny functions for such a wide range of Ministers and agencies to be required to carry out searches and provide responses and advising that a response will be provided in the first instance by the Minister for Enterprise, Investment and Trade and the Western Parkland City Authority.
- (3) That:
 - (a) this House considers the Government's response as an indication of an intention to not comply with the order of the House; and
 - (b) this House notes that it is open to the House to take all necessary action to cause compliance with this order of the House.
- (4) That notwithstanding the order of the House of 21 September 2022:
 - (a) That, under Standing Order 52, there be laid upon the table of the House by 26 October 2022 the following documents, created since 1 November 2020, in electronic format if possible, in the possession, custody or control of the Minister for Enterprise, Investment and Trade and the Western Parkland City Authority relating to the Western Sydney Aerotropolis Precinct Plan:
 - (i) all documents relating to the final Western Sydney Aerotropolis Precinct Plan;
 - (ii) all documents relating to the draft Western Sydney Aerotropolis Precinct Plan; and
 - (iii) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
 - (b) That, under Standing Order 52, there be laid upon the table of the House within 26 days of the date of passing of this resolution the following documents, created since 1 November 2020, in electronic format if possible, in the possession, custody or control of the Minister for Transport, Minister for Metropolitan Roads, Transport for NSW and Sydney Metro relating to the Western Sydney Aerotropolis Precinct Plan:
 - (i) all documents relating to the final Western Sydney Aerotropolis Precinct Plan;
 - (ii) all documents relating to the draft Western Sydney Aerotropolis Precinct Plan; and
 - (iii) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
 - (c) That, under Standing Order 52, there be laid upon the table of the House within 65 days of the date of passing of this resolution the following documents, created since 1 November 2020, in electronic format if possible, in the possession, custody or control of the Minister for Western Sydney, Treasurer, Minister for Infrastructure, Minister for Cities and Minister for Active Transport, Minister for Planning and Minister for Homes, Minister for Emergency Services and Resilience, Department of Premier and Cabinet, Department of Planning and Environment, Treasury, Sydney Trains, State Transit and Infrastructure NSW relating to the Western Sydney Aerotropolis Precinct Plan:
 - (i) all documents relating to the final Western Sydney Aerotropolis Precinct Plan;
 - (ii) all documents relating to the draft Western Sydney Aerotropolis Precinct Plan; and
 - (iii) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

On Wednesday 21 September 2022 this House agreed to an order for papers regarding the Western Sydney Aerotropolis. During the debate the Government complained about the date that the order would be due. It should be noted that the Government never approached me prior to the debate with any concerns or any efforts to negotiate. Despite that, I spoke with the Hon. Ben Franklin in the Chamber and I agreed to extend the return date from 21 days to 35 days. At no point did the member or another member of the Government request that any

entities or Ministers be omitted. Almost 10 days following the order, on 30 September the Hon. Damien Tudehope wrote to the Clerk of the Parliaments questioning the reasonable necessity of supplying the order for papers and stated, "The Government considered that the House would be best assisted if a response is provided in the first instance from the Minister for Enterprise, Investment and Trade and the Western Parklands City Authority."

It is unacceptable that the Government said it will not be complying with the order of this House. There is no question on whether the Government should be providing the papers. This is simply an attempt to hide information about western Sydney. In an effort to provide further time for the Government and to reduce the scope of the order, I limited this order for papers, which amends my previous order by removing certain Ministers and departments from the original order. In place of giving the Government until 26 October for all Ministers and entities to comply with the order, I have provided certain Ministers and departments with an additional 26 days and the remaining with a full 65 days from today to provide the information. That is a large amount of time to comply with the order.

You would think the Government would recognise that there was no requirement for me to alter the order and that they would agree to a very reasonable amended order within formal business on 12 October. Despite providing a great deal more time and removing the need for certain Ministers and departments to provide information, unfortunately it should not be a real surprise to any of us that the Government did not support the order and does not intend to comply, as it is attempting to hide information regarding the most consequential changes to western Sydney in our State's history.

These papers are essential to ensure there is full transparency around the plan for the Western Sydney Aerotropolis. The Government needs to be held to account on the development of these precincts as we need to ensure that the infrastructure and planning delivers to the needs of western Sydney communities and businesses. We all know that the Government has continued to leave south-west Sydney and western Sydney behind when it comes to delivering for the needs of residents.

There are overcrowded schools everywhere. Residents have been promised schools where land still sits empty, and parents have been left waiting for years. There have been damning reports about hospitals in south-west Sydney, and western Sydney emergency departments are overwhelmed. There is a promise of jobs, but experts are casting doubt over the Government's promise. On *ABC News* on 15 September Glenn Searle, who is a planning expert from the University of Sydney, stated that the aerotropolis would not create 200 new jobs as promised, particularly in health and education. In late September *The Daily Telegraph* reported on the Government's failure to ensure that a fuel pipeline would be a priority for the new Western Sydney International Airport—

The DEPUTY PRESIDENT (Ms Abigail Boyd): According to standing order, it being 10.00 p.m. proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

According to standing order, members made the following statements.

RECOGNITION OF WEST JERUSALEM AS ISRAELI CAPITAL

The Hon. SCOTT FARLOW (22:00): My nine-year-old son loves geography. One of his favourite games to play is "What's the capital?" I pick a country; he names the capital. The game frustrates my six-year-old daughter, whose geography is a little more limited. Her answer to every country is either London or Washington. She has become so frustrated that we have bought her a talking globe so that she can hone her skills. After a frustrated walk the other day, where London or Washington were not the capital of any country that I named, she asked, "Dad, what is a capital anyway?" My answer was, "It is a city where a country's Parliament or Government is." It seemed like a pretty straightforward explanation to me but when it comes to Israel, the Albanese Government has determined that the simple explanation is not good enough.

The Albanese Government's ham-fisted decision to change Australia's recognition of Israel has harmed its relationship with one of its strongest allies. Israel is an ally that works hand in glove with Australia's police and military, and it has provided information that has thwarted terrorist attacks on our own soil. This was not a decision that was undertaken after long consultation with either the State of Israel or our local Jewish community. It was a decision that was made as a kneejerk reaction to a bureaucratic website change. As Israel's Prime Minister, Yair Lapid, said:

In light of the way in which this decision was made, as a hasty response to an incorrect report in the media, we can only hope that the Australian government manages other matters more seriously and professionally. Jerusalem is the eternal and united capital of Israel and nothing will ever change that.

It is clear that Israel was not notified of the change in advance. After the first media reports of a change came to light, I understand that Israeli representatives were assured by the Albanese Government that there was no change to Australia's position, only to learn through media reports that Australia had unilaterally decided to change its recognition of a foreign capital. All of this has occurred in the shadow of an election in Israel that is only two weeks away. The Albanese Government has capitalised on a time of political change in Israel to enact a stunt at the expense of both the Australian and Israeli people. Imagine what would happen if this were to happen to Australia and one of our allies no longer recognised Canberra as our capital.

The three arms of government—the Legislature, the Executive and the judiciary—are all located 70 kilometres east of Tel Aviv in Jerusalem. The Knesset is Israel's Parliament, and it has met continuously in Jerusalem since 1949. The President is Israel's head of State, and his residence is Beit HaNassi, which is also located in Jerusalem. The Supreme Court of Israel is located in Givat Ram, which, again, is in Jerusalem. All roads to Israel's capital in Jerusalem, which has been under the undisputed territorial control of Israel since 1950. To say that any other city is the capital of Israel is complete and utter legal fiction. It is a legal fiction that goes as far as to undermine the integrity of a western democracy that has maintained significant economic, military and diplomatic ties with Australia for over half a century.

As of 2020, Australian investments in Israel totalled \$1.2 billion, with Israeli investment in Australia equalling \$342 million. Israel will continue to remain a major regional power with strong ties with the west, and it has gone from strength to strength since both the United States and Australia recognised Jerusalem as its capital. The Federal Government's failures in diplomatic policy will risk the wellbeing of the Australian economy by compromising decades of stable bilateral relations. The Minister for Foreign Affairs, Penny Wong, argues that Australia "will always be a steadfast friend of Israel". This is not the way that friends treat other friends. This decision has not been followed nor supported by our closest ally, the United States, under Democratic President Joe Biden, but it is a decision that has been welcomed and celebrated by both Hamas and the Palestinian Islamic Jihad.

After the Labor conference on the weekend, which saw the Australia and the World Policy Committee report that contains 33 of 66 motions focused on Israel—24 of which are critical of Israel—I fear that this is only the tip of the iceberg of the change in position of the Federal Government towards Israel. Why should Israel be the only country in the world that is unable to determine and assert its own capital within the borders of its control? Jerusalem will continue to be a symbolic melting pot of religions and a historical holy site for Jews, Muslims and Christians alike. Jerusalem should not, however, be deprived by Australia of its national significance as Israel's eternal capital by Australia, which is a nation with a long-lasting history, understanding and closeness with the people of Israel. Australia has often been seen as Israel's strongest friend on the global stage, and I hope that will continue into the future, no matter who is the Prime Minister of Australia. The truth is that Jerusalem is the capital of Israel—period.

LABOR PARTY CONFERENCE AND ELECTRICITY PRIVATISATION OWNERS CORPORATION NETWORK TWENTIETH ANNIVERSARY

The Hon. COURTNEY HOUSSOS (22:05): This past weekend I had the incredible honour of being elected as the number one candidate for the Labor upper House ticket for the next State election. I use this opportunity to place on record my sincere thanks to the delegates from both our rank and file and the union movement who have bestowed this honour upon me. It is an incredible privilege to do what we do in this place, and I am honoured to have been preselected for another eight-year term. I place on the record my sincere thanks and gratitude for the trust that has been shown in me over the past eight years. I hope that I will reflect that trust over the next eight years.

Labor's conference is a special place. It is how the party has met for over 100 years—perhaps 130 years. The entire party is represented; it is the largest political conference in the Southern Hemisphere. Labor has around 800 delegates. The Prime Minister, who is a veteran of this particular forum himself, described the conference in his incredible speech on Saturday morning as a "colosseum of politics", which is an accurate assessment. Before I came into Parliament, it was part of my job to organise the conference. I love it. It is an incredible place to be and an amazing representation of all aspects of our party, including our rank and file, union movement colleagues, party committees and Labor Party State and Federal members. It truly is a special place. It was wonderful that we could all be back together after four years apart. I also pass on my congratulations to the other candidates who were elected on the weekend.

It has been 7½ years since I was elected to this place. In 2015 Labor fought the election on the issue of the privatisation of electricity assets. I have been reflecting on that time and about what Labor fought that election on. Labor opposed the privatisation of electricity vehemently, arguing that it would lead to increased prices, it would cut local jobs and, ultimately, the consumer would be left paying. Eight years on, we have unfortunately

been proved right. A study released last week showed that privatised energy companies are charging massive super profits of between 10.3 per cent and 15.6 per cent of the average bill, compared to the government-owned company, Essential Energy, which charges just 2.2 per cent. That is a real-life example of how privatisation by this Government is having an effect on the cost-of-living crunch that is hitting families across the State.

On average, customers of the privately owned electricity companies paid between \$100 and \$200 more per year, where those lucky enough to be covered by the government-owned company paid a mere \$10 extra per year. We can have these debates during elections, and Labor can argue a particular side, but the proof is in the pudding after 12 years of this Coalition Government and eight years on from the election campaign that was fought on the privatisation of the electricity network. It was an ideological decision taken by those opposite, and they cannot spin their way out of that record. This has very real consequences for families and households across the State.

Alinta Energy chief executive warned us earlier this week that their modelling has retail energy prices increasing by more than 35 per cent next year. This is only going to get worse, when energy bills have already risen by up to 18 per cent. They are being gouged by the privately owned companies after this Government sold off electricity assets. This Government has privatised billions of dollars' worth of public assets and it is having a serious consequence on our families and our households in New South Wales.

Earlier this evening I attended the twentieth anniversary event of the Owners Corporation Network, which was formed in 2002 when several building owners were confronting defects in their own buildings. They built a coalition, they campaigned for strata law reform, and they run education programs for owners. I pay tribute to Karen Stiles, their executive director, who received an award tonight, and also Sue Williams, a co-founder, and our Building Commissioner, Mr David Chandler.

LAW AND ORDER POLICY

Ms SUE HIGGINSON (22:10): I came to this place not that long ago as an advocate for justice and as someone who has lived a life in close concert with advocates working on the front line for legal, environmental and social justice. I did not arrive here naive to this Government's nearly 12-year effort of eroding our civil liberties, our right to a livable planet and its punitive approach to protest, civil disobedience and peaceful dissent. What has shocked me, though, is its populist law and order agenda, its harsh and discriminatory punitive approach to wrongdoing and the treatment of prisoners in our chronically dysfunctional and unfit prison system. I now see firsthand that, in the law and order space, *2GB* and Ray Hadley and his mates are the creators of the Coalition law and order policies—and it is quite off.

This Government's punitive law and order agenda, which time and again I see the Opposition acquiesce to, is failing us. It is holding us back from the reform our communities need and the reform every criminologist and policy expert in this field knows would make things better. In the last few months my Greens colleagues and I have opposed this Government as it has subverted the role of courts in granting bail applications, introduced new criminal offences against vulnerable people living with trauma and illness, targeted innocent small-scale businesses, engaged in retrospective interference with court sentencing procedures, offered false hope to grieving families, and vastly expanded the powers of the New South Wales police with little or no oversight. The high point was the direct affront on our democracy through the criminalisation of peaceful activists exercising the right to dissent.

The law and order agenda will undoubtedly lead to more people imprisoned in this State, not because the crime rate will increase but because this Government and its influencers are focused only on punishment rather than rehabilitation and restoration. The reality of this agenda that does not get seen is prisons. Our prisons are failing us. Some 60 per cent of released prisoners return to corrective services within two years. Earlier this week the Government denied access to the United Nations officials to conduct inspections of all jails, including women's prisons, youth detention centres, immigration detention centres, police cells and mental health institutions. New South Wales was the only jurisdiction to do this. What is that about?

Contrary to international standards, the law as it stands allows us to throw children as young as 10 years of age into those places. I hear so many horror stories from inmates and the families of inmates who are mistreated in our prison system. Last week, I heard from a father whose son suffers from Crohn's disease. When he entered prison, he was denied the very basic right to use the bathroom as he needed and as his condition requires. He is forced to regularly soil himself in his cell and then he gets stirred. When he was transported to another facility, which took four hours, he had to do his business in a plastic bag while he was handcuffed. When he arrived at that facility he was denied access to his glasses. He could not even see the new facility. Goulburn correctional facility inmates are denied the basic right to shower. If they are allowed to shower, it is outside, where temperatures are sometimes below seven degrees. Inmates spend 18 hours a day in their cells, with no privacy. Many of those inmates have experienced sexual violence and the trauma of having to go to the bathroom in front of another person is very significant. How can environments like those lead to rehabilitation and restoration?

Once we deprive somebody completely of their liberty, we have a duty of care for them. We are entirely responsible for their physical and mental wellbeing. The State can, and does, sanction punishment through the deprivation of freedom through imprisonment, under a duty of care. No law in this State allows for the treatment that so many inmates across this State are experiencing. My exposure to this has been harrowing. Let us remember that First Nations people are represented in prisons 10 times more than non-Aboriginal people. It has got to stop.

We need to listen to the experts, not the shock jocks, and we need to look at other jurisdictions. I urge anyone who is ready to embrace a regenerative approach to law and order to look at the Nordic criminal justice system. Across Sweden, Norway, Denmark and Finland, the prison population is very low. They do not lock up children and the main function is rehabilitation—and it works. Recidivism rates in the Nordic system are below 20 per cent. Ours are close to 60 per cent. Why do we insist on being attached to a punitive system that is not working? We need to rethink our approach to law and order, and I am afraid that the only way we are going to do that is with a new government.

MANUFACTURING INDUSTRY

The Hon. CHRIS RATH (22:15): In part, I offer my adjournment speech in response to the Hon. Rose Jackson's adjournment speech last night. If I can be so selfish, I am proud to announce tonight that NSW Labor has taken my advice. Although it has been more than five months since I first suggested it in my inaugural speech, Labor has listened. They have finally removed the appalling conflict of interest from their highest levels of governance. On Sunday 16 October, Alex Claassens officially resigned from Labor's administrative committee. I declare my mission accomplished. However, there is much more that NSW Labor must accomplish should it hope to win the election next March.

I will speak to the fiscal policy of those opposite for my next piece of advice. That advice is to those few remaining well-intentioned members of the Labor Party who care more for the needs of everyday families than the demands of select unions. The issue I am referring to is NSW Labor's obsession with protectionist, populist, xenophobic, anti-competitive fiscal intervention. Labor is obsessed with the idea of local production, whatever the cost to taxpayers. It does not matter if we are paying extortionate rates to produce infrastructure locally. For Minns, the misty idea of local manufacturing is more important.

Last weekend at the Labor NSW State Conference, Chris Minns promised a new locally built fleet of trains should Labor win government, stating, "We just need a government with the will and the belief to manufacture locally." Will and belief seem to be all that Labor can offer because it cannot offer rational economics. If a government is seeking to maximise the utility of taxpayer funds, the decision between procurement of local production of government assets comes down to buying and selling where most efficient. For example, New South Wales is a world-class exporter of education. Governments and corporations worldwide send their best and brightest to be educated at tertiary institutions here. It also happens that New South Wales produces the highest quality agriculture and mining exports at affordable prices, and we have an outstanding financial and professional services sector.

However, it is not easy for us to manufacture mass transportation options, such as ferries, at a reasonable cost—certainly not with reference to the far lower prices that corporations in other countries with industrial economies can offer. It is called "specialisation". We do not manufacture trains in this State because we are dumb or inferior or second rate; it is economics 101 that jurisdictions around the globe specialise. We do not have an economy trying to do everything badly; we focus on fewer core strengths and then trade on the global market with other economies. It is bad economics as well as bad public policy for the Government to interfere, to prop up industries that we do not specialise in and to xenophobically regulate global trade. We must unleash the efficacious forces of the free market and watch our prosperity grow.

That is the basic principle of comparative advantage, and it is a very good thing. In the context of free trade, comparative advantage enables us to develop public infrastructure at dramatically lower costs than when locally produced, that is, if we do not hold the comparative advantage. We do not hold the comparative advantage for manufacturing mass transport infrastructure. New South Wales does hold the comparative advantage for education, agriculture, mining and financial services. They are the realities of the modern globalised economy. Yet the same-old Labor is happy to waste our money in areas of comparative disadvantage. Under Labor, the people of New South Wales receive only "will and belief" and enormous inefficiencies in the use of their money.

Let us not forget that Labor used to understand free trade. The Waratah trains which Labor ordered under the last government were made in China. When the last Labor Government in this State ordered a total of 626 carriages in 2006, it was the largest single rolling stock order to date in Australia—all made offshore. So not only is Labor offering will and belief, it is offering hypocrisy. It may be "mission accomplished" concerning Alex Claassens; however, there is still a long way to go if Labor is to convince electorates that it is the better economic manager.

QANTAS WORKERS

The Hon. MARK BUTTIGIEG (22:20): Alan Joyce and Qantas management are collecting millions of dollars in pay whilst treating our workers terribly. The majority of the chaos in the aviation industry is the result of Qantas illegally sacking workers, chronic understaffing, wage freezes, termination threats, attempts to strip workers of conditions and outsourcing. Qantas management took over \$2 billion of taxpayers' money during the pandemic, which was meant to keep the airline going and people employed. Disgracefully, 2,000 workers were illegally sacked. Qantas is severely understaffed, yet management refused to reinstate its workers. Qantas management is absolutely disgraceful for prolonging the suffering of workers by spending obscene amounts of money trying to appeal the two Federal Court rulings, which found that Qantas illegally outsourced its jobs.

Qantas has forecast over \$1.2 billion in underlying profit for the first half of 2023. Alan Joyce is expected to receive a pay packet of \$8.7 million for the 2022 financial year. That is a 400 per cent pay rise, when he has put illegally sacked workers through hell. Joyce also expects current Qantas workers, who are seriously fatigued, to be content with a measly 1 per cent pay rise. It is hardly fair that, with the rising cost of living, exhausted Qantas ground services workers are on a base salary of \$45,157 whilst Joyce is bringing home millions and running a once great airline into the ground. Qantas has also been trying to avoid collective bargaining for thousands of loyal workers. I have stood with the illegally sacked Qantas workers and the Transport Workers' Union to call attention to the horrific toll that the actions of Qantas management have had on sacked workers.

A survey of over 1,100 illegally sacked workers demonstrates the terrible impact of the decision-making from Qantas management. Workers have suffered severe psychological distress. One in three developed a mental health condition, one in six required professional help and, tragically, one in 10 has experienced suicidal thoughts. It has also been terribly upsetting that the outsourcing has devastated families, with 26 per cent of workers having a relationship breakdown from the stress. Seventy-two per cent of the workers have struggled financially. Forty-one per cent have had to withdraw money from their superannuation just to pay their bills. The following quotes are from Qantas workers:

I had to live on noodles and sometimes no food at all just to keep the lights on and a roof over my head.

I'm ringing up companies for extensions on bills and doing jobs that I'm not happy with just to keep the roof over my family's head.

I couldn't pay my rent anymore and I had to move into a backpacker hostel for a while.

I've had to relocate to Melbourne away from my family. After being unemployed for almost 12 months, I'm now working 2 jobs to make some financial gain.

Qantas management need to have a hard look at themselves in the mirror. Alan Joyce is on the record disgracefully blaming our travelling residents for the chaos we have seen at airports, but it is the result of Qantas management's appalling decision-making. We have heard stories of horrendous safety issues, such as planes departing whilst locking pins were still in the landing gears; luggage has been badly damaged, including a child's wheelchair; belt loaders have crashed into planes, resulting in holes; and pilots have been given incorrect weight information.

Passengers have been stuck with lengthy waits and long queues and have had their baggage lost because there are not enough workers or because the work has been outsourced to foreign companies like Swissport. Incidents involving Swissport have included guns being left on carousels, vehicle collisions on the tarmac, cargo doors left open on planes, and undocumented dangerous goods have also been taken on planes. Aircraft is being damaged and staff are working whilst injured. Our residents and workers should not be paying the price for the actions of the reckless Qantas management. Alan Joyce must resign. It is time for the Qantas board to step up and ensure that the carrier embodies the "Spirit of Australia".

ANIMAL WELFARE

The Hon. EMMA HURST (22:25): Recently we have seen a push for cat containment laws in New South Wales. Laws of this kind seek to prohibit cats from roaming and make it lawful for cats found outdoors to be killed. Though presented as a measure in favour of animal protection, cat containment laws are deeply problematic and would mark a significant step backwards for animal welfare. The inevitable consequence of such laws is that any cat who is not contained can be collected by council, taken to the pound and if they are not collected or if their family cannot pay the relevant fine, they will be killed. That includes all homeless cats who have no family to collect them and also domestic cats who have escaped or are in situations where people cannot keep cats indoors because of personal situations or rental property laws.

The Animal Justice Party understands the motivation to keep companion cats indoors and agrees that this is a responsible way for anyone who has a companion cat to protect wildlife. However, legally prohibiting cats from roaming would have a devastating impact on companion cats, homeless cats, council staff and those tasked to kill the cats. Significantly, council pounds are already at full capacity in their efforts to reunite and rehome lost, abandoned and neglected animals. Cat containment laws would significantly increase the burden on councils, who

would then have to deal with much higher impoundment rates of cats simply because they were exercising a natural behaviour of roaming outdoors. Reuniting impounded domestic cats with their families may also prove challenging. In many cases, domestic cats are not microchipped and are mistaken for homeless cats. Mistaking companion cats for homeless cats is a frequent occurrence in New South Wales pounds, especially as cats can often become aggressive, withdrawn or fearful when caught.

From the perspective of anyone who has a companion cat, containment requirements can be distressing and, in some cases, simply infeasible. New South Wales rental laws still allow landlords to prevent renters from keeping companion cats in their homes. This is also particularly problematic in the domestic violence space, where people will remain in violent situations because of limited accommodation options that allow them to continue living with their animals. Lower income earners would also be disproportionately affected by cat containment laws, given the costs of desexing, registration and microchipping, as well as the cost of expensive catioes. In addition to the impact on vulnerable people and the shocking animal welfare considerations, cat containment would dramatically increase the financial and regulatory burden on councils and those tasked with killing the cats. Councils who have brought in mandatory cat containment laws have found a dramatic increase in cat-related complaints, impoundings and euthanasia.

At the same time, there is a vet shortage and many vets are refusing to work in pounds for mass euthanasia purposes. Without access to a barbiturate overdose, which can only be performed by a vet, the outcome is increased stress for council staff who will have to resort to shooting or poisoning the cats, both of which are considered highly inhumane killing methods. The good news is that there are better, readily available alternatives. It can cost up to \$1,500 per cat to impound and rehome, whereas desexing a cat and reducing the overall future cat population costs, on average, \$300. Targeted desexing programs in the Canterbury-Bankstown area have already seen a reduction in cat intake by 31 per cent in 12 months.

The Government needs to fund subsidised desexing, microchipping and registration programs to reduce the number of homeless cats and kittens being born in the community, alongside an education program on the importance of voluntary cat containment. The Animal Justice Party also encourages councils to support changing rental laws to become companion animal friendly. For too long this Government has failed to deal with the increasing number of homeless cats and failed to outlaw dodgy backyard breeders who ultimately contribute to the overwhelming number of cats in council facilities. The answer is not to allow these cats to be cruelly and undeservedly killed but rather to take evidence-based steps to address the root problems behind stray cat populations and the oversupply of companion cats. Cat containment laws will lead to animal cruelty, the accidental killing of domestic cats, and cause stress and strain on council staff. This State needs to invest in non-lethal, evidence-based alternatives that are kinder to animals and humans alike.

CENTRAL WEST CRICKET TEAM

The Hon. SCOTT BARRETT (22:30:14): I wish the Central West over-60s men's cricket team all the best in the State championships being played at Penrith this week. They have played two games so far and are still undefeated. They play the New England side tomorrow to determine who will win their pool. I wish them all the best.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The time for the adjournment debate has expired. The House now stands adjourned.

The House adjourned at 22:30 until Thursday 20 October 2022 at 10:00.