



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Tuesday, 8 November 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday, 8 November 2022

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

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

Bills

CHILDCARE AND ECONOMIC OPPORTUNITY FUND BILL 2022

CONFISCATION OF PROCEEDS OF CRIME LEGISLATION AMENDMENT BILL 2022

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

ELECTORAL LEGISLATION AMENDMENT BILL 2022

ELECTORAL LEGISLATION AMENDMENT BILL (NO 2) 2022

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

Assent

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

Announcements

SOUTH KOREA STAMPEDE

The PRESIDENT (14:33): I inform the House that, on behalf of members of the Legislative Council and the people of New South Wales, I have sent a message of condolence to Chairman Kim In-Ho, Seoul Metropolitan Council, in the Republic of Korea, a sister state of New South Wales, expressing sympathy on the tragic death of young people on the streets in Seoul.

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

INDIA BRIDGE COLLAPSE

The PRESIDENT (14:33): I inform the House that, on behalf of members of the New South Wales Parliament and the people of New South Wales, the Speaker and I have sent a message of condolence to the Consul-General of India in Sydney expressing sympathy on the tragic death of people in Gujarat, India, another sister state of New South Wales, who lost their lives in the recent bridge disaster.

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

SOLOMON ISLANDS TWINNING DELEGATION

The PRESIDENT (14:34): From 24 to 28 October 2022 I had the pleasure of leading a delegation from the New South Wales Parliament to the Solomon Islands. Honourable members will recall that the New South Wales Parliament is twinned with the National Parliament of the Solomon Islands under the auspices of the Commonwealth Parliamentary Association. The delegation included the Hon. Aileen MacDonald; the Hon. Rod Roberts; Ms Melanie Gibbons, the member for Holsworthy; and Mr Stephen Bali, the member for Blacktown. It travelled with the support of the Commonwealth Parliamentary Association New South Wales branch. As well as meeting with the Speaker, the Hon. John Pateson Oti, and the Clerk of the National Parliament, the delegation had a busy and productive program, including meetings with the Prime Minister, the Hon. Manasseh Sogavare; the Leader of the Opposition, the Hon. Matthew Wale; committee chairs; the Auditor General and other independent office holders, together with Transparency Solomon Islands.

The Australian High Commissioner, Dr Lachlan Strahan, and staff from the High Commission facilitated a full-day program visiting Australian-funded development projects. I thank the members of the delegation for their sincere interest in, and enthusiasm for, our twinning relationship with the National Parliament of the Solomon Islands. The delegation successfully conveyed our ongoing commitment to our twinned Parliament post-COVID and laid the groundwork for a range of ongoing future twinning events and exchanges. This will, of course, include

the upcoming parliamentary exchange for the twinning arrangements we see into the future. I also thank Ms Susan Want and Ms Jenelle Moore for their excellent organisation and attention to detail with this very successful visit.

Documents

ADVOCATE FOR CHILDREN AND YOUNG PEOPLE

Reports

The PRESIDENT: According to the Advocate for Children and Young People Act 2014, I table the annual report of the Advocate for Children and Young People for the year ended 30 June 2022, received out of session and published on Monday 24 October 2022.

LAW ENFORCEMENT CONDUCT COMMISSION

Reports

The PRESIDENT: According to the Annual Reports (Departments) Act 1985 and the Law Enforcement Conduct Commission Act 2016, I table the annual report of the Law Enforcement Conduct Commission for year ended 30 June 2022, received out of session and published on Tuesday 25 October 2022.

NSW OMBUDSMAN

Reports

The PRESIDENT: According to the Ombudsman Act 1974, I table the following reports of the NSW Ombudsman:

- (1) Report entitled *Formal Investigations - Summary Report 2021-2022: A summary of completed investigations under section 13 of the Ombudsman Act 1974 for the period from 1 October 2021 to 30 September 2022*, received out of session and published on Tuesday 25 October 2022.
- (2) Report for year ended 30 June 2022, received out of session and published on Tuesday 25 October 2022.

NSW CHILD DEATH REVIEW TEAM

Reports

The PRESIDENT: According to the Community Services (Complaints, Reviews and Monitoring) Act 1993, I table the annual report of the NSW Child Death Review Team for year ended 30 June 2022, received out of session and published on Tuesday 25 October 2022, together with an erratum received on Tuesday 1 November 2022.

NSW ELECTORAL COMMISSION

Reports

The PRESIDENT: According to the Electoral Funding Act 2018, I table the annual report of the NSW Electoral Commission for year ended 30 June 2022, received out of session and published on Monday 31 October 2022.

NSW AGEING AND DISABILITY COMMISSION

Reports

The PRESIDENT: According to the Ageing and Disability Commissioner Act 2019, I table the annual report of Official Community Visitors for year ended 30 June 2022, received out of session and published on Monday 31 October 2022.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The PRESIDENT: According to the Annual Reports (Departments) Act 1985, I table the annual report of the Independent Commission Against Corruption for the year ended 30 June 2022, received out of session and published on Monday 31 October 2022.

INFORMATION AND PRIVACY COMMISSION

Reports

The PRESIDENT: According to the Annual Reports (Departments) Act 1985, I table the annual report of the Information and Privacy Commission for the year ended 30 June 2022, received out of session and published on Monday 31 October 2022.

OFFICE OF THE CHILDREN'S GUARDIAN**Reports**

The PRESIDENT: According to the Children's Guardian Act 2019, I table the annual report of the Office of the Children's Guardian for year ended 30 June 2022, received out of session and published on Monday 31 October 2022.

MINISTER FOR HOSPITALITY AND RACING**Reports**

The PRESIDENT: According to the Liquor Act 2007, I table the following reports:

- (1) *Progress report on Parliamentary priorities required under section 163 of the Liquor Act 2007*, dated October 2022, received out of session and published on Monday 31 October 2022.
- (2) *Report pursuant to section 163A of the Liquor Act 2007 on the effectiveness of various amendments included in the Liquor Amendment (Night-time Economy) Act 2020 and its related legislation*, dated October 2022, received out of session and published on Monday 31 October 2022.

*Committees***PROCEDURE COMMITTEE****Reports**

The PRESIDENT (14:36): I table report No. 16 of the Procedure Committee entitled *Auslan interpretation for broadcasting*, dated November 2022, together with submissions, transcripts of evidence, tabled documents, answers to questions on notice and correspondence.

I am very pleased to present this report of the Procedure Committee on its inquiry into Auslan interpretation for broadcasting. This inquiry gave members of the Deaf community the opportunity to share with the Legislative Council their experiences of what it is like to engage in the political process in New South Wales. The focus of the inquiry was to consider potential measures that would enable deaf residents to more fully participate in the proceedings of the Legislative Council. To that end, the committee heard from members of the Deaf community, and representatives from a number of other parliamentary jurisdictions gave evidence on the steps they have taken to address the needs of their deaf constituents.

Based on the evidence received and recognising the particular obligations democratic institutions such as the Legislative Council have under the Convention on the Rights of Persons with Disabilities, the committee has developed a series of recommendations centred on a proposed pilot program. The pilot program will include the introduction of Auslan interpretation for the broadcasting of certain proceedings, including the Governor's speech at the opening of the new Parliament after the March 2023 election. It will also introduce a monthly Auslan video summary of key proceedings, which will be published on the website of the Legislative Council in consultation with the Deaf community.

In a first for the Legislative Council, a video summary of this report in Auslan will also be produced. Recognising this report constitutes a first step in what will be a staged process of improved access to the proceedings of the Legislative Council for the Deaf community. The committee looks forward to working with those who provided evidence, to evaluate the proposed pilot in the fifty-eighth Parliament with a view to developing future recommendations. I thank members of the Procedure Committee for the consideration of this report and the secretariat for managing this inquiry.

Ms ABIGAIL BOYD (14:38): I move:

That the House take note of the report.

When I first spoke to members of the Deaf and hard-of-hearing community about having proceedings in Parliament translated in real time into Auslan, it seemed like an immense task. The House seemed willing to embrace it but understood that it would be logistically incredibly difficult. I moved the motion for the inquiry to look into how we might make that happen. I have to say that the result has exceeded all my expectations. We are now moving to put Auslan interpretation in place for the first address next year and to pilot how we might do it more extensively in the future. To see that done so effectively is an absolute highlight of my time in Parliament. I give my particular thanks to the committee team for organising that groundbreaking first hearing, all of which was translated into Auslan. I thank you, Mr President, for your advocacy in this space and on disability rights. I am incredibly proud and pleased that we have got to this point.

Debate adjourned.

*Visitors***VISITORS**

The PRESIDENT: I welcome into my gallery Mr Glen Crump, Chair of the Moree Reconciliation Group and Deputy Chair of the Moree Aboriginal Education Consultative Group, who is here this afternoon as a guest of Ms Sue Higginson.

*Motions***RETIREMENT VILLAGES OMBUDSMAN**

Ms ABIGAIL BOYD (14:41): I move:

- (1) That this House notes that:
 - (a) retirement villages in New South Wales are home to more than 66,000 residents over 55 years of age across approximately 650 retirement villages in the State; and
 - (b) a 2017 joint investigation by the ABC and Fairfax Media exposed price gouging, misleading marketing, gratuitous fees and charges, and further dishonest business practices in the largest for-profit retirement village operators.
- (2) That this House further notes that:
 - (a) the Inquiry into the NSW Retirement Village Sector conducted by Kathryn Greiner, AO [the Greiner report] found that the operation of the retirement village sector could be improved in three key areas, including increasing the transparency of exit fees and contracts, clarifying the funding arrangements for ongoing maintenance costs which are shared between residents and operators, and providing more support for residents to pursue disputes with operators; and
 - (b) the retirement villages amendment bills of 2018 and 2020 and associated regulations, which sought to give effect to some of the recommendations of the Greiner report, have been welcomed by advocacy organisations such as the Retirement Villages Residents Association.
- (3) That this House notes the broad support among retirement village residents and operators outlined in the Greiner report for a retirement village ombudsman or similar dedicated retirement village dispute resolution body to assist consumers and operators in the sector through training, public education and complaint investigation, and further notes that:
 - (a) at most community forums conducted during the course of the Greiner report, the need for an ombudsman was raised;
 - (b) 40 submissions explicitly called for the establishment of an ombudsman;
 - (c) advocacy organisations the Retirement Village Residents Association and the Seniors Rights Service have advocated for a dedicated retirement village ombudsman;
 - (d) the Greiner report recommended that the services of Fair Trading be expanded to include training, public education and complaint investigation;
 - (e) while Fair Trading offers retirement village complaint and mediation services, which provide dispute resolution assistance, they have no enforcement powers and there is no obligation on retirement village operators to cooperate with these processes; and
 - (f) complaints investigation and enforceable orders must be sought via the NSW Civil and Administrative Tribunal [NCAT].
- (4) That this House further notes that the Retirement Village Residents Association maintains that the NCAT process remains overly burdensome on, and inequitable for, retirement village residents, because:
 - (a) the average retirement village resident is aged over 80 years old and, compared to the rest of the population, is relatively computer illiterate;
 - (b) retirement village residents typically do not have access to financial resources sufficient to enter NCAT proceedings as the vast majority of their financial assets are tied up in their retirement village property;
 - (c) retirement village operators typically have access to significant resources outside the reach of residents;
 - (d) in practice, section 45 of the Civil and Administrative Tribunal Act 2013 often results in retirement village residents pursuing their matter without representation while the village operator obtains legal representation; and
 - (e) as a result, matters between retirement village residents and village operators often represent an unfair and prejudicial balance of abilities and resources.
- (5) That this House supports ongoing calls from the Retirement Village Residents Association for an ombudsman-style service to be made available to retirement village residents which would provide enforceable complaints resolution, including through imposition and enforcement of orders for financial compensation or specific performance.
- (6) That this House requests the Minister for Fair Trading work with relevant stakeholders, including the Retirement Village Residents Association and industry bodies, to develop an ombudsman-style enforceable complaints resolution service to either replace, offer an alternative to, or follow a failure of the mediation services currently offered by Fair Trading.

Motion agreed to.

BARNARDOS AUSTRALIA DOMESTIC AND FAMILY VIOLENCE REPORT

Ms ABIGAIL BOYD (14:42): I move:

- (1) That this House notes that according to the report by Barnardos Australia published on 21 September 2022, entitled *Truth is, the abuse never stopped: Adult insights on the support they received when impacted by childhood domestic and family violence*:
 - (a) children are far too often not recognised as victims of domestic and family violence [DFV], despite the fact that exposure to DFV has serious and ongoing impacts on children;
 - (b) one child per fortnight is killed in Australia by a parent or step-parent, according to the 2016 Australian Bureau of Statistics Personal Safety Survey;
 - (c) 70 per cent of respondents did not know where to go for help as a child or young person when they were experiencing DFV;
 - (d) 63 per cent of respondents were afraid that telling someone about the DFV they were experiencing would make things worse;
 - (e) 42 per cent of respondents did not want to talk to anyone about the DFV they were experiencing;
 - (f) 95 per cent of respondents experienced two or more types of abuse in their home, and 79 per cent of respondents experienced three or more types of abuse, including verbal, physical, psychological, financial, sexual and religious abuse;
 - (g) although only one respondent used the words "coercive control", many of the experiences described by respondents were reflective of coercive and controlling behaviours perpetrated by parents or step-parents on children;
 - (h) while 66 per cent of respondents experienced DFV through most or all of their childhood, only 24 per cent of all respondents sought support from two to three sources throughout their childhood, and only 10 per cent of all respondents sought support from four or more sources;
 - (i) 71 per cent of respondents believed they did not receive assistance to talk to other people, including the authorities, about their experience;
 - (j) impacts of DFV on children and young people are devastating and long-lasting, including psychological distress, low self-esteem, difficulty trusting people, not feeling safe at home, disruptions to sleep, difficulty making friends, difficulty controlling their emotions, inability to attend school and more;
 - (k) there are evident gaps in current education and training around understandings of children as victims of DFV, the provision of services and professional support available and accessible to children experiencing DFV and the scope of current research and child-focused data; and
 - (l) there is an urgent need for a new approach to DFV which keeps the voices and experiences of children at the forefront.
- (2) That this House calls on the Government to consider in full the recommendations from the Barnardos Australia report and take direct action to protect children and young people from domestic and family violence and abuse, through increased funding for frontline support services, specialised support for children experiencing DFV, robust policy, targeted community-wide and age-appropriate education and cross-sector collaboration.

Motion agreed to.

CHILDREN'S WEEK

Ms ABIGAIL BOYD (14:42): I seek leave to amend private members' business item No. 2032 standing in my name on the *Notice Paper* by omitting in paragraph (2) "to commit to" and inserting instead "to continue their commitment to".

Leave granted.

Ms ABIGAIL BOYD: Accordingly, I move:

- (1) That this House notes that:
 - (a) 22 October to 30 October 2022 is Children's Week, which celebrates children and their rights, talents, diverse voices and valuable contributions to society;
 - (b) according to Article 27 of the United Nations Convention on the Rights of the Child, which this year's theme for Children's Week is based upon, all children have the right to a standard of living that supports their wellbeing and healthy development; and
 - (c) according to the United Nations International Children's Emergency Fund [UNICEF] Australia in a report entitled *Children's Voices in a Changing World* published in 2021:
 - (i) governments, leaders, policymakers and all levels of society have a responsibility to take bold action to ensure a clean, safe, equitable, accessible and sustainable future;
 - (ii) young people overwhelmingly want action today to safeguard the world they will inherit, and see themselves as also having a responsibility to protect the world for future generations beyond them;

- (iii) the majority of children and young people believe the greatest threat to the future wellbeing and livelihood of children and young people in Australia is climate change, and believe that other major threats include unemployment and limited job prospects in the future, the economy, poor educational outcomes, poverty, discrimination including racism, domestic and family violence, homelessness and the continuing disadvantage and lack of historical recognition of First Nations populations; and
 - (iv) almost all of the children and young people surveyed by UNICEF Australia were politically engaged, keyed into social movements and ready to be part of the solution, but they also worry that our current leaders are not taking strong enough action today.
- (2) That this House calls on the Government and all members of Parliament to continue their commitment to supporting children and young people in our communities by taking strong action to build a safe and equitable future.

Motion agreed to.

NSW ELECTORAL COMMISSION

Ms ABIGAIL BOYD (14:43): I move:

- (1) That this House notes that according to evidence given by the NSW Electoral Commissioner at a budget estimates hearing on 7 September 2022:
- (a) the Victorian Electoral Commission has 11 full-time staff as well as an additional 75 part-time democracy ambassadors in the community fulfilling the democratic functions of the commission;
 - (b) the NSW Electoral Commission has a significantly reduced resourcing capacity of only one staff who is funded on an ongoing basis for all work with Aboriginal, cultural and linguistically diverse, people with disability and other vulnerable people in the community; and
 - (c) the NSW Electoral Commission is unable to adequately engage with interest groups and special needs groups within the community because they are not funded to do so.
- (2) That this House affirms that the NSW Electoral Commission plays a key role in the state of democracy in New South Wales, and that engagement with vulnerable individuals, marginalised individuals and/or individuals who experience disproportionate barriers to voting (including people with disability, First Nations people and culturally and linguistically diverse people) is fundamental to a well-functioning democracy.
- (3) That this House calls on the Government to commit to fully fund the NSW Electoral Commission in order for it to fulfill its essential functions and adequately engage with vulnerable members of the community.

Motion agreed to.

MENTAL HEALTH AND TRAUMA AWARENESS

Ms SUE HIGGINSON (14:43): I move:

- (1) That this House notes that this month Indigenous Community Engagement Officer, Glen Robert Crump, completed his Graduate Certificate in Indigenous Trauma and Recovery Practice, at the University of Wollongong.
- (2) That this House acknowledges that:
- (a) problems with mental health can affect anyone;
 - (b) mental health education is vital to healing society as a whole;
 - (c) working in trauma recovery takes an emotional toll on an individual; and
 - (d) in the words of Mr Crump, "Trauma does not discriminate. It affects the best of us. It doesn't matter the colour of your skin, age, or sexuality. Trauma can trigger us and affect us when we are least expecting it to."
- (3) That this House commends Mr Crump's dedication to:
- (a) completing his certificate, in an effort to understand his own experiences, and with the intention to use it to encourage more Aboriginal men to speak out about traumatic experiences from their past;
 - (b) his local community through his on-ground flood recovery efforts in northern New South Wales this year, while also completing his certificate; and
 - (c) his own healing, and the healing of his community.

Motion agreed to.

BLUE MOUNTAINS BUSH FIRE RESILIENCE PROJECT

The Hon. SHAYNE MALLARD (14:44): I move:

- (1) That this House notes that:
- (a) on Thursday 6 October 2022, the Blue Mountains Bush Fire Resilience project, a community-based bushfire resilience website, was launched at the Blue Mountains Community Hub in Springwood;
 - (b) the project is designed to ensure the whole community has the information they need to prepare, respond to and recover from a bushfire at one location;

- (c) the project was supported by the Australian and New South Wales governments under the Bushfire Local Economic Recovery Fund;
 - (d) this is one part of the \$9.87 million that has been invested in the Blue Mountains through the Bushfire Local Economic Recovery Fund;
 - (e) the investment comes on top of the \$19 million provided through other sources of bushfire recovery funding, including the Bushfire Community Recovery and Resilience Fund and the NSW Bushfire Clean-Up Program; and
 - (f) the launch was attended by Parliamentary Secretary for Western Sydney the Hon. Shayne Mallard, Federal member for Macquarie Susan Templeman, Springwood Neighbourhood Centre Co-operative chairperson Jo Rigby, SNCC CEO Toni Quigley and SNCC Project Leader Katherine Starr.
- (2) That this House congratulates the Springwood Neighbourhood Centre Co-operative for the creation of this website and their demonstration of community bushfire preparedness.

Motion agreed to.

Committees

STANDING COMMITTEE ON SOCIAL ISSUES

Government Response

The Hon. DAMIEN TUDEHOPE: I table the Government response to report No. 62 of the Standing Committee on Social Issues entitled *Crimes Legislation Amendment (Coercive Control) Bill 2022*, received out of session on 4 November 2022.

Documents

TABLING OF PAPERS

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

- (1) Report of the NSW Rural Fire Service entitled *Fire Season Outlook 2022-23*, dated September 2022.

Committees

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. SCOTT BARRETT: I table a report of the Legislation Review Committee entitled *Legislation Review Digest No. 50/57*, dated 8 November 2022.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. SCOTT FARLOW: I table report No. 67 of the Selection of Bills Committee, dated 8 November 2022.

According to standing order, I move:

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

- (a) Crimes Amendment (Protection of Criminal Defence Lawyers) Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (b) District Court Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (c) Fisheries Management Amendment (Enforcement Powers) Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (d) Government Sector Employment Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (e) Medicines, Poisons and Therapeutic Goods Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (f) Motor Accident Injuries Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (g) Personal Injury Commission Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (h) Registered Clubs Amendment Bill 2022 (not yet accompanied by a Statement of Public Interest);
- (i) Local Land Services Amendment (Private Native Forestry) Bill 2022;
- (j) Weapons Prohibition Amendment (Silencers) Bill 2022;
- (k) ICAC and Other Independent Commissions Legislation Amendment (Independent Funding) Bill 2022; and
- (l) Water Management Amendment (Water Access Licence Register) Bill 2022.

Motion agreed to.**COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION****Reports**

The Hon. MARK PEARSON: I table report No. 3/57 of the Committee on the Health Care Complaints Commission entitled *Review of the Health Care Complaints Commission 2020-21 Annual Report*, dated November 2022.

The Hon. MARK PEARSON (14:47): I move:

That the House take note of the report.

Debate adjourned.**SELECT COMMITTEE ON THE IMPACT OF TECHNOLOGICAL AND OTHER CHANGE ON THE FUTURE OF WORK AND WORKERS IN NEW SOUTH WALES****Reports**

The Hon. DANIEL MOOKHEY: I table report No. 2 of the select committee entitled *Impact of technological and other change on the future of work and workers in New South Wales: Final report - Workplace surveillance and automation*, dated November 2022, together with transcripts of evidence, submissions, tabled documents, answers to questions on notice and supplementary questions, a discussion paper, legal advice and correspondence relating to the inquiry.

The Hon. DANIEL MOOKHEY (14:47): I move:

That the House take note of the report.

Workplaces today are vastly different to what they once were. Technological advancement, the emergence of new industries and pandemic-led changes to the way in which we work are just some of the developments that workers, employers and governments are grappling with. This inquiry has been wideranging, involving nine public hearings and 53 submissions. While our first report, released in March, focused on the gig economy, this second and final report outlines the extensive evidence that the committee received about surveillance and automation occurring in workplaces across the State. The evidence provided a compelling account that proactive, deliberate and creative interventions are required to better shape the future of work in New South Wales.

The committee heard that technological advancement is rapidly expanding workplace surveillance and the automation of work, with the latter bringing job loss and job change. Employers, motivated by bottom lines, are unchecked and unchallenged in their use of these tools, reaping the benefits that flow. Employees, stressed by constant monitoring, lack adequate protections, are sidelined in the process and do not share in all the benefits. Meanwhile, the Government is lagging behind with outdated or non-existent laws that have not ensured adequate worker safety, privacy and protection, doing little to plan for the future of work. Evidence to the inquiry makes it clear that we cannot leave the fate of our workplaces and, indeed, the labour market in the hands of just tech companies; it is for us to shape. The social and economic prosperity of our society rests on it.

The report sets out 13 recommendations aimed at improving the way in which surveillance is undertaken in workplaces and how automation can be better managed. The committee recommends updating workplace surveillance laws, including to improve protection for workers and to require their involvement in the process, as well as the right to access a share in the benefits that flow. We provide detailed guidance on what these legislative updates should include and best practice guidance on implementing automation in workplaces. It includes regulating the allocation of work via technology, ensuring funded and accessible training for workers impacted by automation and developing a strategy for managing technological advancements in public sector agencies.

The committee acknowledges that solutions to the problems presented during the inquiry are not straightforward. However, we are hopeful that, with the adoption of the recommendations in this report, we can achieve what many stakeholders are seeking, which is to have some control over our future—a future where technological advancements accord with our values, where our laws protect and support workers, and where businesses, employees and society thrive on the purposeful interventions we adopt today.

Participants in the inquiry provided cogent and extensive insight into the impact of technology in workplaces. Their experiences and expertise were invaluable in shaping recommendations for reform. I take this opportunity to thank many of the people who participated. It is fair to say that it was the Hon. Adam Searle who drove a lot of the committee's thinking and ensured that this report was considered. A lot of credit is due to him, as well as to the Hon. Greg Donnelly and the other members. Many Government members participated in the inquiry, and thank them all as well.

To be very clear, this is the second report that the select committee has issued. Members will recall that we set the committee up just before the House had to adjourn for lockdown. It was one of the last items of business we conducted, and it is fair to say that the work that we have done in both the gig economy and automation has been impactful. Finally, I thank the secretariat, especially Merrin Thompson and Helen Hong, for the very extensive work that they have done to support the inquiry throughout its stages. Select committees are select for a reason, and we have been ably assisted by some very hardworking members of the secretariat. I know all members of the House are always in their debt, but those who participated in this inquiry are especially.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Reports

The Hon. MARK LATHAM: I table report No. 48 of Portfolio Committee No. 3 - Education entitled *Great teachers, great schools: Lifting the status of teaching, teacher quality and teacher numbers in New South Wales - Report of the inquiry into teacher shortages in New South Wales*, dated November 2022, together with transcripts of evidence, submissions, tabled documents, answers to questions on notice and supplementary questions, individual responses to an online questionnaire, online questionnaire summary report, and correspondence.

The Hon. MARK LATHAM (14:52): I move:

That the House take note of the report.

The report entitled *Great teachers, great schools: Lifting the status of teaching, teacher quality and teacher numbers in New South Wales - Report of the inquiry into teacher shortages in New South Wales* addresses a crucial issue for the future of our schools and our State. We know there have been teacher shortages, but there is also a long-term issue regarding how we lift the status of teaching, teacher supply and teacher quality. It has often been remarked on in this Chamber that New South Wales has had the fastest falling school academic results in the world—not just in Australia, but in the world—over the past 20 years. The only conclusion we can reach is that it is a direct product of two factors: the failure of government policy—particularly the disaster of Local Schools, Local Decisions—and some issues about teachers failing to follow the evidence base of what works in the classroom.

If the students have not learned, the teachers have not taught. We have many wonderful teachers in schools in this State, but we also have too many that are failing and have deviated from the evidence base. In some places the teaching profession is not up to scratch. For example, I have sat in classrooms at Fairvale High School and the Balgowlah Boys campus and been inspired by the quality of the explicit instruction, with teachers—trained professionals—sticking to the evidence base of what works in the classroom. This report is to ensure that that happens in every classroom. How do we do that? We need a situation in New South Wales where talented school leavers look at teaching as a high-quality, rewarding, satisfying profession, no different to medicine, science, engineering or IT. We have not got that at the moment. The pay levels and rewards have been held back, and the conditions and some of the trade-offs have gone way too soft. We need a profession that reaches the modern standard of transparency, accountability, reward for effort and remuneration. The recommendations in the report go down that path.

It is not about left versus right, and it is not about the Government versus the Opposition or the crossbench. The report follows the evidence for what we could do to ensure that teaching in our State is highly valued and that its status is second to none. As those high-quality people come through the system, adhering to the evidence base of explicit instruction and phonics literacy in particular, we could guarantee the parents and students of this State high quality in every classroom and regain our status as a jurisdiction that has the best schools in the world, not the fastest failing or with the fastest falling standards. I hope the report is taken seriously by the Government in its next term of power, if it gets one, or by the new mob if it comes in. There is a treasure-trove of recommendations, ideas and positive suggestions for high-quality school education in New South Wales, along with all of the other work that we have done.

Our committee has the odd difference of opinion from time to time but, by and large, we are all dedicated to the thing that matters more than anything else in this State: If you are a disadvantaged child growing up in a disadvantaged area, your local government school will lift you out and up, and keep you there. We are dedicated to that proposition and the work that we have done across the board in school measurement and performance, curriculum, parental rights and other areas, including teacher quality and teacher shortages. As a former member of the committee, the President knows that there is a compendium of information and recommendations in the report that will hopefully be used well by this Parliament and the State in years to come.

I thank each of the committee members, most of whom are in the Chamber—Deputy Chair the Hon. Wes Fang, the Hon. Scott Farlow, the Hon. Aileen MacDonald, the Hon. Courtney Houssos, the Hon. Anthony D'Adam and Ms Abigail Boyd—and the secretariat for the work it has done. I thank all of the teachers and well-intentioned educators who made submissions and responded to the questionnaire. It has come up well, and we are proud of our work. I hope it carries New South Wales to a better future.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT

Reports

Ms SUE HIGGINSON (14:56): I table report No. 15 of Portfolio Committee No. 7 – Planning and Environment entitled *Aboriginal Cultural Heritage (Culture is Identity) Bill 2022*, dated November 2022, together with submissions, responses to an online questionnaire, summary report of the online questionnaire, transcripts of evidence, tabled documents, answers to questions on notice, and correspondence relating to the inquiry.

I acknowledge the stakeholders in the public gallery today.

PORTFOLIO COMMITTEE NO. 2 - HEALTH

Reports

The CLERK: According to standing order, I announce receipt of report No. 59 of Portfolio Committee No. 2 – Health entitled *Use of primates and other animals in medical research in New South Wales*, dated October 2022, together with submissions, transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry, received out of session on Friday 21 October 2022.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Reports

The CLERK: According to standing order, I announce receipt of report No. 5/57 of the Committee on Children and Young People entitled *2022 Review of the annual reports and other matters of the Office of the Advocate for Children and Young People and the Office of the Children's Guardian*, dated October 2022, received out of session on Tuesday 25 October 2022.

The Hon. CHRIS RATH (14:59): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 3 - EDUCATION

Reports

The CLERK: According to standing order, I announce receipt of report No. 47 of Portfolio Committee No. 3 – Education entitled *Building better schools: Improvements to NSW school infrastructure – Report of the inquiry into the planning and delivery of school infrastructure in New South Wales*, dated October 2022, together with submissions, transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry, received out of session on Wednesday 26 October 2022.

The Hon. MARK LATHAM (15:00): I move:

That the House take note of the report.

This is another very good report that goes to the crucial issue of school infrastructure. The Hon. Courtney Houssos drove this on, along with her colleagues on the committee. The committee has produced very useful recommendations about providing better, more timely infrastructure in consultation with parents—upgrading their role. While from time to time it might be thought that I am a critic of the Department of Education, I give credit to Anthony Manning, who is one of the better officials. He is very responsive to our committee. We solved a whole series of local issues following our inspections. It is good for a committee to see its direct impact and results. To do that was very gratifying. I thank Mr Manning and all of the participants in the inquiry.

Debate adjourned.

SELECT COMMITTEE ON THE CONDUCT OF ELECTIONS IN NEW SOUTH WALES**Reports**

The CLERK: According to standing order, I announce receipt of report No. 1 of the Select Committee on the Conduct of Elections in New South Wales entitled *Conduct of elections in New South Wales*, dated October 2022, together with submissions and correspondence relating to the inquiry, received out of session on Friday 28 October 2022.

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

The CLERK: According to standing order, I announce receipt of report No. 59 of Portfolio Committee No. 1 – Premier and Finance entitled *Property Tax (First Home Buyer Choice) Bill 2022*, dated November 2022, together with submissions, transcripts of evidence, and correspondence relating to the inquiry, received out of session on Friday 4 November 2022.

*Bills***PROPERTY TAX (FIRST HOME BUYER CHOICE) BILL 2022****First Reading**

According to the resolution of the House of 18 October 2022, bill read a first time and ordered to be printed on motion by the Hon. Damien Tudehope.

The Hon. DAMIEN TUDEHOPE: Although totally unrequired because the public importance of the bill is entirely self-evident, I table a statement of public interest in relation to the bill.

The Hon. Daniel Mookhey: Maintain the rage.

The Hon. Penny Sharpe: It is a bit sad that the Minister is so grumpy about it—they are good.

The Hon. John Graham: One page.

The Hon. Sarah Mitchell: You don't have to say a lot to have an impact. You should think about that.

The Hon. John Graham: It was single-sided.

The Hon. Sarah Mitchell: Sometimes being concise is a good thing.

Statement of public interest tabled.

The Hon. DAMIEN TUDEHOPE: I move:

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

Motion agreed to.

The Hon. DAMIEN TUDEHOPE: I move:

That the second reading of the bill stand as an order of the day for a later hour.

Motion agreed to.

*Committees***STANDING COMMITTEE ON SOCIAL ISSUES****Reports**

The CLERK: According to standing order, I announce receipt of report No. 62 of the Standing Committee on Social Issues entitled *Crimes Legislation Amendment (Coercive Control) Bill 2022*, dated November 2022, together with submissions, transcripts of evidence, tabled documents, and correspondence relating to the inquiry, received out of session on Friday 4 November 2022.

*Bills***CRIMES LEGISLATION AMENDMENT (COERCIVE CONTROL) BILL 2022****First Reading**

According to the resolution of the House of 18 October 2022, bill read a first time and ordered to be printed on motion by the Hon. Natalie Ward.

The Hon. NATALIE WARD: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

The Hon. NATALIE WARD: I move:

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

Motion agreed to.

The Hon. NATALIE WARD: I move:

That the second reading of the bill stand as an order of the day for a later hour.

Motion agreed to.

Committees

PORTFOLIO COMMITTEE NO. 4 - CUSTOMER SERVICE AND NATURAL RESOURCES

Reports

The CLERK: According to standing order, I announce receipt of report No. 55 of Portfolio Committee No. 4 Customer Service and Natural Resources entitled *Commencement of the Fisheries Management Amendment Act 2009*, dated November 2022, together with submissions, transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence, received out of session on Monday 7 November 2022.

The Hon. MARK BANASIAK (15:05): I move:

That the House take note of the report.

This report relates to an issue that has existed for 13 years. Members will remember that 13 years ago this House passed a bill that inserted section 21AA into the Fisheries Management Act 2009. The Government and the department have failed to uphold the will of this House. Every member should be concerned about that. During the inquiry, we heard that for five years essentially nothing was done to progress the commencement and the proper enforcement of that amendment. That is deeply disturbing because it caused unnecessary harm by forcing Aboriginal peoples into a system that many of them struggled to get out of, and prosecuted them for a cultural pursuit. It also created unnecessary angst and conflict within all sections of the fishing community, whether it be recreational, commercial or cultural fishers. It created angst where there did not need to be angst. If section 21AA had been commenced and properly regulated, and if proper local management plans had been implemented, this matter would not be before the House and those people would not have been prosecuted unnecessarily. It would have been managed in a sensitive way that recognised the concerns and needs of all stakeholders.

Through its inquiry, the committee found that in the past 13 years the Government was able to progress only one local management plan. Even though the local community was happy with the consultation, it was not happy with the end result because the local management plan dealt with only one side of the river, not the other side. It is phenomenal that it could take 13 years for the Government and the department to uphold the will of this House and commence section 21AA. The report contains quite a few recommendations that address the culture of the department in working with Aboriginal peoples and the community in general. One of the flashpoints is that the department has been unable to distinguish the line between cultural fishing, including the recognition that part of that is sharing and bartering with kin, and taking fish for the purpose of commercial sale, whether on the black market or not. The department's inability to distinguish between those two things has always been the flashpoint. That is where it needs to do the most work—in reaching a resolution on that point—because that is where things are going drastically wrong.

I thank all the members of the committee: the Hon. Emma Hurst, the Hon. Scott Barrett, the Hon. Peter Poulos, the Hon. Taylor Martin, the Hon. Peter Primrose and, in particular, the Hon. Mick Veitch, who has been a passionate advocate for this issue, just as I have been, and has pushed just as hard as I did for the inquiry to take place. When I was unavailable, he took on the role of Acting Chair and did so quite well, particularly with those roundtable meetings on the South Coast. I thank him for that. I am just disappointed because he probably will not be around to see this finally put to rest.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT**Government Response**

The CLERK: According to standing order, I table the Government response to report No. 16 of Portfolio Committee No. 6 - Transport entitled *Road Tolling Regimes*, tabled on 9 August 2022, received out of session and published on Friday 28 October 2022.

SELECT COMMITTEE ON THE CORONIAL JURISDICTION IN NEW SOUTH WALES**Government Response**

The CLERK: I table the Government response to report No. 1 of the Select Committee on the Coronial Jurisdiction in New South Wales, entitled *Coronial jurisdiction in New South Wales*, tabled on 29 April 2022, received out of session and published on Monday 31 October 2022.

The Hon. ADAM SEARLE (15:10): I move:

That the House take note of the Government response.

Debate adjourned.

*Documents***COMMISSIONER OF POLICE****Correspondence**

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table correspondence relating to an order for papers regarding the briefing for the Commissioner of Police, received on Wednesday 26 October 2022 from the Secretary of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution.

POLICE STATIONS**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table documents relating to an order for papers regarding police station upgrades, received on Wednesday 26 October 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

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

Return to Order

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table additional documents relating to an order for papers regarding police station upgrades, received on Wednesday 2 November 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

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

BARANGAROO INDIGENOUS CULTURAL CENTRE**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table documents relating to an order for papers regarding the Barangaroo Indigenous Cultural Centre, received on Thursday 27 October 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

The CLERK: I table a return identifying those of the documents dated Thursday 27 October 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

WESTERN SYDNEY AEROTROPOLIS PRECINCT PLAN**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table documents relating to an order for papers regarding the Western Sydney Aerotropolis Precinct Plan, received on Thursday 27 October 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

NIGEL FARAGE SPEAKING EVENT**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 21 September 2022, I table documents relating to an order for papers regarding the Nigel Farage speaking event, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

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

BRUMBIES IN KOSCIUSZKO NATIONAL PARK**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table documents relating to an order for papers regarding brumby shooting in Kosciuszko National Park, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of documents.

Claim of Privilege

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

MINISTERIAL CODE OF CONDUCT**Claim of Privilege**

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table a return identifying those of the documents received on Wednesday 2 November 2022 that are claimed to be privileged and should not be tabled or made public. I advise that pursuant to standing orders the documents are available for inspection by members of the Legislative Council only.

GREYHOUND RACING NSW**Correspondence**

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table correspondence relating to an order for papers regarding Greyhound Racing NSW, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution.

GOVERNMENT ASSET SALES**Correspondence**

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table correspondence relating to an order for papers regarding the sale of government assets, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, stating that the relevant departments hold no documents covered by the terms of the resolution.

Correspondence

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table correspondence relating to an order for papers regarding the sale of government assets, received on Friday 4 November 2022 from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, stating that the Minister for Regional Transport and Roads, and Sydney Metro hold no documents covered by the terms of the resolution.

WARRAGAMBA DAM WALL

Return to Order

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table documents relating to an order for papers regarding the Warragamba Dam critical State-significant infrastructure declaration, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

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

MOBILE PHONES AND SCHOOLS

Return to Order

The CLERK: According to the resolution of the House of Wednesday 12 October 2022, I table documents relating to an order for papers regarding the banning of mobile phones in New South Wales schools, received on Wednesday 2 November 2022 from the Secretary of the Department of Premier and Cabinet, together with an indexed list of the documents.

Claim of Privilege

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

CENTRAL BARANGAROO

Report of Independent Legal Arbiter

The CLERK: I announce receipt of a report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 24 October 2022, on the disputed claim of privilege on documents relating to Central Barangaroo. The report is available for inspection by members of the Legislative Council only.

SENIOR TRADE AND INVESTMENT COMMISSIONERS

Report of Independent Legal Arbiter

The CLERK: I announce receipt of a report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 31 October 2022, on the disputed claim of privilege on documents relating to the appointment of Senior Trade and Investment Commissioner. The report is available for inspection by members of the Legislative Council only.

SAFEWORK NSW

TRANSPORT ASSET HOLDING ENTITY OF NEW SOUTH WALES

INSURANCE AND CARE NSW

Variation of Order

The PRESIDENT: I inform the House that the Clerk has received correspondence from the Deputy Secretary, General Counsel of the Department of Premier and Cabinet, dated 21 October 2022 and 27 October 2022, containing three requests, according to standing order, for variations to orders for papers. I inform the House that, in relation to the following order, the relevant member who moved the motion has not agreed to vary the order as requested by the Department of Premier and Cabinet to extend the due date to 23 November 2023, but has agreed to the following variations:

- (1) SafeWork NSW, that redactions may be applied for any photographs that depict deceased and/or severely injured people.

I further inform the House that, in relation to the following orders, the relevant members who moved the motions have not agreed to the following requests from the Department of Premier and Cabinet:

- (1) Transport Asset Holding Entity of NSW - Further order (19 October 2022), that the due date be Wednesday 30 November 2022.
- (2) Administration of Insurance and Care NSW (iCare) - Further order (19 October 2022), that the due date be Wednesday 30 November 2022.

The question is that the varied terms of the order regarding SafeWork NSW be agreed to.

Motion agreed to.

Petitions

RESPONSES TO PETITIONS

The CLERK: According to standing order, I announce receipt of the following response to a petition signed by 500 or more persons:

- (1) Response to a petition presented by the Hon. Mark Pearson on 21 September 2022 concerning a phase-out of mulesing, received out of session and published on 31 October 2022.

Bills

ABORIGINAL LAND RIGHTS AMENDMENT BILL 2022

First Reading

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

The Hon. BEN FRANKLIN: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

The Hon. BEN FRANKLIN: According to sessional order, I declare the bill to be an urgent bill.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

Second Reading Speech

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (15:49): I move:

That this bill be now read a second time.

It is appropriate that I commence my contribution by acknowledging the traditional custodians of the land upon which we meet, the Gadigal people. I pay my respect to Elders past and present, and also take this opportunity to pay my respects to all Aboriginal Elders of New South Wales for their enduring custodianship, care and respect for the lands and the waters of our wonderful State. I acknowledge any Aboriginal people in the Chamber today and also any who are with us in the parliamentary precinct, of which I know there are a number. The Aboriginal Land Rights Amendment Bill 2022 is a continuation of the significant work of my predecessor, Don Harwin, in his capacity as the former Minister for Aboriginal Affairs, specifically his work in 2021, which saw the completion of a five-yearly statutory review of the Aboriginal Land Rights Act 1983, known as ALRA.

The recommendations of the review identified immediate and long-term work involving a three-stage process. Stage one related to administrative arrangements to the Aboriginal Land Rights Act to support existing structures and provisions to improve the operation of the Act and of Aboriginal land councils. Stage two related to comprehensive consultation on proposals to consider ways for Aboriginal land councils to undertake land dealings on lands subject to native title—and, if required, further amendments of the Aboriginal Land Rights Act may proceed. Stage three related to consideration of major policy reforms of the Aboriginal Land Rights Act, specifically ways to improve the intersection of the Act with other legislative frameworks and government administrative processes such as Crown land management and urban and regional planning. The bill enacts the first stage of the recommendations of the ALRA review, with stages two and three to be considered in the next Parliament.

Before I turn to the specific contents of the Aboriginal Land Rights Amendment Bill 2022, I speak briefly to the work being done to progress stages two and three. In relation to stage two, I can advise that the consultation process has been independently designed by KPMG Aboriginal consultants and is currently underway to consider ways to improve Aboriginal land council dealings with land holdings subject to native title. The outcomes of this

consultation process may lead to further amendments to the Aboriginal Land Rights Act. I will update the House when the outcomes of the consultation are known and a path forward is determined.

In relation to stage three, specifically to establish more power and authority of local Aboriginal land councils and to better intersect the Act with other legislative frameworks, I can advise the House that some preliminary discussions with key stakeholders and principal government agencies have been undertaken. I have instructed my department to identify the right government agencies and community players best placed to consider and advise the Government on how the Crown estate and government processes can better align with the objects of the Aboriginal Land Rights Act. The intent of the proposed reform agenda sets to deliver more tangible outcomes regarding expanded land use and economic development opportunities from the Aboriginal Land Rights Act, thereby improving the lives of Aboriginal people throughout the State.

The three-stage approach to implementing the recommendations of the review is best done sequentially, and today is the start of that process. When all three stages are finalised, the implemented recommendations of the 2021 statutory review of the Aboriginal Land Rights Act will culminate in a range of changes that will improve the administration of local Aboriginal land councils and see the Act integrated into the workings of the State and land management throughout New South Wales.

Today we are addressing the stage one reforms: changes to make improvements in the operation of the Aboriginal Land Rights Act. These changes specifically seek to make improvements to better assist and support frontline and end users of the Aboriginal Land Rights Act, including the 120 local Aboriginal land councils constituted throughout the State, the NSW Aboriginal Land Council and the registrar of the Act. Furthermore, the proposed amendments are set to strengthen the performance of local Aboriginal land councils and build confidence in the land rights network for a range of organisations that do business with local Aboriginal land councils, including local governments, New South Wales government agencies and the private sector.

I now address the specifics of the bill in detail. The proposed changes are grouped thematically with respect to their purpose as presented in each schedule to the bill. These are amendments related to land dealings and community benefits in schedule 1; amendments related to office holders in schedule 2; amendments related to conduct and disciplinary matters in schedule 3; a range of miscellaneous amendments in schedule 4; and amendments related to savings and transitional provisions in schedule 5. Starting with schedule 1, it is proposed to broaden the power of local Aboriginal land councils to purchase land to up to 15 per cent above the assessed market value of the land. This will enable local Aboriginal land councils to purchase property independently and at a price that they have determined feasible, including above current market value.

The bill also proposes an amendment to confirm the power of the NSW Aboriginal Land Council to amend its approval of land dealings by local Aboriginal land councils, but only if the land dealing has not been completed and the instruments giving effect to the land dealing have not been registered under the Real Property Act 1900 or the Conveyancing Act 1919. This amendment recognises the need for flexibility and agility in the administration of land dealing approvals. Further amendments in the bill confirm that the amount of community development levy paid by a local Aboriginal land council to the Chief Commissioner of State Revenue, and by the chief commissioner to the NSW Aboriginal Land Council, in relation to a land dealing may be refunded to the local Aboriginal land council concerned if the transaction is cancelled.

The amendment also confirms that the NSW Aboriginal Land Council may refund to itself the amount it contributed to the NSW Aboriginal Land Council Community Fund in relation to a cancelled transaction. Amendments covering the strategic planning of the NSW Aboriginal Land Council remove the prescribed processes for consideration of the Community Land and Business Plan by the NSW Aboriginal Land Council to cut unnecessary and burdensome red tape.

I now turn to matters relating to office holders, as listed in schedule 2 to the bill. Some proposals are required to update the land rights Act so that the administrative processes and requirements of local Aboriginal land councils are consistent with other comparable legislative frameworks operating in New South Wales, especially where provisions unfairly impose a greater regulatory burden. The key amendments proposed are as follows. First, persons are currently disqualified from holding office in a local Aboriginal land council or the NSW Aboriginal Land Council if they have been convicted of any offence that carries a penalty of 12 months' imprisonment or more. This ground for disqualification from office is more stringent than the equivalent ground applicable to local government councillors under the Local Government Act. This is obviously unacceptable and inequitable and needs to be amended.

As I have said, currently a person cannot be an Aboriginal land council officer if they have been convicted of any offence that carries a penalty of 12 months' imprisonment or more. This is a broad group of offences, including driving while disqualified. The proposed amendment will mean that officers of Aboriginal land councils

will be disqualified for convictions for offences punishable by five years, which is better aligned with the standard applicable to local government councillors.

Another provision of the bill clarifies that a person is disqualified from holding office as a board member of an Aboriginal land council if the person is or was concerned in the management of a body corporate that is the subject of a winding up order, or for which a controller or administrator has been appointed under either the Corporations Act 2001 or the Commonwealth Corporations (Aboriginal and Torres Strait Islander) Act 2006 within the past three years, other than a special administrator. In a similar vein, the bill sets to confirm operation of the land rights Act to ensure disqualification of persons in office of local Aboriginal land councils that were responsible for the local Aboriginal land council's failing and requiring the appointment of an administrator to repair corporate governance and compliance. Specifically, this bill proposes an amendment to clarify that disqualification of office holders who held office prior to the appointment of an administrator to the local Aboriginal land council applies to persons who held office for two years before the appointment of the administrator.

The corruption of corporate governance is a serious matter in all settings, of which local Aboriginal land councils must be vigilant to ensure the integrity of the land rights Act is protected and maintained. In its submission to the 2021 statutory review of the Aboriginal Land Rights Act, the Independent Commission Against Corruption specifically requested a disqualification provision in relation to persons who have been subject to a finding of serious corrupt conduct. I am keen to make clear that the Government treats the advice of the Independent Commission Against Corruption with the gravity it deserves. The bill includes a new provision to disqualify persons holding office in local Aboriginal land councils or the NSW Aboriginal Land Council if they have been found to have engaged in serious corrupt conduct by the ICAC.

The statutory review of the Aboriginal Land Rights Act also identified some changes to allow more flexibility in the workforce of the Aboriginal Land Council network. Widening the eligibility for employment and services of officers and staff in the local Aboriginal Land Council network seeks to strengthen the capacity and participation of the network. The bill allows for flexibility in the secondary employment of NSW Aboriginal Land Council councillors, but with appropriate safeguards. Thus, it is proposed to provide that a councillor is disqualified from holding office on the ground of engaging in other paid work only if the work is done without the prior approval of the NSW Aboriginal Land Council.

The statutory review of the land rights Act uncovered a number of provisions that were inconsistent—some markedly so—with other legislative frameworks operating in New South Wales and which need updating. With a guiding principle of "consistency", the review of the land rights Act specifically sought to consider whether the provisions and standards set in the land rights Act, and required of Aboriginal land councils, are comparable with and/or do not exceed those of other regulatory regimes, particularly by comparison to the operation of New South Wales local government councils. The proposed amendments include new provisions dealing with the administration of elections of councillors of the NSW Aboriginal Land Council.

The PRESIDENT: Order! According to sessional order, business is now interrupted for questions.

Visitors

VISITORS

The PRESIDENT: I welcome to my gallery for question time the following staff members from the Parliament of Victoria: Steph Blackshaw, Parliamentary Officer, Information; Julianna Duan, Chamber Procedure Officer; and Chrissy Andonovski, Chamber Support Officer. They are here on a parliamentary exchange and are undertaking a three-day program. On behalf of all members, I warmly welcome them to the Legislative Council.

Questions Without Notice

WESTERN SYDNEY PUBLIC SCHOOLS

The Hon. PENNY SHARPE (16:01): I thank our Victorian colleagues in the gallery. I hope they have a good day today. My question without notice is directed to the Minister for Education and Early Learning. Given reports that western Sydney public schools are so overcrowded that the Government is now banning some students from enrolling in their local public school, does the Minister admit that the Government has failed to build the schools and classrooms that those growing communities need?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:01): I thank the honourable member for her question. I believe she was referring to an article about Parramatta East Public School that was in the newspapers today. The Department of Education's spokesperson said in response that any commentary that insisted that those students were banned from the school was misleading and incorrect. It is important that I put on record that this Government is investing significantly in Parramatta East Public School.

The Government was told by members opposite that it had neglected the school, that it allowed student numbers to grow, that the playground had been overrun by demountables and that there weren't adequate toilet facilities. I am sure that members opposite will remember that well.

Members opposite are now also criticising the Government's education enrolment policy, which is aimed at ensuring that students attend their local schools. It is a policy maximising the permanent infrastructure and allowing the department to make informed decisions about investments in new and upgraded schools. The crux of this issue is ensuring that every local school is supported to be a great school and that it offers families and students the opportunity to achieve their educational potential. Where circumstances dictate, the Government invests in new infrastructure. I am pleased to announce that the Government has already committed funding to upgrade Parramatta East Public School. Budget papers from earlier this year show that the Government has funded a project at the school.

The PRESIDENT: Order! I give a general warning to Opposition members. Given the level of noise, I am worried that Hansard may not be able to report the proceedings. The Minister has the call.

The Hon. SARAH MITCHELL: Members on this side of the Chamber have a plan to make sure that we respond to growth in student numbers. First and foremost, that is targeted at maximising the infrastructure that is already available. In this instance, we have seen pressures at Parramatta East Public School, and we are using a range of strategies to ensure that we spread the demand, including utilising the new facilities at the nearby Bayanami Public School, which is a brand-new primary school delivered by this Government. This includes managing local enrolments from students who are on temporary visas. Members opposite just do not like good news. They do not like that the Government has built so many schools in western Sydney and that it makes sure that it provides opportunities for families.

There has also been commentary about the same procedures that are in place at Westmead Public School. Again, members opposite have on many occasions politicised the procedures about the number of demountables on site. It is the result of high student growth and the strong reputation of a local school that families want to send their children to. The Government has already responded to this growth with funding for a new primary school in Westmead. The Government has also delivered the development of Parramatta Public School and an upgrade to Rosehill Public School. Members would also realise that two other schools, Epping West Public School and Carlingford West Public School, which were mentioned in the same article— *[Time expired.]*

The Hon. PENNY SHARPE (16:04): I ask a supplementary question. Will the Minister elucidate her answer? Given that she is talking about Parramatta East Public School being upgraded, but children are being turned away for kindergarten in 2023, when will Parramatta East Public School be reopened and allow for every student who is entitled to go to that school to enrol there?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:04): I refer to the earlier comments that I made to the initial question asked by the Leader of the Opposition. As I have said, the Government has the policies in place to manage enrolments for students on temporary visas. The Government is investing in an upgrade of Parramatta East Public School. In the interim, those students are able to attend the brand-new Bayanami Public School that was built by this Government to service families in western Sydney.

STATE ECONOMY

The Hon. TAYLOR MARTIN (16:05): My question is addressed to the Minister for Finance, and Minister for Employee Relations. What are the key factors in how the New South Wales Government has secured the recent reaffirmations of its two triple-A credit ratings?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:05): Don't members opposite love hearing good news? They love hearing good news. The good news is that New South Wales is a triple-A-rated economy by both Moody's and Fitch. It is the only Australian State to hold two triple-A credit ratings. You could not say that about Victoria, could you? On 5 September 2022, Moody's reaffirmed New South Wales's credit rating as triple-A with a stable outlook. Moody's noted the State's large, diverse economy and proven history of strong fiscal resolve through 11 years of Liberal-Nationals Government. In response to the 2022-23 budget, Moody's observed:

... the state's borrowing requirements have been materially reduced through a debt retirement strategy following the receipt of proceeds from the sale of 49% of WestConnex with AUD7.7 billion of debt retired to date.

A responsible government should remain willing to consider all options to fund the critical infrastructure that the State needs, including asset sales or leases. The shallow, slogan-driven, anti-privatisation campaign being run by those opposite shows a lack of responsibility that would threaten the State's triple-A credit rating, to say nothing of their hypocrisy in drawing from the \$5 billion WestInvest Fund seeded from the WestConnex asset recycling to fund their election promises. Where do those opposite get the money for Canterbury Hospital? They get it from

the sale of WestInvest and the projects, which they oppose. Just a week ago, on 1 November 2022, Fitch also reaffirmed New South Wales's triple-A credit rating, with a stable outlook. Fitch noted:

Despite current spending pressures related to the pandemic, natural disaster recovery and the rising cost of living, we believe the state's history of strong financial management and fiscal discipline will result in tight long-term expenditure control, leading to the 'Stronger' assessment.

Fitch also noted:

Staff costs contribute around half of total Fitch-adjusted operating expenditure ... NSW has limited flexibility to reduce these costs.

Clearly, any blow-out in those staff costs through an abandoning of the Government's wages policy and conceding unreasonable pay demands would likely result in the downgrading of the credit rating. I hope members opposite listen to Tony Burke and what he said about wage caps. [*Time expired.*]

METROPOLITAN ROADS

The Hon. JOHN GRAHAM (16:08): My question without notice is directed to the Minister for Metropolitan Roads. Given that the Minister for Regional Transport and Roads has announced \$50 million to fix regional and rural potholes, when will the Minister announce a similar fund for metropolitan areas?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:09): I thank the honourable member for his question and his interest in potholes. They have been of great interest to me since having the privilege of this role. In fact, this Government has prioritised fixing potholes. It has fixed more than 18,000 potholes since February this year. Unprecedented rainfall—which has caused flooding, landslides, potholes and fallen trees—has seen widespread damage to our road and rail network across the State. In metropolitan New South Wales, over 126 sections of road were impacted, totalling approximately 1,580 kilometres in length. As at 3 November, Transport for NSW roads maintenance service providers have repaired 19,206 potholes across Greater Sydney and re-sheeted 765,653 square metres of road. The equivalent of over 47 times the size of the Sydney Cricket Ground has been re-sheeted across metropolitan roads in New South Wales.

I thank the Transport for NSW staff, State Emergency Service crews and volunteers, and New South Wales emergency and frontline services who supported the communities during this difficult time. This is not a laughing matter. This Government takes this matter very seriously. We work closely with councils and emergency services. We know that the priority is potholes on motorways and those posing the greatest safety risks. The biggest, most dangerous potholes posing the greatest risk are being prioritised. Heavy patching and the repair of other flood-related damage is currently being scoped to be implemented as soon as practicable. Motorists are asked to stay vigilant. We remind people to slow down and to never drive through floodwaters. We cannot say that enough. We are constantly out there. Minister Steph Cooke is doing a magnificent job in emergency areas, reminding people not to drive through floodwaters.

Motorists should check the Live Traffic NSW website to see live updates and weather incidents. Importantly and pleasingly, if someone sees a pothole in their local area, they can report it by ringing 131 700 or via the Feedback2Go app. I clarify that the Government's priority is to fix those potholes that present the greatest risk. We want to make sure that we get those dealt with quickly and efficiently, working with councils. If someone calls 131 700 to report a pothole, it does not matter if it is on a local road, council road or regional road, we will make sure that it is prioritised and referred to the appropriate body to fix. We also have AI technology, which I pleasingly announced with Minister Victor Dominello. Garbage truck drivers can monitor the roads as they travel around. They can report potholes in real time, in addition to the work that those great local councils do.

The Hon. JOHN GRAHAM (16:12): I ask a supplementary question. Will the Minister elucidate on the work that has been done that she referred to in that answer? How much funding has gone to assist councils rather than just fixing potholes on State-owned roads? That is the approach that the regional Minister has taken. Why are we not doing it in the metropolitan area, given it has been raining in the city as well?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:12): It is very clear what we have been doing—I do not know if the Hon. John Graham heard the number—but over 19,000 potholes in metropolitan areas have been fixed. We partner with councils. We fund councils as part of our ongoing flood relief, as part of our emergency services, to ensure that we are dealing with these risks. We are prioritising fixing potholes. We are absolutely committed to that. I have been out there talking about the pothole audit that I asked for to ensure that we are prioritising those risks.

This is a fantastic opportunity for us to partner with local councils—which we have done—across the roads network. We will continue to do that. We have had three La Niña events and five flood events. It is very clear that we have a challenge before us. We have stepped up for that. Importantly and pleasingly, we have new technology

that we have embraced. I have previously informed the House that potholes cannot be fixed when it is wet; it is like painting a wet wall. We have to wait until it dries out. Thanks to this portfolio I know more about potholes than I ever thought I would. We have embraced and encouraged technology so that now—I am going to get the name of it wrong—we have a mix that can be poured in the wet.

The Hon. Walt Secord: It's called concrete.

The Hon. Mick Veitch: Cold mix.

The Hon. NATALIE WARD: Thank you. Cold mix ensures that while it is raining we can get out to those additional potholes and fill them. They actually welcome the additional water and they last longer. This is a great opportunity for us to embrace technology, to get out there with our AI technology as well, ensure that we are partnering with local councils and ensure that we are getting across all of those roads so that we can re-sheet and repair 47 times the size of the Sydney Cricket Ground. We will continue to do so. I am proud that this Government has prioritised potholes. I am proud to be the "Minister for Potholes" and ensure that we are getting out to every one of them and fixing them as quickly as possible.

POKER MACHINES

Ms CATE FAEHRMANN (16:14): My question is directed to the Minister for Mental Health. Poker machines can cause significant mental health impacts on users, as well as their partners, children and others around them, with the Victorian Responsible Gambling Foundation finding that gambling harm costs that State's mental health system \$278 million a year. What steps is the Minister taking to support the Premier's push for a cashless gambling card in New South Wales and to ensure that any card has adequate harm reduction features to reduce the mental health impact of poker machines in this State?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:15): I thank the honourable member for her question. In terms of cashless gaming and its impacts on mental health, we know that people at their most vulnerable can be affected when there is an issue with gambling. I will say, in a lot of our communities in rural and regional New South Wales clubs play a very important role. In times of fire and flood, that is where people congregate to have a central place to be looked after and where support services are provided. Cashless gaming is not really a matter for my portfolio.

To directly answer the member's question in terms of mental health, I will say that we are out there every single day doing things about mental health. It was wonderful to speak at BEING this morning about all of the things that we are doing. We are providing services to vulnerable people. I say as well that people need to put their hand up and get the help that they need, whether that is for a mental health issue or a gambling or addiction issue. Those services are there. We are working very hard with those services. Some of them are co-located with mental health services; some of them are not. But we are continuously looking at that. We are here to protect our most vulnerable. In terms of mental health, there is a multitude of services for people to access and I encourage them to do so.

Ms CATE FAEHRMANN (16:16): I ask a supplementary question. Will the Minister elucidate her answer when she says that she and the Government are doing good work in the mental health space? Does the Minister know what the impact of gambling is on the mental health system in New South Wales? I referred to the Victorian Responsible Gambling Foundation's study. Has anything been done to quantify that? Is the Minister for Mental Health aware of the impact of gambling in New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:17): I thank the honourable member for her supplementary question. There are always impacts on people who have an addiction—whether that is gambling, substance abuse or alcohol. Those addictions are often issues when people also have co-morbidities in terms of coping with mental health issues. That is why we have specialised services that deal with things like addiction and deal with vulnerable people that need help at that time. If those people are diagnosed with a mental health illness, then that is also a question of those services getting in and working together. That is why in some centres we have those co-located; in others, we do not. That is up to the local health districts. But the services are out there. As I have said, I encourage anyone who requires a mental health service in any capacity to put their hand up for help and to get the help that they need.

The Hon. WALT SECORD (16:18): I ask a second supplementary question. Will the Minister elucidate her answer in regard to support and programs for problem gamblers? How much has the Perrottet Government allocated to assist with mental health problems associated with all forms of gambling in 2022-23, and are there plans to increase funding in those programs?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:19): I thank the honourable member for his question. As it asks for detail of exactly how

much funding we will be spending, I am happy to take that part of the question on notice and get back to the honourable member. I will not refer to numbers that I am not 100 per cent sure of, as the Leader of the Opposition did recently regarding staff at one hospital. I like to check my facts and my notes, as the Leader of the Opposition says, who "checks his notes on his numbers". I will take that part of the question on notice so that I can give it the due respect it needs and not get any numbers wrong.

TEACHING STAFF

The Hon. SCOTT BARRETT (16:20): My question is addressed to the Minister for Education and Early Learning. Will the Minister update the House on how the New South Wales Government is modernising the teaching profession?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:20): I thank the honourable member for his question. I am delighted to do so. I am thrilled to update the House once again on the work that we are doing with our proposed model, developed by our Government, to make sure that our best teachers could attract salaries of up to \$147,000 a year, which is an increase of more than 30 per cent for teachers who are already at the top of the scale. Our landmark Rewarding Excellence in Teaching reform is about not only additional salary but also modernising career pathways for our best and brightest teachers, building up the profession and recognising excellence in teaching practice.

Initial feedback shows that around three out of four teachers in New South Wales would be interested in putting themselves forward for such a role and about eight in 10 agree that there is a need to provide teachers with additional career pathways. Development of the options paper has been led by renowned education expert Professor John Hattie and reflects input from robust stakeholder engagement as well as a survey of teachers and leaders across New South Wales public schools. More than 100 roundtables are being held over the course of last week and the next few weeks with teachers and school leaders across the State to hear their feedback on the options paper and to gather input on how the reform will roll out.

Yesterday it was wonderful to join some principals and teachers at Beaumont Road Public School for one of the roundtables to hear firsthand their interest in this reform and how we can make it work. They all echoed the findings of our initial survey: that such a pathway was needed to recognise excellent teaching practice in our public schools while also recognising that some people do not want to pursue roles like assistant principal but have a passion to remain in the classroom while sharing their expertise with others. I thank the local principals and teachers who were part of yesterday's roundtable. They provided great insight into how the new roles could fit into our school leadership model while ensuring that they align with schools' Strategic Improvement Plans. Staff and the community will also be able to share feedback through a survey, which is open until 25 November.

I acknowledge that the New South Wales Opposition has finally welcomed this reform. When the Opposition's spokesperson was asked on breakfast radio yesterday whether this sort of incentive is a good idea, their answer was "100 per cent". That is great. It is a long way from the Opposition's initial description of it as a "thought bubble", which was an insult to Professor Hattie and the educators who worked so hard on this important reform. Looking at what Labor puts on the table, I know it struggles to understand the difference between a thought bubble and genuine policy. We are looking forward to its support for this great initiative. Who knows? Maybe it will even come up with its own options paper. Maybe it will do something similar. It is quite good at copying what we do in education, considering not much is coming from members opposite. We will continue our important work to modernise the profession, reward excellence and keep our great teachers in the classroom. We are so proud of what we are doing.

STAMP DUTY REFORM

Ms ABIGAIL BOYD (16:23): My question without notice is directed to the Leader of the Government. Given that the Labor Opposition has indicated that it will scrap the Government's proposed property tax scheme for first home buyers if it wins the next election, how much will this Government have wasted in implementation costs related to the Property Tax (First Home Buyer Choice) Bill 2022 if it is passed this month and then ditched after March?

The Hon. Damien Tudehope: Point of order: I would be delighted to answer that question. However, as the matter is currently before the House, the question should be ruled out of order.

The PRESIDENT: As the bill is on the *Notice Paper* as a Government business order of the day, the question breaches the rule of anticipation.

Ms Abigail Boyd: To the point of order: Although the question relates to the bill, it does not pre-empt the outcome of the House's consideration of the bill.

The PRESIDENT: I am not convinced. The member may like to reflect on Standing Order 65 (4). The member's question is clearly anticipating the debate on the bill, which stands as an item of Government business on this day.

BUDGET HALF-YEARLY REVIEW

The Hon. DANIEL MOOKHEY (16:25): My question without notice is directed to the Leader of the Government and the Minister for Finance, and Minister for Employee Relations. Why has the Government delayed until February the midyear budget review, which, even in pre-election years, has always been delivered in December?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:25): I thank the honourable member for his question and his interest in how to get a budget right. That is what he wants to know. He wants an early education because he wants to be able to say, "I've forgotten how to do all this stuff. I want to be able to write it into my policy." His question is directed at being able to see the budget early so he can actually do some work. He should do some work, develop some policy and not copy ours.

The Hon. Daniel Mookhey: Point of order: As always, I appreciate the character analysis that the Leader of the Government provides. However, I would prefer a direct response to my question, which is why has the Government delayed the midyear budget review?

The PRESIDENT: I uphold the point of order.

The Hon. DAMIEN TUDEHOPE: The direct answer to that question is that—

The Hon. Daniel Mookhey: You've lost control of the finances.

The Hon. DAMIEN TUDEHOPE: The Hon. Daniel Mookhey might want to have his own version in relation to the answer he would like to hear so that he can develop policy accordingly. The fact of the matter is he has no policy at all and has told the people nothing in relation to how he would look after the finances of this State.

The Hon. Daniel Mookhey: Point of order: Again, my point of order is direct relevance. It is a serious question. New South Wales is the only State that has delayed its midyear budget review. The House is entitled to an explanation for New South Wales being the only State that will not give a midyear review this year.

The PRESIDENT: I believe the Minister was about to directly answer the question.

The Hon. DAMIEN TUDEHOPE: The shadow Treasurer is concerned because there is real speculation about whether he will even be the shadow Treasurer.

The Hon. Daniel Mookhey: Point of order: My point of order is that the Minister is now debating the question by speculating as to the reasons why I am asking it. I have asked the Minister for Finance a straightforward question: Why is the Minister for Finance not in a position to tell us why his Government has delayed the midyear review?

The PRESIDENT: I encourage the Minister to be directly relevant.

The Hon. DAMIEN TUDEHOPE: The total answer to it is this: The Treasurer has said that the reason for delaying the statement is to minimise any variations between it and pre-election budget updates. It is an approach to efficiency.

The Hon. Penny Sharpe: How can you say that with a straight face?

The Hon. DAMIEN TUDEHOPE: No-one has had to do this. This is the hypocrisy of those opposite. We had the Parliamentary Budget Office—which some of them may remember—which was designed to give some transparency to Opposition policies—

The Hon. John Graham: Point of order—

The PRESIDENT: The Minister will resume his seat.

The Hon. John Graham: My point of order is about direct relevance. The Minister for Finance is refusing to answer this question directly. This has never happened. It is unbelievable. The House deserves an explanation.

The PRESIDENT: I think the Minister has directly answered the question. The question is whether he is adding anything more useful to the answer. I suggest that, if the Minister has nothing more useful to add, he resume his seat.

The Hon. DAMIEN TUDEHOPE: The problem is that members opposite do not like the answer. We have identified that this is—

The PRESIDENT: Order! The Minister had better be directly relevant.

The Hon. DAMIEN TUDEHOPE: I have given the answer. They know it; they do not like it, because they want to copy whatever policies we have adopted.

The Hon. DANIEL MOOKHEY (16:30): I ask a supplementary question. I appreciate the efficient answer from the Minister, but can he elucidate in this respect? Given that, last year, S&P Global Ratings warned quite clearly that there is now reputational risk associated with the New South Wales budget following the Transport Asset Holding Entity [TAHE] debacle, what advice did the Minister get about the impact on New South Wales' reputation after he decided not to give the midyear review in December this year?

The Hon. Scott Farlow: Point of order: I submit that the question as asked by the Hon. Daniel Mookhey contained argument and should be struck off.

The Hon. Daniel Mookhey: To the point of order: It did not. It contained fact. There was a warning from S&P about reputation. It followed the TAHE debacle. In addition to that, I am asking a specific question, which can be answered regardless of whether one accepts the first point. Before the Government decided to delay the half-yearly budget, what advice did the Minister obtain in terms of its impact on the State's reputation?

The PRESIDENT: While the question contains some argument, I think it is capable of answer, nonetheless. The Minister may ignore the word or words that might be deemed argumentative and answer accordingly.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:31): The shadow Treasurer raises the issue of reputation. I gave an answer earlier today. If one looks at the triple-A credit rating, which has been given by Fitch and Moody's, one can hardly come to the table and suggest that the reputation of the economy and the finances of this State are at risk with the credit rating agencies. I repeat that both Fitch and Moody's gave that credit rating to this State because of its responsible fiscal management. The shadow—

The Hon. Daniel Mookhey: Hand down the half-yearly review.

The Hon. DAMIEN TUDEHOPE: The half-yearly statement will be delivered in accordance with the Government Sector Finance Act. The obligations of the Government will be delivered in accordance with that Act. That is the full and complete explanation for why the—

The Hon. Penny Sharpe: Never happened before.

The Hon. DAMIEN TUDEHOPE: It has not happened before. The honourable member has been a long way away from the Treasury benches for a long time. I understand her frustration, the frustration—

The PRESIDENT: Order! It is just starting to waver a little here. The Minister has the call. I encourage him to not directly respond to the interjections. Perhaps those interjecting might take it down a few notches. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: Those opposite should have a look at section 7.16 (2) of the Government Sector Finance Act.

The Hon. Daniel Mookhey: I did.

The Hon. DAMIEN TUDEHOPE: You had a look?

The Hon. Daniel Mookhey: Yes.

The Hon. DAMIEN TUDEHOPE: What does it say? It says:

... if there is a State election in the year immediately following that 31 December, the Treasurer may decide to delay the release of the half-yearly review to no later than 10 February of that year.

That is what the Government Sector Finance Act says. Have you read it?

The Hon. Daniel Mookhey: Yes.

The Hon. DAMIEN TUDEHOPE: Okay. We are doing it in accordance with our responsibility. All good. *[Time expired.]*

The PRESIDENT: Let us put down the verbal weapons for a moment.

REGIONAL HEALTH SYSTEM

The Hon. WES FANG (16:33): My question is addressed to the Minister for Women, Minister for Regional Health, and Minister for Mental Health. Will the Minister update the House on the significant work that has occurred in the Regional Health portfolio since it was established?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (16:34): I thank the honourable member for his question. What an amazing 11 months we have had in regional health. Where do I begin? When I was appointed as the first Minister for Regional Health, two things were my immediate focus. One was addressing our workforce issues—

The PRESIDENT: Order! The Minister has the call.

The Hon. BRONNIE TAYLOR: Regional health is not a joke. The second thing was making sure that our services were more accessible for regional patients. I am proud to say that the Liberals and The Nationals in government are delivering on both of these priorities. Our staff members are doing their best under often extremely challenging circumstances. This year we committed to the largest ever health workforce boost: a record 10,148 staff over four years, including 7,674 in the first year. I am pleased to say that at the end of October we had more than 5,600 new people commence.

Further to this, we needed a clear regional focus. So entered our \$883 million incentive and retention package. This package was the largest shake-up of its kind undertaken in New South Wales. The package includes money for increasing rural intern positions and expanding the nurse practitioner pathway, which I am excited about. There is massive potential in that pathway. There will be more Aboriginal cadetships and more postgraduate midwifery scholarships, and early career HECS incentives for allied health professionals.

The most significant part is our incentive scheme for critical and hard-to-fill roles. Already we are seeing this have an impact. In Parkes there have been long recruitment attempts for suitably qualified midwives to manage the Midwifery Group Practice program. Through our incentives package, Parkes hospital has secured not only a nationally trained registered midwife but also the midwife's partner, who is an assistant in nursing and will soon begin as a casual worker for both Parkes and Forbes hospitals.

Since 1 August more than 1,000 new patients per month are taking advantage of the Isolated Patients Travel and Accommodation Assistance Scheme. Changes included expanding the eligibility to include patients attending high-risk foot clinics, non-commercial clinical trials, highly specialised publicly funded oral health clinics and ophthalmologists, plus nearly doubling the accommodation and private vehicle subsidies. It is now the most generous scheme of its kind in the country. Our regional healthcare clinicians, staff members and facilities face challenges unique to their locations. To ensure that these communities forever have a strong voice within the ministry, we created a new division for regional health, led by a coordinator general.

INDEPENDENT PLANNING COMMISSION

The Hon. MARK LATHAM (16:37): My question is directed to the Leader of the Government, representing the Premier and the Treasurer, who are responsible for job creation and economic development in New South Wales. Given that the anti job, anti economic development Independent Planning Commission decided to reject the Glencore mine extension at Singleton, costing the Hunter Valley 700 much-needed jobs, for the sake of the rat-infested, dilapidated Ravensworth homestead, which nobody visits for tourism purposes, when will this Government abolish the commission for the sake of job creation, economic development and investment certainty in New South Wales?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:38): I thank the member for his question. I am aware of no policy of this Government to abolish the Independent Planning Commission. However, I say in relation to that question that this Government has a strong record of job creation and job permanency and delivery. To the extent that there are opportunities for expansion of those job creation opportunities, this is a government that can be relied upon to make sure that we protect people in jobs and look after the jobs of the people in this State. There are two parts to the question. Should we be getting rid of the Independent Planning Commission? The answer is that there is no plan to abolish the Independent Planning Commission. However, I assure the member that this is a government that is committed to protecting jobs for the people of the Hunter.

The Hon. MARK LATHAM (16:39): I ask a supplementary question. The Minister referred to the Government's commitment to jobs, particularly in the Hunter Valley in light of this disgraceful decision. What is the Government doing to replace the 700 jobs lost because of the decision of the Independent Planning Commission—a government that rejects the container terminal at Newcastle and every other major economic

development for that region, which is under transition under economic stress? What is the Government doing to replace the 700 jobs that have just been lost?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:40): I will take the question on notice. It contains and requires some significant detail in respect of the relevant Minister's strategy around job protection. In those circumstances, I will take the question on notice and get the member a more detailed answer.

TOTAL STATE SECTOR ACCOUNTS

The Hon. PETER PRIMROSE (16:40): My question is directed to the Leader of the Government and Minister for Finance, and Minister for Employee Relations. What is the Minister's response to community concerns that his Government will fail, for the second consecutive year, to table the Total State Sector Accounts before Parliament rises?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:40): My answer is the same as previously: We will comply with our requirements under the Government Sector Finance Act.

The Hon. PETER PRIMROSE (16:41): I ask a supplementary question. I thank the Minister for his answer. Has the Treasurer signed the Total State Sector Accounts for the last financial year and submitted them to the Auditor-General for audit? When will the accounts be tabled?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:41): The Government will comply with its obligations.

METROPOLITAN ROADS

The Hon. CHRIS RATH (16:41): My question is addressed to the Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence. Will the Minister update the House on the Coalition's decade of delivery and record infrastructure investment within the Metropolitan Roads portfolio?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (16:42): I thank the honourable member for his question and his interest in this area. I read with interest on the weekend the opinion piece in *The Sydney Morning Herald* which called out Chris Minns as having demonstrated a tendency towards policies based on populism rather than sound economic reform. The piece written on the weekend reminded me—

[Opposition members interjected.]

Here we go. It reminded me of another opinion piece written in the Herald in February 2015, following the then Opposition leader Luke Foley unveiling his transport policy. Jacob Saulwick, *The Sydney Morning Herald* journalist, wrote at the time:

Labor's transport policy isn't really one. There is nothing in the positions unveiled by Opposition Leader Luke Foley to suggest the party has spent much of the past four years giving serious thought to how to make Sydney or NSW better places to move around.

[Opposition members interjected.]

This is a quote. He continued:

There was plenty of criticism of the government's agenda. But what was Labor's vision?

[Opposition members interjected.]

They are just taking up my time.

The Hon. Shayne Mallard: Point of order: I am trying to hear the Minister and I cannot hear over the cacophony of howls.

The PRESIDENT: Order! I will start calling Opposition members to order. It is getting a little too loud, and I know that Hansard suffers under such conditions. The Minister has the call. I call the Hon. Daniel Mookhey to order for the first time.

The Hon. NATALIE WARD: Those who ignore history do so at their peril. Here is the quote:

But what was Labor's vision? Less of the same.

... In other words, the public transport priorities of both major parties are aligned. The Coalition would just hustle harder and deliver quicker.

Sound familiar?

The PRESIDENT: Order! I call the Hon. Daniel Mookhey to order for the second time. I call the Hon. Penny Sharpe to order for the first time. The Minister has the call.

The Hon. NATALIE WARD: I am very proud of our record and I want to put on record our projects. Does this sound familiar? Here we are once again with all their howling. Since 2011 the Coalition Government has delivered record investment into the Metropolitan Roads portfolio—in stark contrast to those opposite, who have no policy, no vision and no credibility when it comes to delivering for the people of New South Wales. Let's compare notes. Labor announced the M4 East tunnel three times in 2002, 2004 and 2006, yet it never delivered this project—not once. Under the Coalition Government, this project was delivered in July 2019. Labor opposed WestConnex, which saves motorists 30 minutes on a journey from south-west Sydney to the southern CBD. Under the Coalition Government, the project was delivered in July 2020.

NorthConnex also opened in 2020. In delivery we have the last stages of WestConnex, the M4-M8 link and the Rozelle interchange, due to open in 2023. The Western Harbour Tunnel, opposed by Labor at the last election, is now underway. What about projects that benefit motorists in southern Sydney and Wollongong? The Labor Party went to the 2019 election promising to scrap the M6 project. Now the M6 Stage 1 is in construction and due for completion in 2025. This is in addition to two toll-free projects to improve access to the airports, with the Sydney Gateway in the east to be completed in 2024 and the M12 due to be open in time for the Western Sydney Airport. On this side of the House we continue to deliver.

MOREE SCHOOL INFRASTRUCTURE

Reverend the Hon. FRED NILE (16:45): My question is directed to the Minister for Education and Early Learning. Will the Minister explain why the Carol Avenue high school in Moree continues to operate, despite having an average attendance of 100 students per day? To assist students with greater access to resources and educators, not being forced to run between the campuses, will the Minister consider the recommendation of the Moree Aboriginal Education Consultative Group to merge the Carol Avenue secondary college with its Albert Street counterpart?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:46): At the outset, while I am on my feet and speaking about Moree—and, I would assume, on behalf of every member in the House—can I let that community know that we are thinking of them following the recent flooding. As someone who lived in Moree for a number of years, I have to say I was gobsmacked by the footage of many homes and businesses inundated by floodwater. Much of the best farming land in the country also is really feeling the impact of that flood. I know that the thoughts of everyone in the Chamber would be with the community of Moree as they continue with cleaning up and assessing the damage and devastation that they went through not that long ago.

I thank Reverend the Hon. Fred Nile for his question. The issue was raised with me by the Opposition in the last sitting period as well. I am very well aware of the sentiment within the community about what the options might be, particularly across the two campuses of that school. As I indicated in response to a question from a Labor Party member, I have met with Adam Marshall, the local member, in relation to this and with the P&C representatives from that school community as well.

I have asked the department to provide some advice in relation to what options might be available for utilisation of the campuses. I am anticipating receiving that advice imminently and I will be very happy to update the member, the community and members of the Moree Aboriginal Education Consultative Group as to what the steps going forward may be. I note that Glen Crump, who I also know from my time in Moree, is in the President's gallery today. I understand the community interest in this. I understand the position about making sure we get the best outcomes for the kids in Moree and what that means in terms of school infrastructure and what is offered. We are having a look at it and I will be happy to provide an update as soon as I am able to.

PORT OF NEWCASTLE

The Hon. MARK BUTTIGIEG (16:48): My question is directed to the Leader of the Government and Minister for Finance, and Minister for Employee Relations. Given that his Government is now planning to unshackle the Port of Newcastle after its privatisation of the port effectively rendered it unfit for purpose, will the Minister now guarantee this reversal will not cost New South Wales taxpayers a cent?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:49): We will be given plenty of opportunity to debate that issue when the bill arrives in this place later this afternoon.

OUT-OF-HOME CARE

The Hon. AILEEN MacDONALD (16:49): My question is addressed to the Minister for Families and Communities, and Minister for Disability Services. Will the Minister update the House on how the Liberal-Nationals Government is supporting children in out-of-home care to secure a brighter future for them?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (16:50): I thank the honourable member for her question. The New South Wales Liberal-Nationals Government is continuing to deliver on its commitment to support young people to secure a brighter future. Last Sunday we made history by announcing that young people in out-of-home care will now have access to increased support until the age of 21. Under the Your Choice, Your Future package, the Liberal-Nationals Government is investing \$100 million to support vulnerable young people reaching adulthood. All young people in care should know that they are supported no matter what their circumstances are.

The Your Choice, Your Future package includes an extension of the care allowance to support more young people to remain with their carers until the age of 21; the expansion of the aftercare allowance, a fortnightly payment for any young person who chooses not to remain with their carer, or is unable to stay with their carer, providing assistance until the age of 21; the expansion of the specialist aftercare program, increasing the availability and location of targeted support for young people when they leave care, particularly in regional and remote areas; and funding of additional caseworkers to further support young people plan for the transition to leaving care.

Importantly, this \$100 million investment builds on the range of targeted services and programs that are currently funded by the New South Wales Government to support vulnerable young people leaving care. Under the Liberal-Nationals Government, we are implementing reforms and programs to strengthen child protection and out-of-home care. The Your Choice, Your Future package builds on our support, providing greater stability for young people so they can work towards independence and achieve their goals. I acknowledge the tireless work of our volunteer foster carers, caseworkers and providers who provide safety and love to the most vulnerable children in our community.

Last Sunday I stood side by side with representatives and young people from Create Foundation and the Home Stretch campaign at RuffTrack in Riverstone. I acknowledge farmer Dave for facilitating and hosting us. I also acknowledge my colleagues Kevin Conolly, the member for Riverstone, and Mark Taylor, the member for Seven Hills, who joined me in this announcement. Home Stretch is a well-known organisation that has been advocating for extended care support for many years. Although those opposite had the same stakeholder meetings and heard the same heartbreaking stories of people experiencing homelessness and transitioning from out-of-home care, we are still yet to hear any policy announcements from them.

The fact is the New South Wales Liberal-Nationals Government is working hard to provide a brighter future for families in New South Wales. We took the time to evaluate the arguments and what Government could achieve. I want to ensure that I have implemented a package that supports all young people, whether they choose to remain in their home with their carer or to live independently. In doing so, not only is New South Wales providing greater support than any other jurisdiction; we will also be more advanced in implementation, as it will be rolled out in February next year.

BUDGET ESTIMATES ANSWERS

The Hon. ROD ROBERTS (16:53): My question is directed to the Hon. Sarah Mitchell, representing the Hon. Paul Toole, Minister for Police. What standards does the Minister expect and require of government officials within his portfolio who appear before Legislative Council committees, including budget estimates hearings, to provide factually accurate answers?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (16:53): I suspect there might be more to that than was included in the member's question.

The Hon. Greg Donnelly: Very perceptive.

The Hon. SARAH MITCHELL: I am very perceptive sometimes. I have my moments. I feel very confident saying on behalf of the Deputy Premier and Minister for Police, and indeed all Ministers, that there is a high expectation of public officials when they appear before parliamentary committees. It is something that we take extremely seriously, and we certainly instil that in all of the officials who appear before committees, particularly in budget estimates. I am happy to give that as a general response. If there is a more specific part of the question that the member has concerns over in relation to any particular officials, I am sure the Deputy Premier and Minister for Police would be happy to address that with him directly.

PORTS PRIVATISATION

The Hon. TARA MORIARTY (16:54): My question without notice is directed to the Leader of the Government, Minister for Finance, and Minister for Employee Relations. Given that the Premier has said, "Our asset recycling program literally leads the world", and has boasted that his Government's privatisation agenda is the golden key for the State's finances, why has he backflipped in signing up to hundreds of millions of dollars to undo his failed ports privatisation?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:55): I thank the member for her question. I am happy to stand at this podium every day of the week and talk about asset recycling and privatisation. Let us talk about privatisation and the success record of this State in relation to what those opposite did and what our record is. Let us look at some of the Opposition attempts at privatisation. In 2009 there was Parklea prison. Do members remember that? The then Labor Minister for corrections, John Robertson, and his chief of staff at the time, a bloke called Minns, privatised Parklea prison to the GEO Group. Steve Murphy, State secretary of the New South Wales branch of the Australian Manufacturing Workers' Union, opposed Minns becoming Labor leader because of his track record on privatisation. He said:

His views ... on critical policy areas such as privatization, are unacceptable for someone in the role of Opposition Leader ...

In 2018 the parliamentary committee into the privatisation of Parklea prison found that deficiencies in the contract with the private operator significantly contributed to the problem. Let us go forward to March 2020. NSW Lotteries announced just before the Easter holiday that Labor gave a 40-year licence to run NSW Lotteries to the Tatts Group for almost a billion dollars. Did it have a mandate for this transaction? No. Even *The Sydney Morning Herald* noted that there is no suggestion—

The Hon. Penny Sharpe: Point of order: I have been listening very carefully to the Leader of the Government. I know he is very excited, but he is not being directly relevant to the question that he was asked, which is, "Why has the Government changed its mind in signing up to hundreds of millions of dollars to undo the ports privatisation?" It is not a broad question about his view about privatisation or the past; it is about what the Government has done today.

The PRESIDENT: I was waiting for a point of order. The Minister was being generally relevant and having a rollicking good time, but those were introductory comments. The Minister will now move to the nub of the question.

The Hon. DAMIEN TUDEHOPE: The fact is that Labor's record in relation to privatisation—

The Hon. Penny Sharpe: Point of order: We know exactly where this is going. The Minister is flouting your ruling. He needs to be directly relevant.

The PRESIDENT: Order! Government members will calm down. The Minister has dealt with the issues that might give the matter context. I now encourage the Minister to answer directly.

The Hon. DAMIEN TUDEHOPE: Members opposite clearly have an interest in privatisation. They do not know how to do it. We have done it successfully. We will continue to do it successfully and we are happy to debate the issues relating to the Port of Newcastle when the bill comes before this House later today.

The Hon. TARA MORIARTY (16:59): I ask a supplementary question. Will the Minister elucidate the part of his answer where he talked about continuing to privatise and tell us what is next? What else will this Government privatise in the future?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (16:59): We know how to do it. Moody's and Fitch say that the Government has a triple-A credit rating on the basis of fiscal responsibility.

The Hon. John Graham: You missed both an A and a ratings agency, Standard & Poor's.

The PRESIDENT: Order! Members will not have a general conversation across the Chamber. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: The general conversation would not occur if I did not get as many interjections as I do.

The PRESIDENT: Minister, you tend to make good progress upwind, so to speak. You have the call.

The Hon. DAMIEN TUDEHOPE: The fact of the matter is this Government has no current asset recycling transactions in progress. But I say to members opposite: Look and learn about the way that this economy has been run and the number of new hospitals, new schools, new roads and new railways that have been built on the back of a recycling program. Members opposite have opposed every single one of them. The Minister for

Metropolitan Roads was at the new Rozelle interchange yesterday. Members opposite should look at that project and how it has transformed the traffic in Sydney—all built on the basis of asset recycling. They ought to be embarrassed to ask the question because this State has been rebuilt on the back of an asset recycling program. We make no apology for asset recycling underpinning the renovation of New South Wales. The people of this State thank us for it.

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

Supplementary Questions for Written Answers

WESTERN SYDNEY PUBLIC SCHOOLS

The Hon. PENNY SHARPE (17:01): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Will the Minister provide a list of all of the public schools where temporary residents are currently not allowed to enrol?

BUDGET ESTIMATES ANSWERS

The Hon. ROD ROBERTS (17:02): My supplementary question for written answer is directed to the Hon. Sarah Mitchell, representing the Hon. Paul Toole. What action does the Minister propose to take in relation to the Commissioner of Police providing factually incorrect answers to Portfolio Committee No. 5 at the budget estimates hearing held on 31 August 2022?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY: I move:

That the House take note of answers to questions.

BUDGET HALF-YEARLY REVIEW

The Hon. DANIEL MOOKHEY (17:02): New South Wales is missing a half-year budget review. We are missing the State accounts for last year and we are missing an explanation from the Minister for Finance as to why that is. For some context, we are the only State in the country that has delayed the midyear review. Queensland gave its review last week. Victoria has given its review. We are the only State that cannot give a midyear budget review halfway through the budget year. What is worse, there has been no sign of the State accounts for two years in a row. I constantly refresh the Parliament's website to find out where the State accounts are at. They are important documents. They reflect the Auditor-General's audit. For the second year in a row, this Parliament will adjourn without seeing the State accounts. After the debacle that took place last year with the Transport Asset Holding Entity, I think we know why, once more, this Government will fail to hand down its State accounts.

To be clear, this is creating reputational risk. Do not take my word for it; take the word of Standard & Poor's. Take Moody's, which the Minister today was proud to invoke. Both those rating agencies made the point that the debacle that took place last year had serious impacts on reputational risk for New South Wales. The fact that the Government cannot give a half-year budget review or produce State accounts shows again that those agencies were right to make that warning. The people of New South Wales should know that this is the result of 12 years of this Government being in power. What is worse, the real reason the Government does not want to give a budget review is because it will contain further privatisation. It will have to fund the commitment that it made to raise the Warragamba Dam. It does not want to book those commitments.

As the Premier releases thought bubble after thought bubble in press conferences, ultimately the bill comes due and it comes due in the half-year budget review. That is the reason it has not been handed down. In addition, the Government has a real fear that, come 4 March, when the Treasury secretary gets to speak the truth about the state of the books, they will warn the Government about the state of the budget. Basically it is worried the Treasury secretary will say that, when it comes to fiscal management in this State, the emperor has no clothes. That is why, for the first time in our history, we are delaying the review until February. To be clear, Dominic Perrottet could hand down a half-year budget review during 2018. Andrew Constance could do the same in 2014. The only Treasurer who cannot hand down a half-year budget review is Matt Kean, after he spent \$42 billion in the last budget.

The Hon. John Graham: Where is the Treasurer?

The Hon. DANIEL MOOKHEY: What is worse, he is not here. He has not even had the respect to front Parliament in the past two weeks. [*Time expired.*]

BUDGET HALF-YEARLY REVIEW

METROPOLITAN ROADS

The Hon. CHRIS RATH (17:05): I take note of answers given today by the Leader of the Government and the Minister for Metropolitan Roads. The Leader of the Government spoke about this State's triple-A credit rating. New South Wales is the only State in the Commonwealth with a triple-A credit rating. It is of particular interest that Victoria is soon to have an election. We need to compare ourselves to Victoria on debt and deficit as well as infrastructure—tying into the answer given by the Hon. Natalie Ward. Compared with Victoria, New South Wales is rebuilding twice as much infrastructure with half as much debt. We know that if members opposite came to power, what they would do to the wages cap would be a huge risk to the triple-A credit rating. It would cost billions of dollars over time in excess wage demands from public servants. They will say that we will tie wage increases to inflation. It will blow the deficit out and plunge us into greater debt, and it is no way to run an economy.

The State budget is returning to surplus in 2024-25, unlike the Federal Government budget, which will take many more years to get to surplus. This Government is doing a very good job of managing its finances. However, it is not just about managing the books; it is also about what the Government is building. We have built a lot of new infrastructure over the past 12 years because of asset recycling, but it has not jeopardised our triple-A credit rating. The WestConnex stage one has been delivered. Labor announced the M4 East tunnel three times and never delivered that project. WestConnex stage two, which Labor opposed, was also delivered, saving motorists 30 minutes on a journey from south-west Sydney to the southern CBD.

NorthConnex was delivered by the Coalition Government after Labor again failed to deliver on a promise. Currently in delivery are WestConnex stage 3A, Western Harbour Tunnel and M6 stage one, all of which Labor opposed. Maybe it opposed all of those projects because it could not pay for them because it does not believe in asset recycling. We have literally rebuilt this State on the back of asset recycling and we have protected its triple-A credit rating. That is why this Government will be re-elected in March.

POKER MACHINES

Ms CATE FAEHRMANN (17:09): I take note of the answer given by the Minister for Women, Minister for Regional Health, and Minister for Mental Health regarding poker machines. Defenders of clubs and their poker machines will often talk about how much clubs contribute to the community and how much pokies contribute to State revenue. But if one bothers to do the maths, it becomes pretty clear that clubs take far more than they give. Research by the Victorian Responsible Gambling Foundation found that in 2014-15, the \$5.8 billion Victorians lost to gambling caused \$7 billion in social harms—around \$1.20 per dollar lost to gambling. With New South Wales pubs and clubs projected to make around \$7.7 billion in pokies profits this financial year, that is around \$9.3 billion in losses from the social harms caused by gambling each year. That is far less than the \$2 billion the State can expect to receive in pokies tax.

Let us dispel the myth that clubs are doing some great favour to the community with all that cash flowing through their pokies. Since 1998 ClubGRANTS have provided just over \$1 billion in community grants—around \$42 million per year. The Government could turn off every poker machine in the State tomorrow, give up nearly \$2 billion in expected revenue and completely fund ClubGRANTS itself and the State would still be about \$7 billion ahead. In the breakdown of costs, the study identified that gambling harm is costing Victoria's mental health system \$278 million a year—around four cents for every dollar lost. That would put the cost to the mental health system of pokies in pubs and clubs in New South Wales at around \$308 million. That is just from poker machines and does not include the growing impact of online and sports betting. That cost is more than double the \$130 million the New South Wales Government put towards the mental health recovery from COVID in this year's budget.

A survey in Victoria found that the rate of people experiencing gambling harms was eight times higher amongst mental health patients than the general population. It also found that people with a diagnosis of a psychotic disorder, drug use disorder, bipolar disorder or borderline personality disorder were particularly at risk of experiencing gambling harms. A gambling card would be a powerful tool to reduce gambling harms. It would allow for an effective statewide exclusion register and for users to set time and spending limits and to receive alerts and detailed information about how much they are actually losing. There is really only one reason the clubs are opposed to such a card: It will destroy their mega gambling profits. Members who stand with ClubsNSW to shoot down the opportunity for multipartisan gambling harm reform betray the communities they claim to represent and will lock in the undue influence the gambling industry has had over New South Wales politics for far too long. [*Time expired.*]

WESTERN SYDNEY PUBLIC SCHOOLS
BUDGET HALF-YEARLY REVIEW
TOTAL STATE SECTOR ACCOUNTS

The Hon. PENNY SHARPE (17:12): I take note of answers given today. I particularly take note of the answer given by Minister Mitchell regarding students being unable to go to Parramatta East Public School. It is a pretty sad state of affairs when we encourage people to move to Australia as temporary visa holders and then they find that their children are locked out of the local school because of overcrowding issues. That is not a good situation, and it also points to the problems of overcrowding in schools across the State. The Hon. Courtney Houssos knows more about that than most. Parramatta East has 24 demountables, and today the Minister was unable to tell us when the much-needed upgrade will be complete and how long children will be locked out of the school. She was also unable to tell us whether the boundaries will change, given the overcrowding that is happening there. That is not a good state of affairs, and I urge the Minister to come back with some better answers regarding when the school will be upgraded and when its ban on young temporary visa holders will be lifted.

I also take note of answers to questions about the delayed midyear budget review and the Total State Sector Accounts. I think that the Minister and Leader of the Government was a little embarrassed about that today. He did not really want to talk about it because he knows that it is unprecedented. We are going into an election with more debt than we have ever had before. We have had very challenging times over a number of years, and it is not reasonable that the books are not open for people to understand the decisions that have been taken by this Government—to understand the blowouts in so many of its infrastructure projects and where it is hiding a whole range of real pressures within the budget. The Minister for Finance should be embarrassed—as I think he was—about his inability to provide that transparency.

That is similar to the Total State Sector Accounts. We are going to an election in 136 days, and the people of New South Wales need to understand the state of the books. As the Opposition is working diligently through its policies and costings through the Parliamentary Budget Office, it is very difficult to get that finalised while there is such a big problem. The final point that I make is about privatisation. This Government is clearly doubling down, through the Hon. Chris Rath and the Leader of the Government. How much more do those opposite want to privatise?

The Hon. Shayne Mallard: Hear, hear!

The Hon. PENNY SHARPE: "Hear, hear!"—good, members opposite should tell the people of New South Wales what else they want to sell off. They have sold \$93 billion worth of public assets and have had to bail out—

The Hon. Chris Rath: And invested it.

The Hon. Shayne Mallard: In poles and wires.

The Hon. PENNY SHARPE: That is fine; we will talk about that this evening. Let us talk about increased electricity prices and how much the Port of Newcastle will cost taxpayers. [*Time expired.*]

STATE ECONOMY

The Hon. TAYLOR MARTIN (17:15): I take note of the answer given by the Leader of the Government in response to my question on how the New South Wales Government has secured the recent reaffirmations of its two triple-A credit ratings. The Minister referred to the reaffirmation by Moody's on 5 September and by Fitch on 1 November of our great State's two triple-A credit ratings—the only State to hold two triple-A credit ratings. The credit agencies referred to our "proven history of strong fiscal resolve" and also to the "history of strong financial management and fiscal discipline", with "tight long-term expenditure control". The Minister also pointed to two specific factors that have underpinned the reaffirmation of our two triple-A credit ratings: our responsible and measured approach to asset recycling and our fair and responsible wages policy.

The shallow anti-privatisation rhetoric from those opposite and their reckless encouragement of union demands for irresponsible and inflationary wage claims demonstrate that they are simply unfit for government. While the Federal Labor Minister for Employment and Workplace Relations endorses our 3½ per cent wage rise, which includes productivity as a component, as prudent to contain inflation, the Minns-Mookhey brains trust opposite serves its union masters by promising to abolish the 3½ per cent wages cap policy. That will only feed a wage price inflationary spiral. It is a shame to see, but that is currently the state of play. We will see how it plays out through to March next year.

STATE ECONOMY

The Hon. MARK LATHAM (17:17): I have one little tip for the Hon. Taylor Martin: Never read out speeches written by Matt Kean's office, as they are recorded in *Hansard*. One of the difficulties in Parliament is they actually record what members say here; it is in *Hansard* and history judges it. For Matt Kean, of course, it looks dreadful. With regard to cost control, I did an analysis of the budget measures. In the back of Budget Paper No. 1 is a list of policy changes, so those are the measures that either cost or save money. There are about 350 government policy changes over the past two budgets, including the Kean budget just passed. Only three out of 350 are cost savings; the rest are just a spendathon—347 items.

The strategy of the Kean brains trust is to say, "Look, if we spend and throw money at so-called female labour force participation in the teal electorates on the North Shore, the Liberal Party will hold them. If we go 100 per cent renewable energy and run the risk of blackouts and all the disasters we know have been forthcoming with the early closures of Eraring and Liddell—anyway, don't worry about that. If we just go 100 per cent renewable energy, we'll hold those seats on the North Shore". How is that going in today's poll? Six of the seats look like going down the tube, so the lesson for the Hon. Taylor Martin and anyone sitting on the Government benches is this: If Matt Kean says politically, "Head north", they should go south. If Matt Kean says politically, "Go east", they should head west, as fast and hard as they can. I guarantee Government members that if they follow a moron into battle, they will be defeated politically.

This bloke has led the Liberal Party into an abyss whereby traditional conservatives and libertarians in the electorate look at the Liberal Party and say, "This is not the Liberal Party of John Howard and Peter Costello, who had budget control and turned reckless deficits into surpluses". This Liberal Party now has \$182 billion of debt. Not only our grandchildren but our great-grandchildren will have to pay that off. It is a Liberal Party that has lost all sense of any type of cost savings—just three out of 350 changes in the last two budgets have cost savings. The reputations of the Liberal Party of Nick Greiner, which was fiscally responsible and had regard for intergenerational equity issues, and the Liberal Party of Howard and Costello have all been blown. They have been blown by Morrison and Frydenberg, who racked up a trillion-dollar debt, and blown in New South Wales by Kean, who is racking up \$182 billion in debt. These things are irresponsible.

Clearly, in the state of Australian politics, if the Liberal Party does not have regard for fiscal rectitude and responsibility, nobody else will. A young fellow like the Hon. Chris Rath, who comes from the Friedman school of economics, must go home and pull his hair out at this sort of irresponsibility. The Labor Party essentially causes a lot of debt and deficit problems, but the thing Labor members have pointed out today that is correct is that we should have both: We should have a midyear budget review in the normal manner, and then we should have an update prior to the next election. That should be the pattern, and hopefully we can do a lot better in the future.

METROPOLITAN ROADS

BUDGET HALF-YEARLY REVIEW

The Hon. JOHN GRAHAM (17:20): I comment first on the potholes issue. I thank the Minister for Regional Transport and Roads for the work he has done getting \$50 million to councils. He is not just fixing State roads but is doing what the Minister for Metropolitan Roads is yet to do: help councils fix potholes. As I pointed out in question time, it has been raining not just in the bush but in the city as well, and those councils need help. I turn to the discussion about the issues relating to the State's finances. I think it has been a good debate. I share concerns about the answers we got about the midyear update.

The idea that the Minister for Finance in New South Wales is saying that delaying the midyear update is an efficiency measure or some productivity gain is really having a laugh at the House. I was quite upset that that was the line the Minister chose today, and I think he should reconsider that. After 12 years, the fact that the Government is hiding the books is a terrible look. I welcome the debate on the assertion that what we have built is based on asset recycling. The trouble for the Government is that the numbers just do not bear that out.

Let us put the numbers on record. Some \$93 billion of assets have been sold over the past 12 years. The trouble is the \$115 billion that drivers have been signed up to in tolls. Even the tolls bill outweighs the asset recycling, as big as it is, at \$183 billion. I have it at \$183 billion—a billion dollars higher than the Hon. Mark Latham—of gross debt. We will check the record. But it is an astonishing amount, never higher. Those numbers dwarf even the amount that has been sold. That is the issue here. This has not been funded by asset recycling, though there has been plenty sold. It has been funded by tolls and funded by debt. That is actually what is going on in New South Wales.

There was lot of talk about the triple-A credit rating today. The trouble is that the Government lost one A from one ratings agency, Standard & Poor's. It is good that we have got two of the ratings agencies still on board, but no government since State ratings started has ever lost one of the triple-A ratings. This Premier, when he was

Treasurer, did. Not since the eighties has that happened. As the ports deal falls apart today—a secret privatisation deal—hundreds more millions of dollars are likely to flow from taxpayers to fix up these deals. Meanwhile, where is the Treasurer? As the ports deal falls apart, as the books go missing, as the taxi compensation deal hangs in the breeze— [*Time expired.*]

METROPOLITAN ROADS

The Hon. SHAYNE MALLARD (17:23): I take note of the contribution in question time by the magnificent Minister for Metropolitan Roads regarding State funding for road repairs after our extraordinary La Niña events, particularly funding for potholes. Of course, the Hon. John Graham, who just spoke, asked a question and referred to the fund for regional councils to apply for a pool of \$50 million to repair potholes across regional New South Wales. I hear it closes today. The Government is, in fact, investing directly with councils. Contrary to what the Hon. John Graham has said in the House, the Government is investing directly with councils to help them repair roads after the extraordinary wet event right across Sydney.

The Government has focused particularly on western Sydney and the Hawkesbury-Nepean region, where flooding has caused serious damage. We are pleased to hear that the Blue Mountains has actually received \$33 million from the State Government—the Hon. John Graham has stopped smiling. Transport for NSW has given \$33 million for repairs to the Blue Mountains road network. Particularly because I live there, I am aware that landslides and slippages have occurred. That is \$33 million. What did the Labor mayor and a Labor State member say? They said, "Thanks for that money. We want more. We want to be in the regional fund." They put out a press release saying, "Put us in the regional fund. We want to double dip from the country people and take their money as well." That \$33 million is an extraordinary amount of money for one local government area, and the Blue Mountains City Council should be very thankful for it.

The Government is rolling out funding in other councils. We have given emergency grants across western Sydney, particularly in the Hawkesbury-Nepean area, which was hardest hit by the flood damage. We have funded Blacktown Council with a first grant of \$6 million so far, and Hawkesbury with \$1.6 million. I was driving around the Hawkesbury on Sunday. I saw that they are taking up whole areas of roads and resealing them around North Richmond, where serious damage was done from the flooding. Wollondilly has been given \$2.3 million. That is just the beginning of the funding that is going to those councils.

The member opposite has got it wrong. The Government is funding councils. We are also doing the State roads, which have 90 per cent of the road traffic or the most heavy road traffic, which is freight traffic. Let us acknowledge that. Trucks are on State roads and the Government is funding the repairs to those. Whilst we all might be pointing out potholes and carrying on like it is some sort of competition, repairing roads and potholes is a safety issue. A pothole can cause a car accident and risk safety and lives. A pothole can also damage vehicles and cost people money. The Government is supporting councils, contrary to what the shadow spokesperson said.

PORT OF NEWCASTLE

PORTS PRIVATISATION

The Hon. MARK BUTTIGIEG (17:26): I participate in this take-note debate to raise the answers to two questions from question time today. One was from me in regard to the latest exemplar failure of privatisation, which is the sale of the Port of Newcastle. Now we find that the restrictions will be lifted on the 50,000 limit of container removals and compensation has to be paid to Port Botany as a result. The question was asked whether the New South Wales taxpayer will be out of pocket. The Leader of the Government in the House refused to answer and said, "We will debate that later today."

My colleague the Hon. Tara Moriarty asked a follow-up question about the same privatisation deal and whether the Government thought that the whole asset recycling process was worthwhile and whether it would continue. As has been elucidated further in the take-note debate today, the answer was, "Absolutely, yes. We are doubling down. We think it's a great idea." This is a government that is stuck in the eighties. It has not learnt from its ideological obsession with selling everything under the sun. There has been over \$90 billion worth of failed asset privatisation.

It was not enough to sell the monopoly assets of electricity. That has been a great success, hasn't it? Electricity prices are at record highs. People have lost control of their asset. They have lost dividends and tax equivalent income. It is a total and utter disaster, transferring monopoly assets from public hands into the hands of private operators. Then there are the toll roads. The poor old taxpayer hands over an asset that they have to drive on every day to get to work, to take their kids to school and to engage in the economy to a private operator, who they then have to pay through the nose to in tolls for the benefit of driving on the very road that they should own.

On top of that, the Government goes and sells all of the public bus routes to private operators. We heard in the inquiry about all of the complaints that that has engendered about people not getting proper service and paying excessive fares. It is a total and utter failure. I congratulate members opposite on being honest and telling us that they will proceed down the path of further privatisation. The battlelines will be clearly drawn. The Opposition stands for no more privatisation, and the Government wants more privatisation. The New South Wales taxpayers should understand that if they choose this Government again, there will be more privatisation. If they choose the Labor Party, there will be no more privatisation. [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. LOU AMATO (17:29): As Minister Ward said during question time today, after years of neglect under the previous disastrous Labor Government, the Coalition has been delivering record investment into the metropolitan roads portfolio to reduce congestion and allow the people of New South Wales to spend more time with their families. The Leader of the Opposition and members opposite have been silent on what their vision is for New South Wales, and that is because they have no policy, no vision and no credibility when it comes to delivering for the people of this State. While they have opposed just about every project that has been delivered or is in delivery in the Metropolitan Roads portfolio, the Coalition Government has delivered visionary infrastructure that is changing the way that people move around our city. Unlike members opposite, the Perrottet-Toole Government is securing a brighter future, with a \$76.7 billion commitment to delivering transport infrastructure across New South Wales over the next four years.

I also take note of an answer given today by the Minister for Regional Health. There is no doubt that the NSW Nationals have acted swiftly and decisively on regional health, led by the first ever Minister for Regional Health in this State. Members opposite do not seem to have presented anything in the way of an alternative. In fact, the only thing they have done is undermine confidence in our health system. The Opposition leader knows this all too well. He pretended to spend a weekend inside of three emergency departments to see problems firsthand, but it was later revealed that he entered only one of them for 60 seconds. He spent more time in the car park putting himself on Instagram. Members opposite continue to make false claims about our system, including claims that simple COVID screening tents were being used to treat and triage patients, which was completely refuted by NSW Health.

Labor's contribution to regional health is to denigrate the system and claim that it is broken, when exceptional standards of care are being delivered every day. Some members opposite get offended when pictures of happy people wearing country clothing are on the covers of regional plans. Such is their attitude to people who live and work in regional New South Wales. There is no bigger threat to regional New South Wales than Labor. The first thing that its Federal counterparts did when forming government was axe most of the regional funds that were established by The Nationals when they were in government. What alternatives does Labor present for regional New South Wales compared with what The Nationals have offered and delivered in government? I cannot see any. The Nationals are the true voice, and only voice, for regional New South Wales because only The Nationals know regional communities.

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

Motion agreed to.

Deferred Answers

COVID-19 AND THE HON. BRAD HAZZARD

In reply to **the Hon. MARK LATHAM** (11 October 2022).

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

Noting the member asked these same questions of the New South Wales Chief Health Officer, Dr Kerry Chant, at the Portfolio Committee No. 2 – Health – Budget Estimates Supplementary Hearing – 27 November 2022, I refer him to her comments and to the relevant response to Legislative Council Supplementary Question for Written Answer from 11 October 2022.

DEPARTMENT OF PRIMARY INDUSTRIES RECRUITMENT PROCESS

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

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

- (1) The employee did not mislead compliance officers in his record of interview. The employee was considered the most suitable applicant for the newly created role. The recruitment action was carried out in accordance with the Government Sector Employment Act 2013.

GREATER GLIDER HABITAT PROTECTION

In reply to **Mr JUSTIN FIELD** (12 October 2022).

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

I am advised the Environment Protection Authority [EPA] is currently considering the Natural Resources Commission's [NRC's] bushfire advice and other scientific data and advice from the NRC led Forest Monitoring and Improvement Program. The EPA can only make changes to the Integrated Forestry Operations Approval [IFOA] protocols, but not to conditions of the IFOA. Changes to the Coastal IFOA that relate to the retention rates of hollow-bearing trees can only be made jointly by the Minister for Environment and Heritage and the Minister for Agriculture in accordance with the Forestry Act 2012.

ENERGY PRICES

In reply to **the Hon. TARA MORIARTY** (12 October 2022).

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

Since privatisation of three of the four electricity networks in New South Wales, network prices have declined in real terms and consumers have benefited from these reforms by paying lower network charges.

Each year, electricity transmission and distribution networks must submit a pricing proposal to the Australian Energy Regulator [AER] for approval that contains the charges that they can recover from customers.

All New South Wales electricity distributor cost movements for 2022–23 are below the rate of inflation, continuing the trend of declining real network costs.

The AER's regulatory framework is based on enabling networks to earn an adequate rate of return if they produce efficiently. Businesses can earn returns above the rate of return set by the regulator if they outperform the expenditure forecasts set by the regulator, or they provide demonstrated benefits to consumers. When a network business realises efficiency gains that allows for additional returns in the current regulatory period, these benefits are ultimately passed through to consumers in the form of lower prices in the next regulatory period.

Consumers have benefited significantly from the incentive based regulatory framework with reductions in network expenditures and revenues over time. Capital expenditure incurred by distribution businesses per customer has steadily reduced and was 50 per cent lower in 2020–21 in comparison to its peak in 2011.

Increases in energy bills over recent months have primarily been due to sharp increases in wholesale energy costs, not network costs.

The Australian Energy Market Operator [AEMO] has reported that there are record high global supply constraints for coal and gas following Russia's invasion of Ukraine. This has led to higher global prices for coal and gas, which are flowing on to increases in wholesale energy prices and therefore retail energy bills.

The Government offers a range of energy rebates and the Energy Accounts Payment Assistance [EAPA] scheme to deliver assistance to consumers. EAPA provides emergency energy vouchers to consumers facing sudden financial crisis or emergency. Other energy rebates designed to deliver targeted relief include the Low Income Household Rebate, Gas Rebate, Family Energy Rebate, Life Support Rebate, Seniors Energy Rebate and Medical Energy Rebate.

RENEWABLE ENERGY AND ELECTRICITY COSTS

In reply to **the Hon. MARK LATHAM** (13 October 2022).

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

I am advised:

The replacement cost of existing coal generators with new renewables is not the reason for the forecast price increase. The 2022 Australian Energy Market Operator's Integrated System Plan continues to affirm that the lowest cost replacement for coal capacity is firmed renewables. The quarterly wholesale market reports from the Australian Energy Market Operator and the Australian Energy Regulator both identified extremely high international prices for gas and thermal coal as a key driver for electricity price increases.

TAXI INDUSTRY COMPENSATION PAYMENTS

In reply to **the Hon. MARK BANASIAK** (13 October 2022).

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

I am advised:

The Government established the industry adjustment assistance package to assist eligible taxi-cab and hire car licence holders to adjust to the changes to the regulation of the point to point transport industry.

Up to \$10 million was allocated to the Additional Assistance Hire Vehicles Payments [AAHVP] Scheme for eligible hire car licence holders. These payments were made in recognition of the fact that changes to the regulation of hire vehicles

meant that hire car licences were no longer required. The AAHVP Scheme has distributed almost \$8.3 million to 99 eligible hire vehicle licence holders, for 150 eligible hire vehicle licences.

In September 2022, the Government announced the approval of an additional \$500 million in taxi licence owner assistance payments as part of a comprehensive \$645 million package of reforms to fully deregulate the taxi industry and benefit customers in the long term.

The introduction of these additional funds will help ordinary taxi licence owners adapt to the deregulation of the supply of taxi licences, noting that taxi licences will continue to be required after the reforms are enacted.

The implementation of the further point to point transport reforms, including financial assistance scheme is subject to the passing of legislation by the New South Wales Parliament.

MOREE SECONDARY COLLEGE

In reply to **the Hon. PENNY SHARPE** (18 October 2022).

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

As mentioned in my response, I have had a phone conversation with Ms Kelly James in her role as President of the Parents and Citizens Association at Moree Secondary College. At the time, current issues and forward planning were discussed.

The Department of Education and the school will continue regular and ongoing communication with Ms James and members of the local school community regarding progress on considerations to consolidate the Carol Avenue and Albert Street campuses of Moree Secondary College.

KOALA POPULATION

In reply to **the Hon. WALT SECORD** (18 October 2022).

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

The NSW Koala Strategy states that the baseline survey program will be delivered by 2024. I am advised data collection for the program is expected to be completed by December 2024, with analyses and reporting completed by June 2025.

I am advised the program timeline has been extended to allow for rigorous trialling of survey methods, surveys phased around koala breeding seasons and potential delays due to weather and other unforeseeable issues.

NOWRA HOMELESS SHELTER

In reply to **Ms CATE FAEHRMANN** (18 October 2022).

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

On 13 October 2022, Peter Dover, founder and CEO of Safe Shelter Shoalhaven, wrote to Shelley Hancock, member for South Coast, requesting an urgent meeting with me to discuss their request for funding of \$255,000 per annum.

I met with Peter Dover on 26 October 2022, to discuss the matters raised.

I am advised that the Department of Communities and Justice [DCJ] has not received a request for emergency funding for one month from Safe Shelter Shoalhaven.

In 2022/23, the New South Wales Government allocated \$13.9 million to the Illawarra Shoalhaven District which covers the local government areas of Kiama, Shellharbour, Wollongong and Shoalhaven, funding nine specialist homelessness services in the area.

The Government provides Temporary Accommodation and Supported Temporary Accommodation in the Shoalhaven district.

Safe Shelter Shoalhaven is funded by the Government to provide Supported Temporary Accommodation. This is available to people who are not eligible for social housing, but who are experiencing a short-term housing crisis.

Specialist homelessness services are the primary Government response to homelessness. Non-government organisations are funded to deliver a range of services to support people who are experiencing homelessness or at risk of becoming homeless, including young people, families, single men, and single women, with or without children. Services may include outreach, case management, links to education and training, crisis and transitional accommodation.

These services include - Shoalhaven Women's Homelessness and Domestic and Family Violence Support Service Crisis - Women and Children's Refuge in Nowra and Illawarra-Shoalhaven Men's Homelessness Support Service providing Crisis & Transitional accommodation - John Purcell House Nowra. This service is operated by St Vincent De Paul Society, NSW.

Information about services available for people who are experiencing or at risk of homelessness is available at:

<https://www.facs.nsw.gov.au/housing>.

This includes information about Link2home information and referrals to support services as well as search tools to assist people to find services, including refuges, in their local area.

CLIMATE CHANGE AND EMISSIONS REDUCTION

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 current 2021 policy projections include emission reductions to be achieved by funded programs under Stage 1 of the Net Zero Plan, including the Net Zero Industry and Innovation Program [NZIIP] and the Primary Industries Productivity and Abatement Program [PIPAP].

The updated 2022 emission projections are due to be released by the end of 2022 and will include the emission reduction projections for the NSW Hydrogen Strategy and any updates to NZIIP and PIPAP.

A sectoral approach is adopted to account for interactions and inter-dependencies between all programs and for the collective market impact of programs. Emission reductions attributable to individual programs will be assessed during program evaluations.

CLIMATE CHANGE AND EMISSIONS REDUCTION

In reply to **the Hon. MARK LATHAM** (18 October 2022).

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

I am advised:

New South Wales electricity sector emissions projections to 2030 were based on modelling of the National Electricity Market, including demand assumptions from the Australian Energy Market Operator.

I can assure the member that the Government has developed a comprehensive plan to ensure that New South Wales continues to have reliable and affordable electricity following the closure of Eraring power station. In response to the May 2022 Energy Security Target Monitor Report, I directed the NSW Consumer Trustee, AEMO Services, to tender for Long-Term Energy Service Agreements for firming infrastructure in addition to the procurement of the Waratah Super Battery. These actions will ensure the Energy Security Target and the National Electricity Market Reliability Standard are met.

ILLEGAL FOOD PRODUCTS

In reply to **Reverend the Hon. FRED NILE** (19 October 2022).

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

This question is more appropriately directed to the Minister for Enterprise, Investment and Trade.

ANIMAL WELFARE FUND GRANTS PROGRAM

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

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

This question is more appropriately directed to the Minister for Local Government.

Written Answers to Supplementary Questions

CHILD PROTECTION

In reply to **the Hon. PENNY SHARPE** (20 October 2022).

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

I am advised:

The number of children in out of home care in New South Wales is the lowest it has been in a decade.

In 2022/23 the New South Wales Government is investing \$3.1 billion to ensure the safety and wellbeing of vulnerable children, young people and families, including \$172 million in Targeted Early Intervention for services that support children, young people, families and communities experiencing or at risk of vulnerability, and more than \$100 million for family preservation programs, including evidence-based therapeutic models to address trauma.

The number of children at risk of harm, abuse and neglect who are seen and assessed by a caseworker is increasing year on year and over the past decade the number of funded full time equivalent DCJ child protection caseworkers has increased by 9 per cent.

In 2020-21, family preservation programs provided more than 4,500 contracted places for families. Nearly 17,000 children received family support services, which is nearly 6 per cent increase on 2019-20.

Responses to ROSH reports can range from face-to-face assessments to referrals to family preservation programs provided by NGOs and funded by government. DCJ works collaboratively with local community partners as well as health and education to provide coordinated responses for children and families.

Data regarding the number of children reported at ROSH and how cases are closed is not publicly available.

In all cases, the priority is to ensure children are safe, and families get the supports they need as efficiently and effectively as possible.

COALMINING ROYALTIES

In reply to **Mr JUSTIN FIELD** (20 October 2022).

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

On behalf of the Treasurer, and Minister for Energy, I am advised that the Treasurer receives regular briefings from Treasury on matters of economic policy.

Bills

BUILDING AND OTHER FAIR TRADING LEGISLATION AMENDMENT BILL 2022

TREASURY AND ENERGY LEGISLATION AMENDMENT BILL 2022

ELECTRONIC CONVEYANCING ENFORCEMENT BILL 2022

Messages

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

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. SARAH MITCHELL: I move:

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

Motion agreed to.

ORDER OF BUSINESS

The Hon. SARAH MITCHELL: I move:

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

- (1) Order of the day No. 2 relating to report No. 11 of the Public Accountability Committee entitled *Further inquiry into the regulation of building standards*.
- (2) Order of the day No. 5 relating to report No. 1 of the Select Committee on Puppy Farming in New South Wales entitled *Puppy farming in New South Wales*.
- (3) Order of the No. 8 relating to report No. 61 of the Standing Committee on Social Issues entitled *Homelessness amongst older people aged over 55 in New South Wales*.
- (4) The take-note debate on the Government response to report No. 1. of the Select Committee on the Coronial Jurisdiction in New South Wales entitled *Coronial Jurisdiction in New South Wales*, moved this day.
- (5) The take-note debate on report No. 16. of the Procedure Committee entitled *Auslan interpretation for broadcasting*, moved this day.

Motion agreed to.

Committees

PUBLIC ACCOUNTABILITY COMMITTEE

Report and Government Response

Debate resumed from 22 March 2022.

The Hon. COURTNEY HOUSSOS (17:35): I take note of the report of the Public Accountability Committee entitled *Further inquiry into the regulation of building standards*. This inquiry was initiated off the back of the 2019-20 inquiry into the building industry. At the outset, I note that Mr David Shoebridge has moved on from this place, but he drove a lot of this work. I also acknowledge the work of my colleague the Hon. Anthony D'Adam on this particular inquiry. What struck me as we undertook the inquiry was how little progress had been made on some of the initial recommendations. The first recommendation was that the Government should adopt the recommendations from the previous report. There are so many problems confronting the building industry,

and many of them could be solved with the focus of government. I accept that I have had some differences with the Building Commissioner. A couple of years into his tenure, we can all accept that he is doing good work in some parts, but the scale of the problems is so big that the original recommendations and the need for a separate building Minister, a standalone plain-English building Act and a building commission remain.

It has been 3½ years since the Mascot Towers incident and nearly four years since the residents of the Opal Tower were evacuated. We have seen a wave of defects across residential apartment buildings across the State, and we still do not have the fundamental things that will make a real difference. The inquiry was specifically focused on certifiers and cladding, but it dealt with a large range of issues. One of the issues that it specifically dealt with was the failure of residential builders more broadly. The protections that are provided to class 2 buildings—and, of course, we needed to pilot some initial protections given what was going on in the apartment building sector—mean that people who purchase in the residential building sector, or class 1 buildings, face lesser protections. That is ridiculous. We need to bring those in line to extend those consumer protections. We heard clear examples of that throughout the inquiry.

The inquiry also looked in detail at the owners in the Hassall Street development in Parramatta. This was a development by the Merhis Group—the group that also built towers in Auburn that have been publicly condemned by the Building Commissioner. They have a very patchy track record, at best. That is probably being kind. The Building Commissioner issued prohibition orders that meant the people who had purchased into that off-the-plan development would be able to exercise their sunset clauses and get out of buying into what is an incredibly defective building. There are structural defects and issues with the fire safety standards and waterproofing. There is a range of issues with those particular towers in Parramatta. Some of the owners wanted rectification, but a large number of them just wanted to exercise their sunset clause—which they would have been able to do, except that the Building Commissioner issued new orders after representations from the developer.

That is, specifically, what led to recommendation 7 from the inquiry, which is that building purchasers should be protected from changes to prohibition orders preventing them from triggering sunset clauses to rescind their contracts. There are some buyers who want to stay in. There are some buyers who just want to have the work rectified. But there are some who just want to be done with it; they do not think that there is a way of rectifying the building. The Building Commissioner amended his prohibition orders, which meant that those owners could not exercise their sunset clauses. They are stuck. A large number of the people who purchased into the property were first home buyers. There were also some investors who were trying to get a leg-up in the property market. They just wanted to move on with their lives. They purchased a property, but had no prospect of moving in within a reasonable time frame.

Since our report was released, the Merhis Group has been put into liquidation. The administrator is saying, and the Building Commissioner is telling us, that rectifications will be made and the defects will be addressed, but the purchasers are still not living in their properties. These are people who purchased a long time ago, who wanted to get out of it and who are stuck there because of the way that the Building Commissioner has exercised his powers. Clearly it needs to be addressed, and that is why the committee made recommendations around it.

I thank the really brave owners who appeared before the inquiry. This was their major financial investment. They thought that they were purchasing into an apartment building. They thought that they were getting a leg-up by making a small investment. They thought that they were about to create a home—usually their first home—for their family, and expand their financial capacity. They spoke about what they have been dragged through as a result of the defects riddling these buildings. I thank them for their strength and character that led them to speak up. Their stories will certainly stay with me as the Labor Opposition considers what policies to take to the election. As the shadow Minister responsible, their stories of the incredible trauma that has been visited upon them and their families as a result of defective buildings weigh heavily upon me.

The recommendations also dealt with what we expected would be the Government's response to the statutory review of the Strata Schemes Development Act 2015 and the Strata Schemes Management Act 2015. We are yet to see the Government's response to the review. Given that there are less than two weeks left of this Parliament—about five-and-a-bit days now—it is clear that is not going to come up. That is, clearly, an issue that needs to be addressed. There is a range of issues with the strata schemes Acts. Just this week, I have had meetings with retail lot owners and businesses about the huge issues they are facing in strata because this Government, after 12 years, has completely neglected that really important area of public policy. More and more people are living in apartment buildings, whether as renters or as home owners, and there is a need to update the way that buildings, particularly mixed-use buildings, operate.

Strata schemes are still largely run by volunteers in their spare time, yet it is their major financial investment. There are commercial interests now at play as well. Clearly, there is a need to not only update and respond to that strata review but also look at the way it is working in practice. The committee made some recommendations around support and education for strata residents. Often, people who are purchasing into a strata

building, particularly first home buyers, do not understand the responsibilities and the potential financial liabilities. The most obvious example is the Mascot Towers owners. It is a clear example of the very complex issues that are being faced in strata, which need a contemporary response from this Government. It is very disappointing—in fact, it is disgraceful—that the review has not been responded to. There has been no resulting legislative change, despite the long time since the statutory review was released and the committee's report tabled.

I turn to the issue of certifiers. I support private certification of buildings, but I am very concerned about the self-regulation. It is clear that there are some dodgy certifiers out there who have not been driven out of the industry, and there are real concerns that it is government regulation that is being enforced by them. That was on full display to the committee throughout the inquiry. I should also say that there are some great certifiers out there—but there is a clearly an issue. I pay tribute to the Hon. Anthony D'Adam and Mr David Shoebridge, who really questioned the relevant bodies—the Australian Institute of Building Surveyors and the Australian Association of Certifiers—about the process of self-regulation.

There is so much at stake with certification. Our regulations are fundamentally relying on certifiers to do their job. I am not concerned about the people who are doing their job diligently, trying to enforce government regulations; I am concerned about those people who are not doing it properly. That is something that we really need to look at. There is a fundamental conflict of interest if a certifier is doing all of their work for one developer. If the certifier—who is, effectively, the government regulator—is, in essence, an employee of the developer then, from an auditing perspective, that is not allowed. We need to look seriously at that.

Finally, I turn to the issue of dangerous flammable cladding. I think the Government has finally removed a couple of pieces of dangerous flammable cladding off buildings. But given the long period of time since the Grenfell Tower tragedy, the significant delays with Project Remediate, and the amount of dangerous flammable cladding that was identified by the Auditor-General's report—not just the high-risk cladding but also the fact that the Government has no plan for low-risk cladding—the delay in getting this building material off apartment buildings in particular is a real concern. The inquiry also highlighted the issue of approval of different products. It is clear that there are some very dangerous building products. Overnight there was a fire in the United Arab Emirates, where an apartment building went up in flames very quickly. It is clear that we need to ensure high-quality building products are used in buildings in New South Wales, and right across Australia. They need to be in accordance with the best quality standards and to be tested appropriately.

The committee made some recommendations around the fire testing standards that should be in place for all materials, and particularly all of the materials that will replace dangerous flammable cladding. I think some of those issues have, thankfully, now been resolved with the approval of different products. That was certainly something that the inquiry helped to resolve. I still have deep concerns about the historical defects that are out there in our building industry. I am deeply concerned about the consequences of those and how our strata committees and owners' corporations are going to deal with them. That is going to be a very real challenge for whoever wins the next election. I accept that the Building Commissioner has done some very good work where he has been able to focus his attention. But it is clear that there is still a need for a building commission, there is still a need for a plain English building Act, and there is still a need for a separate building Minister who can really confront this crisis, because we are going to be dealing with the consequences of shoddy building practices for a long time to come. I commend the report to the House.

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

Motion agreed to.

SELECT COMMITTEE ON PUPPY FARMING IN NEW SOUTH WALES

Reports

Debate resumed from 20 September 2022.

The Hon. MICK VEITCH (17:49): In introducing the report entitled *Puppy farming in New South Wales*, I extend my appreciation to the members of the Select Committee on Puppy Farming in New South Wales. Select committees have been a rare beast up until this term of the Parliament, during which there have been a few. The membership of select committees is always important. The result of this committee's inquiry reflects the contribution made by its members. The Hon. Emma Hurst performed the duties of deputy chair. The Hon. Adam Searle had a particular interest in the issue of guardianship and contractual arrangements. It is fair to say that we did explore that during the inquiry, but more work is needed in that space. What that looks like will be a matter for consideration during the next parliamentary term.

Government membership of the committee changed throughout the inquiry. A rotating seat-warming exercise occurred. The Hon. Lou Amato endured for the totality of the inquiry. The Hon. Wes Fang was an initial member but was replaced by the Hon. Ben Franklin. The Hon. Shayne Mallard replaced the Hon. Catherine Cusack as a substantive committee member. Clearly, various Government members worked their way through this inquiry. I extend my appreciation to the Hon. Shayne Mallard, who became a member at the very end of the inquiry at the deliberative stage. It was quite difficult to know how to approach that. The Hon. Scott Barrett also became a member towards the end of the inquiry. It was almost a case of if a Government member did not get on the committee, there was something wrong.

The committee did some very good work. The terms of reference were quite extensive because we took the opportunity to look at a number of matters. It is fair to say that the breeding of dogs and cats in New South Wales is an important issue for the community and that community views have changed and continue to evolve regarding ethical breeding for the purposes of sale, in particular. Under the terms of reference, the committee considered the provisions of the Companion Animals Amendment (Puppy Farms) Bill 2021. We also considered other matters, such as the current arrangements in New South Wales and other jurisdictions, particularly Victoria and Western Australia; the Government's code of practice for the breeding of dogs and cats in New South Wales; licensing; pet registration; consumer protection; and education. The committee made a number of findings and recommendations, many of which relate to the bill that is currently before the House in Committee stage.

It was necessary for the committee secretariat staff to get their heads around what is quite a complex process in New South Wales. There are a number of elements to the breeding of dogs and cats, their sale and ownership, and how owners care for their pets. The committee secretariat did a wonderful job in arranging a briefing paper from the library. We were very lucky because Talina came across from the library to work with the committee. That knowledge base assisted us. The secretariat was ably led by the director for this inquiry, Merrin Thompson. As members know, I am contesting the election but may not get up, so this may be the last chance I have to speak on record about the committee secretariat.

The Legislative Council committee secretariat is outstanding. The work the secretariat staff do to make us look good should always be appreciated. I have sat on a number of inquiries. Their capacity to research, analyse and get their heads around complex issues and then provide the information in a manner that members can understand for the purposes of producing a report never ceases to amaze me. We should acknowledge that. This report is a very good example of that capacity. My respect for the committee secretariat staff is endless. The inquiry comprised a number of hearing days. The hearing transcripts are essential to our role. I acknowledge the hardworking Hansard staff because an accurate reflection of the testimony of witnesses at a hearing assists us to ask questions on notice and to work through what has been said so that we can take a position in the deliberative stage and produce a report. This report is reflective of what I have observed in my 16 years in this place: In the New South Wales Parliament, we have a fantastic asset in Hansard. We should all do what we can to protect the Hansard team because they are brilliant.

I turn to the Hon. Adam Searle's concerns regarding guardianship arrangements. Currently, a breeder can essentially enter an agreement with someone to accommodate dogs—I do not know whether this applies to cats—in their own home rather than at the breeding facility. A number of such agreements can be in place. Essentially, when the bitch is ready to breed, she returns to the breeding facility. The breeder does not own the dog but essentially leases the breeding rights in some way. Probably the Hon. Adam Searle, with his legal mind, could articulate that a lot better than I can. There are some concerns about whether those arrangements would stand up if tested in court. That is a valid issue. Regardless of the outcome of the election, both sides of politics need to look at how those arrangements are operating in other States and how they operate here because they could well be problematic. They may not be, but there is work to be done to provide surety to people who enter into those arrangements.

Another discovery made by the committee relates to the consumer process. We heard stories of people who purchased a pup online and travelled a great distance. The scenario that was provided to me over the coffee cart was that someone purchased a pup online from up near Bourke, transferred the money, travelled to the South Gundagai McDonald's car park to pick up their pup and several hours later realised that no-one was going to turn up. So they lost their money.

The Hon. Adam Searle: They were "sold a pup".

The Hon. MICK VEITCH: They had literally been "sold a pup". This is a very serious problem. There are other issues regarding online purchasing, predominantly in the Federal sphere. But some analysis is required regarding how we can better provide protection for consumers in this space. The issue is not going away. There is a role for the RSPCA and the Animal Welfare League NSW under the Prevention of Cruelty to Animals Act 1979. This recommendation has arisen from a number of committees that I have been involved in and that have spoken to those two agencies.

It is about the inadequate funding for those two organisations to go about their work. We have recommended that the funding be increased. That has been raised by committee members in other inquiries. It needs to be addressed seriously. We do not fund those organisations adequately to undertake compliance work in the animal welfare space. If we take animal welfare seriously then we must fund them adequately. We also looked at recommending that funding be considered for animal rescue organisations and took some evidence about that at one of the hearings. They too play a critical role. I think they currently receive no government funding. That could be incorrect, but I—

The Hon. Emma Hurst: That is correct.

The Hon. MICK VEITCH: I thank the honourable member. Some of these animal rescue organisations require some assistance from the State because they play a role in the animal welfare space. We should acknowledge that. The Pet Registry was also raised during the inquiry. Some advancements and improvements to the registry are coming; I am not sure of how far away they are. Many people raised some issues around the registry. Someone said that, unfortunately, deceased dogs are still on the old registry. It clearly was not meeting the need and must be updated. There were a number of suggestions around what could be done there. The Office of Local Government said to the committee that a bit of work is happening in that space, so I look forward to seeing what that will look like. There were many recommendations, and I am going to run out of time before I can talk about all of them.

The program of public education around responsible care of pets would include, when you are looking to purchase a pup or a kitten, the sort of thing you need to take into consideration. Taking on a pet is a big responsibility. I am a mere country soul who gets to come to Sydney occasionally, and I must say that I am not sure that keeping some of the large dogs in small spaces leads to good animal welfare outcomes. There needs to be more education around that so that, when people make those decisions, they are better informed about whether it will work. Even worse is keeping something like a Border Collie in a small unit in the city. It is an active, intelligent dog and needs to be out all the time. A lot more can be done in that education space.

Another recommendation I raise, which will probably be raised tomorrow in the Government-introduced legislation, and which the Hon. Emma Hurst also raised, is to ban anyone convicted of animal cruelty offences from being involved in breeding dogs or cats. I will talk more about that tomorrow, given the opportunity. It is quite a serious issue. During one of the hearings, a council said that there was an application for a facility from someone the council knew to have committed an aggravated animal welfare offence in another jurisdiction. The council did not feel that that individual would be an appropriate person to operate such a facility but had no means to prevent that development application from proceeding. We need to give some consideration to how we assist councils to provide greater surety to people so that, when they purchase pups or kittens, they know that the people running those facilities are genuinely concerned for the welfare of the animals in their care and that there is not a history of animal welfare breaches at those facilities.

I will wrap up another one of my typical rambling contributions. This is what you get when you come out of a shearing shed and get your degree from the back of a wether. I extend my appreciation to all of the members who took part in this inquiry. I urge honourable members to give consideration to the recommendations in the report, some of which we will be considering tomorrow and some of which we may be considering next Wednesday as well, in consideration of the Hon. Emma Hurst's puppy farming bill. The community's standards are changing. If we do not contemporise our animal welfare legislation framework in this State, we will continue to be a very long way behind other jurisdictions in how we treat our animals. I commend the report to the House.

The Hon. EMMA HURST (18:04): On behalf of the Animal Justice Party, I speak on this inquiry and the report entitled *Puppy farming in New South Wales*, which examined the serious and pervasive animal cruelty problems associated with puppy farming. It is shocking that in 2022 puppy farming remains legal in New South Wales. Anyone can set up an intensive breeding factory with 600 dogs living in tiny pens and force them to give birth to as many litters as their bodies can cope with until they die. There is no licensing or registration system. There are no caps on the number of dogs, no requirements for minimum staffing and no caps on the number of litters any one dog can be forced to endure. And, disgustingly, if dogs are no longer considered profitable, they can simply be killed.

The inquiry was set up to look into the issue of puppy farming generally, as well as the specific provisions of the Companion Animals Amendment (Puppy Farms) Bill 2021, which I introduced into this House last year. I say from the outset that this was not an inquiry that the Animal Justice Party particularly wanted to have. The second reading speech of our puppy farming bill took place almost one year ago today, and we were eager to take that bill to debate. Puppy farming is an urgent animal protection issue, and the community wants to see action. The longer we delay, the more animals suffer within this cruel industry. It requires no further inquiries. We have seen how effective the Victorian legislation has been, so much so that puppy farmers are flooding over the border into New South Wales to take advantage of our lax laws. But, for whatever reason, both major parties were not

willing to let the debate on my bill go ahead in 2021. Who knew that protecting dogs was so controversial in New South Wales?

While the delay was frustrating, I am pleased to say that the position of the Animal Justice Party and our bill were entirely vindicated in the inquiry report. The committee of inquiry concluded that the Animal Justice Party bill should proceed to debate and that, in the event it does not pass, the New South Wales Government should bring in its own legislation to ban puppy farming. The inquiry also recommended that any legislation addressing puppy farming should include all of the core elements of the Animal Justice Party bill—namely, a licensing and registration scheme for breeders, a proper traceability scheme through an online pet registry, a cap on the number of female breeding animals, lifetime litter limits, staff-to-animal ratios, and restrictions on the sale of dogs in pet shops to only those animals sourced from pounds and shelters.

Today I will not go into detail as to why all those measures are necessary to shutting down puppy farming in New South Wales. Anyone interested can refer to my second reading speech on the bill. But I will highlight the strong consensus we heard at the inquiry, about the need to place some kind of cap on the number of breeding dogs and cats any one person can have in their care. We received strong evidence showing that, the greater the number of animals, the greater the risk to animal welfare there was. That is why the inquiry found that there is an inverse relationship between numbers of animals at intensive breeding facilities and the ability to guarantee positive welfare outcomes for animals and that limits must be placed on the number of dogs that can be housed at a breeding facility.

Another area of strong consensus was the urgent need to overhaul the Animal Welfare Code of Practice for breeding dogs and cats. Inquiry witnesses from all sides agreed that the code is woefully inadequate. It does not ensure the wellbeing of animals. An example brought up by several participants was the fact that the code allows dogs to be confined in small kennels for 23 hours and 40 minutes a day. The inquiry report calls on the New South Wales Government to conduct an urgent review of the code, to bring it into line with modern animal protection standards and community expectations. The Victorian breeding code was given as an example of a modern, best-practice breeding code, which should be emulated in New South Wales. Another recommendation was that there be proper funding of the RSPCA, the Animal Welfare League and other animal rescue organisations. This has now been a recommendation in multiple inquiries and it is unacceptable that private charities are required to fundraise from the public to uphold criminal animal protection laws. I understand that the New South Wales Government is conducting a review of its funding and I urge it to conclude that inquiry as soon as possible.

This inquiry also recommended that the Government introduce legislation to address the ability of animal cruelty offenders to operate breeding businesses and to strengthen the power of courts to impose disqualification orders stopping people from having any involvement with animals, which the inquiry heard was a key area of concern. We heard evidence at the inquiry about a number of animal cruelty offenders who are still running puppy farms in New South Wales. A key example involved a man and his daughter who were convicted of 18 charges of animal cruelty, but still run a puppy farm with over 100 animals. We also heard that there are people convicted of animal cruelty offences who are still members of breeding organisations, which is particularly disturbing, given these groups hold themselves out to be best practice in the industry. The inquiry made a number of recommendations to increase the ability of the courts to impose disqualification orders, most of which have been translated into my Prevention of Cruelty to Animals Amendment (Prohibition for Convicted Persons) Bill 2022, which we plan to take to debate tomorrow.

The final recommendation I highlight is the consumer impact of puppy farming. The committee heard firsthand evidence about how the New South Wales Government's failure to properly regulate breeders is having a serious impact on the community. Members of the public are being duped into spending thousands of dollars on dogs from unscrupulous puppy farms and backyard breeders, and are often receiving animals with serious health and behavioural issues, costing thousands in vet fees. We also heard from legal experts that, because animals are treated as property under the law, they fall under consumer law, but this can cause its own problems, given how difficult it is to prove causation in these cases and the fact that consumers can sometimes only recover compensation if they return the puppy to the breeder.

The committee felt that introducing an extended liability regime for breeders as well as an anti-puppy farming legal clinic to assist consumers and advocating to the Federal Government for other changes to the Australian Consumer Law would be good first steps in trying to address some of these issues. However, at the end of the day, a lot of these issues will just fall away if we outlaw puppy farming, backed up with a properly funded enforcement agency. The Government response to this inquiry report is not due until 25 November and, given how close we are to the end of the year, I think it is safe to assume we will not be seeing any action on puppy farming before the end of this parliamentary term. I say to both major parties as we look towards the election in March next year that puppy farming is an issue that people in the community feel very strongly about.

It is something people are willing to change their votes for. I hope the parties bear this mind when making their election platforms and policies for 2023.

Ms ABIGAIL BOYD (18:12): I was a bit of a ring-in for this inquiry and the subsequent report entitled *Puppy farming in New South Wales*. I cannot remember if I was a member or a participant. In any case, it was another of those inquiries that—

The Hon. Adam Searle: You were a member.

Ms ABIGAIL BOYD: I was a member; I thank the Hon. Adam Searle. As a member of The Greens, we have long held that we should be banning puppy farms and that we should be looking at animals as companions, not commodities, but when one has inquiries of this kind there are additional layers of understanding. This was an incredibly useful inquiry to look at the situation in New South Wales and at what has been happening in other States. I again thank the Hon. Emma Hurst for bringing the bill to ban puppy farming, the Hon. Mick Veitch for chairing the inquiry in such a calm and patient manner, and all the committee members who engaged in the topic in good faith.

I find it really frustrating that we can be in a situation where politically there is broad agreement that an industrial-sized puppy farm can never have a good result when it comes to animal welfare. We can argue about what that means and what puppy farming means, how many dogs one needs to have in order for it to be a farm et cetera, but as a fundamental principle we can all agree that too many dogs, not enough staff and very little care is a cruel and unacceptable thing to have in our society in this day and age. It is frustrating that we can all agree on that, yet actual action and legislative reform on this issue can take so long—can take many years.

Many members in this House have been on puppy farming inquiries prior to this one and there are political parties in this place other than The Greens and the Animal Justice Party that have taken to elections a promise to ban puppy farms. It is incredibly frustrating that we do not see a far more unified front to deal with something because we are arguing about the details of it. I am hoping that out of this inquiry we have a bit more of a consensus on what the first steps are that we could take. There is no doubt that there has been some learning from the Victorian experience that we could add to, but on the whole it has been a significant step forward based on what we have in New South Wales. We may not get it perfect straight up, but we can certainly take big strides forward by looking at what Victoria has and at the recommendations of this inquiry.

I would like to see a much lower cap on the number of puppies that one can have in one area. It breaks my heart to still hear of applications in semi-rural and quite regional areas for puppy farms that have 300, 500 or 600 dogs at those facilities. There is no way that a single person—I do not care how many staff they have—can house so many dogs on one property and be properly in charge of the welfare of those dogs. I just do not think it is possible. We talk about staffing ratios. I do not think we will ever get to the situation where we can have 300 dogs on a property with sufficient staff that achieve a good outcome. I think we can cap the numbers. We can look at not just the number of breeding females that are on a property but also the number of times that they are forced to go through that cycle over and over, even at some of the more presentable puppy farms, one of which we went to visit. Even in the best-case scenario, those mother dogs at a very young age have been through more than one litter already. Looking at the state of their lives and the way they were physically carrying themselves is heartbreaking.

We talk about consumer action and we talk about consumer responsibility. What we have at the moment is effectively an unregulated market, and it is not good enough. The regulations that we have in place are not enforced because animal welfare organisations do not have the funding and capacity to be able to do that. The funding is woeful—less than half a million dollars for both the RSPCA and the Animal Welfare League, which is in stark comparison to what we throw at the greyhound and horse racing industries. We are not honouring the wishes of the community. If consumers were fully aware of the enormous suffering that these dogs are put through, they would never accept a puppy from a puppy farm. In those circumstances, where the true situation is pushed underground, it is incumbent on government to adequately regulate or do away with the practice altogether. We heard a lot about the difference between backyard breeders and puppy farms. We can argue about which is which, but we all agree there is a line to be drawn and it is well past the time that we seek to regulate puppy farms.

I thank everyone who was involved in the inquiry. Even though there have been previous puppy farm inquiries, it was worthwhile for us to get the current state of play and to better understand what sort of regulations we can put in place. The Hon. Emma Hurst is correct that her bill stood up to scrutiny throughout the inquiry. If we were to pass that bill, we would move so much further towards showing that, as a Parliament, we care about the welfare of animals. It would be a real shame if we did not do it.

The Hon. ADAM SEARLE (18:20): I make a contribution to debate on the report entitled *Puppy farming in New South Wales*. I thank the Hon. Emma Hurst for bringing her bill forward, and my friend and colleague the

Hon. Mick Veitch for his calm and wise chairing of the committee, which dealt with some inherently difficult issues. To take the point raised by the Hon. Abigail Boyd, during the last two State elections the Labor Party announced comprehensive animal welfare policies and one tenet was to ban puppy farming in New South Wales. I am very proud to be a Labor MP and to have argued in favour of those policies. I am also an enthusiastic pet owner, which is probably the biggest expertise I brought to this inquiry. In my family, whether as a child or as an adult, companion animals have been an integral part of family life. You can always tell a person's values by the way in which they treat the animals in their life, on both the positive and negative side. It is an important bill.

When I was a child, there was not a lot of thought and attention given to pet breeding. People generally did not desex their animals. When your female animal was pregnant, which was almost inevitable, the pups or kittens would be taken to the local market and given away. That was unregulated because it did not really need to be regulated. Whether it was a question of awareness or otherwise, there was not an awareness of an industrial breeding capacity, and there probably was not that capacity at that time. The fact that we are now aware that it certainly exists calls for clear and firm regulation. The recommendations in this inquiry, as well as the tenets of the bill, provide flesh on the bone of that good intention.

I will highlight a few of the recommendations that I think are particularly important and noteworthy. They all are but these three spoke most to me. Recommendation 3 is about the legality of breeding arrangements including guardianship, which the Hon. Mick Veitch touched on. The existing arrangements are legally unclear. The ownership of the pup or kitten in question is unclear, and it is a problem that has arisen time and again in the consumer space. We do not always like to think of animals as commodities, but that is how they are being legally treated. That is an area where the law is unsatisfactory and needs clear and firm attention. I also draw the attention of the House to recommendation 4, which is about the cap on the number of breeding animals and how often they can be bred. That is a very important matter for Parliament to determine in the years ahead.

Recommendation 10 goes to a key component of the regulatory apparatus, and that is the Pet Registry in the Office of Local Government. We do not have a department of local government anymore. We have an office, and that office has been kicked around like an unwanted child. It is sometimes in the Department of Premier and Cabinet, sometimes in the department of planning. It is not properly resourced. I think I am right in saying that it is the only regulatory authority in the State that is not self-governing and is not an actual department. That is a problem not only in this pet area but also in other areas—for example, the regulation of conduct and misconduct in the local government sector. But I leave that to one side.

It was quite clear that a majority of participants in the inquiry lacked confidence in the functionality and effectiveness of the Pet Registry. That is noted at paragraph 5.51. But it is no good blaming the office or the people who work diligently in the Pet Registry. It is the fact that this Government has historically provided poor resourcing for this important function. Yet, as the Hon. Mick Veitch indicated, community expectations have moved on and increased exponentially. We have seen the standards lifted in Queensland and Victoria. We are being left behind because there are not many votes. We are not going to win or lose an election on the funding of the New South Wales Pet Registry. The point is that it has been neglected. While there are some hopeful signs of a new dawn of resourcing, the committee was unanimous. At paragraph 5.52 it stated:

... the NSW Government must ensure that there is a proper level of resourcing, including for digital transformation—

or the function of the Pet Registry will not work. There are questions about how well it is working. As I have said, that does not question the professionalism or diligence with which the people working there do their job. There are not enough of them. They are not properly resourced. The whole office has a budget of \$4.9 million and 49 staff doing all of the various functions. The Pet Registry has three or five people—I am not sure. But it is a very small number of people carrying out a very important public function. The fact that the agency is not meeting community expectations, or even objectively doing as well as it should, is a direct reflection of the input.

The apparatus has been patched and patched again. There is no proper IT solution. That is because successive governments over the past decade have not prioritised it and it is not adequately resourced. Without that function working effectively and that key foundation being laid on a proper basis, all the good intentions embodied in the other recommendations, and the hopes and aspirations of the committee members and participants will founder. I thank the honourable members who participated, all of those who came forward with their stories and the wonderful committee secretariat who made the intentions of the committee shine with gold. Ultimately, it is now a matter for Executive Government as to what it does in the years to come. We will see if this was just a false storm or the beginning of a new day.

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

Motion agreed to.

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

Bills

ABORIGINAL LAND RIGHTS AMENDMENT BILL 2022

Second Reading Speech

Debate resumed from an earlier hour.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (20:01): It is proposed that the NSW Aboriginal Land Council be enabled to decide whether elections are administered by the NSW Electoral Commissioner or by an electoral services provider engaged by the NSW Aboriginal Land Council. That is consistent with the process and provisions of the Local Government Act 1993. In the spirit of consistent regulation in comparison with local governments in New South Wales, the bill proposes to amend the land rights Act to enable the NSW Aboriginal Land Council, rather than the Minister for Aboriginal Affairs, to determine the date for the election of all councillors. As an independent, self-determining statutory body, the NSW Aboriginal Land Council is more than capable of working with the Electoral Commissioner to determine the date of the NSW Aboriginal Land Council election.

As set out in the bill, the date is to be determined in consultation with the Electoral Commissioner in certain circumstances. The amendment also provides that if an election of all councillors of the NSW Aboriginal Land Council is not held on the date determined, the Minister for Aboriginal Affairs may determine a new date and appoint a returning officer for the election. The 2021 review of the land rights Act also found that a rewrite of part 10 of the Act, which deals with the provisions relating to conduct and disciplinary matters, would be beneficial to make the complaints-handling processes clearer and more efficient.

The key amendments proposed to achieve this end are to allow for the investigation of allegations of misconduct by former officers and staff members, and for disciplinary action to be taken against former officers and staff members; to clarify the process for an Aboriginal land council to remove an officer for breach of the council's code of conduct; to broaden the range of disciplinary action available to the registrar without the need for referral to the NSW Civil and Administrative Tribunal; to allow the registrar and the NSW Civil and Administrative Tribunal to suspend an officer during an investigation where the alleged misconduct is serious; and to streamline the processes for dealing with complaints relating to misconduct.

I turn to matters relating to a range of miscellaneous administrative amendments. The bill proposes to amend the preamble to the principal Act, which currently recognises the importance of land to Aboriginal persons. The amendments extend the recognition so that it will also reflect the importance of waters to Aboriginal persons. Aboriginal connection to country is a comprehensive cultural framework that connects people to waters as much as to lands; however, the preamble of the land rights Act does not currently include or recognise the importance of waters to Aboriginal people. The exclusion of water appears to have misunderstood the broader understanding of country. We can now amend the preamble to recognise that waters are of significance to Aboriginal people. This change is consistent with the New South Wales Constitution.

The bill also proposes for local Aboriginal land council boards to review their delegations within 12 months after an election of the board, rather than every year and immediately following an election of the board. Similarly, the land rights Act needs updating to provide for more flexible and modern recruitment processes. Some amendments seek to allow a local Aboriginal land council to advertise a vacancy for the position of chief executive officer in a manner that it determines to be sufficient to enable suitably qualified persons to apply for the position, rather than the manner prescribed by the regulations. Furthermore, an amendment is proposed to allow a vacancy in the staff of local Aboriginal land councils to be filled without advertisement, with the approval of the board. Currently, a vacancy may be filled without advertisement only in the circumstances prescribed by the regulations.

A further amendment of note proposes to prohibit persons who are not an Aboriginal person from being employed as the chief executive officer of the NSW Aboriginal Land Council. The intent of this proposal seeks to cement and respect the importance of Aboriginal leadership and inclusion in major decision-making. The NSW Aboriginal Land Council CEO position is in a class of office that should be identified as being solely for Aboriginal people to serve in. The bill also proposes to expand the subject areas of policy advice that the NSW Aboriginal Land Council may provide to the Minister for Aboriginal Affairs. The proposal extends the functions of the NSW Aboriginal Land Council relating to policy and advice to include advising the Minister for Aboriginal Affairs on matters relating to the interests of Aboriginal people more broadly.

The NSW Aboriginal Land Council is prominently recognised in Australia and internationally as the most representative body for Aboriginal people in New South Wales, and it is considered a major stakeholder with the Australian, State and local governments, the corporate sector and the media. There is clear merit in expanding and formalising a widened role and function of the NSW Aboriginal Land Council in providing broader policy advice on issues and the interests of the Aboriginal people of New South Wales to the Minister for Aboriginal Affairs and the New South Wales Government. In fact, the proposed change reflects current protocol and practice. Why would the Government not keenly seek the input of an elected Aboriginal council representing a statewide jurisdiction of Aboriginal corporate entities and diverse Aboriginal communities?

Important amendments proposed in the bill regard the insertion of provisions relating to the financial reporting obligations of the NSW Aboriginal Land Council. While the NSW Aboriginal Land Council is a statutory body, it is unique and entirely independent of government. Most importantly, its funds, resources and use of them are entirely independent of government. The bill proposes to remove the NSW Aboriginal Land Council from the Government Sector Finance Act 2018 and insert the financial obligations of the council into the Aboriginal Land Rights Act. Consequential amendments to the Government Sector Finance Regulation 2018 will also be required to clarify the exclusion of the NSW Aboriginal Land Council from the application of the financial reporting requirements currently contained in the regulation.

The statutory review of the land rights Act in 2022 was also guided by the principle of empowerment. A number of ministerial approvals were identified and characterised as paternalistic and outdated, and appropriately so. Therefore, as Minister for Aboriginal Affairs, I propose in the bill to relinquish certain functions and approvals of my office. Those functions and powers should be passed to and held by Aboriginal people of this State. The ministerial approvals proposed to be removed and repealed from the land rights Act include, firstly, the removal of the requirement for the NSW Aboriginal Land Council to submit its annual budget for approval by the Minister for Aboriginal Affairs. As an independent, self-determining statutory body, the council does not need government oversight and approval of its internal administration. Importantly, the NSW Aboriginal Land Council is audited annually by the Auditor-General, which means that appropriate and comprehensive oversight of the council's finances will not be lost.

Secondly, the bill proposes the removal of the requirement for the NSW Aboriginal Land Council to submit for approval of the Minister the list of persons who may be appointed by the Minister as an administrator of local Aboriginal land councils. It is an outdated provision from when the list of administrators was jointly made by Aboriginal Affairs NSW and the NSW Aboriginal Land Council. Thirdly, an amendment is proposed to allow travelling and other allowances for a board member of a local Aboriginal land council to be determined by resolution of the voting members of the council, rather than by the Minister for Aboriginal Affairs.

The 2021 review of the land rights Act also identified refinement to clarify some of the provisions relating to the Register of Aboriginal Owners. Accordingly, amendments are proposed in the bill—namely (a) to correct an inconsistency in terminology used in reference to the original Aboriginal inhabitants of land in a provision specifying the eligibility requirements for entering the name of an Aboriginal person in the Register of Aboriginal Owners; and (b) to enable the registrar to amend information on, or remove information from, the Register of Aboriginal Owners if the registrar considers the information is false, erroneous or misleading. This proposed amendment includes the safeguard that the registrar must first give the Aboriginal person to whom the information relates written notice and an opportunity to make submissions about the proposed change. An Aboriginal person who considers the amendment is incorrect may request the registrar to rectify the register and may appeal to the Land and Environment Court if the registrar fails to rectify the register.

Another important change is a new requirement for the Minister for Aboriginal Affairs to prepare a report of the Minister's reasons for appointing an administrator to the NSW Aboriginal Land Council and for the report to be laid before both Houses of Parliament. Although the appointment of an administrator to the NSW Aboriginal Land Council is an unusual and very unlikely event, should such an appointment be required, its seriousness should be appropriately managed and made transparently, which this amendment proposes to show. This completes my overview of the key amendments contained in the Aboriginal Land Rights Amendment Bill 2022 and their policy intention. There are a number of other miscellaneous amendments contained in the bill proposed, including but not limited to a number to improve and streamline the business operations of the NSW Aboriginal Land Council, specifically in relation to its policy making process, internal auditing mechanisms and for business transactions by modern and electronic means and practices.

The broad range of proposed amendments I present today aims to improve and strengthen the operation of the land rights Act as the prominent Aboriginal jurisdiction in New South Wales. Importantly, the proposed amendments aim to make the day-to-day activity of local Aboriginal land councils easier and more effective in providing the Aboriginal people of this State with the means to realise the potential within the Act to better the social and economic outcomes for their communities. Before I finish, I thank a number of people who have

assisted me in the development of the Aboriginal Land Rights Amendment Bill. First and foremost, I thank and acknowledge the critical role of the NSW Aboriginal Land Council in the development of this bill. The council has provided insight and skill into what measures are going to be serviceable and effective for local Aboriginal land councils throughout New South Wales. I am very grateful for their support of this legislation.

Similarly, I give special thanks to the commitment of the Registrar of the Land Rights Act, served over the time of the amendment drafting process by Mr Stephen Wright and Ms Elizabeth Tsitsikronis, and particularly Ms Nicole Courtman, whose combined extensive knowledge, experience and dedication to land rights in New South Wales has provided me with untold support, understanding and exceptional advice, especially in consideration of the detail and care required in making changes to the land rights Act. I also extend my thanks and gratitude to Aboriginal Affairs NSW, under the leadership of Lil Gordon and then Shane Hamilton, in providing me with expert advice. Their effort and commitment to New South Wales Aboriginal land rights is enduring and commendable. The measures provided in the bill are important operational reforms to benefit the land rights network and local Aboriginal land councils and their communities throughout this State. I commend the bill to the House.

Debate adjourned.

PROPERTY TAX (FIRST HOME BUYER CHOICE) BILL 2022

Second Reading Speech

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)
(20:13): I move:

That this bill be now read a second time.

The Property Tax (First Home Buyer Choice) Bill constitutes landmark reform for New South Wales. It is a reform that is directed to ensuring that young people in this State can more quickly enter into contracts to purchase real estate. It is a reform that affords choice to people about which taxation they will commit to when buying their homes. This is an opportunity for members opposite, who have had concerns about the bill, to show some leadership. This is an opportunity for them to demonstrate that they are a party of progress. But I anticipate that they will be framed not as a party of progress but rather as a party of protest. This was their opportunity. Paul Keating accepted it, showed the way to it and embraced it. But those opposite would rather conduct a campaign of misinformation, misrepresentation and fearmongering in relation to landmark reform in this State.

Over the course of the next two hours we will hear many speeches that will demonstrate what those opposite say are the defects of the bill. They will use terms like "forever tax" in an endeavour not to embrace reform but to scare the very constituency that they should be advocating for: those young people who want to purchase a new home. Tonight is an opportunity for members opposite to embrace that. But if the speeches given in the other place are any indication, I anticipate that speaker after speaker opposite will seek to demonstrate that the bill has all sorts of flaws and should not be supported. What they are really saying to the people of New South Wales is, "We don't have your interest at heart. We don't have reform at the heart of anything we do. We have never thought of a policy that could replace this. All we do is think in terms of repealing landmark reform." All members opposite have put forward in the public arena over the past 10 days is "We will repeal this bill"—if it is passed by this place.

In many respects, they are betraying the young people and the families of this State who stand to benefit from this landmark reform. So it is the choice of those opposite. It is easy to say no. But they could say that this is something that we as a Parliament ought to be doing. We ought to put the young people of this State at the heart of everything we do. We ought to acknowledge that the bill is about the choice that people can make in terms of their financial obligations. Bear in mind, for all that those opposite say about the so-called defects of the bill, it is a choice. If someone does not like it, then there is always the opportunity to accept the existing system. But this Government wants to give young families the opportunity to make a choice that will benefit them in the home ownership that they will adopt. I heartily embrace the observations made by the Treasurer when he introduced the bill in the other place. It is a bill that has been many years in the making and has been the subject of a significant amount of review and consultation. The opportunity exists tonight for us to adopt the bill and pass it into law for the benefit of the people of this State. I wholeheartedly agree with the sentiments expressed by the Treasurer.

I seek leave to have Treasurer's second reading speech incorporated in *Hansard*.

Leave granted.

The Property Tax (First Home Buyer Choice) Bill 2022 gives first home buyers a choice when buying a first home as to whether to pay an up-front stamp duty or to opt in to a small annual property tax. This legislation is founded upon a cornerstone value of this Government—the freedom to choose. Further, this is a signature piece of legislation for the Premier that I am proud to advocate for. This reform will allow first home buyers to overcome one of the greatest barriers to home ownership and achieve their own Australian

dream. Buying a first home is one of the most important milestones in a person's life. Homes are where families are raised, where they share time with friends and make memories to last a lifetime. However, too many young people today see the dream of owning their own place as out of reach. That is why the Premier has undertaken this important reform during his time as Treasurer and is delivering it today.

Overall, rates of home ownership in New South Wales have fallen from 70 per cent in the 1990s to 64 per cent in 2021. For younger people aged 25 to 34, the national rate of home ownership sits much lower, at around 41 per cent in 2019-20. It is taking first home buyers longer than ever before to save the funds they need for a deposit and to pay stamp duty. In the 1990s it would take the median New South Wales household, putting aside 15 per cent of their income, around six years to save for a 20 per cent deposit on the median property in New South Wales and one year to save for stamp duty. It now takes that same household around 10 years to save for a 20 per cent deposit and two years to save for stamp duty.

The New South Wales Government is committed to helping the young people of this State open the door to home ownership that too many feel is shut to them. This initiative will empower first home buyers to fast track their path to home ownership by choosing the option that best suits their own financial circumstances and personal aspirations. I call on all members in this place to lend their support to this initiative that will empower first home buyers across our State to realise their aspirations of home ownership.

I now turn to the detail of the bill. Choice is the key feature of the First Home Buyer Choice scheme. We know that everybody's personal financial situation is different, and First Home Buyer Choice allows people to choose the tax arrangements that will work best for them. If a first home buyer expects to live in their first home for several decades or longer, they might prefer to pay stamp duty. But for someone struggling to save the up-front costs of their dream home or for someone who does not plan to hold their first property for decades, property tax will often be preferable. We expect that among the relevant group of first home buyers, around two-thirds will choose to pay property tax. It is important to note that a first home buyer's choice will not affect subsequent owners.

The property tax option is only available to first home buyers. Subsequent purchasers of a property will be required to pay stamp duty, as under current arrangements, unless they are themselves an eligible first home buyer and they choose to pay the property tax. To assist eligible first home buyers in making the choice between property tax and stamp duty, the Government has provided an online property tax calculator. Using this calculator, a prospective first home buyer will be able to discover the owner-occupier property tax that would be payable on a particular property and to compare it with an estimate of the stamp duty payable by a first home buyer at purchase.

Parts 2 and 3 of the bill outline the eligibility criteria for eligible transfers under the scheme. The definition of a first home buyer in clause 5 of the bill is consistent with the existing rules for the First Home Buyers Assistance Scheme. That scheme determines who can receive exemptions or concessional rates of stamp duty. These eligibility criteria are well known in the community and have been in place since 2017. Australian citizens or permanent residents living in New South Wales can opt into the scheme for residential property purchases, provided they or their spouse have not previously owned residential land in Australia.

The bill will allow first home buyers purchasing a dwelling for up to \$1.5 million to choose between stamp duty or the property tax. For people buying vacant land, with the intention of building their first home, the purchase price can be up to \$800,000. Farmland will be excluded from the First Home Buyer Choice. The bill adopts the definition of "land" used for primary production within the meaning of the Land Tax Management Act 1956 to identify farmland that is not eligible for first home buyers to choose property tax. In extensive consultation on property tax proposals over the past two years, farmers in New South Wales have indicated to the Government that they do not consider an annual property tax to be well adapted to the variable incomes faced by farming businesses.

The scheme is focused on first home buyers who seek to become owner-occupiers. The bill includes a residence requirement in clause 15 to ensure that the scheme mostly assists those looking for a first home. Occupation of the property must commence within 12 months of the first home buyer taking possession and must continue for a continuous period of at least six months. The Chief Commissioner will have the discretion to vary or to waive the residency requirement if there are extenuating circumstances. The rates of property tax have been carefully designed to assist in increasing rates of home ownership and to remain affordable over the long run. The methods of calculating property tax rates are contained in schedule 2 to the bill. The application of those rates is outlined in part 5 of the bill.

For owner-occupiers, the initial property tax rates will be \$400, plus 0.3 per cent of the home's land value—land values in this instance are the official land values determined by the Valuer General and do not include the value of the buildings on the land. For further clarity, this is not the sale price of a property. If a property tax dwelling is rented out, an initial investor rate of \$1,500, plus 1.1 per cent of land value, will apply. The higher rates for investors apply because of the scheme's focus on lifting rates of home ownership and because investors' property tax payments would be deductible expenses for income tax purposes. These tax rates will remain unchanged during the first two financial years of the scheme.

For 2024-25 and subsequent financial years, the tax rates will be indexed each year. The indexation rules for tax rates will ensure that the average indexed property tax payment will grow in line with average annual incomes, ensuring that property tax payments remain affordable over time. The indexation approach will substantially reduce the volatility of individual property tax payments, compared with a system involving a constant tax rate applied to land values. As an added protection, the year-to-year growth of the property tax payments is capped at a maximum of 4 per cent growth. This will provide individual first home buyers with increased certainty regarding their future property tax payments.

Home buyers will want to know that the calculation of property tax will remain consistent for years to come. To safeguard against future governments changing the tax rates by increasing the land value component or the fixed component that make up the property tax indexed amount, provisions have been included in the bill to ensure that any future bill proposing an increase to the property tax indexed amount must be exposed for public comment and face parliamentary scrutiny. Those provisions are outlined in clause 55 of the bill. Additionally, clause 55 requires the Minister proposing the bill to alter rates to notify members of the public and relevant organisations of their intentions. Further, such a bill could only be introduced after being provided to the House at least 30 sitting days prior.

The Government is working closely with the relevant public and private sector systems operators to ensure the scheme is ready to go live in 2023. Eligible first home buyers who choose to pay property tax will not be required to pay stamp duty if their purchase settles on or after 16 January 2023. Relevant private sector and government systems are currently being updated to support applications to choose the property tax from that date. Information about how to apply to pay property tax will be made available on the website of Revenue NSW after this year. Part 2 of schedule 4 to the bill outlines that a period of retrospectivity applies. Property tax applications

will be available for dwelling purchases that are contracted in the period between the date of assent of this legislation and 15 January 2023. This means that an eligible first home buyer who buys a property between the assent of this legislation and 15 January would still be required to pay stamp duty to complete their purchase; however, from 16 January they will be able to apply to opt in to property tax and receive a refund for any stamp duty paid.

Part 7 of the bill outlines the deferral scheme. This scheme is intended to support vulnerable home owners who have fallen on financially difficult times and cannot meet their property tax liabilities. Under the deferral scheme, property tax could be deferred until the dwelling is eventually sold, at which time the Government would claim the unpaid taxes as part of the property settlement. No person will be required to sell their principal place of residence in order to meet their property tax obligations. The Chief Commissioner will have the power to assess and approve grounds for deferral of property tax payments when paying property tax would mean the home owner is unable to meet basic living expenses. Grounds for deferral would incorporate consideration of issues such as mental health, cognitive impairment, intellectual disability and other issues in determining if a person is fit to meet their obligations under the property tax. Property tax payments could also be considered by the existing Hardship Review Board, providing an additional avenue for assessment of hardship and potential relief.

Schedule 5 outlines amendments to other existing legislation. Given the bill's interaction with the tax and conveyancing systems, it also makes minor amendments to other legislative instruments. These are required to ensure the first home buyer choice legislation will not conflict with other legislation. Amendments to the Duties Act 1997 are required to ensure land opted in to property tax is not also charged duty. Amendments to the Land Tax Act 1956 set out how property tax and land tax interact. Land tax assessments will be reduced in proportion to the share of any property tax land in the value of total assessable land. Finally, the bill makes a simple amendment to the Taxation Administration Act 1996 to include the resulting legislation from the bill as a taxation law for the purposes of the Taxation Administration Act. This provides the Chief Commissioner the necessary powers for administering the property tax.

The Premier has led the way to deliver an innovative and exciting policy that puts power back in the hands of first home buyers across the State. Above all else, his policy is about choice. It is about giving first home buyers the choice to decide the pathway to home ownership that best suits their own personal circumstances. His policy is also about the great Australian dream, home ownership. The first home buyer choice legislation opens up new avenues for first home buyers to break into the market and to get a foot on the property ladder. It will reduce the time needed to save for a home by giving young people the option to bypass one of the biggest hurdles faced by many people trying to get their first home: stamp duty. This policy will help more young people right across New South Wales buy their very own stake in our great nation. I commend the bill to the House.

Second Reading Debate

The Hon. DANIEL MOOKHEY (20:18): The Parliament should not be the first to vote on the reform in the Property Tax (First Home Buyer Choice) Bill 2022. That power and prerogative belongs to the people of New South Wales. With an election just 136 days away, rather than seeking to rush this reform through the Parliament in the six remaining sitting days ahead of our expiry, people should have the chance to have their say because this will be the first time that this Parliament introduces a land tax on family homes that has to be paid annually and can last forever. It is being introduced by a Premier who no-one voted for and comes at a time when family budgets are under more pressure than they have been in three decades.

In our very long history it has always been the case that when it comes to major tax reform proposals, especially those that apply a new tax like this for the first time, whether proposed by the conservative or the progressive side of politics, both sides of politics have respected the right of people to have their say. In fact, that has been an organising principle of the Liberal Party for decades. Indeed, in recent times the Liberal Party has said that people should have a say about tax changes at a Federal level that affect housing. My party took to two separate Federal elections changes to tax settings that would have had a real impact on housing. We gave people the opportunity to have a say. We lost those elections and respected the verdict.

To be fair, when Malcolm Turnbull was introducing quite a radical change to corporate tax settings just a few years ago, at least he had the democratic respect for his constituents to take his proposals to an election. John Howard and John Hewson took two separate reforms to introduce a GST to two separate elections. One of them lost; one of them won. The people had the chance to have their say, which provided an element of democratic legitimacy that informed the deliberations of the Parliament. If it is good enough for John Howard to take his proposal for a GST to an election, which I understand members in this House played an active role in opposing—

The Hon. Mark Latham: You're comparing \$22 million of revenue per annum to the GST? Mate, that's delusional! That is ludicrous.

The Hon. DANIEL MOOKHEY: I accept the interjection of the former shadow Treasurer of the Labor Party, who opposed the GST. I remember him arguing quite strongly at the time for the concept of people having a say. I remember that quite vividly. In fact, it was one of the reasons that I respected the campaign and the contribution he made. But I digress. If it was good enough for John Howard to take the GST to an election, it is good enough for Dominic Perrottet. Labor is voting against the bill because we refuse to aid and abet Mr Perrottet's quest to introduce a land tax on people's homes without a mandate from those people, especially given that there is an election so soon and especially because the Premier has made no secret of his true intention. Eventually he wants all home owners to pay an annual land tax on their property. There is absolutely no need to take my word for that; take the Premier's own.

I recall that in 2019, just months after the last election, the then Treasurer, having made no mention of this proposal the last time the people of New South Wales had a say in who would govern them, launched a Federal financial review at the National Press Club. He asked John Anderson and David Thodey to do it. That review came up with the holy trinity of conservative tax reform: higher GST, a land tax and the abolition of business taxes. The ideological project—to be fair to the conservative side of politics, they have consistently argued for that for decades—was exactly what the Federal financial review came back with. I recall that the then Treasurer, now Premier, invoked the legitimacy that came from the former leader of The Nationals and the former head of Telstra to argue for his reform, as was his right.

In the 2020 budget, he unleashed his real, full-throttled policy proposal for a tax model with no cap whatsoever. To be fair to the Treasurer, he was taking a victory lap at the time, claiming to be a great tax reformer, for a reform he had not yet introduced. In 2020 he made it very clear that he was launching a campaign to convince Josh Frydenberg to pay for it. It is fascinating that when Josh Frydenberg was asked to weigh in on this he made it quite clear that it was outside the Liberal Party philosophy and it was not something that he would be party to doing. To be fair, I also note that today the leader of the Victorian Liberal Party has made the same point—that is not a proposition that the Liberal Party usually favours. That is fair enough.

In 2021 the Premier doubled down. In the delayed budget that year he made it quite clear that his medium-term plan was to have 80 per cent of properties transition into this land tax system. After delivering this year's budget, three times he refused to rule out extending that land tax when he was asked by journalists at the June press conference. In Japan, on his rather ill-fated trade trip—to be fair, Stuart Ayres did not accompany him to Japan—he was asked again. He made it clear that he would like to make sure that pensioners are the next people who enter this land tax system. When I asked him point-blank on three separate occasions during budget estimates hearings in September whether he would refuse to rule it out, he made it very clear. Point-blank, he said to me, "No." That was the view that the Premier adopted.

We take the Premier at his word when he says that if he has the opportunity and the finance to extend this system, he will. I understand that he denies it now, and I understand Government members stand behind his denial of it and ask us to trust him. We have heard that before. In 2018 and 2019 the Government ruled out privatisation. The moment the Government was re-elected, the then Treasurer began selling WestConnex. His defence at the time was that people should have figured out for themselves that that was where the Government was going. To be fair to the Leader of the Government in this place and to the now Premier, they made it clear that they wish privatisation to continue. So if the Premier thinks this land tax proposal is such a good idea, he should take it to the people and let them have a say. He is welcome to argue his case. We would absolutely respect the verdict if that is what the people of New South Wales decide.

Aside from this reform lacking legitimacy, it will not make housing more affordable. It will certainly make life more difficult for families because it fails to address the most pressing problem that has developed in our housing market over the past 12 years, which is simply that we are not building enough houses for people to buy. We have a supply problem. Members do not have to take my word for it; they just need to look at the data. In 2021 when we last had serious debates about what to do about housing affordability, the Government released its metropolitan housing strategy. It said its target was to get 40,000 completions a year. It has missed that target by quite a lot. In fact, it is stunning to look at the amount of housing that has been added to the stock in New South Wales since this Government came to power.

In 2017-18 we reached a high of 42,183. Last year it fell to 24,641. I am the first to accept that COVID was a factor. But it is interesting that data released by the Australian Bureau of Statistics last week shows that Victoria has managed to expand its stock twice as fast as New South Wales during the past quarter and the past year since COVID. In fact, of all the Australian States, New South Wales builds the smallest number of homes for first home buyers to buy. If it were not for the Northern Territory, our number would be the lowest in the country. That is what has happened under this Government's watch. I accept that expanding the housing supply is hard. It requires legitimacy and a great degree of social trust. That lesson has been learned in every housing market in the face of every challenge like those that have been experienced in recent times. But I will be very clear here: It is not helped by how we distribute the burden of housing in this State. If we look precisely at the location of the 306,000 dwellings built in Greater Sydney since 2012, we will find that the distribution is quite uneven.

I checked that because I was fascinated by some of the evidence given in the inquiry last week by the chief economist of Ray White. Her point was that the affordability problem is most acute in places where housing has not been built and that the people who would benefit most from these reforms are those who want to access those housing markets in which not enough housing has been built. Her point was that, in places such as Parramatta and Blacktown, the challenges of supply or affordability are nowhere near as acute as they are in other pockets of the city, which is not a surprise because, since 2012, Blacktown has added 30,521 dwellings to its housing stock;

Parramatta, 30,219; Sydney, 28,257; Camden, 20,117; Bayside, 18,319; and Canterbury-Bankstown, 14,405. I could go on, and I probably will.

Here is the contrasting point. The other day, I saw a very prominent Liberal Party figure complaining. She thinks her electorate is being punished by additional housing. That person is standing for the seat that includes Woollahra. In the past decade, Woollahra has added 702 places; Mosman, 332; and Hunters Hill, 310. The planning Minister's own LGA has added 310 dwellings in a decade. It is fascinating that, over the next decade, Hunters Hill's target is roughly 300. Mosman's is roughly the same. That is all relevant because you can embrace these demand-side responses and claim that they are going to solve the problem but the truth is that, as both sides of politics have acknowledged, we need to add more housing to the stock for people to buy. I heard the Leader of the Government himself make the case. Effectively, he said that this will help people to bring forward their purchases. To be clear here, that makes housing more affordable if it is paired with a supply solution. Otherwise, the risk you run is that all you do is put more upward pressure on prices.

Again, there is no need to take my word for it; one should take the word of the experts. Shane Oliver, AMP's chief economist, made that quite clear when responding to the introduction of this reform. He said that this reform puts more money in the hands of buyers and, therefore, potentially pushes up prices, all things being equal. A partner at BDO, Fady Abi Abdallah, said that the market is likely to quickly adjust to reflect the increased purchasing power of first home buyers and that, equally, prospective first home buyers will need to be mindful of their own personal circumstances. There is a very good chance of the property prices going up and cancelling out whatever benefit of this reform. That is a warning given also by the head of CoreLogic's research department. And the general manager of technical policy at the Institute of Public Accountants said that, over time, as the value of land increases, so too will the amount of land tax you pay.

This is basic economics when it comes to these types of solutions. It is not to suggest that they lack legitimacy. But they need to reflect a strategy. They are not being paired at all with the supply-side response we need for property prices to fall. In effect, the Government will be fuelling an arm's race among bidders at Saturday auctions. That is not reform. That is one reason why it will not work. But it will not help buyers either. Here is why: This will be the first time the Government imposes a tax on family homes, which are non-income-earning assets. In order to pay it, people will need to use their other forms of income to subsidise the cost. By definition, this tax must be paid from people's disposable income, because the asset itself earns no income. So in order to judge its affordability effectively, we will have to bet on what grows faster—land values or wages—because a difference between stamp duty and this is that the stamp duty is fixed. It is pretty basic. This tax changes over time, which is why people never have certainty, which is why people will have to bet on what is likely to rise faster: land values or wages.

We applied this to every property in New South Wales, as we modelled what impact it would have made had we applied this from 2015. Average property prices have grown twice as fast as the average wage each year, every year, at least back to 2015. That means that the typical home owner's bill would have increased by more than double what the typical home owner's income would have increased by. It is not helped by the fact that for 12 years we have had an economy that has discouraged wage growth. If we look at the figures, we see that we have had more than a decade of wage suppression, engineered at a Federal level and aided and abetted by this Government at a State level. In addition to that, we have transferred to households many more costs that before were paid through a social wage. Tolls are a classic example of an additional responsibility we are now asking families to dip into their pockets to pay.

In real terms, wages are back down to their 2008 levels. Yet we are meant to believe that somehow Mr Perrottet can now be trusted to grow disposable income faster than land prices grow. It is not believable. It is not helped by the fact that we have a rapidly changing interest rate environment. By February next year, typical first home buyers will be paying \$2,000 in extra mortgage payments due to rising interest rates. Introducing this tax exposes them to an additional category of risk. That is what any person who has been paying attention to the current housing market would have picked up for themselves. It is telling that Westpac today made clear that one of its issues is that the rapid rise in interest rates is causing first home buyers to exit the market. I will return to that topic a bit later in the speech.

I understand that the Government says that it will protect land-taxed buyers by capping the rate rise to 4 per cent. So what? Average wage growth for the past year has been 1.8 per cent. We can assume that the 4 per cent cap is engaged every year, and it still means that this land tax price doubles and would have doubled had it been applied and that families would find themselves in a position where their land tax bills were rising much faster than their wages. That would be happening when we are asking families to pay higher toll prices and higher electricity prices. A higher land tax is not a reform we should easily impose on people, certainly not if we have not even given them the opportunity to have their own say.

Those are some of the reasons why this is not a good reform in how it has been presented. But we must be clear that it is also a very complicated reform. It is clear that many people will never have certainty about what they would have to pay. Again, there is no need to take my word for it; take the word of the experts who came to the inquiry. Matthew Cridland, one of the State's most respected experts in State tax law, a person who has practised in it for a very long time, made the point. To be fair, it is easy to calculate what you pay in the first year. But it is very difficult to calculate what you would pay each year after that. It is almost impossible. Joanne Seve, another expert, made the same point. The complexities of the formulas are impossible for an ordinary person to follow. Anyone who has looked at the three or four formulas contained in the bill and how they intersect would conclude quickly that the Government is proposing a complicated system.

It is telling that, on the Service NSW website, the calculator tells you what you pay for the first year but will not tell you what you pay for the second or the third or the fourth year or for as long as you own the property. I do not blame Service NSW for that. It is a complicated thing to present. An interesting issue about this bill is that it does not define precisely who is entitled to give advice about whether you are better off. I accept that the Government members disagree and that their point is that they are providing choice. Their "get out of jail free" card when anyone makes any sort of criticism is, "We're providing choice. It's on you." It is telling that, as I listened to the first remarks from the Leader of the Government, he spent a lot of time talking about what he anticipated we would say but did not spend much time explaining precisely how this will work. I expect that the Treasurer has in the other place. In effect, this choice mechanism is the Premier saying, "If we get this wrong, it's on you, and if you can't figure it out, it's your fault", which is a novel principle to be introducing into tax law.

Nevertheless, we should look into this choice prospect in more detail. Let's take the Government at its word when it says that this choice is the innovation which makes this reform acceptable. Let's look at the proposed choice. First, we are expecting a home buyer, at the time of purchase, to have complete certainty about their future life so they can calculate their current interest. We are expecting any first home buyer to have absolute certainty about the security of their employment and to calculate the probability that they might suffer a job loss, a death in the family or a relationship breakdown—all factors that determine length of tenure in a property. Asking a person—any person—to have complete certainty about their life for the next five to 10 years so they can calculate their current interest is a bit of a stretch. The Premier has made the point that if at some point the land tax becomes onerous, the owner should simply exit the property. To be clear, that would require a first home buyer, or any other purchaser, to be able to predict the state of the property market at whichever point they expect to exit, which we have learnt is very difficult to do, even for professionals.

The real risk right now, especially given that property prices are declining fast, is that lots of people will find themselves trapped in negative equity. That is the big barrier to selling, which means that the option to exit whenever the owner chooses could easily turn into a trap for a taxpayer as well. The third element of this choice is that it would require every single first home buyer to judge future interest rates, because that absolutely would affect the calculation of whether they would be better off paying land tax or stamp duty. Now, I am prepared to confess that I am partial to a good net present value model. I love nothing more than waking up in the morning and modelling future cash flows and discounting them to present values. I did it this morning; it was quite fun. Granted, it is not necessarily everyone's cup of tea, and I would not expect every single person to be able to do it. But I ran the numbers, and a 1 per cent variation in interest rates fundamentally affects the calculations. Home owners would find themselves in a situation where the system they are better off under changes fast if interest rates go up or down by 1 per cent.

Given that the Reserve Bank of Australia [RBA] and the Treasury have real trouble predicting future interest rates, it is hard to expect an ordinary taxpayer to have the seer-like qualities that the RBA and the Treasury lack when it comes to future interest rates. I recall the RBA governor saying, years ago, that interest rates would not be going up until 2024-25. Any person who chose to enter a land tax system based on that scenario would find themselves in a position right now where whether they are better off or not would have changed. But even if we assume that I am wrong in all of these respects, which, to be fair, I think the Government would, and if we assume that the choice mechanism works as Mr Perrottet intends, all that would happen is that when a buyer decides to sell and re-enter the property market, they would just pay stamp duty the next time as well—unless, of course, the Government is true to its word and it does intend to apply the reform to everybody else. That is why this tax resembles a forever tax, because all the incentives are for owners to stay in it forever, and the longer they stay, the more they pay. That is the way this system is designed to work.

We should also be up-front about the fact that this choice mechanism comes at a cost. According to the budget papers, that cost is \$775 million over the forward estimates in foregone revenue. The inquiry heard that in the first 10 years we expect to be foregoing \$1.6 billion by the end of the decade. Of course, I accept that it is for the Government to make the case for spending that money, but we do have to ask hard questions about whether it is a wise choice to commit so much public money to the introduction of this experiment. The reason Labor is sceptical is because the Treasury itself says—and we believe it—that the reform will not lower property prices.

Equally, we are spending a vast amount of money, according to the Government's own figures, on a comparatively small number of people. But that cost will balloon if the Premier moves to extend the tax to others, as he has flagged.

We should be taking a hard look at who precisely will benefit from the introduction of this system. The experts make it quite clear that benefits will disproportionately accrue to first home buyers who are buying a property that is close to \$1.5 million. The biggest winner from this change will be a first home buyer who is buying a \$1.5 million property. It is not at all common to find first home buyers buying \$1.5 million properties, but they would be by far the biggest winners. Equally, any basic distributional equity analysis would show that benefits accrue disproportionately to buyers in the city, not in the regions. In fact, most first home buyers in the regions—almost all of them—pay nothing in stamp duty. We find ourselves in this wonderful position where the National Party is about to vote to give a lot of benefit to people in some of the richest areas of the country. It is for the National Party to defend why it is standing by and backing such a system. It is clear that it is not a progressive system whatsoever.

To be fair to the conservative side of politics, there are conservatives who reject the concept of progressive taxes. To be fair, there are conservatives who embrace it. But this is not that system at all. We will be asking the buyer of an \$800,000 property to pay the same tax rate as the buyer of a \$1.5 million property. That has not been the case in either the stamp duty or land tax systems. A little known fact about the stamp duty system here is that 40 per cent of the revenue comes from the top 3 per cent of transactions. That is data that Revenue NSW has produced as well. Those who claim to represent areas with some of the lowest property prices need to be aware of the fact that they are about to lend their support to buyers of some of the richest properties. They are welcome to do that—it is their choice—but they should do it with eyes wide open.

Parliament should be asking whether there is a better use of public money, because \$1.6 billion over a decade could make a very big difference in many different parts of our housing market. We could use it in a far more cost-effective way to help more first home buyers access the property market. A \$1.6 billion injection into social and affordable housing stock would be transformative—absolutely transformative. With respect to homelessness services, it is more than enough money to repeat many of the initiatives we took during COVID to address homelessness, which actually reduced homelessness dramatically. To provide housing for essential workers, \$1.6 billion over a decade would be a game-changer.

The Government, by its own admission, wants to spend that money on what it says are about 6,000 first home buyers per year, the overwhelming majority of whom are on the higher end of the income scale. To be fair to the Government, it is welcome to make the case to do that, but for the House to sign off on the expenditure, given the state of the New South Wales economy and budget, would be a bold choice. Already, the Commonwealth Bank has warned us that we have the weakest economy of any State. We are expecting an \$11 billion operating deficit next year. We have \$183 billion in gross debt. We have a warning from the Productivity Commission, which has been repeated by the Commonwealth Grants Commission, that the introduction of such a system puts at risk GST revenue. In fact, they have explicitly warned that we could lose \$1.2 billion, depending on how this reform is assessed after next year—and, actually, 2025-26, when they have to make a real decision about the meaning of the reform. It looks like a recipe for a structural deficit without the public benefit to housing that we would expect to accrue if we signed off on such a proposal and on the expenditure of such a vast amount of public money.

Of course, this does not mean that we do not act, but it does mean that our actions have to be effective in dealing with housing affordability. The actions we take have to align with the conditions we expect to encounter over the next decade. It would be foolish of us to ignore the changes happening in the property market as we speak, as interest rates continue to soar. We have to carefully consider whether we are embracing the right strategy for the times. Australia is experiencing the fastest rise in interest rates since the RBA gained its independence. It is by far the fastest rise in interest rates since the RBA, with bipartisan support, embraced an inflation-targeting regime. To put this in practical terms, at the start of the year the cash rate was 0.1 per cent. It is now 2.85 per cent. By February next year the market expects the cash rate to be nearing 3.5 per cent. A whole variety of economists are suggesting that by the end of next year it will be 3.85 per cent or above.

That means that a person who was looking to borrow more than \$1 million in January would have paid an interest rate of roughly 2.77 per cent of the marketplace. Today they are paying 4.76 per cent. They are the figures that I checked with the RBA in terms of what the prevailing rate is at the end of September this year. This obviously has real consequences. It shapes the dynamics in the property market. It is telling that it is driving first home buyers from the market more than anything else. In fact, it is the fastest retreat of first home buyers from the market that the Australian Bureau of Statistics [ABS] has ever recorded.

The data is quite straightforward. Just last week the ABS found that the number of first home buyers taking out loans has plunged to an all-time low of 116 per month. In November last year it peaked at 362. The reason is

that banks do not think that first home buyers can service the loans. And serviceability of the loans is going to be negatively impacted by a regular cost that rises every year. That is clear from the banks. They are likely to either reject more applicants, because the wages simply are not there to sustain a land tax payment, or find themselves in a position where they are withdrawing or imposing higher charges on those particular first home buyers to reflect higher risk.

The Hon. Damien Tudehope: They could lend them the stamp duty.

The Hon. DANIEL MOOKHEY: I accept the interjection. The Leader of the Government says that the banks could just lend them the stamp duty. The one factor that the Leader of the Government should recognise, particularly given that he is the finance Minister, is that when it comes to stamp duty, banks have certainty about what a person needs to borrow. It does not change. That is not the way that it works under the Government's system. That is why the banks have all said that they are required to adjust their lending models and risk ratings to reflect the fact that all of a sudden this is an additional charge that has to be paid every year.

Equally, we find ourselves in this wonderful situation where the banks themselves are saying that they do not have clarity from Australian Prudential Regulation Authority about how much capital they need to hold aside and what this means for the amount of money that they can lend. The Government cannot have it both ways. Those opposite can argue that they want to see more first home buyers in the system, and they are welcome to make the case. But the system the Government is proposing is coming at a time when the challenge that we are confronting is very different—and, to be fair to the Government, even in the time that it introduced this. Our point is that rather than codifying this in law, we ought to be allowing the debate to run.

The Hon. Damien Tudehope: They have the choice.

The Hon. DANIEL MOOKHEY: I hear the Leader of the Government retreat once more to his choice argument—his get out of jail—which is, "If I get it wrong, it's on you." That is his defence. It is remarkable as a principle. Nevertheless, we need a fresh approach when it comes to housing. It does not need to involve a new tax. We need to be working towards boosting supply. Some 24,000 new dwelling constructions per year is too low. Under the Government's own strategy, which it released two years ago, if we keep building at such a low level house prices will rise by 12 per cent. If the Government wants to talk about housing affordability, we will take it seriously when it meets the targets it sets. That is a target it set during COVID, to be a fair to the Government. If the Government wants to talk about housing affordability, we make the point that incomes need to rise. At the same time as Liberal Party members in New South Wales are putting on their cloaks and campaigning as the great protectors of first home buyers, in Canberra they are fighting policies to increase wages.

Those policies are required for people to be in a position to access finance. The Government cannot have it both ways. It is offering another decade of wage suppression and then complaining that people do not have the income to buy a home. That is the position. We also need to make sure that we start tithing the private development of housing to social and affordable housing stock. We need that form of structural change so that, should we all of a sudden find ours expanding the private supply of dwellings, the by-product is an expansion of social and affordable housing stock. We need to respect renters as well. Any government that is fair and balanced when it comes to the housing market in New South Wales would respect the fact that one in three people rent. It would embrace the reforms that we outlined on the weekend to make sure that we keep our rental laws in line with market conditions and that we modernise them with, for example, portable bonds schemes. Equally, we must make sure that people have security of tenure and cannot be evicted without a reasonable reason.

These are the types of structural changes that other housing markets in Australia have introduced but have somehow been left out in New South Wales. I see that the Government is suggesting that these policies have come from The Greens. It is fascinating that the Victorian Liberal Party has managed to embrace them. It is fascinating that these are the types of reforms that forward-thinking parties are capable of implementing. We should also be clear that we have to keep our exemption regime fit for purpose. This is the other fact that the Government does not want to mention at all: 89 per cent of first home buyers pay nothing in stamp duty or access a concessional rate. That is according to the figures that the Minister's agency releases, and is something that has not been mentioned in any of the analysis or in the case that the Government has made. We are the first to accept that it is always difficult to make sure that such a regime keeps up with a market conditions. But this is the type of approach that New South Wales housing needs.

It would be remiss of me not to make mention of certain factors to do with the complexity of the system that has been recommended. I have already made reference to the fact that experts who do this for a living say that the formulas are almost unintelligible. It is equally clear that how the indexation regime in the bill is meant to work is going to require a lot of litigation. I feel for many of the litigants in those matters. We have made it clear that introducing this to strata schemes is very difficult when it comes to apportioning the taxes between each of the units. The Valuer General makes it very clear that it does not do evaluations of units. Mixed-lot

developments featured heavily in the inquiry. We do not have any confidence that this Government has got that right. That is very important when it comes to any primary production whatsoever. We certainly cannot ignore the warning that has come from the Australian Banking Association. It has said that it needs six months to get this up and running. It is getting six weeks, three of which are over Christmas. The Law Society makes the point that it is going to have to change every contract of sale—the default contract of sale. The conveyancers make the point that they need more time to educate their members.

You can be for this reform, but it is on the Government because it is rushing this. It is going to change a lot of the ways in which people transact property. The Government wants this up and running by 16 January. There is a good chance that it will have the numbers to do it. But it is accountable for all this. It is absolutely accountable to respond to the warnings of the Australian Banking Association, the Law Society and the conveyancers. I accept that people want change. But people should not be changing to something that is worse. This is a land tax that lasts forever if you stay forever. It rises as property prices rise. None of the experts are saying that it is going to lead to property prices falling. It comes at a heavy cost for the budget. That is why the Parliament should not embrace this tonight. We should reject it and allow the people of New South Wales to vote upon it in the March election.

The Hon. MARK LATHAM (20:57): I had to look at the Property Tax (First Home Buyer Choice) Bill 2022 a couple of times to check that it was the one that the Hon. Daniel Mookhey was talking about. He would have us believe that this is of a dimension that it is a GST reform package combined with deregulation of the labour market, combined with bringing down the tariff walls, combined with the stage three tax cuts. Paul Keating listening to that speech would have said, "They're the big cymbals of reform clashing." In the eighties Keating would say, "I'm clashing the big cymbals together, striking up the big band of big micro and productivity reform." The news for the shadow Treasurer is that they are not the big cymbals in this thing. It is a tiny little triangle playing in the distance and you have to strain to hear it.

It is raising the grand total of \$88 million over the forward estimates—\$88 million over four years. That is a mild, measly average of \$22 million a year. Yet the Labor Party is comparing it to the GST reform, which back in the day I imagine was raising at least \$100 billion over the forward estimates. There is no comparison. To say that, for a tiny reform of \$22 million a year, we all have to freeze government, be in a permanent state of paralysis and take it to the people every four years, would be like watching a glacier slide down a hill just to get things done for the people of New South Wales. Of course the GST had to go to the people. It was \$100 billion—I am guessing. The poor shadow Treasurer really is the Dr Evil of New South Wales economic policy. He has come out of the swinging sixties. He has come out of the time machine and said, "I've got a big reform. It's \$22 million." I mean, really? It just cannot be believed, can it? It just beggars belief at every level.

But the mention of Paul Keating, of course, reminds me that I, too, was once, in a former life and in a different place, a Labor shadow Treasurer. The easiest part of the job as Labor shadow Treasurer—when one could clear one's commitments on the weekend and say, "I'm going fishing", or, "I'm going to the races", or, "I'll watch the kids play soccer", or, "I'll walk the dog", or, "I'll lounge around reading a good book"—was when Paul Keating said, "This is a good idea", which effectively ended the debate. When Labor's high priest of micro-reform and productivity says it is a good idea, one does not have to keep shuffling one's papers, looking for a new scare campaign or looking for spooky things under the mat to scare people with. One's day is done. One takes it easy, puts up their feet, smokes a cigar if they like and has a few chardys. Keating, the high priest of micro-reform, has said it is a good, positive thing to do.

So why is the Hon. Daniel Mookhey so worked up? All the little beads of sweat are coming off his forehead. He should calm down, relax, find his karma and say, "The great man has spoken. He's backing in this reform, this tiny little triangle tinkle, and I don't have to do much. I can just take it easy and leave it to the other geniuses in the Labor Party to carry the media campaign." That is the easiest part of the job. Keating has endorsed this, and why would he not? It is the fundamental reform and principle that Keating talked about: choice in a market economy, where one is not bound by the banks lending to one on a monopoly or oligopoly basis. One has a choice. One is not bound by a restricted consumer market; the products are coming in from overseas. The whole Labor ethos in the 1980s was choice. Why? Because choice is good. Choice fosters market competition. Unless one wants some redundant Soviet model, choice is all one has.

The crazy proposition here is that the shadow Treasurer, the Hon. Daniel Mookhey, is rejecting the Keating ethos. All he has to do is watch that great movie *When Harry Met Sally* and say, "If Keating is having that, I'll have that too. I'll have what Keating's having." That is all he has to do. He is sitting on the lounge with the cigar and the chardy, watching *When Harry Met Sally*, on a beautiful Saturday afternoon. "I'll have what Keating is having." Life does not get any easier than that as the Labor shadow Treasurer. It gets a lot harder when one defies the sound economic principles of choice market competition. In this case, it is such a tiny reform, there is no reason to oppose it. Even if it was a big thing, who would make the right choice?

Let us take the example of Harry and Sally, living in Merrylands in a unit with a bub on the way. Sally is pregnant. She might have the baby in six months' time. Harry and Sally are thinking that they might want to make the choice of changing their residential housing accommodation and buy a bigger home in Oran Park, thinking that they will have, say, four kids. They have a mortgage broker. They are informed about their circumstances. And guess what? They have heard of rising interest rates. They check the media. They know the property market. They have studied it inside out, like most Sydneysiders. They know what rising interest rates are. They know their potential stamp duty liability if they move to Oran Park. They have used the Matt Kean calculator to work out what it would mean in property tax. So who will make the right choice? Will it be Harry and Sally, in their own life circumstances, talking to their mortgage broker in a society and economy where everyone is informed about the housing market and economics? Or are they going to listen to Daniel Mookhey from Pendle Hill, who has never been to their house, never studied their finances and never known anything about Merrylands or Oran Park?

The Hon. Daniel Mookhey: I'm from Merrylands.

The Hon. MARK LATHAM: Where is the Hon. Daniel Mookhey from?

The Hon. Daniel Mookhey: I'm from Merrylands. I spent 32 years—

The Hon. MARK LATHAM: He is from Merrylands? Well, he should know better than to arrogantly dictate to his neighbours. He should have more respect for his neighbours. He is not from Merrylands these days. He is from Summer Hill or somewhere, is he not?

The Hon. Daniel Mookhey: I've spent more time in Merrylands than anyone.

The Hon. MARK LATHAM: Well, not enough time in Merrylands. But, look, he is certainly not from Oran Park. That is where Harry and Sally have these beautiful economic aspirations to travel. They have got the bub on the way. They have one in the oven and they are planning for a few more, so they want to make their own choice. They do not want to have their choice dictated by some bloke they have never met who is deciding that \$22 million a year needs to go to an election. They are thinking, "We are new home buyers. We are sick and tired of renting in Merrylands, hearing all this Mookhey rubbish scare campaign. It's too spooky in Merrylands. Because Mookhey is up the road scaring everyone about what is going on. We want to get out to the safety and the beauty of the thatched housing in Oran Park, closer to that good, pro-choice guy, Mark Latham, out there." That is their economic and political aspiration.

The choice argument is serious. One cannot pretend in politics. We know the economic choices of millions of people in New South Wales, who know their own economic circumstances better than any of us. The shadow Treasurer has advanced another ridiculous proposition. But the serious point is that this is, potentially, quite a significant productivity initiative. The Government should be supporting the bigger cymbals. It should put the little triangle away and go for the bigger cymbals and say, "This should be a bigger thing." Because the economic modelling and data show that there are three big productivity gains out of giving people a chance to avoid stamp duty and promoting mobility of housing choice and mobility in the labour market. The first, of course, is efficiency in the allocation of housing investment. Why is it that Sydney has many more people than bedrooms? Because there is an inefficient allocation of housing investment.

Harry and Sally, of course, are thinking, "We have to pay stamp duty in moving to Oran Park. We've got the bub on the way. We want three more. We're going to have to get a four-bedroom house and overinvest for the next six or seven years until the full family arrives. We can't gradually scale up." That is why there is housing inefficiency. It is the same when people are downsizing. The oldies, people like the Leader of the Government, are downsizing. They have done all their serious breeding and the tribe has dispersed into Liberal Party preselection land. Of course, it is easier to downsize if one does it in steps and one does not have to pay the up-front stamp duty. Whether upsizing or downsizing in the housing market, stamp duty is an onerous, dreadful tax. One just hates these people when one has to pay an average of \$50,000 up-front in Sydney. It is a horrible thing to contemplate.

So why do Labor members want to wed themselves to that and not give people the choice of avoiding it? When they say that they are against choice, what they are in favour of is people having to confront this horrific \$50,000 up-front, limiting their life opportunities and what they want to do for themselves and their children. The housing efficiency investment allocation arguments are compelling. The second area of Keatingesque micro-reform and productivity is the Productivity Commission report in Canberra, which shows that 25 per cent of home owners would rather live somewhere else closer to their work or to their kids' school if they could avoid stamp duty and if they had mobility in an increasingly—

Ms Abigail Boyd: They can't.

The Hon. MARK LATHAM: The Greens member is talking about mobility. Seriously? All The Greens believe in is sloth and monopoly in the economy. Showing them the market economy principles is like putting a stake in front of Dracula. "We know better than all those dispersed market choices." At this time of the evening The Greens, if they are not giggling, are defying economic activity. That smell wafts down our corridor. I was raising the serious point of the Productivity Commission report in Canberra. Some 25 per cent of people, or one in four households, would rather live closer to their work or closer to their kids' schooling but they are locked in because they cannot deal with and overcome the \$50,000 average stamp duty up-front.

In a society that is increasingly mobile, where people are changing careers and jobs more often, we want to encourage mobility. Mobility is economic gain. Mobility is economic efficiency. In a big city like ours, it frees up congestion problems. It is a more efficient urban space. Whether one is travelling home to Merrylands or Oran Park, one has more time to spend with one's children because one did not have to travel as far. One is closer to one's job and closer to one's children's schooling. Why does Labor want to trap one in four households in a place they do not want to live? How cruel, callous and unnecessary. Why does Labor want to do that?

The Hon. Daniel Mookhey: One Nation is campaigning for a land tax on every property?

The Hon. MARK LATHAM: One Nation has no land tax campaign. Your scare campaign against the Government has failed. Now you are turning on me. I am the subject of the scare campaign. I'm scared. I'm petrified. You really spook me out.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! The Hon. Mark Latham will direct his comments through the Chair. I remind the Hon. Daniel Mookhey that he is already on two calls.

The Hon. MARK LATHAM: The Labor scare campaign against the Government's little reform has failed, so now he is turning his big bazooka on One Nation. Seriously? The argument about urban form, dealing with congestion and helping people in an increasingly mobile labour market to be more mobile is compelling. A lot of people make the choice. The Treasury modelling shows that two-thirds of the new home buyers under this reform will choose the property tax regime. Undoubtedly, it will be to live closer to where they work and their kids' schooling, and to get out of rental and into ownership. That is a positive.

The third productivity and efficiency benefit here is in the question of urban form and urban consolidation. The shadow Treasurer was going on about the impact on the strata and the apartments and saying they are favourably treated. That is true, but that means Sydney will go up instead of going out with urban sprawl. There is nothing more inefficient than Sydney sprawling out—that Campbelltown joins up with Appin, that Appin joins up with Picton. For the sprawl and the costs of reticulated services, roads and other provisions to Sydney to grow to the scale of Los Angeles would be just plain wrong. Sydney has to consolidate. If we did not have the teal Independents threat, maybe places like Vacluse and the lower North Shore would have stronger urban consolidation policies. But this reform helps, because it provides a more favourable benefit to the strata accommodation and the apartments.

When one lines those three ducks up—the improvements in the efficient allocation of housing investment, the labour market and housing mobility, and urban form—it is compelling. The great shame of the bill is that it is not the big bang or the big cymbal-crash reform—that it is such a small scale of just \$22 million a year. The choice principle is good, and I hope it goes through. It deserves to go through. If someone like Percy Allan or those sorts of policy wonks were here, they would say this is a useful public policy trial to test something that gives people choice and opportunity. If it worked, we would scale it up and do it on a much bigger scale in the future. Hopefully it goes through, and hopefully the Coalition sponsoring this reform will mean the major parties take something bigger to the March election campaign. The One Nation policy is big already; One Nation members are big on this and support the bigger reform at the very beginning.

The Hon. Sam Farraway: The One Nation bazookas.

The Hon. MARK LATHAM: What is your problem?

The Hon. Sam Farraway: Nothing—I said, "The One Nation bazookas".

The Hon. MARK LATHAM: Yes, that is right. They are not turned on The Nationals, but they can be if the Hon. Sam Farraway keeps interrupting me. There has been a bit of mirth, and the shadow Treasurer has not had his best evening. But to the substance of what I have been saying and what we are talking about here, the scare campaign should be dismissed, and the reforms should be supported.

The Hon. John Graham: That is because John Barilaro is not here.

The Hon. MARK LATHAM: Well, Barra is interested in our ticket as well, so we are gaining support left, right and centre. There are compelling reasons to support the bill, and One Nation does support it. We are

rock-solid, and we just wish the Government would do something on a bigger scale for even more benefit to the people of New South Wales.

Reverend the Hon. FRED NILE (21:11): I speak in support of the Property Tax (First Home Buyer Choice) Bill 2022. I comment at the beginning that we have changed our name from the Christian Democratic Party to the Revive Australia Party, so I am now speaking on behalf of the Revive Australia Party. Every member of Parliament knows that housing affordability is a painful and widespread issue impacting first home buyers across our entire State. I applaud efforts to combat housing unaffordability and to give first home buyers more options to get into the housing market. I am very concerned at the introduction or expansion of any tax. I remain wary of the fact that the bill assigns a tax to a property indefinitely; I do not believe that is correct. I am pleased that the legislation caps the tax, as an increasingly high property tax would defeat the purpose of the bill.

I note that a similar endeavour has been explored in the Australian Capital Territory and has had the opposite effect. Following changes to its property tax system, average costs to families have increased from \$2,528 per annum to \$5,719 per annum in just nine years. As I said previously, I am aware that such increases are capped in the legislation. But amendments can always be made in the future, and I would support those. Should the bill be enacted—and I hope and pray it will—and should we have a change of government next year, I implore that government that this bold legislative endeavour should be supported if it has the desired effect and should be terminated only if the public interest is not being served. Something has to be done, and I am pleased the Premier has given his support to this legislation. We look forward to it being passed by the House.

Ms ABIGAIL BOYD (21:15): On behalf of The Greens, I contribute to debate on the Property Tax (First Home Buyer Choice) Bill 2022. I will have more to say on the choice of that name and the dishonest spin that has been put on this reform later. I and many in this State were filled with hope when we heard of this legislation being brought on a few short weeks ago. For many years now The Greens have been in support of a broad-based transition away from stamp duty, to be replaced by a progressive land tax. Stamp duty is an incredibly inefficient tax, and that fact is pretty much uniformly acknowledged by most of the experts. It is well past time that this State had a far more predictable and regular income stream than stamp duty—one that recognises the valuable and finite resource that is the land in our State. In fact, the Labor-Greens Government in the ACT has successfully implemented a transition from stamp duty to land tax, so we know what a well-structured reform to property tax can look like.

We can learn a few lessons from what the ACT did. Lesson one is to have a plan. The ACT Government did not attempt a few different structures, get some consultation with predominantly negative feedback and have its hands tied by trying to please investors and developers at the same time as ensuring it introduced a scheme that would have the support of the broader community, only to then go, "Oh, no, there's an election coming. Better just stick a toe in the water now and dress up a very tiny first home buyer scheme as some sort of transformational tax reform." No, the ACT Government had a plan with a multi-decade horizon that ensured that the community could see clearly what it would mean for them at every stage and that applied not just to a small section of the community but to every part of it. There are many more lessons to learn from the ACT experience. It was not perfect, but from its flaws we can gain the insight into how to make the transition from stamp duty to land tax here even more effective, more equitable and more beneficial to the State's finances.

The Greens were hopeful when we heard that the Government would finally tackle this issue, but we got a bill that is quite simply not a transition from stamp duty to land tax at all. Instead, it is a first home owner concession scheme affecting an estimated 6,000 people each year that is so poorly drafted and so incapable of sensible application that even Revenue NSW could not answer our questions in the inquiry into the bill as to how much a person would be required to pay in every circumstance. When we discovered that the bill was not designed to transition us from stamp duty to land tax, The Greens were hopeful that it was at the least a housing affordability scheme of sorts. But on that score, we were sorely disappointed again. We heard very clearly from the experts in the inquiry into the bill that this scheme would likely have a neutral effect or potentially put a small upward pressure on New South Wales' already-inflated housing prices. What is more, for the handful of people that it could potentially assist in buying their first home sooner, it will cost the State \$1.6 billion over 10 years. Just imagine how far that amount would go in building the social housing that is so sorely needed right now across our State.

It is not a transition from stamp duty to land tax, and it is not a housing affordability measure—so what is this bill? Let us not get so carried away as to call it a "forever tax". That is absolute nonsense. I would ask Labor to please, by all means, call the bill out for the nonsense that it is, but that kind of scaremongering language is incredibly unhelpful in this debate. Once again, The Greens are the only sensible voices in the room. The Government needs to decide what it is trying to achieve. If it wanted to deliver a broad-based reform to the stamp duty system—with which we have experience, and would be more than happy to help it towards—and if it wanted to transition towards a land tax, then why would it make the land tax expire after a first home purchase? If the

Government wants to make a housing affordability scheme, why would it spend hundreds of millions of dollars injecting more demand into an undersupplied housing market?

To be very clear, The Greens support a progressive and equitable broad-based transition away from stamp duty and towards a land tax. A land tax is a more equitable and progressive taxation structure that provides stability of revenue for the Government and acts as a deterrent against wealth and property accumulation by the very rich. But that is not what is being debated today. I have said it so many times, but I really wish sometimes—and this is a generous interpretation—that the Leader of Pauline Hanson's One Nation Party would read the bills he was speaking to. Again, that is generous. Otherwise he is, perhaps, just saying the things that he wants to say, regardless of what is on the paper.

The Premier has taken the reasonable and sensible concept of a land tax and given it the Heston Blumenthal treatment. Thrust into the chaotic kitchen of pre-election announcements in the hope of cooking up a winner, the Government has put two years of chaotic consultation and feedback through the blender and dished this up. We get aroma of land tax, tax reform foam and some housing affordability smoke. Put on the accompanying headphones for the full multi-sensory experience and you are transported to the focus group rooms where this ill-designed scheme was concocted. For all the pomp and fanfare, the media strategy and the spin, the reviews of the scheme are in, and they are unfavourable to say the least.

What we are left with is something that is convoluted, fails to satisfy and leaves a bit of a bad taste in the mouth. It is overpriced, coming in at \$1.6 billion over 10 years, and barely touches the sides when it comes to addressing the problem of unaffordable housing in this State. Despite the protestations of the Government that this is simple while also being transformative, we heard very clearly through the inquiry process—which we forced the Government into, kicking and screaming—that it is, in fact, neither of those things, which is hardly surprising when legislation is being cooked up on the fly like this. In the inquiry we first heard from the good people at Revenue NSW and Service NSW that they had essentially learnt about this scheme pretty much at the same time as we did. They have not done any modelling to test its application or impact. When we sought to test specific circumstances or possibilities, there was no clear answer.

It continued downhill from there. We heard from witnesses at the inquiry that the bill was "unworkable". These were witnesses who had spent their entire careers working in tax law. We heard that it was, as we suspected, neither a tax reform nor a transition to land tax, nor was it a scheme to deliver real outcomes for housing affordability. Professor Nicole Gurran from the School of Architecture, Design and Planning at the University of Sydney argued that demand-side initiatives, particularly those targeted at first home buyers, risk increasing house prices. Brendan Coates of the Grattan Institute said explicitly that the scheme is not a tax reform. He told the committee:

I wouldn't characterise this as really being a stamp duty reform. This is really another way of assisting first home buyers into the market—not that dissimilar to some of the things like first home buyers grants. The main effect of those, in a long set of research, is that they tend to raise prices. They tend to be counterproductive. I would classify this legislation as falling into the same boat.

The Government keeps making the argument that if we do not pass this legislation, we are getting in the way of first home buyers—that this bill is all about choice. Let us talk about choice, and what choices the Government is making. It is choosing to act as if endorsing Perrottet's flawed little pet project is the only measure for addressing housing affordability. If the Government wants to provide stamp duty relief to first home buyers, it already has the power to do that. We already have a stamp duty concession available to certain people and certain properties, and it is in the Government's power to expand that concession today. But it is choosing not to. The Government is choosing not to spend this \$1.6 billion over 10 years on social housing. That is something that would improve housing affordability—increasing supply, not cramming an extra two years of demand into an already undersupplied market. This plan is likely to either have exactly zero benefit to property buyers, priced out of massively overinflated homes, or in fact make the problem worse. The Treasurer in his second reading speech said:

It is taking first home buyers longer than ever before to save the funds they need for a deposit and to pay stamp duty. In the 1990s it would take the median New South Wales household, putting aside 15 per cent of their income, around six years to save for a 20 per cent deposit on the median property in New South Wales and one year to save for stamp duty. It now takes that same household around 10 years to save for a 20 per cent deposit and two years to save for stamp duty.

If the Treasurer and Premier actually wanted to do something to help first home buyers in this State, they could do something to shorten that 10-year wait. That would do far more, for far more people, than this ill-designed vanity project. The Greens oppose the bill.

The Hon. JOHN GRAHAM (21:25): I oppose the Property Tax (First Home Buyer Choice) Bill 2022. In doing so, I first declare that I am no friend of stamp duty. I take the view of the Henry Tax Review—that is the starting point, I think, for any of these discussions. As Australia's future tax system report commonly known as the Henry Tax Review plainly put it, "Stamp duties are a highly inefficient tax on land." I accept that claim. The

Henry Tax Review chapter 6 on land and resource taxes sets out the reasons why quite clearly. That is why it should be a discussion that State Parliaments and this Parliament turn to, on this occasion and on future occasions.

Along with the shadow Treasurer, I have eagerly read the budget papers and the discussion papers that the former Treasurer, now the Premier, has issued on this. I have looked to them for some hope that this issue might be tackled, and I should have been amongst the first of the members of Parliament in this place to be persuaded by this bill—but I am not. I am not persuaded. In the other place, the Premier pointed out that I have advocated for Labor to look at these ideas, and that is true. Certainly, in the context of our economic discussion, we have had some heated debates at conference. In one of those, I argued the case that we should really turn our economic policy to consider inequality as being not just a national issue—the subject of national debate and the focus of the Federal Government—but that State governments had a role to play. That case was adopted by Labor members and is now part of our economic platform.

Inequality was one of the issues that of course came up when talking about those impacts, and it was something that we debated and accepted should be reviewed. There is no issue with where the Labor Party sits in principle on this issue. As I stand here today to oppose the bill, I do so more in disappointment than in anger. I see this as a bit of a missed opportunity. I certainly do not oppose the principle here, but I do oppose this model. The Hon. Mark Latham has delivered one of his sparkling performances. He is one of the great entertainers—we knew that in the Federal Parliament. He has turned on another performance here.

The Hon. Mark Latham: I had my own show.

The Hon. JOHN GRAHAM: His very small show in the corner over there. But I commend the view that the shadow Treasurer has put to the Chamber. I do not think there is a member of Parliament who has looked at the impact of this bill, personally, in as much detail as the shadow Treasurer has. I encourage members to listen carefully to some of the cautions he has about some of the unintended impacts of the Government's model. I say that having talked to him in a great deal of detail over time. My issues with the bill are that I see the scheme being too small to have a major impact, that I am concerned about the complexity and that, perversely, it is too expensive to scale up. That is the trifecta of issues that cause me to have concerns about the model. It is not about the principle; we should debate those changes. But the model is too small.

The committee found that Treasury expects that around 6,200 individuals will access the scheme each year. Most of those will be in the \$800,000 to \$1.5 million price range. That is the higher range of houses that first homebuyers can access, and many of them are above the median house price for New South Wales and Sydney. Just 11 per cent of first home buyers, or 6,200 individuals, will be able to access the scheme. I love a musical metaphor, but I am not going to tangle with the complex metaphor that has been rolled out in the Chamber. I consider myself in the hands of experts, so I will not extend the musical metaphor. That is a vanishingly small start, particularly given the years of hyperbole that we have been subjected to by the Premier.

The shadow Treasurer has spelled out that the complexities are serious. The alarm bells should have been ringing when one of the first things that the Premier did after the initial announcement was make a late change to the scheme by hastily adding a cap of 4 per cent. The characteristic move by the Premier to make a late change to a highly complex scheme should make us worried that there will need to be further changes down the track. And "4 per cent" has a familiar ring to it. That is what had me alarmed. It is the same cap that applies to tolls across many roads, and we know how that has worked out. We know the impact that is having, and we have learnt how much higher it is than the wages of people in Sydney. I raise that late change as a symptom of the complexity of the bill.

There are other complexities, including the significantly higher rate for investors. Much of that might flow to renters, which is one of the concerns here. Homebuyers switching from owner-occupiers to investment properties might see an increase in their property tax of 375 per cent. That is straight from the inquiry, and it caught my eye. That is significantly higher than the 4 per cent cap. You might call that a tax on aspiration in western Sydney if you think about what it means for people buying into the market and hoping to use it as an investment property. I can see that the Leader of the Government clearly does not agree, but I gently raise that as a complexity for him and the Government to consider.

The point about price rises has been well spelled out. I point members of the House to what the shadow Minister for Finance said in the other place. He talked about research by the Australian National University and the University of Canberra into the ACT stamp duty reforms that showed that house prices increased by 9 per cent and units increased by 4 per cent. Those impacts are real. Treasury estimates that there will be upward price pressure; it is clear about that. Treasury says that it will essentially be overwhelmed by the volatility in the market overall and that these are a very small percentage of the transactions. I agree with that, and you could not disagree with it, given that there are 6,200 people involved. It is a strong point.

It is not spelled out in the committee report that this is a small number of transactions in a highly targeted part of the market: the market of houses in the \$800,000 to \$1.5 million price range. They are the sorts of houses that people are trying to get into the market with, and they are often in concentrated geographic areas. It has a highly specific impact on prices in a highly targeted part of the market. That is important when you look at Treasury's macro point. I do not disagree with it but, once you boil it down to this small part of the market, it will have a price effect. It will be significant as people are trying to get into those specific homes in specific places.

Ms Abigail Boyd, who spoke before me, referred to Brendan Coates of the Grattan Institute and his description. I will not quote it again because the member put it on record, but I thought it was a deadly accurate description. This has been boiled down and reduced to another kind of first home buyer assistance scheme. It is a long political tradition of such schemes to mixed effect. That is the economic truth of a range of Federal and State interventions for first home buyers, particularly taking into account the price effect. They have had a mixed economic effect. In the view of the Opposition, this bill joins that queue.

The point about the rise in prices is significant. It is difficult to quantify. It should be, and has been, the cause of significant argument backwards and forward. No-one is disagreeing that price rises will happen; it is only an argument about the scale of the increase. A small number of first home buyers will go from paying no stamp duty or land tax to paying land tax as a result of the price increase effects. It is a perverse effect that this assistance tips people into the scheme for the first time. It will be a handful of people, but it is one of the perverse effects. It is part of the complexity that is being dealt with here.

On the point about complexity, the shadow Treasurer has already referred to one of the witnesses, the solicitor specialising in Australian State taxes, who described the formula used—the gross State product per capita formula for indexation—as incredibly complex and unworkable. That is the indexation over which the 4 per cent cap has been put in place. Looking back at the figures, I can see why the 4 per cent cap was needed. It has often been exceeded. Looking back at the gross State product per capita over the years, there has been 5.7 per cent and 4.4 per cent. One of the reasons why this Government is probably more relaxed about that is the recent history of this economic measure.

The truth is that over the course of the past decade of this Government, the gross State product per capita, which is the key economic figure when measuring the wealth of its citizens, has dropped significantly from where it was in the mid-nineties. It has dropped from 4.7 per cent down to just 2.4 per cent. It has halved over the period from the last Labor government to this current Government. It is one of the great economic scandals of this Government. It is not talked about much in this place, but it should be. There is no stronger measure of the wealth of our citizens than that measure, and it has collapsed under this Government. Treasury has been up-front about it and has published it in the intergenerational report. That formula tells a horrific economic story about what has been going on in New South Wales.

Even though the scheme is too small, it seems too expensive to scale up. It is a cost of \$1.6 billion over 10 years. I take the point about the \$22 million worth of income coming in from land tax being small, but it is the \$1.6 billion worth of income being foregone—the cost to the budget bottom line—that is of concern. Finally, I turn to the argument about choice. I do not want to stand in the way of individuals making choices. I invite the shadow Treasurer to express this view later, but it is not the view of the shadow Treasurer or of the Labor Party. We do not want to do that. But we are entitled to make the point that there is another choice being made and that is where that \$1.6 billion is applied and the opportunity cost of that decision. Government is about choices. The choice we make if we sign up to this scheme is that \$1.6 billion cannot be applied elsewhere. I know that probably does not matter to the Treasurer—the \$42 billion man in Treasury who has been out there with a circus cannon just shooting taxpayer dollars into the air like confetti. That would not be keeping Matt Kean up at night, but it is of concern to the Opposition.

We are making a choice and this scheme is not where we would put money to assist first home buyers—those 6,200 first home buyers who are buying into the top of the market. It is what we are not doing with that money that we are objecting to, and we are entitled to do that. The Government has made the point strongly that it means denying some individuals the choice. We are advocating for a bigger choice that is being made. We do not agree with applying taxpayers' dollars in that way. Having lived in public housing, that is where I would spend that money if I had the choice. This scheme is not the way we would make choices in the budget. That is what we are advocating strongly for.

I have concerns about the bill for three reasons: first, because the scheme is too small; secondly, because of the complexities and the warnings the shadow Treasurer has given; and thirdly, because of the issue about the choice we make if we sign up to it. In fact, it is too expensive to scale up this scheme. It is a missed opportunity. I have read all of the discussion papers and I have enjoyed the discussion greatly. But I am upset that when it is all boiled down we are left with this bill, with this scheme. I like the fact that the Premier has tried hard. But, in my mind, this scheme just gets added to the long list of reforms that he has promoted. It takes me back to the fire

and emergency services levy. It is in the bucket with the Transport Asset Holding Entity. This is the Newcastle port reform that fell apart today. I just worry that this scheme is in the bucket with those. It is superb big talk, superb hyperbole and some bold ideas—all of which I like. I am attracted to them all. But there are very few results when we look at the list and I just worry that this is one more coming down the line.

The Hon. EMMA HURST (21:41): I speak on behalf of the Animal Justice Party in support of the Property Tax (First Home Buyer Choice) Bill 2022. There is no question that owning a home in New South Wales is out of reach for many, if not most—particularly for those living in Sydney. The Animal Justice Party supports all efforts to make it easier for first home buyers to get into the property market. The bill will allow first home buyers who purchase a home under \$1.5 million to choose between paying up-front stamp duty or annual land tax of \$400 plus 0.3 per cent of the land value. The same choice will exist for first home buyers who purchase vacant land under \$800,000, other than farming land.

Despite some of the scare tactics being put forward about this being a "forever tax", nobody will be forced to take on this new annual land tax if they do not want to, and it remains in place only for so long as the first home buyers own that property. It will simply be an option for first home buyers to take, if they feel it is the right option for them. Given the research shows that many first home buyers do not stay in their first home long term, but rather live in it for a shorter period before moving on to a different area or to a larger apartment or even a house, the calculations suggest that many first home buyers will be better off. The usual requirement to pay up-front stamp duty is such a prohibitive barrier for many people buying a home and trying to get their foot in the door in the property market. Introducing a smaller, annual land tax may be a more feasible option for most first home buyers.

Importantly, the bill only applies to buyers who seek to become owner-occupiers, rather than those purchasing investment properties. It also provides a deferral scheme for people who may face hardship in keeping up with annual land tax payments, which is critical to ensure that the bill does not impact on those who are economically vulnerable. This is only a very small step forward. However, the Animal Justice Party feels that it is a step in the right direction. Groups like the Tenants' Union of New South Wales indicated at the inquiry that they are generally supportive of the bill as a step towards more equitable land tax reform, although they want to see greater reforms to ensure that everyone is able to access secure, affordable housing, which I agree with and will discuss further in a moment.

There have been some concerns raised in the media about whether the bill will inadvertently increase house prices. The Tenants' Union have stated to the inquiry that they do not believe the bill will have a significant impact on house or rental prices in either direction. While demand-side supports can have the potential effect of increasing property prices, given the very small sector of the market who will be able to access these first home buyer reforms, and the even smaller number who will ultimately elect to take up the land tax option, the impact of the scheme is likely to be minimal. There have also been comments that the Government spending going into this first home buyers' scheme could be better spent funding other projects like social housing, where there is an enormous need for greater funding to assist some of the most vulnerable members of society who are at risk of homelessness. There is also significant work and funding that needs to happen to address the rental crisis, with many people in the community unable to find affordable, long-term accommodation that meets their needs.

I completely agree with sentiments that this Government needs to be investing in social housing and rental support, and to a far greater extent than it is now. If I had a magic wand and could direct where the Government spends its money, its budget would look very different in many respects. But that is not what is on the table today. It is not a choice between funding this scheme or some other program. We can only vote on what is in front of us today. Judging by the amount of money this Government currently spends on propping up the harmful gambling and racing industry, I know there is a lot of room in its budget to properly fund social housing.

The bill does not have to be a choice between one or the other. If the Government is minded, there is plenty of room to implement this reform as well as invest in social housing and reform the rental market. While the bill will assist only a certain group of people to enter the property market, it is our hope that it signals an intention from the Government to start tackling the larger housing problems in New South Wales. I urge the Government to implement broader changes that improve access to safe, affordable housing for all residents across the spectrum, not just the limited few in a position to buy property. I commend the bill to the House.

The Hon. ROSE JACKSON (21:47): I make a contribution to debate on the Property Tax (First Home Buyer Choice) Bill 2022. As has been repeatedly noted, this proposition has been framed as a housing affordability measure. That is how a lot of the language relating to this policy proposal has been framed. As someone who is genuinely passionate about housing affordability, it really frustrates me that something that is so important and is supposedly such a major priority for the Government has been reduced to this facile attempt at serious reform. There was much noise talking up this reform—I may be mistaken, but I am fairly sure that the former Prime Minister of New Zealand was recruited at some point to be a part of the lead-up to it. It has been such a long

lead-up of reviews—the Government had that David Thodey guy involved. There was so much colour and movement; it is very sad that this bill was what produced from all of that.

In 2017 Premier Berejiklian was asked in her first press conference what her top priority was as Premier of New South Wales. Her answer was housing affordability, which was a good answer because it is a very serious issue. At his first press conference as Premier, Dominic Perrottet also listed housing affordability as one of his top priorities. He talked mournfully about how hard it was for young people to get into the housing market. Despite all of that noise over the 12 years that this Government has been in office and despite it being a top priority for the Premiers of this State for five years, nothing has happened. Things have become a lot worse. Here we are at five minutes to midnight on the election doomsday clock and this is what we are reduced to.

Housing in New South Wales is shockingly unaffordable. Sydney is one of the least affordable cities in the world. In the past year house prices have increased by 20 per cent. It has been noted that in the same period wages have increased by only 1.5 per cent and this Government has capped wages. All of the rhetoric about housing affordability has been undermined by core decisions such as making it almost impossible for people to get real wage rises. That might be something meaningful. Low- and middle-income earners are completely priced out of the market.

No local government area [LGA] in Sydney has a median house price that is affordable for an early-career nurse or childcare worker. Very few LGAs have affordable apartment prices. For key workers who earn \$50,000 a year, not a single LGA has affordable rent for a two-bedroom apartment. Many people cannot live near their place of work. Some 44,000 key workers commute 30 kilometres to work and some 60,000 commute 50 kilometres or more. That means time away from families, stuck on congested roads. They are paying tolls for that, of course. They are sitting on unreliable public transport. It is a litany of failure—years and years of failure, with the problem of housing affordability getting worse in this State. But from this Government, we have seen nothing.

The generally accepted major area of State Government responsibility is housing supply. Control over the planning system is a key part of increasing housing supply. The Government's own intergenerational reports and documentation make clear the massive, growing gap between the number of houses we need and the number of houses that are being supplied. I know that new supply is not the silver bullet to fix housing affordability. I am aware of that. We need to deal with land banking, tax reform, flat wages, the availability of credit and the impact of interest rates. I know it is not a silver bullet, but it is part of the problem. It is not the whole problem, but the facts speak for themselves. The Grattan Institute says there is a direct link between supply and pricing: 50,000 new homes on the market would contribute to a decline in house prices of between 10 per cent and 20 per cent.

As I mentioned, the intergenerational report states we need 107 million additional homes by 2061. That is 42,000 new homes every year for the next 40 years. In 2019-20 this Government delivered 32,000 new homes. So the supply question remains a completely and utterly unresolved one. It is not just the extent to which new housing is or is not being built. It is also not being fairly distributed across Sydney. Some parts of Sydney have housing targets of tens of thousands of new dwellings. I think it is around 20,000 in Parramatta, close to 10,000 in Canterbury-Bankstown, about 8,000 in Ryde and 6,000 or 7,000 in Penrith-Campbelltown. They are doing the substantial heavy lifting on new supply, but they are not getting any of the infrastructure to help them deal with it.

Literally people are falling out of waiting rooms in hospitals and being treated on chairs on the pavement and outside in tents. We have demountables all over school campuses. Some people cannot even get sewerage connected to houses in south-western Sydney. The infrastructure is not there to support that. Yet the Liberal candidate for Vacluse says that the eastern suburbs have made their contribution and should not be punished with more new housing. Just to be clear, the housing target is 20,000 in Parramatta, 8,000 in Ryde and thousands out in Campbelltown and Penrith. What is Woollahra's housing target? It is 500—not 5,000 but 500. Waverley's target is 750, yet the Liberal Party thinks that those communities have done their bit. It is western Sydney that has done its bit and has not had the infrastructure delivered alongside the housing growth.

Labor has different priorities. We have committed to cancelling the northern beaches tunnel and redirecting that infrastructure funding to more public transport in western Sydney. That is just one example of our different priorities. The failure to do anything about housing supply, which I have clearly outlined, has been a major feature of this Government's utter failure on housing affordability. It has created this desperate, last-ditch effort at tax reform to make it look like it is doing something about housing affordability when, in fact, it is not. Describing it as "tax reform" is generous because "tax reform" makes it sound like some sort of thoughtful, meaningful, structural change of substance. I do not think it is that. I think it is a dolled-up first home buyers scheme and an attempt to take a demand-side subsidy and make it seem like something bigger, sexier and more interesting than it is.

This is not serious reform. This is not a substantial policy response to the massive issue of housing affordability. It is too little, too late, and speaks to a lack of urgency. Nothing speaks to that in a more significant way than the fact that the Treasurer of New South Wales is not even in the country to shepherd through this reform. One would think that if it was such a big priority and such a big deal—"We've got to get this done"—the Treasurer would be watching this debate in the Chamber. When we debated the energy reforms in this House, the Treasurer was present, listening and trading barbs with the Hon. Mark Latham, and it was all about getting it done. Where is he? He is not here. That shows his priorities. He is not even in the country. That is how significant this issue is for the Government. There will be amendments, but he is not—

The Hon. Damien Tudehope: Rose, don't worry. Don't get excited.

The Hon. ROSE JACKSON: I am getting excited because I have almost managed to talk this out. I have four minutes to go. Clearly, the lack of the Treasurer's presence speaks to the lack of urgency on this issue.

The Hon. Ben Franklin: Or to his commitment to dealing with the climate issue.

The Hon. ROSE JACKSON: Keep interjecting because it is only chewing up my time. The lack of urgency is mirrored by—

The Hon. Damien Tudehope: Just speak more slowly.

The Hon. ROSE JACKSON: That is good advice, thank you, Damien. The lack of urgency is mirrored by the lack of trust on this side of the House and in the community that this scheme, as proposed, will be the scheme that is eventually implemented. Of course we hear that it is just a limited thing for first home buyers and is not bigger than that. We do not believe that. There is simply a lack of trust. It is not as if I am making up that there has ever been a gap between what the Government commits to and what happens. I think of the specific example of privatisation. Before 2019 the Premier explicitly said, "There will be no more privatisation. That's done. We would tell you." The next minute, the Government is privatising WestConnex and the buses. We say there is a lack of trust because the Government says one thing before elections and does another thing afterwards. That specific example of privatisation proves that.

Members on this side of the House have a genuine concern that what is being laid out by the Government in this reform will not resemble the final reform package that it tries to force on the people of New South Wales. If it manages to get away with it now, we will see something very different in the future. I have mentioned the lack of urgency and the lack of trust. But the other point that I would make is that government is about priorities. Whilst this scheme, as I said, is incredibly underwhelming in some ways—after all of the noise and the headlines, it has been reduced to this—this small step is also unbelievably expensive.

Again that speaks to this Government's record. It does these small and insignificant things, which end up costing an unbelievable amount of money. Government is about priorities; it is about choices. Some members on the crossbench say that we can spend all this money on this scheme and also spend all the money we need on social and affordable housing. Unfortunately, no; you do need to make choices. All the rhetoric about having it all has proven to be illusory. You cannot do that if you want to be a responsible government of the State, which is what Labor seeks to be. That idea—that you can spend all the money required to fund this extremely underwhelming policy reform and fund also the investment we need in social and affordable housing—is not accurate. You do have to make choices, and we would make different choices. Surely, my time is up, Mr President.

The PRESIDENT: According to sessional order, it being 10.00 p.m., proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

According to standing order, members made the following statements.

MILITARY HARDWARE MANUFACTURING

The Hon. LOU AMATO (22:00): As many will know, most of my adjournment speeches in this House have focused on the state of Australian manufacturing. Recently, a constituent made a rather troubling remark to me. They said that we have become so reliant on countries to make things for us that we no longer produce munitions for our military. According to the constituent, even our 5.56-millimetre small-arms rounds are manufactured in Indonesia. Admittedly, I first took this information as fact and shook my head in despair. However, I decided to fact-check this information. To my delight, I can now report the truth.

Many may recall the previous Liberal-Nationals Federal Government's commitment to increasing Australia's defence capabilities. Part of that plan was for the Government to invest in Australian technology and the manufacturing of military hardware to increase defence capabilities. We witnessed the formation of the

AUKUS agreement, which would provide our naval forces with advanced nuclear-powered submarines, eventually to be made here in Australia. The previous Federal Government was committed to expanding our manufacturing capabilities to design and fabricate ships, armoured vehicles and munitions.

On the subject of armoured vehicles, a formidable weapon called the Bushmaster, designed and manufactured right here in Australia, is currently making international headlines. The Government is supplying Ukraine with the Australian-designed and -built Bushmaster. The role of the Bushmaster is to provide protected troop lift capability. The vehicle offers a high degree of protection against land mines, armour-piercing 7.62-millimetre small-arms fire, 81-millimetre mortar fragments and Claymore mines. The Australian-designed and -built Bushmaster is currently in service with the Australian Army, the Royal Australian Air Force, the Royal Netherlands Army, the British Army, the Japan Ground Self-Defence Force, the Indonesian Army, the Fiji Infantry Regiment, the Jamaica Defence Force, the New Zealand Army and the Armed Forces of Ukraine.

The vehicle has seen active service in the following campaigns: International Force East Timor, the war in Afghanistan, the Iraq War, the northern Mali conflict, the United Nations Disengagement Observer Force in Golan Heights, the Iraqi civil war, the Syrian civil war and the 2022 Russian invasion of Ukraine. The vehicle has been described as phenomenal in active service and is proving to be a lucrative export item for Australia. On the question of where our small-arms munitions are made, I can report that they are indeed made right here in Australia. Australian Munitions, in partnership with Thales Australia, has two state-of-the-art manufacturing facilities: one in Victoria and one right here in New South Wales. Australian Munitions is producing not only small-arms rounds but also missiles and missile launch systems, rockets, bombs, grenades and large-calibre rounds.

The guided VT1 missile system has been designed as a state-of-the-art land- and sea-based short-range surface-to-air missile. The VT1 is capable of repelling any air attack from a foreign adversary. Another impressive missile system made right here in Australia is the Starstreak laser-guided missile. The missile travels at exceptionally high speed and can defeat a variety of threats, including aerial targets such as UAVs and helicopters. The unique three-dart concept of Starstreak ensures a high hit probability against all main threats. The Starstreak exhibits exceptional kinetic energy, and a targeted threat hit with even a single dart can be effectively neutralised.

Many of the current state-of-the-art munitions and weapons systems have become export items, creating more demand for Australian-made goods. That is good news for jobs and our prestige as a smart nation. We look forward to the revival of "Australian made", and the export and job opportunities that will follow. Our impressive move into high tech military hardware could not have been possible without the increased military spending of the former Federal Coalition Government. That spending has renewed our optimism in Australian manufacturing and exports. We hope the current Federal Labor Party will not undo the great work already achieved by the former Federal Coalition Government. It is imperative that, during these unsettled times, we are active in ensuring that we have a strong defence capability. Equally important is our commitment to self-sufficiency and continuing to work towards a stronger manufacturing sector.

HUMAN TRAFFICKING

The Hon. GREG DONNELLY (22:04): If there were any doubts in the minds of members about the brutality and inhumanity of modern slavery and human trafficking, surely they have now been buried once and for all by the recent reporting in the media over the past fortnight. For those members who have not been following the coverage, I urge them to ask the Parliamentary Library to provide them with the articles regarding the joint investigation project called Trafficked, involving *The Age*, *The Sydney Morning Herald*, *60 Minutes* and Stan's documentary program entitled *Revealed*.

If members want reference to a particular piece that exposes and sums up the "evil in plain sight" that is staring us all in the face, I direct them to the piece in last weekend's *The Sydney Morning Herald* News Review section entitled "While you were sleeping" by Nick McKenzie and Amelia Ballinger. I tried and failed miserably a few years ago to alert this Parliament to what is taking place in Sydney—and beyond 24/7, 365 days per year—involving young women, some of them just girls, stealthily being brought into the country to study or be engaged in "domestic and related work". Some will say, "But this story relates to goings-on in Victoria, not New South Wales." I encourage members to read the speeches I gave in this House on 22 June 2016 and 10 October 2017. In the June 2016 speech, I said:

To quote directly from evidence given to an inquiry—

that is, the Legislative Assembly of New South Wales Select Committee on the Regulation of Brothels report No. 1/56 entitled *Inquiry into the Regulation of Brothels*, dated November 2015—

undertaken by this Parliament last year:

Of significance is consistent recent reporting which alleges large scale networks using Asian students as sex slaves throughout New South Wales and other States ... Once again, it is likely these figures are well below the actual rate of incidence due to regulation falling outside of NSW Police responsibility, thus not entirely visible to us.

There is some ... being forced to do things they do not want to do, including the taking of hard drugs with clients during sessions.

The girls will often reside on the premises ... working extremely long hours and seeing large numbers of clients.

At times they may be threatened with violence.

The results from our analysis and thinking indicate that there are clearly issues in the industry in terms of servitude, the use of illegal workers and extortion ... These comments were from the recently retired NSW Police Force Deputy Commissioner, Nick Kaldas. In evidence given to the same inquiry, senior representatives from the Australian Federal Police [AFP] confirmed that sex trafficking is a feature of the commercial sex industry in Australia. This included various egregious examples of either suspected or actual sexual servitude matters. They noted that it was not uncommon for investigations not to proceed because victims did not wish to speak with police or have police take any action. Given, as the AFP witnesses acknowledged, that organised criminals were involved in these grossly exploitative enterprises, it is no surprise that the women—and in some case girls—are cowered into silence.

For any member of this place or the other place who does not find the above references clear and blunt enough, I direct them to chapter 4 on pages 47 to 70 of the abovementioned report. Numerous quotes are worthy of mention, but I will cite from just one. Paragraph 4.72 on page 63 states:

As outlined in chapter two, Dr Kerry Chant, Chief Health Officer and Deputy Secretary of Population and Public Health NSW Health provided data referencing a study by Amanda Roxburgh, Louisa Denenhardt and Jan Copeland. They interviewed 72 female street-based sex workers in Sydney finding just under half met the criteria for post-traumatic stress disorder and that injecting drug use was highly prevalent in the sample. This study from 2006 is consistent with another international study which found that amongst the 854 sex workers examined in nine countries, 68 per cent were found to have post-traumatic stress disorder rates similar to combat veterans.

From the abovementioned *The Sydney Morning Herald* news review article on page 30, I quote one victim, Rose. She told the police that on her night working she was forced to have sex with six men. She said:

I felt like I was dying. I felt that I had fallen into hell. I closed my eyes very tightly, and, with my hands, I created very tight fists. I just lay very still, staring at the ceiling with a blank brain. I felt so devastated that I really had no wish to live on.

With firsthand evidence like this, frighteningly similar to that provided in the 2015 inquiry, one is left wondering what it will take to get the Government, the Parliament, law enforcement agencies and the community at large to unite as one, confront the issue, and take action to fight and defeat this wickedness.

WESTERN SYDNEY INFRASTRUCTURE

The Hon. SHAYNE MALLARD (22:10): There has never been a government that has delivered as much infrastructure and investment in western Sydney as the New South Wales Liberal-Nationals Government. Those opposite might not like this fact, but that does not stop it from being true. As Parliamentary Secretary for Western Sydney, I will outline a few of the transformational projects this Government has delivered or is delivering in western Sydney. In health infrastructure alone, our record is second to none. We are building new hospitals in Rouse Hill and Bankstown. Additionally, Nepean, Blacktown, Mount Druitt, Westmead, Campbelltown and Liverpool hospitals are all being or have already been upgraded. Over \$7 billion has been invested in critical health infrastructure upgrades in western Sydney since this Government was elected—a proud record of investment for western Sydney.

On top of this hospital investment, five new ambulance superstations for western Sydney have been funded. Under the Western Sydney Infrastructure Plan, currently the New South Wales Government is providing around \$900 million for major road upgrades. Those roads include The Northern Road, Bringelly Road, the new M12 motorway at the aerotropolis and the Werrington Arterial Road, to name a few. Under the 2022-23 budget, the New South Wales Government is investing \$3.2 billion over four years to upgrade the Great Western Highway between Katoomba and Lithgow, although I note that the new Federal Labor Government is walking away fast from Canberra's commitment to that project.

An investment of \$600 million has gone into the M4 Smart Motorway upgrade, creating the first smart motorway in New South Wales, and \$280 million has been invested to upgrade the Prospect Highway. Sixteen urban roads in western Sydney have been upgraded to ease congestion under the \$300 million Urban Roads Pinch Point Program. The Government invested over \$15 billion in the 33-kilometre WestConnex motorway, connecting the M4 and M5, creating a job-stimulating road and freight network in western and south-western Sydney.

In public transport, seven Bus Priority Infrastructure Program projects have been completed in western Sydney, and \$6.4 billion was invested into delivering the 24-kilometre Sydney metro, connecting suburbs between Westmead and the CBD and creating 10,000 direct new jobs and 70,000 indirect jobs along the way. Together with the Australian Government, \$11 billion has been invested in the Sydney Metro Western Sydney Airport line, connecting the Nancy-Bird Walton Airport to the aerotropolis and the rest of Sydney. The New South Wales

Government is building the \$2.4 billion Parramatta Light Rail, creating almost 5,000 jobs and delivering a more livable and vibrant Central River City.

We are not just building new rail links; we are also upgrading the trains that run on the existing network—or we would be if Labor would pull its unions mates into line and the safe new intercity fleet rusting in dust in the rail yards, blackballed by those opposite, could perform. Since 2021, all 41 new Waratah Series 2 trains have been operational across the Sydney rail network, including on the T2 Inner West and Leppington line. Those trains are maintained in western Sydney at the Auburn Maintenance Centre. In education, 37 new schools have been or are being built across western Sydney, along with 79 additional schools receiving substantial upgrades.

Western Sydney is not just about transport, schools and hospitals. We love our sports, with a new stadium at Parramatta and the planned rebuild of the Penrith Stadium underway. Turning to the arts, the \$840 million new Powerhouse Museum at Parramatta will deliver cultural investment to the heart of western Sydney for the first time in its history. Finally, the \$5 billion WestInvest Fund, which is delivering transformational infrastructure to western Sydney, is rolling out across the region. That is \$5 billion delivered by the Liberal-Nationals Government through asset recycling and privatisation benefits that those opposite have opposed. I am born and bred in western Sydney. I live there today, and I work there as the Parliamentary Secretary for Western Sydney. Some say western Sydney has never had it so good. There is some merit in that, as I have shown in this speech, but I say the best days for western Sydney are ahead of us, thanks to the Liberal-Nationals Government's love affair with the region.

ENVIRONMENTAL PROTECTION

The Hon. PENNY SHARPE (22:13): Today is 137 days out from the New South Wales election and almost 12 years into a Liberal-Nationals Government. For our land, water, soils, air quality and native plants and animals, these 12 years have been a bumpy ride. Severe drought, terrifying and destructive bushfires, a global pandemic, a mice plague and statewide flooding have put immense pressure on our people and on our environment. In 12 years there have been six environment Ministers, the systematic weakening of environmental protection laws, koala wars and perverse pieces of legislation like the Kosciuszko Wild Horse Heritage Bill 2018. There have been cuts to the public service, with decades of experience lost. The cuts have led to an impossible task for good public servants trying to do their jobs, especially those we ask to undertake monitoring and compliance. These public servants have not had the support of their political masters to hold those doing the wrong thing to account—be it land clearing, complying with forestry rules, water theft or breaches of pollution licences.

We have the situation in New South Wales where the current go-to solution for water security and flood mitigation is the promise of more unfunded dams—no matter the economic cost, no matter the impact on Aboriginal cultural heritage and no matter the impact on World Heritage wilderness areas. Failure to reform planning laws has left communities with a complex development facilitation system with few red lines and too little attention given to environmental protection and preservation. After the Black Summer fires, the impact on our forests cannot be overstated, yet the careful and urgent recommendations made by the Natural Resources Commission continue to be ignored. It is, however, not all bad news. There has been some important progress on recognition of the urgency to take action to reduce greenhouse gas emissions and accelerate our transition to renewable energy to power the State.

We are finally seeing action to tackle plastic pollution and the container deposit scheme, after a pretty ordinary start, is working well. I also welcome the investment in the Saving our Species program and the NSW Koala Strategy. But—and this is the big but—Saving our Species funding has been cut and the NSW Koala Strategy is not a plan to recover the species. The latest State of the Environment report tells us the story of decline across our State. Almost every key environmental indicator is going in the wrong direction. Pests and weeds have exploded in number and coverage across the State. They are costing over \$1.8 billion every year in lost production and degrading our natural environment everywhere that pest and weeds are found—and, unfortunately, that is everywhere. Just last week we found out that all operations to tackle feral animal control were suspended across all national parks for a period of almost a month in the middle of spring, when there has been more water than there has ever been before and their populations are exploding. Luckily for us, it was the NSW Farmers who called the Government to account.

In 12 years, the threatened species list has grown to 1,043. Some 54 more species have been added to the list, two species have become extinct and 47 have had their status raised to critically endangered. "Critically endangered" means that they are at imminent risk of extinction. The Biodiversity Conservation Act is failing to have any meaningful impact on the biodiversity crisis. Land clearing is unsustainable and has increased 13-fold since the laws were introduced. The Biodiversity Offsets Scheme is complex, expensive, speculative and has increasingly given developers the green light to clear and pay money rather than avoid destruction in the first place. New South Wales is not on track to meet the recycling targets that have been set. Our rivers and fish communities are under strain, especially those in the Murray-Darling Basin. Our soil is losing carbon, intact vegetation is being lost and ecological carrying capacity is declining.

The biodiversity crisis is real and it is here in New South Wales. Climate change and the need to take urgent action is becoming an emergency. Despite the failures of this Government over the past 12 years, I believe we can turn this around—and so does NSW Labor. On the weekend I attended the Nature Conservation Council annual general meeting. There gathered were people who get up every day to try to protect their little patch, whether it is the animals that live in their backyard, the trees that they live near, our water or our soil. These are good soldiers and many volunteers across this State. I acknowledge their efforts. Over 174 organisations are represented by the Nature Conservation Council, and they have a very bold agenda for what they want to take to this election. They have 12 areas and 57 asks. I know that every single political party will be asked to respond to them. I thank them for their efforts. I congratulate their new CEO, Jacqui Mumford. I thank their former CEO, Chris Gambian, and their chair, Professor Don White. These people do this for no money because they care about our environment.

CYBERSECURITY

The Hon. ROD ROBERTS (22:19): Tonight I speak on a subject that is becoming more serious and concerning with each passing day: cybersecurity. To obtain goods and services, we are now obligated to provide our personal details on a daily basis to both government organisations and private corporations. For many years we have done this out of blind trust. We trust that these organisations will safeguard our personal details, yet of late we have seen major data breaches on not only our large corporations but also government websites. Earlier this year the New South Wales Department of Customer Service was affected when over half a million addresses held in its COVID-safe database were leaked online. While the Premier said that such a leak "shouldn't have happened" and that the "information was taken down", one can only wonder how much of a security threat is posed when the addresses of sensitive locations and critical infrastructure networks fall into the wrong hands.

For those seeking to wreak havoc on our country, like terrorists and adversarial nations, it can be an opportunity for disruption that did not previously exist. Other major data breaches that have occurred this year include those recently experienced by large private corporations such as Optus, Medibank, MyDeal from Woolworths and Energy Australia, to name but a few. Each of those data breaches has been well publicised and discussed, though mostly as isolated incidents affecting millions of people at a time, and rarely ever in tandem or with a full picture in mind. To do this, allow me to offer members an example. Imagine a single mother living in the south-western suburbs of Sydney. She is renting a house, has energy connected, operates both a mobile phone and an internet account and has two children. The personal data collected to facilitate this standard life scenario is held across numerous entities, and we have zero control over how it is protected.

In my example, that single mother's Optus account is breached and cybercriminals collect some personal data—let us say, her full name, phone number and email address. Following that unfortunate breach, the private health fund for her and her children—for example, Medibank—is also breached and she is further exposed to the whims of cybercriminals. This time around, however, they have obtained her medical history and that of her children, as well as their dates of birth. But it is not over. Regrettably, she sources her electricity through Energy Australia, and it too has had a breach. Now a little bit more of her personal data—let us say, her home address—is out on the internet. While she buys her groceries from Woolworths and does online shopping on MyDeal, the fresh food people have not bothered to keep the gate shut, so her personal data has again escaped the paddocks and is made available by cybercriminals.

Working through that example, anyone with access to the internet can now develop a detailed profile of this mother. They have not only her full name, phone number and email address but also her private medical history and date of birth, as well as those of her kids. They also have her home address and spending habits, down to the exact amount of wine, cheese and crackers that she buys each week. Perhaps one breach is easily controlled, but what happens when an individual is faced with multiple breaches against their personal data? How often should they be changing their driver licence number? How often should they request a new credit card? Worse still, how much sleep should they lose wondering who is reading their private medical history and planning to exploit that data in the future?

Whether cybercriminals are acting alone or are commissioned by organised crime and foreign governments, we can bet that breaches will become more and more frequent in the information age. Recently it was revealed that there are roughly three million attempted hacks of the Australian Taxation Office system every month, with the National Australia Bank reporting 50 million monthly attacks on its digital channels. In this increased threat environment, why are companies allowed to demand and then store our personal data? Is it because they need it to satisfy statutory requirements like the 100-points ID check, or is it because they hope to achieve greater sales by targeting people with the help of data mining? Whatever the reason, it seems that we have been slowly seasoned into allowing our private information to be uploaded onto the cloud, running the risk of it becoming public.

Instead of leaving everything to the Feds, I urge the Government to take these matters seriously. A good start would be to hold to account those companies that fail to protect our residents' data. The Government should also rethink its own push for digitisation, particularly decisions like the abolition of paper-based hard copies of certificates of title. After all, what is to stop cybercriminals from changing names on title deeds if those deeds only exist electronically?

TRADES NORWEST ANGLICAN SENIOR COLLEGE

The Hon. MARK BUTTIGIEG (22:24): I place on record my concern that the former Trades Norwest Anglican Senior College received at least \$17 million worth of public funding for the purposes of the provision of vocational education and training. That same site is now on the market for expressions of interest for a potential sale, which would result in significant capital gain to the Anglican Church. In December 2009 the Anglican Church purchased a property located at 1000 Old Windsor Road. The property was purchased from Emmanuel Baptist Church for \$6,685,000. In that same year a funding agreement was signed between the Sydney Anglican Schools Corporation and the Department of Education, Employment and Workplace Relations. The college's 2009 annual report states:

It was also agreed that, as part of this arrangement, all remaining funds allocated to the College would be utilised to fund and build permanent premises for the College.

In its submission to the Legislative Council's 2015 inquiry into vocational education and training in New South Wales, the Sydney Anglican Schools Corporation stated:

Governments have already delivered more than \$17M in funding for the establishment of this purpose built training facility.

The college was also in receipt of State recurrent funding. The Commonwealth Department of Education, Science and Training issued a request for proposal, which set out the selection criteria that needed to be addressed when the college initially sought funding. An example of the part 1 criteria is as follows:

An Australian Technical College must offer academic courses to students of direct relevance to trade careers including English, science, mathematics and information technology which will contribute to students obtaining a Year 12 Certificate. The College's curriculum will incorporate enterprise education, small business and employability skills and students will have access to support and career guidance.

An example of the part 2 criteria for the funding is as follows:

Demonstrated ability to deliver high quality academic and vocational training for a total of up to 300 students in Years 11 and 12, including:

- attracting high quality teachers and leaders, including people drawn from industry, to ensure excellence in academic and vocational education.
- provision of professional development plans for teachers of vocational subjects to keep industry knowledge and skills current.
- innovative and flexible delivery methods (including adequate IT support) to meet individual student academic requirements to achieve senior school certification and appropriate School-based New Apprenticeship training; and
- effective relationships with local business to ensure the close working relationship with the governing body.

Successful applicants were required to enter into a funding agreement with the Commonwealth Government. A 2007 Australian National Audit Office audit of the Australian Technical Colleges program indicates that:

A typical Funding Agreement

- provides funding by way of grants based on the application of the individual college, not by the use of a formula based on student numbers;
- permits the college to purchase assets subject to those assets having either been specified in the Funding Agreement or otherwise approved by DEST. The college owns the assets;
- states that assets acquired by the college are only for the purposes of the Funding Agreement; and
- contains provisions for the college to repay to DEST the undepreciated value of assets purchased with the grant when, for example, the agreement ends or is terminated.

The people of New South Wales expect their hard-earned tax dollars to be put to good use. There is no doubt that the provision of quality vocational training and education is a good use of that money. The issue is when public money ends up being used for private gain. For example, if the Anglican Church sells this property for the amount being floated, some \$30 million, that will represent a capital gain of some \$23 million off the back of at least \$17 million in public funding—in essence, a transfer of wealth from the public to the church. These concerns need to be addressed. We cannot have the New South Wales public funding private institutions such as the Anglican Church that, by virtue of its non-profit status, pays no tax yet stands to gain from onselling property and assets financed with public money.

**ROTARY CLUB OF ORANGE DAYBREAK
FRIENDS OF ORANGE BOTANIC GARDENS**

The Hon. SCOTT BARRETT (22:29): I thank and congratulate a couple of wonderful groups in regional New South Wales. Recently the Rotary Club of Orange Daybreak held Orange's biggest garage sale, which was a fantastic event held in Orange. All sorts of things you would expect to see at a garage sale were on offer: clothing, furniture, jewellery, books, plants, tools, toys, bikes and camping gear. Despite strict instructions, I did not go home empty-handed: I picked up a couple of little bikes for the young bloke. In all, \$30,000 was raised at the event, which Rotary Club of Orange Daybreak donated to local mental health groups. That is wonderful and we thank them. We thank the other Rotary group, Rotary Club of Orange, for running a barbecue, and all those who donated and bought things. I also mention the Friends of Orange Botanic Gardens, which held its biggest plant sale over the weekend to raise money for the Orange Botanic Gardens, a little gem we have in the Central West.

The PRESIDENT: The House now stands adjourned.

The House adjourned at 22:30 until Wednesday 9 November 2022 at 10:00.