



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Seventh Parliament
First Session**

Thursday 17 November 2022

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday 17 November 2022

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

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

Documents

PARLIAMENTARY DEPARTMENTS

Reports

The PRESIDENT: I table the following annual reports for the year ended 30 June 2022, together with the financial performance report of the Parliament of New South Wales:

- (1) Report of the Department of the Legislative Council for year ended 30 June 2022.
- (2) Report of the Department of Parliamentary Services for year ended 30 June 2022.
- (3) Report of Parliament of New South Wales—Financial Performance 2021-2022.

Announcements

THE IMMORTALS VIDEO SERIES

The PRESIDENT (10:03): It is, as members know, Theatrical Thursday, so it is time for another instalment of the highly acclaimed bicentenary Immortals video series. The latest video is being released today and it focuses on Mr John Blaxland, whose bust can be seen on the wall to my left placed second from the end, just above the Hon. Peter Primrose—the resemblance is uncanny. While his brother, Gregory, may be particularly well known as a famous Australian explorer, John was also incredibly successful, including as a pioneer of Australia's cattle industry and, of course, here in the Legislative Council. John was a valued member of the Council for 15 years, from 1829 to 1844. Indeed, he was the first marble likeness to be installed in the Chamber, such was the House's respect.

John has another important connection to the New South Wales Parliament. As we rediscovered during detailed research for the Immortals series, he once held an important acre of land in Sydney, land that Governor Lachlan Macquarie had his eye on. It appears that the Governor convinced John's wife to hand this land over while John was on a long trip back to England. Macquarie then used this land for his ambitious Rum Hospital, which of course ultimately became the New South Wales Parliament where we sit today. I encourage honourable members to watch the latest Immortals video and share it on their networks. The video will be released today on the Council's Facebook page and later elsewhere across the Parliament's social and digital media channels.

Motions

NATIONAL KOREAN WAR VETERANS DAY

The Hon. SCOTT FARLOW (10:05): I move:

- (1) That this House notes that:
 - (a) National Korean War Veterans Armistice Day, which marks the signing of the Korean Armistice Agreement in 1953, is held on 27 July annually and is also known as Korean Veterans Day;
 - (b) Australia was a part of a response by 21 countries who supported the Republic of Korea against an invasion by North Korea; and
 - (c) 18,000 Australians served in the Korean War and this Parliament honours the service of our military personnel and the sacrifices of the 339 Australians who lost their lives and the 1,216 Australians who were wounded in the war.
- (2) That this House notes that:
 - (a) on Wednesday 27 July 2022 the Guardians of the New South Wales Korean War Memorial Inc. held the sixty-ninth commemoration of the Korean War Armistice at the Korean War Memorial in Moore Park, Sydney; and
 - (b) the event was attended by many individuals representing a diverse array of the community, including the following dignitaries:
 - (i) Her Excellency the Hon. Margaret Beazley, AC, QC, Governor of New South Wales;
 - (ii) Mr Sang-woo Hong, Consul General of the Republic of Korea;

- (iii) The Hon. Scott Farlow, MLC;
- (iv) Brigadier Malcolm Wells, DSC, representing Commander Forces Command, Australian Army;
- (v) Ms Christine Elder, Consul General of the United States of America, Mr André François Giroux, Consul General of Canada, Mrs Claudia Granados, Consul General of Colombia, Mr William Joseph Dobbie, Consul General of New Zealand, Mr Ali Sevim, Consul General of Turkey, Mr Jonathan Cook, Deputy Consul General of the United Kingdom;
- (vi) Mr Harry Spicer, OAM, and Mr Nak Yoon Paik, OAM, founding Guardians;
- (vii) Mr Ray James, OAM, President, RSL NSW;
- (viii) Mr Seung Il Bang, President, Australian Department of the Korea Veterans Association;
- (ix) Mr William Strutton and Brigadier Philip Bridie, Castle Hill RSL Sub-Branch;
- (x) Mr Greg Read, SC, President, Cumberland RSL Sub-Branch;
- (xi) Mr Steve Yang, President, Lidcombe RSL Sub-Branch;
- (xii) Major Rod White, AM, RFD (Rt'd), 3rd Battalion RAR Association;
- (xiii) Mr Youngsin Kim, 625 Association;
- (xiv) Lt Col Paul Kim, Korean Vietnam War Veterans Association in Australia;
- (xv) Mr Sung Kwon Jo, Korean Marine Corps Veterans Association of Australia;
- (xvi) Mr Ron Glew, President, RAAFA Association;
- (xvii) Ms Victoria Benz, DVA Deputy Commissioner, NSW/ACT;
- (xviii) Mr Dongsik Ko, Chair and Ms Deborah Kim, Secretary of the Peaceful Unification Advisory Council (PUAC);
- (xix) Dr Patricia Jenkins, President, United Nations Association of NSW;
- (xx) Mr Heung-won Kang, President, Korean Society of Sydney;
- (xxi) Mr Seung-guk Paik, President, Federation of Korean Societies of Oceania; and
- (xxii) Ms Seena Kim, CFO, POSCO Sydney.

Motion agreed to.

R U OK? DAY AND WORLD SUICIDE PREVENTION DAY

The Hon. SCOTT FARLOW (10:06): I move:

- (1) That this House notes that:
 - (a) Friday 9 September is R U OK Day; and
 - (b) Saturday 10 September is World Suicide Prevention Day.
- (2) That this House commends the work that R U OK Day does to inspire and empower the community to meaningfully connect with the people around them and start a conversation with those in their world who may be struggling with life.
- (3) That this House encourages its members to engage in these meaningful conversations both within the House and in the community.
- (4) That this House notes that World Suicide Prevention Day is about raising awareness of suicide in our communities and identifying where and how we can work together collaboratively towards a world without suicide.
- (5) That this House commends all advocates, communities and non-government organisations who promote R U OK Day and World Suicide Prevention Day and who work tirelessly, year round, to provide support.

Motion agreed to.

REPUBLIC OF INDIA INDEPENDENCE DAY

The Hon. SCOTT FARLOW (10:06): I move:

- (1) That this House notes that:
 - (a) On 15 August 2022 the Republic of India celebrated 75 years of independence, reflecting a well-deserved sense of pride in a strong partner of Australia in the global community; and
 - (b) The Australian-Indian community play a significant role in our society throughout New South Wales, particularly through Western Sydney by enhancing our culture and promoting our shared multicultural values.
- (2) That this House recognises the valuable contributions of the Indian diaspora in their local community throughout New South Wales.

- (3) In recognition of this milestone for the Republic of India, the sails of the Sydney Opera House were lit up in the tricolours of the Indian national flag—saffron, white and dark green—to celebrate the seventy-fifth anniversary of independence in a ceremony presided over by the Hon. Dominic Perrottet, MP, Premier of New South Wales.
- (4) That this House notes that:
- (a) The Consul General of India in Sydney Mr Manish Gupta and Mrs Nimeesha Gupta hosted a function on 15 August 2022 at the Powerhouse Museum, Ultimo, to celebrate the seventy-fifth anniversary of independence; and
- (b) The event was attended by many individuals representing a diverse array of the Australia India community, including the following dignitaries:
- (i) Her Excellency the Hon. Margaret Beazley, AC, KC, Governor of New South Wales;
 - (ii) Mr Dennis Wilson;
 - (iii) The Hon. Mark Coure, MP, Minister for Multiculturalism and Seniors, member for Oatley;
 - (iv) The Hon. Damien Tudehope, MLC, Minister for Finance, and Minister for Employee Relations;
 - (v) The Hon. Ben Franklin, MLC, Minister for Tourism, Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth;
 - (vi) The Hon. Dugald Saunders, MP, Minister for Agriculture and the Minister for Western New South Wales;
 - (vii) The Hon. Dr Geoff Lee, MP, Minister for Corrections, member for Parramatta;
 - (viii) Mr Chris Minns, MP, Leader of the Opposition, member for Kogarah;
 - (ix) The Hon. Scott Farlow, MLC;
 - (x) Mr Gurmesh Singh, MP, Parliamentary Secretary to the Deputy Premier, and for Regional Jobs and Investment and member for Coffs Harbour;
 - (xi) Mr Julian Leaser, MP, Federal member for Berowra;
 - (xii) Dr Andrew Charlton, MP, Federal member for Parramatta;
 - (xiii) Mr Paul Lynch, MP, member for Liverpool;
 - (xiv) Dr Hugh McDermott, MP, member for Prospect;
 - (xv) Mr Jason Yat-sen Li, MP, State member for Strathfield;
 - (xvi) Ms Julia Finn, MP, member for Granville;
 - (xvii) The Hon. Philip Ruddock, AO, Mayor, Hornsby Shire Council;
 - (xviii) Councillor Zoë Baker, Mayor, North Sydney Council;
 - (xix) Councillor Matthew Blackmore, Mayor, Strathfield Council;
 - (xx) Councillor Fiona Macnaught, Liverpool City Council;
 - (xxi) Councillor Robert Kok, City of Sydney;
 - (xxii) Councillor Donna Davis, Lord Mayor, City of Parramatta;
 - (xxiii) Councillor Karen Pensabene, Deputy Mayor, Strathfield Council;
 - (xxiv) Ms Jodi McKay, former Leader of the Opposition;
 - (xxv) Ms Trudy Witbreuk, NSW State Director, Department of Foreign Affairs and Trade;
 - (xxvi) Councillor Sameer Pandey, Deputy Lord Mayor, City of Parramatta Council;
 - (xxvii) Councillor Moninder Singh, Blacktown City Council;
 - (xxviii) Councillor Reena Jethi, The Hills Shire Council;
 - (xxix) Councillor Noel D'Souza, Randwick Shire Council;
 - (xxx) Councillor Charishma Kaliyanda, Liverpool City Council;
 - (xxxi) Councillor Shweta Deshpande, City of Ryde;
 - (xxxii) Councillor Suman Saha, Cumberland Council;
 - (xxxiii) Councillor Raj Datta, Strathfield Municipal Council;
 - (xxxiv) Councillor Kushpinder Kaur, Blacktown City Council;
 - (xxxv) Councillor Usha Dommaraju, Camden Council;
 - (xxxvi) Councillor Barbara Ward, Ku ring gai Council;
 - (xxxvii) Councillor Livingston Chettipally, Blacktown City Council;
 - (xxxviii) Councillor Sreeni Pillamarri, Hornsby Shire Council;

- (xxxix) Councillor Sandy Reddy, Strathfield Municipal Council;
- (xl) Councillor Susai Benjamin, Blacktown City Council; and
- (xli) Councillor Darriea Turley, AM, President; Local Government NSW.

Motion agreed to.

MENTAL HEALTH MONTH

The Hon. SCOTT FARLOW (10:07): I move:

- (1) That this House notes that:
- (a) October is Mental Health Month, a time to raise awareness of mental health and wellbeing with ourselves and among others; and
- (b) "Tune In" is the theme for 2022 Mental Health Month. The theme aims to encourage individuals to tune into the things they can do for their own and other's mental health.
- (2) That the Government is committed to improving people's mental health by delivering better care in our hospitals, making support available in community and empowering people to improve their wellbeing.
- (3) That the Government is investing a record amount of \$2.9 billion in mental health services in 2022-23.
- (4) That this House affirms its continued support for Mental Health Week and encourages all citizens to "Tune In" to their mental health and wellbeing and seek support when needed.

Motion agreed to.

KOREAN FESTIVAL

The Hon. SCOTT FARLOW (10:07): I move:

- (1) That this House notes that:
- (a) the Korean community make a significant contribution to the fabric of our society in New South Wales;
- (b) the Australian Korean Association of Sydney and New South Wales Inc. hosted the Korean Festival 2022 at the Korean Society Hall and Park in Croydon Park on Saturday 10 September 2022;
- (c) the Korean Society of Sydney has a distinguished record of excellence and deep engagement with the community over six decades, and by promoting harmony and understanding in their work, the values of multiculturalism are further advanced;
- (d) a variety of Korean cuisine, traditional and contemporary cultural performances along with various types of Korean Arts were included in the programs; and
- (e) the event was attended by many individuals representing a diverse array of the local community, including the following dignitaries:
- (i) Mr Sang-Woo Hong, Consul-General of the Republic of Korea;
- (ii) The Hon. Tony Burke, MP, Federal member for Watson, Minister for Employment and Workplace Relations, and Minister for the Arts;
- (iii) The Hon. Scott Farlow, MLC;
- (iv) Ms Sophie Cotsis, MP, member for Canterbury;
- (v) Mr Jason Yat-sen Li, MP, member for Strathfield;
- (vi) Mr Gabriel Hungwon Kang, President of Australian Korean Association of Sydney and New South Wales;
- (vii) Councillor Khal Asfour, Mayor of Canterbury-Bankstown Council;
- (viii) Councillor Matthew Blackmore, Mayor of Strathfield Council; and
- (ix) Mr Gwang-Hoon Hyun, President, The Federation of Korean Societies of Oceania Inc.

Motion agreed to.

HUNTER MEDICAL RESEARCH INSTITUTE AWARDS

The Hon. TAYLOR MARTIN (10:07): I move:

- (1) That this House notes that:
- (a) on Thursday 10 November 2022 the winners of the 2022 Hunter Medical Research Institute Awards were announced;
- (b) the awards are a celebration of the outstanding efforts and achievements of individuals and teams who drive and support the opportunities that health and medical research bring to the wellbeing of our community;
- (c) recipients of awards included:

- (i) HMRI Award for Research Excellence: Professor Brett Nixon;
 - (ii) HMRI Award for Mid-Career Researcher of the Year: Professor Pradeep Tanwar;
 - (iii) HMRI Award for Early-Career Researcher of the Year: Dr Michelle Kennedy; and
 - (iv) Research Team Excellence Award: Physically Active Children in Education [PACE team].
- (2) That this House congratulates all recipients of the Hunter Medical Research Institute Awards.

Motion agreed to.

HUNTER MANUFACTURING AWARDS

The Hon. TAYLOR MARTIN (10:08): I move:

- (1) That this House notes that:
- (a) on Friday 28 October 2022 the winners of the 2022 Hunter Manufacturing Awards were announced;
 - (b) the awards inspire and encourage vibrant and enduring manufacturing in the Hunter; and
 - (c) winners of awards included:
 - (i) Apprentice of the Year: Alex Nivison (Chamberlain Group);
 - (ii) Rising Star: Luke Sasse (Hi Vis Group);
 - (iii) Outstanding Start Up: Resourceful Living;
 - (iv) Excellence in Building Workforce Capability for the Future: Morgan Engineering;
 - (v) Excellence in Export and Global Supply Chains: Hedweld Group;
 - (vi) Excellence in Innovation: Sirron;
 - (vii) Excellence in Manufacturing Capability: Elecbrakes;
 - (viii) Excellence in Product Design: SafeGauge;
 - (ix) Excellence in Sustainable Operations: Loop Organics;
 - (x) Excellence in Marketing Award: Sirron Holdings;
 - (xi) Collaboration Partnership: Sirron Holdings and Chesser Chemicals;
 - (xii) Manufacturing Leader: Bruce Hegan (4ID Solution);
 - (xiii) Manufacturer of The Year - Less than 50 Employees: Sirron Holdings Group; and
 - (xiv) Manufacturer of The Year - 50 employees or more: MITS Alloy.
- (2) That this House congratulates all winners of the Hunter Manufacturing Awards.

Motion agreed to.

AUSLAN INTERPRETER WORKFORCE SHORTAGE

Ms ABIGAIL BOYD (10:08): I seek leave to amend private members' business item No. 2132 outside the order of precedence for today of which I have given notice by omitting in paragraph (3) "to develop a strategy and implementation plan".

Leave granted.

Ms ABIGAIL BOYD: Accordingly, I move:

- (1) That this House commends the Auslan interpreter workforce for their critical work.
- (2) That this House notes that:
- (a) the Legislative Council Procedure Committee Report No. 16 on Auslan interpretation for broadcasting documents long-running concern in the Deaf community and amongst Deaf advocacy organisations that there is a significant shortage of Auslan interpreters, with the lack of availability of interpreters described by one witness as "one of the biggest problems [the Deaf community] have";
 - (b) there is a strong link between exposure to sign language interpretation and choosing it as a career, and so awareness is key to addressing workforce shortages; and
 - (c) there is a lack of professional training and development opportunities available for Auslan interpreters.
- (2) That this House calls on the Minister for Disability Services and the Minister for Skills and Training to work with the Deaf community to address the Auslan interpretation workforce shortage.

Motion agreed to.

SYDNEY MECHANICS' SCHOOL OF ARTS

The Hon. MARK BUTTIGIEG (10:09): I move:

- (1) That this House notes that:
 - (a) on 22 March 1833 the Sydney Mechanics' School of Arts [SMSA] was founded;
 - (b) it is the longest operating School of Arts in Australia and maintains the longest functioning lending library in Australia;
 - (c) the Sydney Mechanics' School of Arts was subject to the following acts: the Sydney Mechanics School of Incorporation Act of 1886, Sydney Mechanics Sydney Mechanics School of Arts (Enabling) Act 1929, and Sydney Mechanics Sydney Mechanics School of Arts (Amendment) Act 1940;
 - (d) the SMSA became a centre for social, intellectual and cultural life in Sydney;
 - (e) after 1860, the SMSA provided an alternative for women who were excluded from traditional education;
 - (f) the SMSA offered a vast array of technical courses ensuring that the serious demand for skilled labour was met, the courses made a crucial contribution to the economic progress of Sydney, and due to its success the Government took over the courses in 1883;
 - (g) today the SMSA provides readings, library services, talks, screenings, readings, and seminars for both members and the general public;
 - (h) SMSA proudly supports local community organisations, not-for-for profits and provides endowments to the University of Sydney, University of Western Sydney and University of Technology Sydney;
 - (i) through the work of the SMSA President, Paul Reid and Secretary, Grahame Marks in securing funding from the Westfield Group, the school opened the Tom Keneally Centre in August 2011; and
 - (j) the Tom Keneally Centre holds the research collection of the author and provides a cultural hub for the community.
- (2) That this House congratulates the Sydney Mechanics' School of Arts for its forthcoming 190-year anniversary on 22 March 2023.
- (3) That this House recognises the Sydney Mechanics' School of Arts for its valuable and significant contribution to the community.

Motion agreed to.

BRIGHTON RSL REMEMBRANCE DAY CEREMONY

The Hon. MARK BUTTIGIEG (10:10): I move:

- (1) That this House notes that:
 - (a) on Friday 11 November 2022 a Remembrance Day ceremony was held at Brighton RSL and I was honoured to attend at the invitation of the club President, Mr John Yates, and board member Mr Brian Walsh;
 - (b) the service was full of attendees paying tribute to our veterans, including local school children from Brighton Public School, St Thomas More Catholic Primary School and Kyeemagh Public School, and board members Mr Barry Worling, Mr Charlie Leo and Mr Charlie Camilleri;
 - (c) the service was poignant and moving, with the RSL President Mr John Yates taking the time to explain the significance of the very impressive memorial outside Brighton RSL; and
 - (d) the work on the memorial was completed by sculptor Mr Michael Nicholson, who was an armoured car squadron commander at Dunkirk and Burma, with the memorial comprising three parts, including:
 - (i) a bronze installation mounted against the wall portraying men and machines dispersed across the battlefield by war;
 - (ii) a tank track mounted atop a three-tonne granite block, which symbolises the principles that Australians had fought for, and below on a marble slab "Lest we Forget" is inscribed; and
 - (iii) a precast concrete wall that features impressions of tank tracks inlaid with flower tiles to symbolise peace after wars.
- (2) That this House commends Brighton RSL, its President Mr John Yates and the board of the RSL for conducting such a beautiful ceremony and for engaging the community, in particular local school children, which ensures the commemoration of our brave soldiers who made the ultimate sacrifice is always remembered through the generations. Lest we forget.

Motion agreed to.

SYDNEY JEWISH MUSEUM THIRTIETH ANNIVERSARY

The Hon. SCOTT FARLOW (10:10): I move:

- (1) That this House recognises that:
 - (a) the Sydney Jewish Museum in Darlinghurst has been celebrating its thirtieth anniversary in 2022 and is one of the pre-eminent Holocaust museums in the world;

- (b) the museum celebrated its thirtieth birthday on Sunday 13 November 2022 with a function hosting several of its founding survivors to recognise the importance of the museum to the Jewish community in New South Wales; and
 - (c) the museum was established in 1992 when a group of Holocaust survivors came to Australia and wanted to ensure future generations of Australians had a place to learn of the atrocities of the Holocaust and honour the memories of those who were murdered.
- (2) That this House notes that:
- (a) since its establishment, the Sydney Jewish Museum has provided a powerful educational voice to the victims of the Holocaust and has been a catalyst for greater awareness and acceptance in the community;
 - (b) the Sydney Jewish Museum promotes social cohesion by being able to inform and instruct through their educational facilities and by becoming a key institution in the Jewish community of Sydney and greater New South Wales;
 - (c) since the official opening of the building on 11 November 1923 by Sir John Monash, it has been a communal centre for the Sydney Jewish community's social and educational activities, while also standing as a memorial for the Jewish soldiers from New South Wales that served in the First World War; and
 - (d) the Sydney Jewish Museum commemorates, reflects and recognises key and significant dates in history that are of importance to the Jewish Community of Sydney, from which they can teach and raise awareness.
- (3) That this House notes the role of institutions such as the Sydney Jewish Museum that combat rising global antisemitism by ensuring the community, particularly young people, has an enhanced understanding of the horrors of the Holocaust and to build greater tolerance for others.

Motion agreed to.

BEING MENTAL HEALTH CONSUMERS CONFERENCE AND GALA DINNER

The Hon. SCOTT FARLOW (10:10): I move:

- (1) That this House recognises that:
- (a) BEING – Mental Health Consumers is an independent peak organisation in New South Wales which represents people with lived experience of mental health challenges and emotional distress;
 - (b) the mental health sector works tirelessly to support those dealing with mental illness and has made considerable strides over recent years in breaking the stigma that has been associated with mental illness, ensuring people can access the treatment they deserve; and
 - (c) Mr Fayez Nour, Chairperson of BEING - Mental Health Consumers, is a tireless advocate for improving the experience of those living with mental health challenges in New South Wales and has a unifying presence in bringing together the mental health sector to make advancements to the benefit of the community.
- (2) That this House notes that:
- (a) on Tuesday 8 November 2022 at Parliament House in Sydney, a conference and gala dinner were held celebrating 30 years since the establishment of the NSW Consumer Advisory Group and placement of lived experience of mental health at the centre of NSW Mental Health Strategy, sponsored by the Hon. Scott Farlow, MLC; and
 - (b) the conference and gala dinner were attended by representatives from a diverse array in the mental health sector, including the following dignitaries:
 - (i) the Hon. Bronnie Taylor, MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health;
 - (ii) Lucy Brogden, AM, Former Chair, National Mental Health Commission;
 - (iii) Dr Brandon Flynn, A/Executive Director, Mental Health Branch;
 - (iv) Fayez Nour, Chairperson, BEING - Mental Health Consumers;
 - (v) Priscilla Brice, CEO, BEING - Mental Health Consumers;
 - (vi) Ryan Park, MP, shadow Minister for Mental Health and member for Keira; the Hon. Shayne Mallard, MLC, Parliamentary Secretary for Western Sydney; Cate Fachrmann, MLC; Tanya Davies, MP, member for Mulgoa; Hugh McDermott, MP, member for Prospect; Alex Greenwich, MP, member for Sydney; and the Hon. Scott Farlow, MLC, Government Whip in the Legislative Council;
 - (vii) Carmel Tebbutt, CEO, Mental Health Coordinating Council, and former Deputy Premier of New South Wales;
 - (viii) Catherine Lourey, NSW Mental Health Commissioner;
 - (ix) Founding members of the NSW Consumer Advisory Group – Mental Health including Dr Cris MacLeod, Dr Jenny Learmont AM, Helen Blum, Janet Meagher, AM, John Olsen, Keith Horsnell, Maree Croker, Peter Schaecken, Ray Brown; and
 - (x) over 160 attendees from across the Mental Health Sector.

Motion agreed to.

*Documents***INDEPENDENT COMPLAINTS OFFICER INVESTIGATIONS PROTOCOL**

The Hon. PETER PRIMROSE: According to the resolution of the House establishing the Independent Complaints Officer, I table the *Independent Complaints Officer Investigations Protocol*, dated November 2022. I move:

That the document be published.

Motion agreed to.

TABLING OF PAPERS

Ms ABIGAIL BOYD: By leave: I table a document comprising a printout of the names of 6,186 people who have signed an online petition supporting protecting sex workers under the Anti-Discrimination Act. I move:

That the document be published.

Motion agreed to.

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

Mr JUSTIN FIELD: I withdraw matter of public importance No. 2 standing in my name on the *Notice Paper* for today relating to the findings and recommendations of the NSW Crime Commission's Operation Islington, an inquiry into money laundering via electronic gaming machines in pubs and clubs. Notwithstanding my withdrawal, this is indeed a matter of extraordinary public importance. I encourage all members of this place and the other place to do what they can to address it.

POSTPONEMENT OF BUSINESS

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

- (1) Business of the House notice of motion No. 1, standing in the name of Ms Abigail Boyd, postponed until the next sitting day.
- (2) Matter of public importance No. 1, standing in the name of Mr John Graham, postponed until the next sitting day.

*Standing Orders***STANDING RULES AND ORDERS**

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (10:24): I move:

That this House:

- (a) agrees to and adopts the Standing Rules and Orders set out in the schedule attached to the *Notice Paper* for this day; and
- (b) authorises the President to present such Standing Rules and Orders to Her Excellency the Governor for approval.

I acknowledge the work done by the committee that considered the amendment to the standing orders that govern the manner in which business is conducted in this place. Firstly, it gives David Blunt, Steven Reynolds and Susan Want an opportunity to upgrade the great volumes that we have. I do not know if that is a money-spinner for them, but we should now move to the next edition. On a serious note, we ought to acknowledge the work done principally by Susan Want in the Clerk's office. She unfortunately is not here, but in every one of those committee meetings she provided members with a very articulate and erudite summary of the changes proposed, the reasons and the history of the standing orders. She gives members the opportunity to understand the decisions that they make, and I stand in awe of the work she has done and the knowledge she has about the standing orders of this place. The secretariat has also included Alex Stedman and our Clerk, David Blunt, who has driven this process. Over the past few days a significant amount of work to pull all of this together has also been done by Jock Gardiner, Taylor Cauchi and Sharon Ohnesorge. I hope I have not mispronounced that.

The Hon. Adam Searle: Hansard will clean it up.

The Hon. DAMIEN TUDEHOPE: Will Hansard please clean that up for me? I apologise to Sharon. In addition, we have had a significant amount of input from Beverly Duffy, Jenelle Moore, Stephen Frappell and Steven Reynolds. All those people have been behind it. The standing orders make this House function. They give those opposite an opportunity to harangue people on this side. I only wish they went further in putting impediments in the way of Standing Order 52, but one cannot win them all.

I acknowledge the contribution of the Hon. Adam Searle and the Hon. Trevor Khan when he was here. I understand that he is now called His Honour the Hon. Trevor Khan, as he wields his skills in another place. All the people who have sat on that committee over time have contributed to a very respectful debate. We have come up with very significant, practical amendments to the standing orders that make this place function. We have had the benefit of your dining room, Mr President, and thank you for the sandwiches and scones that you regularly provide.

The Hon. Mark Buttigieg: It makes it worthwhile.

The Hon. DAMIEN TUDEHOPE: That is right. The Hon. Mark Buttigieg is always there, helping himself and generally taking some things back for his staff. This was a worthwhile process and we have reached a very good outcome. All the people who have participated in the committee process which has led to the adoption of these standing orders today have the gratitude of this House for their work.

The Hon. PENNY SHARPE (10:29): I stand with the Leader of the Government in regard to the standing orders that we will adopt today. I will not go through the list of staff, as the Leader of the Government has done that, but I place on record the Opposition's great thanks for their work. An enormous amount of work goes on behind the scenes. There is a lot of fighting and thought and consideration of the meaning of specific words. I acknowledge that Alex Stedman lost his fight on one matter, but he has taken it well. We are now here with consensus on a very important issue.

Our standing orders have not changed very much or very often. What is being adopted today is a major rewrite of the way in which this House operates, the way in which Government is held to account and the way in which each individual member, as elected, is empowered to participate fully and, hopefully, equally with one another. The standing orders are the rules of our democracy. They guide how we resolve conflict and how we deal with issues. They ensure that the challenges of the State are managed in a non-violent, thoughtful, hopefully participatory and inclusive way and that we actually resolve conflict and make decisions. The standing orders are fundamentally that important.

One thing I always say to young female activists—and this was drilled into me by former President Meredith Burgmann—is that if you really want to be able to participate properly, do not whinge about things. Understand the rules and use them. Understand the rules better than anyone else and make sure that you use them properly because they empower you to participate.

The Hon. Damien Tudehope: God, you learnt that lesson.

The Hon. PENNY SHARPE: Good. I will tell Meredith that; she will be very pleased. For Labor women, it has been drilled into us for a very long time, and it was wise advice. When I stand here today considering the changes we have seen, I know it is extremely important. I have said this before, but I particularly acknowledge the work of the Hon. Adam Searle and the crossbench in this process. The Government did not like a lot of these things. If the Labor Party gets lucky in March next year, it may not like some of them either. But we have come to this process considering first principles: What is our role? How do we fulfil it in the best possible way? How do we ensure that everyone gets a fair go? How are we able to, in the public interest, really examine, review and hold to account the Executive Government? It is the way our democracy is structured and it is extremely important.

Finally, there is a change to statements of public interest. When the idea first came to us, to be honest, I never thought we were going to get there. Percy Allan, Richard Whittington and the team have persistently harassed each and every one of us that the statements are a good idea and that they were worth pursuing. I was pleased that Labor also agreed that they were a good idea worth pursuing and that the Government came on board as well. Again, the fundamental role of statements of public interest is actually explaining to people, without all the jargon, why we are actually doing this. Why is a bill in the public interest? What are the options we have thought about when we are trying to make policy and solve problems? How did we incorporate that into the discussion that we bring to this Chamber?

I think the change is a worthwhile development. I never thought we would see it in the standing orders when we started. I thought it was going to be too hard and we would never reach consensus, but we have. The process will develop over time and is a really great step in trying to rebuild an understanding of what goes on in Parliament. Most people do not understand the parliamentary process; it can be a bit niche at times. But the statements of public interest open things up to a wider audience in a way that they can understand. They also require the government of the day to justify a little bit more why it is doing something and what problem it is trying to solve.

Again, change is a huge effort. It does not happen very often. This is pretty radical change. Most parliaments of the Commonwealth have questions for us. They ask, "You do this? What do you mean you are able to have take-note debates? What do you mean you are able to get all of these documents?" We say, "Yes, we do,

and we think we have used the rules judiciously. Importantly, we think we have used them on behalf of the people of New South Wales." I commend the report. I thank the Procedure Committee and appreciate the willingness of all parties, big and small, to design a system for democracy in New South Wales that I think is groundbreaking.

Ms ABIGAIL BOYD (10:34): A lot of what I was going say has been captured so well by the Hon. Penny Sharpe that I will not repeat those statements. I particularly love the standing orders. I read them at length; I mark them up. Every time I see the slightest thing, I think, "That could be a little bit better", and I make a little mark. I am a standing orders nerd. I absolutely agree with the Hon. Penny Sharpe that understanding the standing orders comes with a certain power. There is a power in knowing how to be the best that you can be in this place.

I acknowledge the work of David Shoebridge—I almost called him the late David Shoebridge. He is not dead; he has just gone to the Senate. I also acknowledge the work of the Hon. Adam Searle, the Hon. Robert Borsak and everyone else who worked so hard to better reflect the purpose of this House and what we are trying to do in this place and to create a more robust set of procedures for us to hold the Executive to account. It has been really important. I particularly thank the Clerk for all the work that he does in this area for the whole team.

I will not go over the specifics of the changes, but I flag one of the things coming out of the Broderick review that is interesting and that I know the Parliament Advisory Group is now looking at. It is a question of how we make further changes to the standing orders to not only ensure that we uphold the principles of democracy as much as we can but also encourage greater participation and inclusion, create a more diverse workplace and show the public what democracy can be so that we can begin to restore the faith in the political system that has been gradually lost over the past few decades.

There is some work that we need to do, and I am looking forward to helping with that work in the next parliamentary term. We will need to work out the very fine line between what is robust debate and what is unacceptable conduct. We will also need to work out what is conduct that would discourage women in particular but also a whole range of people who do not feel like they are the norm from coming to this place to represent people. I look forward to doing that work. It is going to be really important. It will be hard, and I think we will need to come to a consensus position in order for us all to understand it properly, but it is overdue.

The Hon. ADAM SEARLE (10:38): These proposed standing orders were born out of bitter partisan contest and have reached this point in consensus. I think that is testament to the nature of this House and the good sense of the people in it. One birthplace of these changes was here in 2011 when we were debating the industrial relations laws. I was a new member of the House at that time and Mr David Shoebridge, Dr John Kaye, other members and I were using the then standing orders to continue the debate to make sure that the House fully considered all aspects of the industrial relations legislation that imposed the wages cap. In that process, I was the first member of this House in 104 years to be gagged. I was shocked and appalled by that, because I was just getting started.

The Hon. John Graham: That's why it happened.

The Hon. ADAM SEARLE: I acknowledge that interjection. It was not the first time that I realised that the standing orders, which regulate our conduct but are not the source of our powers, were all-important. The second birthplace of the proposed standing orders was in the wake of the 2019 election. I acknowledge now Senator David Shoebridge and the Hon. Robert Borsak for working with the Labor Party and other groups in this Chamber to use sessional orders to radically overhaul the way in which the Chamber works. The Government was reluctant and did not like it and there was partisan contest on that point. As the rules and the different aspects got bedded down, everyone was persuaded that the structure of the rules were appropriate for the modern era. They afford opportunities to ordinary members who are not in leadership groups to participate in debate in other ways.

It has been 19 years since the last time standing orders and procedures were made. Previous Parliaments have done ad hoc patching with sessional orders that only last for a session. This is a significant change and an upgrade to the rules. They perhaps make the life of government more difficult, but every government worth its salt should want to be kept on its toes in the way in which this House now can, whether it is the Government, backbench, crossbench or the Opposition. I am sure that if Labor finds itself in government, it will welcome that contest with open arms. My one regret relates to Standing Order 52. I have on a number of occasions proposed changes to the standing orders similar to proposals by the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC. At some point, the wording of Standing Order 52 will need to be modernised. It is not the source of our power; it is merely how we regulate the use of that power, which derives from the common law. That will be the work of a future Parliament, depending on the numbers here.

This is an enormous step forward. It is a bit arcane to spend so much time talking about the rules of engagement, but the rules are important. They are like the law. As the Hon. Penny Sharpe mentioned, every member who wants to make a serious contribution in this place should start by knowing the rules of engagement

because they make this place work so much better. I acknowledge the Clerk, Susan Want and everybody who participated in crunching through the history, the meaning, the effect, the precedence and the possible meanings and effect of the new wording of the standing orders. It is good that we got rid of a bunch of orders that no-one knew the purpose of nor the last time they had been used. This is a big step forward. I welcome the changes and urge the House to now send them to the Governor.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (10:42): In reply: I thank all members for their contributions. There is a common thread that goes through them all, and there is unanimity in the House for the adoption of these rules.

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. DAMIEN TUDEHOPE: I move:

That Government business order of the day No. 1 be postponed until a later hour.

Motion agreed to.

Bills

INTEGRITY LEGISLATION AMENDMENT BILL 2022

Second Reading Speech

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (10:43): On behalf of the Hon. Sarah Mitchell: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Integrity Legislation Amendment Bill 2022. The bill proposes amendments to the Constitution Act 1902 and the Independent Commission Against Corruption Act 1988 to lay the groundwork for the implementation of the Government responses to recommendations of the Independent Commission Against Corruption, or the ICAC. I note that the bill was amended in the other place. I briefly describe those amendments. Opposition amendments inserted a new item to expand the heads of power in section 14A of the Constitution Act, enabling the Governor to make a regulation requiring members of Parliament to disclose the details of members' interests in trusts, including discretionary trusts and self-managed superannuation funds, and the details of real property held by discretionary trusts if a member is a potential beneficiary.

The Greens amendments inserted a further item that will require the registers of disclosure to be in an electronic format and accessible to members of the public. In the Government's view, these amendments are unnecessary given the existing heads of power in section 14A of the Constitution and the recommendations accepted by the Government in response to the ICAC's Operation Witney report, which the Government will implement. However, the Government has not opposed the amendments because they are consistent with the Government's intent.

I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

On 20 July 2022, the ICAC published a report entitled *Investigation into the conduct of the local member for Drummoyne* following an investigation known by the moniker "Operation Witney". I will refer to that report as the Operation Witney Report. The Operation Witney Report found that Mr John Sidoti, MP, the member for Drummoyne, engaged in serious corrupt conduct and recommends significant changes to the disclosure of pecuniary interests by members of Parliament.

The Government has agreed to implement all of the ICAC's recommendations directed to it in the Operation Witney Report and has committed to overhauling the disclosure regime for members of Parliament.

Before I deal with the amendments proposed by the bill, I will briefly describe the existing arrangements for the disclosure of pecuniary interests by members of Parliament.

Existing disclosure obligations

The Constitution (Disclosures by Members) Regulation 1983 (which I will refer to as the Disclosure Regulation) sets out the pecuniary interest disclosure regime for members of Parliament. The Disclosure Regulation is made pursuant to the regulation-making power in section 14A of the Constitution Act, which provides that the Governor may make regulations for the disclosure by members of either House of Parliament of certain pecuniary interests or other matters.

Currently, the Disclosure Regulation requires members of Parliament to lodge with the Clerks a primary return disclosing their pecuniary interests within three months of taking the pledge of loyalty and to make a return every six months. The obligation to make

a return is made up of a requirement to provide an ordinary return every 12 months and a supplementary ordinary return in the middle of an ordinary return period. In addition, members of Parliament may make a discretionary return at any time. The Clerks compile and maintain registers of disclosure that are tabled in Parliament and are made available for inspection.

The Disclosure Regulation sets out the pecuniary interests that members of Parliament are required to disclose in their returns, including, for example, interests in real property, each source of income over \$500 and interests or positions in a corporation. Members may also make a discretionary disclosure in any return of any benefit, advantage or liability, whether pecuniary or not.

Members of Parliament are not currently expressly required to disclose memberships of trusts. Members are however required to disclose certain matters in certain circumstances, such as where income over \$500 is received from a trust. In addition, unlike the disclosures made by Ministers and Parliamentary Secretaries to the Premier under the NSW Ministerial Code of Conduct, members of Parliament are not required to disclose the interests of their family members.

In the Operation Witney Report the ICAC identified the following weaknesses and shortcomings in the New South Wales disclosure system:

- There are limited disclosure requirements on members of Parliament where family members use family trusts to hold investments;
- Members of Parliament should not be able to circumvent disclosure obligations by arrangements where family members hold or are transferred assets; and
- In comparison with other Australian jurisdictions, the New South Wales disclosure system "does not reflect best practice and community expectations, and provides opportunities for hidden interests".

Due to these concerns, recommendation 1 of the Operation Witney Report was that the Disclosure Regulation be amended to require members of Parliament to disclose:

- interests in trusts, including discretionary trusts and self-managed superannuation funds, as a standalone item
- real property held by discretionary trusts where a MP is a potential beneficiary
- the interests of immediate family members (noting the option to limit access to certain information for privacy reasons)
- the dispositions of interests to family members or other associates.

The ICAC also recommended that members of Parliament be required to update their disclosures of interests on an ongoing basis, and that electronic databases be used to improve the transparency of the registers of disclosure.

Recommendation 4 of the Operation Witney Report was that the Disclosure Regulation be amended to provide for the mandatory registration of conflicts of interest by members of Parliament. Currently, only Ministers and Parliamentary Secretaries are required by the Ministerial Code of Conduct to give notice to the Premier of any conflict of interest.

The Government has agreed to implement all of the ICAC's recommendations directed to the Government in the Operation Witney Report, and has instructed the Parliamentary Counsel's Office to draft changes to the Disclosure Regulation to require:

- members of Parliament to disclose expanded pecuniary interests, including interests in trusts and the interests of immediate family members, on an ongoing basis;
- members of Parliament to disclose conflicts of interest; and
- the Clerks to publish the disclosures of members of Parliament electronically.

Amendment of the Constitution Act

Although these matters could arguably be implemented by the regulation-making power in the Constitution Act on its current terms, this bill proposes a minor legislative amendment to put the matter beyond doubt.

The amendments are desirable to provide clarity and certainty as to the operation of the Constitution Act and the Disclosure Regulation made under it.

Schedule 1.1 to the bill proposes amendments to the regulation-making power in section 14A of the Constitution Act.

The existing subsection 14A (1) (a) (vii) of the Constitution Act provides that the Governor may make regulations for the disclosure by members of Parliament of certain pecuniary interests, including trusts.

Part of the ICAC's recommendation 1 in the Operation Witney Report was that the New South Wales Government, in consultation with New South Wales Parliament's Legislative Assembly Privilege and Ethics Committee and Legislative Council Privileges Committee, amends the Disclosure Regulation to require the disclosure of:

- the details of interests in trusts, including discretionary trusts and self-managed superannuation funds, and
- the details of real property held by discretionary trusts, where a member of Parliament is a potential beneficiary.

The Government response to the recommendations of the ICAC indicates that it will consult the Legislative Council Privileges Committee, Legislative Assembly Privilege and Ethics Committee and the Clerks of the Legislative Council and the Legislative Assembly on a regulation to amend the Disclosure Regulation requiring members of Parliament to disclose expanded pecuniary interests on an ongoing basis, consistent with the recommendation.

Item 1, inserted by an Opposition amendment in the other place, will omit the existing subsection relating to trusts, and insert new subsections providing that the Governor may make regulations for the disclosure by members of Parliament of certain pecuniary interests, including

- the details of members' interests in trusts, including discretionary trusts and self-managed superannuation funds

- the details of real property held by discretionary trusts, if a member is a potential beneficiary of the discretionary trust
- other matters relating to trusts.

The Government's view is that the existing head of power relating to trusts is sufficient to enable the making of a regulation implementing the ICAC's recommendation.

However, there appears no detriment in expanding that head of power, consistent with the expanded disclosure requirements that the Government is already implementing.

Item 3 will amend section 14A to provide that the Governor may make regulations with respect to the disclosure by MPs of "other matters", whether pecuniary or not, of a kind specified in the regulations. The proposed amendment is intended to facilitate the future implementation of recommendation 4 of the Operation Witney Report relating to a register of conflicts of interest and will also put beyond doubt that a regulation may be made requiring members of Parliament to disclose their diaries, implementing the Government Response to the ICAC report entitled *Lobbying and the New South Wales public sector - the regulation of lobbying, access and influence in NSW* following the investigation known as Operation Eclipse.

Item 4, inserted by a Greens amendment in the other place, will insert a new subsection 14A (1A) into the Constitution Act providing that if a regulation is made requiring the compilation and maintenance of registers of disclosures for members of Parliament, the registers must be:

- kept in an electronic format, that is searchable, within 12 months after the making of the regulation
- accessible to members of the public, subject to any limitations prescribed in the regulation to protect the privacy of persons other than members of either House of Parliament, or the safety of a person or class of persons.

The Government response to the recommendations of the ICAC indicates that it will consult with the Clerks of the Legislative Council and the Legislative Assembly regarding options for establishing the registers of pecuniary interests electronically and enhancing the transparency of the registers.

Given that the Government is already developing a regulation to provide that the registers must be kept electronically, this amendment is consistent with Government's intent and appears entirely appropriate.

Item 5 provides that regulations may be made relating to the pecuniary interests, or other matters, of members of the immediate family of MPs, facilitating the future implementation of recommendation 1 of the Operation Witney Report relating to the interests of immediate family members.

As required under section 14A of the Constitution Act, the Government is consulting with the Legislative Council Privileges Committee and the Legislative Assembly Privilege and Ethics Committee on these draft regulations.

Amendment of the ICAC Act

I now move to Schedule 1.2 to the bill.

Section 9 (1) (d) of the Independent Commission Against Corruption Act 1988 (which I will refer to as the *ICAC Act*) provides that conduct does not amount to corrupt conduct unless it could constitute or involve, in the case of conduct of a Minister of the Crown or a member of Parliament, a substantial breach of an applicable code of conduct.

Section 9 (3) (a) of the ICAC Act defines an "applicable code of conduct" to mean, in relation to a Minister, a ministerial code of conduct prescribed or adopted for the purposes of the section by the regulations, or in relation to a member of the Legislative Council or of the Legislative Assembly (including a Minister), a code of conduct adopted for the purposes of the section by resolution of the House concerned.

The ICAC Act does not expressly provide for a prescribed code of conduct in respect of Parliamentary Secretaries.

Recommendation 8 of the Operation Witney Report was that the Government introduce amending legislation to clarify that an applicable code of conduct in relation to a Parliamentary Secretary is a ministerial code of conduct prescribed or adopted for the purposes of section 9 (3) of the ICAC Act.

Schedule 1.2 to the bill proposes an amendment to section 9 (3) of the ICAC Act to implement this recommendation.

Conclusion

The amendments proposed by this bill will enable the Government, in consultation with the Legislative Council Privileges Committee, Legislative Assembly Privilege and Ethics Committee and the Clerks of the Legislative Council and the Legislative Assembly, to implement significant recommendations of the ICAC to expand and improve the disclosure of pecuniary and other interests by members of Parliament.

It is often said that sunlight is the best disinfectant. The Government is seeking the Parliament's support to enhance parliamentary transparency and accountability and ultimately prevent corruption.

I commend the bill to the House.

Second Reading Debate

The Hon. JOHN GRAHAM (10:45): I speak for the Opposition on the Integrity Legislation Amendment Bill 2022. I was pleased to see an integrity bill come before the Parliament at the tail end of this parliamentary term. It was with great excitement that I unwrapped the bill to see the contents, but I was disappointed with what was inside. The bill purports to deal with two very important reports of the Independent Commission Against Corruption, being the report entitled *Investigation into the conduct of the local member for Drummoyne* and the recommendations that flowed from it, and, perhaps more importantly, the report entitled *Investigation into the*

regulation of lobbying, access and influence in NSW, which was released following the investigation known as Operation Eclipse. The bill deals with the smallest handful of recommendations from those two reports. There is a title on the bill, but the contents barely scrape the surface of the serious recommendations in the reports.

The Leader of the Government said that the bill is about laying the groundwork for changes to be made at some point. That is consistent with the language used in the other place, so I do not blame the Leader of the Government for putting it in those terms. The bill is not about making changes or adopting the ICAC's recommendations. I note that the Government has supported the recommendations in principle, but here we see the Government not implementing them but simply laying the groundwork. In fact, it is not just laying the groundwork; it is also starting to back away from key recommendations that it had previously supported. The Government put the position in the Chamber today that the Opposition amendments adopted in the bill are unnecessary. That is not what the Government said when the ICAC suggested those changes in recommendation 1 of one of the two reports. The Government said then that it supported them, but now we hear that the amendments are unnecessary and are reluctantly included in the bill. That should ring alarm bells for anyone who is concerned about integrity in the State of New South Wales.

Again, I accept that this is the position of the Government and that the Leader of the Government is following advice, but it is a concerning development. I do not doubt that it represents the real view of the Government. There are a range of substantive areas covered in the reports that are not enacted in the bill. I will go to the detail later, but I draw attention to two of them. The first is establishing a lobbying regulator in New South Wales. That was not acted on in this so-called integrity bill. It is being acted on, for example, in the State of Queensland. It is a serious recommendation. The Government says that it supports it, but there is no action. Will that be the subject of further walking away in the way that we have seen with one of the recommendations today?

Also recommended is tightening post-employment requirements for Ministers. Plenty of Ministers are departing this Government at the moment. This important recommendation of the ICAC is allegedly supported by the Government, but it lies idle as Ministers of the Crown flee Parliament. I draw attention to the fact that it means this Government will not act on it. I reiterate the Opposition's support in principle for the recommendations of those two reports. The Government largely fails to deal with them in this bill or in this parliamentary term. We are on what we hope to be the final sitting day of this parliamentary term, and those important integrity matters are left as unfinished business for a future government. I welcome the forward steps that have been taken. I place on record the Opposition's view about that. One might have hoped that the end of a parliamentary term of a minority government in the lower House would be a window of opportunity for all sides of politics to reflect and act to take those recommendations further. It is my view that it is a missed opportunity.

I will not go through the recommendations in laborious detail, but I will give members a flavour of the work that is left undone by not picking up those recommendations. The first is the investigation into the conduct of the local member for Drummoyne in what was known as Operation Witney. There were a range of recommendations. A handful of those require legislative action, but the most important is recommendation 1. The Government acted on some of it, clearing the way for the details of family members to be potentially disclosed. We have made it clear in the Constitution Act that that may be allowed. The Government did not act on other key parts of recommendation 1. I will come back to trusts and the matter of making sure they are electronically recorded so that they are more accessible and more transparent to the public. Both those matters have been dealt with by the crossbench or the Opposition in the lower House and are now incorporated in the bill. They should have been in the Government bill to start with.

Other matters are left undone. First, and most importantly, is the lobbying code of conduct and the recommendations of lobbying in the New South Wales public sector—the regulation of lobbying, access and influence in New South Wales that followed Operation Eclipse. The lobbying code should impose standards and obligations on public officials, not just on lobbyists. Recommendation 3 stated that the lobbying code of conduct set out detailed standards and obligations. There were many named, but they go to the heart of the matter and name secret meetings, off-the-book meetings. Concerns about the operations of the existing register have been raised in this House previously. The recommendations refer to establishing a lobbying regulator, which is in process in Queensland but not in New South Wales. All professional lobbyists should be required to register, that is, third party lobbyists and in-house lobbyists. That key recommendation of this report is sitting idle and is not acted on in the bill. The report recommends specific details of what lobbyists should disclose, based on a worldwide look at where this works best.

Recommendation 12 is that diary and overseas travel information of Ministers should be published monthly, not quarterly, and be searchable. That is not acted on in the bill. Instead, the Government has picked up a recommendation that is not in the reports about MPs' diaries being disclosed—for political advantage. I indicate that for the record we will support that change. A recommendation that is not in the report is picked up to make some political point. Meanwhile, vast swathes of this report outlining numerous recommendations are barely

touched by the bill and lie idle. I have already referred to recommendation 14 about the oversight of post-separation employment provisions. Recommendation 15 mentions extending those to ministerial and parliamentary secretarial advisers of sufficient seniority. Recommendation 16 looked at high-risk roles and associated key officials and how we might regulate those. Recommendation 17 is for the creation of a list of former public officials. Recommendation 18 dealt with establishing a lobbying commissioner. There are more, but that gives members a flavour of the things that the bill does not contain. That is why I was upset when I unwrapped the bill and saw that its contents are so slim. They merely lay the groundwork rather than act on those significant matters. Those are the concerns of the Opposition.

I raise two other issues. The first is that it is not possible to register that disappointment with the bill without also talking about the record of this Government. If we are looking for a motive for why those things have not been acted on, we have to look back to the record. One key concern of mine, this Chamber and the Public Accountability Committee is this Government's long record of grants programs that have been rorted, starting with Clubgrants Category 3 Infrastructure Grants and continuing with Refresh and Renew Fund, Sustainable Schools Grants and the Greater Sydney Sports Facility Fund, and who could forget the Stronger Communities Fund, 96 per cent of which went to Coalition electorates? I could not touch on the greatest hits of this without recalling that 18 May 2018 dossier that sat in the Premier's office, given by the Premier's staff to the Premier, with this declaration:

We have continued to work on how we allocate this funding to get the cash out the door in the most politically advantageous way.

That is what the Premier's staff was telling the Premier as this money was dished out. Some 96 per cent went to Coalition electorates. That is the record.

The Hon. Damien Tudehope: Point of order: I know that everyone likes to grandstand about this sort of stuff, but the remarks must go to the substance of the bill. The title of the bill includes the word "integrity", but the remarks should be about the contents of the bill. This is not an opportunity to make a political speech about integrity issues. I understand that the member wants to air a whole lot of issues that he said go to integrity, but those observations do not go to the substance of the bill.

The Hon. JOHN GRAHAM: To the point of order: I make two points. Firstly, this is a very challenging point of order to respond to, given that the substance of the bill is so narrow and so flimsy. The title of the bill, however, is quite wide and I am well within the title of the bill. Secondly, I will not be censored by the Government when dealing with these integrity matters.

The Hon. Adam Searle: To the point of order: The test for whether a member is within order in a contribution to debate on the second reading is whether the contribution comes within the long title of the bill, which is "an Act to amend the Constitution Act 1902 in relation to the disclosure of pecuniary interests and other matters; to amend the Independent Commission Against Corruption Act 1988 to prescribe the Ministerial Code of Conduct as an applicable code of conduct in relation to Parliamentary Secretaries; and for related purposes". The contribution of the Hon. John Graham is clearly going to the issue of the ministerial code of conduct, particularly the conduct of one of the Ministers—the Premier's office—and it is within the—

The DEPUTY PRESIDENT (The Hon. Wes Fang): I was listening carefully to the contribution of the Hon. John Graham and, I must admit, I feared that the member was starting to stray. However, I am comfortable that the circumstances he discussed were part of a wide remit, which is permitted under a second reading contribution. However, if the Hon. John Graham seeks to stray any further from the position he was making a contribution on, I expect that I will be bringing him back to the bill. With that hopeful guidance, I will pass the call back to the Hon. John Graham.

The Hon. JOHN GRAHAM: I accept that ruling. I will not stay on the matter of the Government's record for long. So, having placed on the record that history about what was going on in the Premier's office and what was known by the Premier at the time, I make this point. These were matters not just known to the Premier. They would have been known, they should have been known and they must have been known to the Treasurer at the time, Dominic Perrottet, given the amount of money—a quarter of a billion dollars—which was spent. These matters were certainly known to members of his current office, the Premier's office.

I draw the attention of the House to a matter of integrity—on the matter of the Government's record—which has greatly detained the House, and that is the appointment of people to senior trade and investment commissioner roles. The Government is bringing in an integrity bill late in this term of Parliament with no reference, inclusion, acknowledgement or tidying up of those appointment measures which have caused great public concern. The Premier likes to claim that there are more integrity measures being moved by this Government than any previous government in New South Wales history, but he will not appear in front of the Public Accountability Committee to defend the integrity of that appointment. That is why the Premier's chief of staff has been called to appear. That is why that will occur next week.

The Hon. Sarah Mitchell: How is this relevant? This is not relevant, John. Come on.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Foreshadowed future hearings of committees of the Legislative Council are not within the long title of the bill. I draw the Hon. John Graham back to the long title and contents of the bill.

The Hon. JOHN GRAHAM: I conclude with the view that not only is the bill deficient, not only does it barely live up to the title that graces its cover, but the Government's record describes the motive for why that might be the case. I promised to return to those provisions that are now included in the bill—matters that were the subject of an Opposition amendment in the lower House—that deal with trusts. This important recommendation 1 of the report was not acted on by the Government. Astonishingly, it never featured. The Government picked up some aspects of the recommendation but stepped over this key one.

The Hon. Damien Tudehope: That is not true.

The Hon. JOHN GRAHAM: I acknowledge that interjection. The Leader of the Government says, "That is not true." I invite him to show us where these matters were acted on.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I would ask the member to pass his remarks through the Chair.

The Hon. JOHN GRAHAM: Through you, Chair, I invite the Minister in his reply—

The Hon. Damien Tudehope: I will, don't worry about that.

The Hon. JOHN GRAHAM: —to tell us when the matter of trusts was acted on. Where was it in the bill? Where was it required? We on this side have put it in the bill. We will see greater scrutiny of the trusts of members. That is something Government members should be aware of because, as the Government has brought through this very skinny bill, the Opposition has acted on the recommendation of the ICAC, and this is an area that Labor will pursue. I invite the Leader of the Government to respond on what action the Government has taken in this area. Our view is that the Government has dragged its feet. That will not be the approach Labor will take in the area of trusts, and I place the Government on notice of that.

Ms ABIGAIL BOYD (11:05): On behalf of The Greens, I make a brief contribution to the debate on the Integrity Legislation Amendment Bill 2022. The Greens will, of course, be supporting the bill. It begins to implement the Government response to recommendations of the ICAC, mainly from the ICAC's investigations into the conduct of the local member for Drummoyne, known as Operation Witney. I will not go into great detail on particulars of the bill, as they have already been well canvassed. But I will note that The Greens are very supportive of the Government enacting the relevant recommendations of Operation Witney just four months after the release of the ICAC's report. The Greens, through both Houses of the New South Wales Parliament, have a very proud history of pushing for greater transparency and accountability in government and have been unwavering supporters of the ICAC and its operations and of providing it with all of the powers necessary for it to fulfil its wider contribution to our State and the people living in it.

Not all aspects of the recommendation of the Operation Witney report featured in the original draft of the bill. I offer particular thanks and congratulations to the member for Balmain, The Greens MP Jamie Parker, for his important amendment that was passed in the lower House and made its way into the bill that is before us. The amendment fulfils another requirement of recommendation 1 from the Operation Witney report, which not only requires expanded interest disclosures but, critically, that those disclosures be published in an electronic database to improve transparency. Without this important amendment, successfully secured by the member for Balmain, much of the bill would serve little functional benefit. It increases transparency and makes these important disclosures accessible and searchable by the public. Hundreds of thousands of handwritten pages scanned into PDF format serve little practical purpose for providing timely and useful information.

I thank the member for Balmain for his tireless and vigorous advocacy in this space throughout his entire tenure in New South Wales politics. Democracy and accountability and sensible amendments like this one have been the catch-all for Jamie. His contributions to debate and the public interest in the other place are recognised by all. He will be sorely missed by me and all of my Greens colleagues, not to mention his local constituents, when he leaves State politics at the end of this term. I think he would be, deservedly, very proud for this important contribution to public transparency and accountability to be a parting gift from him and a fitting legacy to leave behind. For these reasons, The Greens support the bill.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (11:07): On behalf of the Hon. Sarah Mitchell: In reply: I did not anticipate that I would need to do this. I know that it is all very political for those opposite to want to establish themselves as the high ground of integrity. The Hon. John Graham articulated why those in the Labor Party are the white knights of integrity—but Khal Asfour

is about to sit on that side of the House. Labor members say that they come to this House wanting integrity. The integrity which they bring is the heir apparent of Eddie Obeid. That is the sort of integrity that they want to see introduced into this House—the likes of Khal Asfour.

As the Premier indicated in the other place yesterday, in fact, they reserve a place on that side for people who they want to come to this place. The rest of the places are reserved for union officials, but they always reserve one spot for someone who has integrity issues hanging over them—and, sure enough, Khal Asfour is on his way here, in the great tradition of the rorters of the people of this State. Those opposite say that we have not gone far enough. No government has ever done more regarding integrity issues than the Perrottet-Toole Government. What we have done time and time again is respond—

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! The Hon. John Graham was heard in silence. If he takes a point of order, he will be heard. Until then the Minister will be heard in silence.

The Hon. DAMIEN TUDEHOPE: The member says, "We wanted this to go further." The Government's position in respect of trusts is to establish the head of power to ensure that members included trusts in their disclosures. The member knows, as do I, that the trust-making power did not need to be spelt out in the way that it was because it is done by regulation. He knows and I know that members' disclosure requirements were covered by the head of power relating to trusts and then was covered by—

The Hon. John Graham: As were the others.

The Hon. DAMIEN TUDEHOPE: The Hon. John Graham says that we did not go far enough because we did not deal with trusts. He knows that that is a regulation-making opportunity pursuant to a head of power that was covered in the bill. The Opposition's amendment offered nothing new. The Government agreed to it, but the amendment took the bill no further by inserting a head of power that already existed. The member should not grandstand in this place about integrity—"We are holier than thou. We are the white knights of integrity"—because we know that the Opposition's track record is anything but that of white knights of integrity. We know that people who are currently in jail because of integrity issues are all from the other side of the House.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! The bill under consideration is only the first bill that the House will work through today. I will not tolerate interjections being made across the table. I give members a final warning before I start calling them to order. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: The Hon. John Graham raised issues about Operation Eclipse. He knows that the Government has adopted all those recommendations. He says, "Why aren't they in this bill?" It is because the bill does not deal with Operation Eclipse.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order! If the Hon. John Graham wishes to take a point of order, I invite him to do so. If not, the Minister will be heard in silence. That is my final warning.

The Hon. DAMIEN TUDEHOPE: The member raised an issue about the lobbyist register. On 22 June 2021 the ICAC published its report entitled *Investigation into the Regulation of Lobbying, Access and Influence in NSW* following Operation Eclipse, a self-referred corruption prevention investigation. On 19 July 2022 the Government's response was provided to the ICAC and made publicly available. The Government's response accepted or accepted in principle all 27 of the ICAC's recommendations to the Government. The member knows that. Implementation of the lobbying reforms are ongoing. The Government is currently consulting the regulator of lobbying, the NSW Electoral Commission, on the implementation of 15 of those recommendations.

The DEPUTY PRESIDENT (The Hon. Wes Fang): I accept that members make contributions across the table. However, in this instance I have given a number of warnings. I call the Hon. John Graham to order for the first time.

The Hon. DAMIEN TUDEHOPE: Although there has been insufficient time to introduce legislative amendments in this parliamentary setting, the Government will endeavour urgently to implement as many of the non-legislative recommendations as possible. That is on the record. I go to the second aspect raised by the member. He said that the bill does nothing about the Barilaro inquiry into the appointments of the senior trade and investment commissioners. I remind the member that a bill is to be debated today which implements the recommendations of the Head review into the appointment of those trade and investment commissioners. For him to assert that the Government has done nothing when there is a bill before the House—

The Hon. John Graham: We'll get to that one.

The Hon. DAMIEN TUDEHOPE: You might get to it, but don't make the assertion that the Government has done nothing when there is a bill before the House. The member knows that a bill is before the House. He lied to the House.

The DEPUTY PRESIDENT (The Hon. Wes Fang): Order!

The Hon. DAMIEN TUDEHOPE: I withdraw that. In telling the House that the Government has done nothing regarding the appointment of overseas trade and investment commissioners shows an elliptical regard for the truth. It is all very well for the member to say that the Government never goes far enough. But we know that on the other side of the House there is a protection racket.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The Hon. John Graham is already on one call to order for his constant interjections. I am loath to put him on a second call. However, he is quickly heading that way. As this is potentially the last sitting day of the year and this term of Parliament, I would hate to have to remove any member from the Chamber. The Minister has the call.

The Hon. DAMIEN TUDEHOPE: I do not want him out before question time. Our debate on the Integrity Legislation Amendment Bill 2022 is an opportunity for the member to say that the Opposition welcomes the amendments to the bill, which is good reform. In fact, it makes us all more accountable—members on both sides of the House and everyone who aspires to be a member of this Parliament. We should be putting everyone on notice that transparency on important issues is important to the public. Members on both sides know that. The Opposition has the opportunity to embrace the reforms without adopting a holier-than-thou attitude and virtue signalling about integrity issues. This Government has a record of responding to reports and integrity issues, introducing legislation and acting on it. Using his contribution to debate on the bill for the political purpose of grandstanding on integrity does the member no credit at all.

I acknowledge the contribution of Ms Abigail Boyd. I join her in acknowledging the work done by Jamie Parker, the member for Balmain, on integrity issues. I have worked with Jamie Parker on a number of those issues. He has been an absolute advocate for integrity, which has been front and centre in a lot of his work. I put on record that he leaves this Parliament having worked tirelessly to ensure that the members elected to this Parliament always act in the interests of the people of this State. Jamie Parker has been a person of integrity for the whole time that he has represented the Balmain electorate. With those few comments—and I thank the members for those few interjections—I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. DAMIEN TUDEHOPE: On behalf of the Hon. Sarah Mitchell: I move:

That this bill be now read a third time.

Motion agreed to.

FISHERIES MANAGEMENT AMENDMENT (ENFORCEMENT POWERS) BILL 2022

Messages

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

Announcements

CALIFORNIAN SISTER STATE RELATIONSHIP TWENTY-FIFTH ANNIVERSARY

Messages

The DEPUTY PRESIDENT (The Hon. Wes Fang) (11:20): I report receipt of the following message from the Legislative Assembly:

MR PRESIDENT

The Legislative Assembly informs the Legislative Council that it has this day agreed to the following resolution:

WHEREAS:

1. The year 2022 marks the twenty-fifth anniversary of the State of New South Wales Sister State relationship with the State of California, and upon this occasion, both States are rewarding of special commendation for the resounding success of their relationship based on goodwill and the goal of peace.
2. On 14 November 1996, both Houses of the Parliament of New South Wales passed a resolution to enter into a Sister State relationship with California and on 30 May 1997 the Senate Concurrent Resolution No. 19, authored by Senator Jim Brulte, was chaptered, officially inviting New South Wales to enter a Sister State relationship.

3. The resolutions of both Legislatures noted the leading roles that New South Wales and California play as commercial, industrial and financial centres of their respective countries, as well as leading centres for the production of high technology goods, wine, films, gold, sports and leisure activities, in addition to which they highlighted that New South Wales and California are the most populous States in their respective countries and share a common language, similar early history dominated by mining and agriculture, diverse and multicultural populations, and a Pacific Rim orientation.
4. On 9 June 1997, the relationship was formalised through the signing of a cooperation agreement between the State of California and the State of New South Wales by President pro Tempore of the Californian State Senate Bill Lockyer, Senate Rules Committee Member Jim Brulte, President of the New South Wales Legislative Council Max Willis and Speaker of the New South Wales Legislative Assembly John Murray.
5. Leaders of both States committed to make efforts to engage in social, economic, educational, scientific and cultural exchanges, and in the ensuing years many exchanges have taken place in a variety of critical public policy areas, including in 1999 when a California-Australia Biotechnology Conference was held in San Diego to connect the biotechnology industries in the respective regions and promote sound practices.
6. The California State Senate and New South Wales Parliament have a robust relationship, conducting several reciprocal legislative exchanges over the past 25 years and maintaining close contact between leaders of the respective bodies on issues of mutual importance, as exemplified by New South Wales maintaining a Trade and Investment office in California for over 10 years, and Investment NSW's regular engagement with its counterpart, the California Governor's Office of Business and Economic Development, to support mutual trade and investment.
7. Both States continue to build a pathway towards a net carbon-free future, with the State of California committing to 100 per cent renewables by 2045, while the State of New South Wales has laid the framework to become a world leader in green hydrogen power generation and renewable energy.
8. The two States also have a shared history of being enriched by thousands of years of First Nations' civilisations, as well as our vibrant diverse and multicultural communities.
9. The States of California and New South Wales also share a deep understanding of the dire challenges faced in situations of drought and extreme fire conditions, causing the firefighting agencies in both jurisdictions to share best practices and resources in fighting and preventing bushfires, including when the United States of America deployed 362 firefighters to provide vital assistance in the 2019-20 bushfires in New South Wales.
10. From 13 to 17 August 2022, the President of the New South Wales Legislative Council, the Hon. Matthew Mason-Cox, and the Speaker of the New South Wales Legislative Assembly, the Hon. Jonathan O'Dea, travelled to California and on 15 August 2022, visited the California State Senate Chamber to commemorate the twenty-fifth anniversary of this long-lasting friendship between the States.
11. From 8 to 12 December 2022, a delegation from the California State Senate will visit New South Wales to also acknowledge and celebrate the twenty-fifth anniversary of this important relationship between the two States, which will further cement the relationship and lay the pathway for ongoing and mutually beneficial reciprocal visits into the future.
1. This House commends all those responsible for establishing, maintaining and deepening the Sister State relationship between the States of California and New South Wales over the last 25 years and into the future.
2. This House notes the adoption of a similar resolution in the Legislative Council on 10 November 2022.
3. That a message be sent to inform the Legislative Council that the Legislative Assembly has agreed to this Resolution.

Legislative Assembly
17 November 2022

JONATHAN O'DEA
Speaker

Bills

GOVERNMENT SECTOR EMPLOYMENT AMENDMENT BILL 2022

Second Reading Speech

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)
(11:21): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Government Sector Employment Amendment Bill 2022. The bill amends the Government Sector Employment Act 2013 to give effect to the recommendations from the inquiry by Mr Graeme Head into the employment of the Senior Trade and Investment Commissioner to the Americas and the statutory review of the Act. The Head inquiry recommended amendments to the Act to strengthen the independence and integrity of the public service. Those amendments are implemented by this bill. To further increase transparency, the bill will also amend the Act to require that senior public servants employed in the two most senior bands and other heads of public service agencies must first seek the guidance of the Public Service Commissioner before accepting an offer of employment in the private sector that relates to roles or responsibilities held by the senior executive during the previous two years.

With those few observations, I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Government is pleased to introduce the Government Sector Employment Amendment Bill 2022. The bill amends the Government Sector Employment Act 2013 to give effect to recommendations from the inquiry by Mr Graeme Head into the employment of the Senior Trade and Investment Commissioner to the Americas, and the statutory review of the Act. The Head inquiry recommended amendments to the Act to strengthen the independence and integrity of the public service, which are implemented in the bill. To further increase transparency, the bill will also amend the Act to require that senior public servants employed in the two most senior bands and other heads of public service agencies must first seek the guidance of the Public Service Commissioner before accepting an offer of employment in the private sector that relates to roles or responsibilities held by the senior executive during the previous two years.

We expect and demand the very best from the New South Wales government sector. Whether working in an executive or non-executive capacity, people in the government sector are engaged in protecting lives, keeping our communities safe and educating our children, as well as developing the policy solutions to the most complex and challenging problems we face. The way the government sector interacts with the people of this State, stakeholders and each other is changing. Because we expect so much, we need to equip our government sector to provide fair employment opportunities, create a mobile workforce by providing flexibility, ensure that our workforce is trained and developed for changing times and emerging technologies, develop quality leaders to keep our workforce motivated and focused, and encourage innovation and create a world-class and highly agile public service.

COVID 19 has thrown up unprecedented challenges, and every agency has pivoted by adapting to new ways of working without sacrificing productivity. As a matter of fact, New South Wales government sector productivity increased during those challenging times. I appreciate the contributions of people at all levels of government during the pandemic, especially our health and emergency services. We want the best arrangements in place to support the government sector to serve the people of New South Wales. The Government is committed to transparency and accountability and acting in the best interests of the people of New South Wales. Maintaining an independent and apolitical public service, employed on merit, is a key foundation of our responsible government.

The Government Sector Employment Act is one of the foundation reforms introduced by this Government, reforming and modernising the New South Wales government sector. The Act, which governs employment in the government sector, commenced on 24 February 2014. The Act fundamentally overhauled and modernised the government sector employment and management framework in New South Wales. The passage of the Act was a significant achievement, creating the structural foundations for a strategic, responsive and effective workforce able to meet the expectations of the taxpayers of New South Wales. The Act introduced a range of reforms to the structure and management of the New South Wales government sector, both for executive and non-executive employees.

The Act provided for merit-based recruitment, mobility, capability development, workforce diversity and performance management. The Act also introduced an ethical framework for the government sector, with core government sector values of integrity, trust, service and accountability. Further reforms were introduced in 2016, with amendments made to the Act and other legislation to align the employment model for executives in the Health executive service, the Transport senior service, and the Police Force senior executive service with the senior executive employment model in the Act. This alignment meant that the executives in police, health and transport shared the benefits of the Act's reforms, designed to create a more agile and mobile executive workforce.

I will now outline the major features of the Government Sector Employment Amendment Bill 2022 to implement the Head inquiry reforms, schedule 1 to the bill, and to implement the recommendations of the statutory review, schedule 2 to the bill. Schedule 1 to the bill amends the Government Sector Employment Act to give effect to recommendations arising out of the Head inquiry. In June 2022, Mr Head was appointed by the Secretary of the Department of Premier and Cabinet to conduct an inquiry under the Act into the employment of the Senior Trade and Investment Commissioner to the Americas. That inquiry was completed on 12 August 2022. The Head inquiry recommended four amendments to the Act, all of which are adopted in this bill. These amendments will clarify public servants' ethical obligations and decision-making responsibilities, specifically in the areas of recruitment and employment. These reforms will strengthen the independence and integrity of the public service.

The bill provides for the Public Service Commissioner to adopt a code of ethics and conduct, which I will refer to as "the code", as an instrument under the Act applying to government sector employees. I note the government sector includes the public service, the teaching service, the NSW Police Force, the NSW Health service, the transport service of New South Wales and any other service of the Crown. This differs from current practice. Currently, compliance with the code is achieved via a commissioner's direction, issued under section 13 (1) of the Act, to all heads of government sector agencies, requiring them to implement the code and to require all employees of the agency to comply with the code. The Head inquiry found that this method made it difficult to educate public servants in a comprehensive and consistent manner about their obligations. It also produced inconsistency and complexity in monitoring those processes that support public servants in understanding their obligations. In August 2022 the Public Service Commissioner updated the code, which will come into effect on 1 November 2022.

The proposed amendment would put beyond doubt the obligation of public servants to abide by this sector-wide code. A contravention of the code may amount to misconduct for the purposes of section 69 of the Government Sector Employment Act for public service employees. The bill also provides for consequential amendments to applicable misconduct regimes for government where these are contained in legislation—for example, under the Teaching Service Act 1980 and the Education (School Administrative and Support Staff) Act 1987. Where the misconduct regimes for other government sector employees are not contained in legislation but rather dealt with by policies that do not currently treat a breach of the code as potential misconduct, agencies will be required to update these policies.

The bill implements recommendation 1.3.2 of the Head report, which is that the Government Sector Employment Act be amended to make clear that a secretary or agency head is not subject to the direction or control of a Minister in respect of the exercise of their employer functions. These reforms make clear that a Minister cannot direct a secretary or public service agency head in the exercise of their employment functions. They would not, however, prevent a Minister from providing feedback to secretaries in relation to senior executives within their portfolio, where appropriate. The bill also implements recommendation 1.3.4 of the Head report, which is to amend the Act to include a statement on the roles and responsibilities of secretaries of departments, modelled on the Commonwealth Public Service Act 1999. Page 54 of the Head report gave the following rationale for codifying the role of secretaries:

It serves as a useful foundation for the culture of the Public Service for the role and responsibilities of the Secretaries of Departments to be stated clearly in the Act, particularly since the role includes things that are essential to the character of the Public Service in a Westminster system.

The bill also amends the Act to require that senior public servants employed in the two most senior bands and other heads of public service agencies must first seek the guidance of the Public Service Commissioner before accepting an offer of employment in the private sector that relates to roles or responsibilities held by the senior executive during the previous two years. The guidance may include but is not limited to advice regarding the management of actual and potential conflicts of interest and the use of information or knowledge gained by the senior executive in the course of their employment. Guidance on this new obligation will be developed by the Public Service Commission and communicated to the sector upon commencement.

The bill also amends the Act to give the joint committee established under section 31A of the Ombudsman Act 1974 the function of monitoring and reviewing the exercise by the Public Service Commissioner of the commissioner's functions under the Government Sector Employment Act. This implements recommendation 1.3.7 of the Head report. Consistent with the joint committee's other oversight roles, the joint committee is not authorised to investigate a matter relating to any particular conduct; to reconsider any decision to investigate, not to investigate or to discontinue investigation of any particular matter; or to reconsider the determinations, findings, recommendations or other decisions of the commissioner in relation to any particular matter.

The object of schedule 2 to the bill is to amend the Government Sector Employment Act to give effect to recommendations arising out of the statutory review of the Act. In 2020 an independent review of the Act was commissioned by the Hon. Don Harwin, MLC, the then Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts. I thank the Hon. Greg Pearce, chair of the review, and independent panel members Gabrielle Trainor, AO, and Jane Halton, AO, PSM, for their work on the review. The review provided an opportunity to reflect on the implementation of the Act and practical issues that arise in public sector administration in New South Wales. The panel delivered its report on 30 November 2020.

The review found that the Government Sector Employment Act as amended and its objects have provided a sound basis for reform and modernisation of the New South Wales government sector. The review found that the objectives of the Act set out aspirational values which are commendable, represent significant reform and modernisation of the previous legislation and practices, and have allowed the public sector to quickly respond to the significant changes and challenges the State has faced. The review found that the Act places high performance, customer service, effective and fair employment arrangements, management and leadership at the core, along with transparent governance and a clear ethical framework. The review concluded that the Act essentially serves its purpose well and its objectives remain valid and that neither the Act nor its objectives require significant amendment.

However, the review panel did recommend some minor legislative amendments to improve the operation of the Act. Following consideration by the Government, the report was tabled on 25 August 2021, together with the Government's response. The Government supports the review's recommendations, which are implemented by the bill. The bill also makes some minor amendments to clarify the application of existing provisions and to support administrative efficiency and other minor statute law revision amendments. These amendments will improve the operation of the Act and will support a government sector that is responsive and adaptive.

The bill will amend sections 16 and 83 of the Act to make it clear that a personal information or health privacy law does not operate to prevent the provision of information to or affect a duty to give information to the Public Service Commissioner or the Secretary of the Department of Premier and Cabinet or affect the provision of information by the commissioner or secretary in specified circumstances. Under section 16 of the Act, the Public Service Commissioner has certain oversight powers and may require the head of a government sector agency to provide the commissioner with a report on matters relating to the agency's employees or employment policies and practices. The amendment to section 16 makes it clear that such information may be exchanged, despite the provisions of a personal information or health privacy law.

Similarly, under section 83 of the Act, the commissioner or the Secretary of the Department of Premier and Cabinet may require a government sector agency employee to provide information or documents for the purposes of conducting an inquiry in relation to any matter relating to the administration or management of a government sector agency under that section. The amendment to section 83 will facilitate the exchange of personal and/or health information between the Public Service Commissioner or the Secretary of the Department of Premier and Cabinet and a government sector agency.

The Act currently provides for the assignment of public service senior executives and public service non-executive employees to roles within a public service agency as follows. Section 38 provides for assignment of public service senior executives, other than secretaries and other heads of agencies, to roles in any public service agency in their current bands, and section 46 provides for assignment of public service non-executive employees to roles within their current classifications of work, including assignment to a different role, within the same agency. Both provisions in their current form require that any assignment be to a role in the same band or classification, that the employee must be consulted, and that remuneration is not to be reduced without the consent of the employee concerned.

The amendments to section 38 and 46 in the bill will enable public service employees—both public service senior executives and public service non-executive employees—to be assigned to a lower band or classification but only with the prior written consent of the employee concerned. The amendments will promote mobility by ensuring that a public service employee may be assigned to a lower graded role, if the employee consents, without being required to go through a merit selection process. This facilitates the retention of talented, experienced staff with knowledge of government in the event of a change to the employee's circumstances.

These amendments will also enable government sector agencies to accommodate a request by a public service employee for assignment to a lower band or classification should they wish to accept a lower graded role for personal or other reasons. Consequential amendments are included in the bill so that where an employee is assigned to a lower band or classification, the remuneration payable to the employee is adjusted appropriately. Again, assignment to a lower band or classification of work is not permitted to occur without the employee's prior written consent.

The bill will clarify the application of sections 41 (3) and 78 (7) to make it clear that compensation paid to a senior executive or office holder for termination or removal is required to be repaid in the event that the person is subsequently employed in the public sector during the relevant period. These amendments clarify the definition of "employment" to make it clear that this includes when a person is appointed to a statutory office. This amendment will ensure that a person does not receive dual forms of remuneration or compensation where they are terminated or removed from their role or statutory office and are subsequently appointed or employed again in the public sector during the period to which any compensation applies.

Section 52 provides that the industrial relations secretary may make determinations fixing public service employment conditions. The amendments in this bill make clear that any determinations made by the Industrial Relations secretary under section 52 may be

amended or rescinded by the Industrial Relations secretary. Amendments to section 53 will enable the Industrial Relations secretary to authorise the sub-delegation of functions. Those amendments do not flow from the review but clarify the application of these sections to support administrative efficiency.

The amendment to section 66 of the Act responds to a recommendation of the review and will clarify the justification for secondments from government to non-government bodies and align their duration to be a maximum of two years. In particular, the head of a government sector agency will be required to be satisfied that the secondment will benefit the agency or government sector or is otherwise justified in the circumstances. This bill will help to continue supporting an ethical, professional, agile and innovative government sector workforce to serve our communities. I commend the bill to the House.

Second Reading Debate

The Hon. DANIEL MOOKHEY (11:22): I have the honour of leading for the Opposition in this place on the Government Sector Employment Amendment Bill 2022. I pay tribute to the member for Canterbury for the eloquence with which she explained the Labor position in the Legislative Assembly. I refer all members to that contribution for the bulk of the Opposition's remarks on our attitude to the bill. But it would be remiss of me not to mention at least some of the factors that surrounded the introduction of this particular bill, given that I may have been partially responsible for the accountability that was applied by this House and that exposed the deficiencies in the system, to which this bill is now intended to respond. As tempted as I am to spend the next 40 minutes recounting the ins and outs of various issues to do with the appointment of senior trade and investment commissioners, I feel like the House has heard from me a few times on those matters, and I feel that perhaps I would be stretching the patience of the House if I were to take too long.

The DEPUTY PRESIDENT (The Hon. Wes Fang): The member is definitely stretching my patience.

The Hon. DANIEL MOOKHEY: I know, Mr Deputy President. The Head review was designed to examine the conduct of public servants. It is fine for it to have surfaced the public service deficiencies that gave rise to that particular integrity incident but, actually, the wrongdoing was by Ministers; it was not by public servants. Effectively, the circumstance we found ourselves in is that when Ministers wish to misbehave, it is hard for public servants to restrain them under current conditions. That is the whole reason for the problem. Of course, we should be institutionally reforming the public service so that it is better placed to respond to that into the future. But the actual solution is to get some better and more ethical Ministers.

I am not going to reflect on the actions of the former Deputy Premier here, because there is still an inquiry under way, and we respect that. But I will say that the Government cannot be taken at face value when it says that it is genuinely committed to these reforms to enhance integrity if it takes the extraordinary decision of restoring to the Cabinet a Minister who was responsible for this debacle. Whatever rhetoric we hear from the Government about its profound commitment to integrity goes out the door if it makes that extraordinary decision. I hope the Government has, indeed, had its road to Damascus conversion here. I hope they sincerely see what went wrong with these positions. To be frank, the positions are pretty out of date—far more reflective of nineteenth century commerce than twenty-first century. So far, no evidence has been presented to the Parliament or the committees about what precisely the position holders have done, what investments they brought in or what exports they have generated.

We will resume our inquiry next week and hopefully we can get to the bottom of that. To the extent that the bill at least puts beyond doubt what Ministers ought to understand for themselves anyway, which is that trifling in public service appointments for these positions is not acceptable, it is helpful. To the extent that the bill helps public servants push back on recalcitrant Ministers, that is a good thing too. It strengthens our institutions so they can cope with ministerial misbehaviour. Let us be honest, both sides of politics have needed that at various points in time. This Government certainly needs it right now. For that reason, we will not be opposing this bill.

Ms CATE FAEHRMANN (11:27): On behalf of The Greens, I make a contribution to debate on the Government Sector Employment Amendment Bill 2022. We wholeheartedly support what is in the bill. As previous speakers have said, the genesis of the bill relates to the extraordinary revelations of the Public Accountability Committee's inquiry into the circumstances surrounding the appointment of the Senior Trade and Investment Commissioner to the Americas. Of course, the inquiry has been expanded to look at the circumstances of the other roles, including the UK agent-general.

The bill implements the recommendations of the Graeme Head report, which is the inquiry into the employment process for the Senior Trade and Investment Commissioner to the Americas, as well as the independent review of the New South Wales Government Sector Employment Act 2013. The report was prepared by the Hon. Greg Pearce, Gabrielle Trainor, AO, and Jane Halton, AO, PSM, from 30 November 2020. I too will not go through all of the circumstances which led to this. Yes, it has been all over everything—this Parliament, the committee process and the media. We do not need to do that in this second reading debate.

The Hon. Penny Sharpe: It has been awesome. Let's talk about it some more.

Ms CATE FAEHRMANN: Yes, we could do. But I want to talk about some of what the Head review recommended, because I think it is important to get it on the record. On page 5 Graeme Head wrote in respect of what is expected of public servants:

Public servants and the public alike—including members of our community who wish to put up their hands to work for the NSW Public Service—should be able to have confidence that Public Service appointments are being made in the way they are intended to be. They should be able to expect that such appointments will be merit-based, and that any resulting employment will be into a role that is impartially serving the government of the day, subject to laws and policies directed to that end.

The processes for appointing the Senior Trade and Investment Commissioner to the Americas (STIC Americas) do not meet those expectations. I discuss the two specific recruitment processes in Sections 5 and 7.

He goes on to look at the appointment processes for STIC Americas and the similar roles in section 6 and makes recommendations. Schedule 1 to the bill implements those recommendations. The first recommendation was that the Government Sector Employment [GSE] Act 2013 be amended to include a specific reference that a secretary or an agency head is not subject to the direction of a Minister in respect of any of their employer functions. This was to put beyond doubt that the employer functions of a secretary or an agency head are outside the purview of a Minister. It was extraordinary that that had to happen, but it is good and it clearly was necessary. The inquiry exposed why we have to put these things into the letter of the law to make it very clear. There is that very clear statement now in this bill that a secretary or an agency head is not subject to a direction of a Minister in regard to any of their employer functions.

Another recommendation for the GSE Act was to amend it to legislate a code of ethics and conduct rather than rely on the Public Service Commissioner's direction power to achieve sector-wide application of a code. The rationale here was that the current method of applying a sector-wide code is clunky and makes it difficult to educate public servants in a comprehensive and consistent manner. At present, the commissioner issues a direction to secretaries and agency heads to require them to put in place a code for their agency. This invariably produces inconsistency and creates complexity in monitoring those processes that support public servants understanding their obligations. Graeme Head wrote that the Public Service Commission is already well advanced in updating the 2015 Commissioner's Direction. In his view, this work should proceed and be promulgated, even if it is to be replaced by the legislated code. That is part of what is before us today. As the Head report states:

Confidence in the integrity of Public Service recruitment processes is important. It goes directly to questions of public trust in the Public Service. It goes directly to the ethical culture of the Public Service.

The bill also allows the Public Service Commissioner or Secretary of the Department of Premier and Cabinet to prepare a report following an inquiry into a government sector agency under the GSE Act and to publish that report, including any recommendations, if they believe it is in the public interest to do so. The Greens support all of these measures. I note the recommendation that a parliamentary joint committee be established to monitor and review the exercise by the Public Service Commissioner of the commissioner's functions under the Act. The rationale is that this would add an important layer of oversight to the statutory office of Public Service Commissioner. The commissioner performs a critical integrity role. The Head report states:

The Commissioner is not subject to either direction by the Premier or to the scrutiny of an oversight committee. Given the importance of the role, it would be appropriate to treat this office in the same way that many other independent statutory offices are treated (e.g., Ombudsman, Electoral Commissioner, Auditor-General, Health Care Complaints Commissioner).

I note that the bill's proposed parliamentary joint committee to monitor and review the work of the Public Service Commissioner and the commissioner's functions has only Government and Opposition members on it. The Greens have raised multiple times in past discussions with whoever has been the government and opposition of the day that the membership of that committee should be expanded. There are no members of the crossbench on that committee. With the chair's casting vote, the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission is government dominated.

Considering the committee's important oversight role, particularly with the addition of the Public Service Commissioner, it might be worthwhile to include crossbench members so as to not allow Government members to dominate and ensure the committee's complete independence. The bill also provides the functions of the joint committee I just referred to. Ultimately the Greens support that, but in the new Parliament the committee membership should be expanded to ensure it is representative of the views and parties in this place.

Schedule 2 of the Act implements a number of recommendations made by the statutory review. I note that in the lower House, prior to the bill being amended, one of the proposals in schedule 2 would have allowed the Industrial Relations secretary to simply wipe away various determinations that establish long-held conditions of employment—conditions that are not insignificant. My colleague in the other place the member for Newtown, Jenny Leong, has secured an amendment that ensures that there is no adverse outcome for public sector workers as a result of a so-called "administrative change" in this bill.

Some of the most recent determinations made by the Industrial Relations secretary relate to things such as paid parental leave, miscarriage leave, and support for employees experiencing family and domestic violence. These determinations significantly impact the rights of and protections for workers in the public sector. The Greens amendment to the bill in the other place ensures that no determination can be issued that would see a public service employee adversely affected by the amendment or rescission and ensures that nobody is worse off. It safeguards working rights and protections for public sector workers from the unknown intentions of any future government. I thank the member for Newtown for her work in getting that amendment over the line, including her discussions with the union to identify the issue in the first place.

Ultimately it is good to see this bill before the House after the good work of the Public Accountability Committee. This is a great outcome. There were quite a few good outcomes from that inquiry into the senior trade investment commissioner. I acknowledge Mr Mookhey's good work in bringing a lot of this forward. To have a bill before us that implements the recommendations from the Graeme Head review, to strengthen the independence of the public service, to make it crystal clear that it is not okay that a Minister intervenes in any of the workings of the public service in the way that became so apparent during that inquiry is a positive thing to happen on the last day—or what I think is going to be the last day—of this Parliament. I commend this bill to the House.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (11:39): In reply: I thank the members for their contributions, which were so—

The Hon. Daniel Mookhey: Restrained.

The Hon. DAMIEN TUDEHOPE: —restrained. I acknowledge the interjection. I know that the Opposition will move some amendments to the bill. I foreshadow that the Government will not be opposing any of those. The Government is committed to making sure that this process is transparent. In those circumstances, the amendments will be agreed to. In respect of the bill, which I anticipate will be passed after being debated in Committee, I think we ought to acknowledge all those from the Premier's office who have contributed to—

The Hon. Daniel Mookhey: Name them.

The Hon. DAMIEN TUDEHOPE: I thought the honourable member would have named them. I refer to the staff in the Premier's office who have made themselves available to all members to discuss the terms of the bill, to work through amendments to the bill and to make sure that this process is seamless when it comes to the working of the department. I will name one person who has made herself very available—that, of course, is my own daughter.

The ASSISTANT PRESIDENT (The Hon. Rod Roberts): The question is that this bill be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will deal with the bill as a whole. There is one set of amendments from the Opposition on sheet c2022-221F.

The Hon. DANIEL MOOKHEY (11:42): By leave: I move Opposition amendments Nos 1 to 8 on sheet c2022-221F in globo:

No. 1 Code of ethics and conduct

Page 3, Schedule 1[1], proposed section 8A. Insert after line 8—

- (1A) Before adopting a code of ethics and conduct, the Commissioner must consult the industrial organisations that represent government sector employees and the peak body of those industrial organisations about the proposed code or ensure those industrial organisations and the peak body are consulted.

No. 2 Code of ethics and conduct

Page 3, Schedule 1[1], proposed section 8A(3). Insert after line 16—

industrial organisation means—

- (a) an industrial organisation of employees within the meaning of the *Industrial Relations Act 1996*, or
- (b) an association of employees registered as an organisation under the *Fair Work (Registered Organisations) Act 2009* of the Commonwealth.

No. 3 Amendment and rescission of determinations

Page 6, Schedule 1[9], proposed clause 22, line 21. Insert "under section 52" after "Industrial Relations Secretary".

No. 4 Provision of private information

Page 7, Schedule 2[1] and [2], lines 4–18. Omit all words on the lines.

No. 5 Assignment to roles in lower work classifications

Page 8, Schedule 2[10] and [11], lines 23–43. Omit all words on the lines.

No. 6 Secondments of staff

Page 9, Schedule 2[14], lines 12–26. Omit all words on the lines.

No. 7 Provision of private information

Page 9, Schedule 2[17], lines 35–42. Omit all words on the lines.

No. 8 Consequential amendments—education and teaching

Page 10, Schedule 3, lines 1–11. Omit all words on the lines.

As the Leader of the Government foreshadowed, the Opposition has some amendments. Their effect is pretty self-explanatory. I direct members to their contents. It is fair to say that the process that gave rise to the amendments came from good and constructive dialogue between the member for Canterbury, Unions NSW and the Premier's office, ably led by the better Tudehope. I pay tribute to that. There is one Tudehope who knows how to talk to unions and reach agreements without blowing up the State. We might be seeing more of that Tudehope in this place depending on what happens in March—"Tudehope 2.0", I say. I am signing up. I can count numbers in that respect, but I hear that Tudehope 1.0 is quite good at that too, so who am I to offer my services? But I pay tribute to that type of dialogue.

The amendments are about making sure that the bill has its intended effect of implementing the recommendations of the Head review without disturbing arrangements unnecessarily. They provide certainty across a whole bunch of different fronts. They provide some better aspects around transition measures. On balance and after careful reflection, I think they are very good amendments. I very much commend them to the Committee.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (11:44): As foreshadowed, the Government will not be opposing any of the amendments.

Ms CATE FAEHRMANN (11:44): The Greens also think that the amendments are very well considered and will improve the bill. The Greens support the Opposition's amendments.

The Hon. DANIEL MOOKHEY (11:45): I am very appreciative of the contributions of the Leader of the Government and The Greens, but it was remiss of me not to have made mention of James Hammerton from Unions NSW, who also ably assisted in this process. I know him quite well, given he used to work for me. His skills have got a lot better since he left.

The CHAIR (The Hon. Wes Fang): The Hon. Daniel Mookhey has moved Opposition amendments Nos 1 to 8 on sheet c2022-221F. The question is that the amendments be agreed to.

Amendments agreed to.

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

Motion agreed to.

The Hon. DAMIEN TUDEHOPE: I move:

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

Motion agreed to.

Adoption of Report

The Hon. DAMIEN TUDEHOPE: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. DAMIEN TUDEHOPE: I move:

That this bill be now read a third time.

Motion agreed to.

NSW RECONSTRUCTION AUTHORITY BILL 2022**In Committee**

The CHAIR (The Hon. Wes Fang): There being no objection, the Committee will deal with the bill as a whole. I have three sheets of amendments, the first being The Greens amendments on sheet c2022-234G, the second being The Greens amendments on sheet c2022-237 and the third being amendments from Mr Justin Field on sheet c2022-238C.

Ms CATE FAEHRMANN (11:50): I move The Greens amendment No. 1 on sheet c2022-234G:

No. 1 Primary object of Act—climate impacts

Page 2, clause 4, line 40. Omit "efficiently.". Insert instead—

efficiently, and

- (d) acknowledging, assessing and planning for the increased rate and frequency of natural disasters as a result of climate change, and
- (e) avoiding or minimising, where possible, actions that would significantly worsen the impacts of climate change.

The amendment is very important because, as I said in my contribution to the second reading debate, neither the bill nor the Minister's second reading speech mention climate change, climate risk or the word "climate" at all. The amendment seeks to amend how the primary object of the bill—which is important and which we support wholeheartedly—is to be achieved. The bill states:

The primary object of this Act is to promote community resilience to the impact of disasters in New South Wales through—

- (a) disaster prevention, preparedness and adaptation, and
- (b) recovery and reconstruction following disasters.

The Greens are not seeking to amend the primary object, but amendment No. 1 seeks to amend clause 4 "How primary object is to be achieved" by adding new paragraphs (d) and (e) so that it includes:

- (d) acknowledging, assessing and planning for the increased rate and frequency of natural disasters as a result of climate change, and
- (e) avoiding or minimising, where possible, actions that would significantly worsen the impacts of climate change.

That makes sure that the authority's work is always guided through the lens of climate risk and preparation for climate change, but also "avoiding or minimising, where possible, actions that would significantly worsen the impacts of climate change". To ensure that the authority also has that guidance in the way that it achieves its primary object, it must also be conscious of its actions and make sure that they do not significantly worsen the impacts of climate change. That is incredibly important. Other amendments that The Greens will move will also refer to climate change in the definition of "disasters", but I commend the first amendment to the Committee.

The Hon. PETER POULOS (11:53): The Government does not support The Greens amendment No. 1 on sheet c2022-234G. The legislation has safeguards for the planning for and recognition of climate change, and it acknowledges the increased frequency and severity of disasters across our State. That said, the Government does not support the amendment.

The Hon. PENNY SHARPE (11:54): The Greens have a lot of amendments, and I now outline Labor's general approach in dealing with them so that I can say fewer words later. Opposition members understand that the bill is extremely important. It unfortunately comes from a lot of real-life experience for too many people in this State, whether that was of bushfires or floods. An incredible amount has been done by committees, and the upper House conducted a floods inquiry and examined the Fuller-O'Kane report. I acknowledge the work that people like the Hon. Steph Cooke have done in listening to communities and trying to understand what has gone wrong and how we prevent it in the future.

Part of Labor's approach to the bill is acknowledging that the current status quo is not working. Communities that have been impacted by any of those disasters note the failures of governance. This amendment is not strictly to deal with that, and I will come to it in a minute. But government agencies have failed because they could not coordinate, were not agile enough and were not community led. A range of matters are problematic, and the bill is a genuine attempt to do things differently. I again acknowledge the experience of my colleague the member for Lismore and the tireless work that she has done over many months to try to blast through bureaucratic systems to get people the support they need, and to look further into the future to make sure it does not happen again.

The Greens are moving a range of amendments, and I flag that Labor members will support a couple of those as we go forward. But generally, we know that the bill needs work. In the next Parliament it will be important to look extremely closely at the way it is operating. It is trying to do things in a different way, and it is actually a pretty radical bill in that way. We are willing to give it a go, particularly given that we were able to get support for a joint parliamentary oversight committee. That will be absolutely critical. I flag to the Committee that whether Labor is in government or in opposition, that is where we will examine a lot of the detail in the bill and try to work through the issues that have been flagged very genuinely by very good people in the inevitable rush—it happens every time—to try to get legislation passed before the end of the Parliament. That is very much the Opposition's approach.

I thank all of the people who have contacted Labor members regarding those matters. We believe there is more work to be done, and the joint committee that is overseeing the arrangements will be very important. As I said yesterday in my contribution to the second reading debate, I suspect this is one of the first of many bills that parliaments all over the world will be passing as we adapt to dangerous climate change. Labor will support a couple of amendments that acknowledge climate change, and I will speak to those when we get to them, but the Opposition does not support this amendment.

Ms SUE HIGGINSON (11:57): Naturally, I totally support this necessary amendment. There needs to be some significant honesty in how we achieve the objects of the bill. It is wrong to suggest that it does not need the words "climate change" at this time and that we should accept a very noble but second-best attempt at getting a reconstruction authority in New South Wales up and running. It provides the planning Minister with some of the broadest and largest powers we have ever seen in New South Wales. They are really important steps. Whole communities like mine are getting smashed, and landscapes are falling to pieces. It is really important that our planning laws are fit, appropriate, adaptable and agile to deal with the circumstances that we are facing.

But not one conversation has happened since my community got smashed at the end of March last year, and since those communities in the bushfires got smashed, where we have not talked about climate change. At the outset, the legislation needs a reference to the very thing that has put us into this predicament, which in no uncertain terms is climate change. That is why we are having the fires that we have had and will continue to have; that is why we are having the floods that we have had and will continue to have. There are amendments that will need to go into this legislation. It is really important that we do not give up here and now and say that this is the best effort we can make. We need to work harder. There are some really sensible, reasonable protections that should go into the bill before it becomes law.

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

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

Questions Without Notice

UNPARLIAMENTARY LANGUAGE

The Hon. PENNY SHARPE (12:00): My question without notice is directed to the Minister for Disability Services. In question time yesterday, Treasurer Matt Kean referred to the Leader of the Opposition as "the tallest midget in the circus". Does the Minister condone the use of such offensive language, mocking people with disability?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:00): I thank the member for her question. I understand the Treasurer apologised for the comment that he made.

The Hon. PENNY SHARPE (12:00): I ask a supplementary question. Will the Minister elucidate her answer in relation to whether she condones this kind of language and what actions she will take to ensure that it is not used again?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:01): I thank the member for her supplementary question. Any comments made by any individual—whether in this House, the other House or in society—that are offensive to people with disability should not be condoned or supported.

GOVERNMENT PERFORMANCE

The Hon. SHAYNE MALLARD (12:01): My question is addressed to the Minister for Metropolitan Roads. Will the Minister update the House on the Government's decade of delivery for the people of the State, and are there any risks to a brighter future for New South Wales?

The PRESIDENT: Order! The Minister has the call.

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:02): I thank the honourable member for his question. He is a great advocate for western Sydney and knows roads projects incredibly well. He does a great job. As we reach the final sitting period of the year, I have been doing my homework. I went back to 2011 to research what we were talking about in the final sitting week of that year. Unsurprisingly, NSW Labor did not ask a single question about metropolitan roads, but the Hon. Adam Searle was trying to run a scare campaign on how the sale of public assets would lead to *Apocalypse Now* in New South Wales. Members should go back and read it. Honestly, it is a bit like *Back to the Future*.

However, more interesting to me was Ms Cate Faehrmann asking the roads Minister about whether the Minister had held discussions with Infrastructure NSW about prioritisation of funding for the M4 East. That was the one that Labor promised in 2002, in 2004 and then in 2006, and never delivered. Everyone remembers the roads Minister in 2011, the Hon. Duncan Gay—the famous Duncan Gay. He referred to the M4 East as one of the projects being prioritised. He said, "We are going to prioritise this project." Unlike those opposite, when Government members prioritise things, we do not just prioritise them for a press release drafted by the Hon. Walt Secord; we build them.

The Hon. Greg Donnelly: Tell us about the Newcastle ports deal. You stitched up the Novocastrians really good.

The PRESIDENT: Order! The Hon. Greg Donnelly will restrain himself.

The Hon. NATALIE WARD: I am going to miss you, Greg.

The Hon. Damien Tudehope: Point of order: I ask that some decorum be adopted by those opposite. In this place I am a great stickler for decorum.

The Hon. Sarah Mitchell: He leads by example.

The Hon. Damien Tudehope: Yes, I lead by example.

The Hon. Penny Sharpe: Your tie is provoking us. It's doing something to my eyes, and I'm feeling provoked.

The Hon. Damien Tudehope: Don't be provoked.

The PRESIDENT: It is Thursday at the end of a very long sitting session and the last day on which we are all here for this term. I ask members on both sides to exercise a little restraint. This is not a house of prayer, but there is an adversarial climate that members are wishing to engage with today. I encourage members on my left in general, and the Hon. Greg Donnelly in particular, to calm their interjections. The Minister has the call.

The Hon. NATALIE WARD: I acknowledge the interjection by the Hon. Greg Donnelly. My staff had some input into this. As we round out the year, I thank Team Ward: Sam, Sinclair, Shani, Kelly, Will, Tiffany, Prue, Beth, Sarah, Lachie, Eliza, Nina, David and Erin. I am so proud of our achievements this year, and of all that they have done to help. In the next 12 months we are going to do some great work. Unlike those opposite, when Government members prioritise things, we do not just prioritise them for the press release; we actually build them. That is why the M4 East was completed in July 2019—that is the record of this Government. We identify critical areas that need improvements, we undertake the work, and we deliver the project.

When we needed to connect the west to the city, we developed WestConnex. In 2015 Luke Foley said, "WestConnex is a brand; it's not a roads policy". It was opposed by those opposite all the way through. Now it is saving motorists 30 minutes' travel time and being used by NSW Labor in its election campaign to fund projects in safe seats. The one consistency of Labor is that it opposes infrastructure investment everywhere, every time. When we look at what we will do next, we look at Federal Labor. What will they cancel next? We know that they have already ripped money out of New South Wales, and we know that every single time they will cancel things.

MOBILE SPEED CAMERA SIGNS

The Hon. JOHN GRAHAM (12:06): My question without notice is directed to the Minister for Metropolitan Roads.

The PRESIDENT: Order! The Hon. John Graham has the call.

The Hon. JOHN GRAHAM: Given that 47 Nissan X-Trail mobile speed camera cars are too small to fit the old warning signs, will the Minister update the House on the latest advice from Transport for NSW? Will we need new warning signs, or will we need new cars?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:06): It is such a joy. I have really enjoyed sparring with the Hon. John Graham. It has been an absolute joy.

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

The Hon. NATALIE WARD: I do not want to mislead the House, but we have really had some fun. I am so pleased to talk about what the Government is doing with mobile speed cameras to encourage drivers to stay under the speed limit at all times. As part of our road safety strategy, we have in place a comprehensive mobile speed camera sign policy. Not only do we have two signs before mobile speed camera vehicles—one 250 metres before, one 50 metres before, one 50 metres after the vehicle and one on top of the roof of the vehicle—we have 1,000 fixed signs across New South Wales. We cannot be accused of not having signs out there, everywhere, as part of our road safety strategy.

We have listened to the community. We have listened to the Hon. John Graham. I am tempted to put on each of the signs, "Brought to you by the Hon. John Graham". We made the decision to boost the number of signs to give drivers the opportunity to make the decision, as they are behind the wheel, to slow down and adjust their driving behaviour. We know that there is one way to ensure that you do not contribute to the road safety fund, and that is to slow down and not break the speed limit.

The Hon. JOHN GRAHAM (12:08): I ask a supplementary question. Will the Minister elucidate on what I take as superb introductory remarks? I press the question, which asks the Minister to elucidate on the advice from Transport for NSW. This is a serious administrative matter. Are we going to need new warning signs or new cars?

The Hon. NATALIE WARD (Minister for Metropolitan Roads, and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence) (12:09): I do not know how many more signs can be put out there. The member is asking for more than four per vehicle. I have informed the House on numerous occasions that the Government has listened to the community and will place speed camera signs twice before the vehicle, once after the vehicle and on top of vehicles across New South Wales. I cannot be clearer. The Government's commitment is that from 1 January next year no vehicles will be out there unless there are speed camera signs before, after and on top of them. Those signs will be there for all vehicles, or they will not be conducting enforcement. In relation to operational matters, specifically between Redflex, AcuSense and Transport for NSW, they will make sure that appropriate arrangements are put in place for the vehicles before 1 January 2023.

FIRST NATIONS LEGISLATION

Reverend the Hon. FRED NILE (12:10): My question is directed to the Minister for Aboriginal Affairs. Will the New South Wales Government adopt a similar bill to South Australia's draft First Nations Voice Bill 2022?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (12:10): I thank Reverend the Hon. Fred Nile for his question. I acknowledge his lifelong commitment and dedication to improving the lives of Aboriginal people not just in this State but in the nation. I also take the opportunity to pay my respects to the Reverend and thank him for his extraordinary service to this House and to the State over many decades. I am proud to say that this Government is fully committed to truth-telling, healing and empowering Aboriginal people. The Government supports the Uluru Statement from the Heart and continues to support the proposal for a referendum to enshrine an Indigenous Voice in the Australian Constitution. In fact, in July I wrote to the Hon. Linda Burney, the Minister for Indigenous Australians, to offer my support. On 4 August Minister Burney welcomed the New South Wales Government's support for the implementation of the Uluru statement.

As members are aware, the Indigenous Voice co-design process is being led by the Australian Government, which is committed to engaging bilaterally with States and Territories for establishing local and regional voices within their jurisdictions. While the Australian Government leads that process, the Government will ensure that Aboriginal people are at the heart of it. The Government is wholeheartedly committed to closing the gap and improving the lives of Aboriginal people in this State. In doing that, the Government will make sure that the voices and priorities of Aboriginal people are at the heart of its decision-making process.

For example, this year this Government has provided record funding through the 2022-23 State budget, which includes \$716 million to Closing the Gap in New South Wales and other initiatives to improve outcomes for Aboriginal people across the State. Many of those initiatives were developed in communication, in conjunction and in genuine partnership with the NSW Coalition of Aboriginal Peak Organisations. The initiatives have been co-developed over many months of genuine collaboration. Members will recall that one of the initiatives enacted last week under the Aboriginal Land Rights Amendment Bill 2022 was to extend the functions of the NSW Aboriginal Land Council to formally advise the Minister for Aboriginal Affairs on matters relating to the interests of Aboriginal people.

The Government will continue to listen to what Aboriginal people across New South Wales are saying on the issue of recognition in the Australian Constitution and work with the Federal Government on this matter. I recognise the South Australian Government's efforts to enshrine its own local implementation of the Uluru Statement from the Heart. At this stage, the Government will await the implementation of an Indigenous Voice at a Federal level before considering the adoption of similar legislation in this State.

VOLUNTEERS

The Hon. AILEEN MacDONALD (12:13): My question is addressed to the Minister for Families and Communities, and Minister for Disability Services. Will the Minister update the House on how volunteers are being recognised and celebrated across New South Wales?

The Hon. NATASHA MACLAREN-JONES (Minister for Families and Communities, and Minister for Disability Services) (12:13): I thank the honourable member for her question and the great work that she did before coming to this place, particularly with volunteers. This is a great opportunity to thank each and every one of our volunteers. They make fantastic contributions across New South Wales, and have done so particularly over the past couple of years, with bushfires, floods and braving the pandemic. Volunteers have been there every step of the way to lend a hand in our communities. The work of volunteers is vital. They deliver essential services, operate venues, fundraise, make and deliver meals, run community events and festivals, and support people in need. To mark National Volunteer Week in May, I launched the Minister's community heroes awards to thank local volunteers for everything that they do across our communities.

For the past few months a number of members of Parliament have been identifying people in their local communities who are making incredible contributions to volunteering efforts. It has been an honour to be able to attend a number of community heroes awards events, including with the Mark Taylor in Seven Hills, where we acknowledged Karabi Food Bank. It does an amazing job supporting individuals and families in the local community with food packs, which was particularly helpful during the pandemic. The community centre also runs holiday programs to support young people, as well as knitting groups that make beanies for newborns. Kevin Conolly and I acknowledged the Harman Foundation and Sri Om Care in Riverstone. The Harman Foundation runs a support program for the suddenly bereaved and provides support for vulnerable families in the community.

Tanya Davies and I acknowledged the efforts of the local RFS members and police officers who assisted the community in Mulgoa during the floods. I joined Lee Evans in Heathcote to celebrate an evening reception for over 50 volunteers from across the community. We supported and acknowledged fires, sporting clubs and community kitchen volunteer groups. Nichole Overall and I acknowledged the fantastic work of the Queanbeyan Multicultural Centre and their team in Monaro, along with local SES members, the principal of Queanbeyan South Public School and local police officers. Wendy Lindsay and I visited the Bankstown-East Hills Handicapped Association to recognise the fantastic work it does to assist people with intellectual disability. The range of services it provides vary depending on the needs and aspirations of those people with disability.

It has been fantastic to meet a number of true heroes across New South Wales, particularly with this year's theme of "Better Together". Volunteering brings people together. Whether it is support groups or attending natural disasters, volunteers bring everyone together. I again acknowledge all of the fantastic volunteers across New South Wales. They do a fantastic job. I give a shout-out to the numerous volunteers from all sides of politics who will be helping in the coming months in the lead-up to the election. I also acknowledge the fantastic work of my staff—not that they are volunteers. They go above and beyond their duty, particularly in a tough portfolio.

ANIMAL WELFARE

The Hon. EMMA HURST (12:16): My question is directed to the Leader of the Government, representing the Minister for Customer Service and Digital Government. The rental crisis is having a disproportionate effect on people with animals, with New South Wales rental laws giving power to landlords to refuse tenants to have animals. Animal surrenders to pounds and shelters have skyrocketed, with groups like the Animal Welfare League reporting that waiting lists have gone from three months to 18 months. While the New South Wales Government has announced a public consultation on rental laws, it is clear that more urgent

action is needed to avoid having animals being euthanised in pounds and/or people ending up homeless. Will the Minister advise what urgent action the Government is taking in this space?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:17): I thank the member for her question. I admire the persistence with which the Hon. Emma Hurst advocates for the issues that are important to her. Over the term of this Parliament, she has certainly been a credible performer, and the issues she has raised in this House are important to the people of this State. She has acted diligently in representing those interests in this place. She raised a significant issue about getting reform done. There is consultation taking place. The member would like to see outcomes and reforms achieved more quickly. She identifies a significant amount of urgency attached to the protection of animals that may be at risk. All I can do is take the question on notice and refer it to the Minister for more detailed consideration.

DELIVEROO VOLUNTARY ADMINISTRATION

The Hon. DANIEL MOOKHEY (12:19): My question without notice is directed to the Minister for Finance, and Minister for Employee Relations. Has Revenue NSW issued any recent notice of assessment to Deliveroo for unpaid payroll tax, following Revenue NSW's investigation into whether the company misclassified riders as independent contractors instead of employees?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:19): I thank the member for his question, which is one I anticipated.

The Hon. Daniel Mookhey: It is an important issue.

The Hon. DAMIEN TUDEHOPE: It is an important issue. I wish I could answer it more fully. As the member well knows, there might have been an opportunity to approve circumstances in which greater disclosure could be made. I have said repeatedly that Revenue NSW continues to focus compliance efforts on businesses in the gig economy where data suggests that they are not returning and paying correctly. There are currently 11 investigations in progress. However, Revenue NSW is unable to comment on any specific customer, due to the privacy provisions under the Taxation Administration Act 1996. I would like to be able to fix that issue.

The Hon. DANIEL MOOKHEY (12:20): I ask a supplementary question. I thank the Minister for the answer. Will he elucidate and perhaps use his privilege in this Parliament, which does provide him with a basis upon which he can answer this question, to say whether Revenue NSW is likely to be a creditor in Deliveroo's voluntary administration? I note that Revenue NSW was a creditor in the Foodora matter.

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:21): I thank the member for his supplementary question. I think it would be entirely inappropriate to use privilege to breach the law.

The Hon. Daniel Mookhey: It is not breaching the law.

The Hon. DAMIEN TUDEHOPE: Provisions in the Taxation Administration Act prevent the disclosure of private information in relation to taxpayers. To encourage someone to use privilege for the—

The Hon. Daniel Mookhey: Point of order: My point of order is about direct relevance. I was not encouraging the Minister. I was asking a specific question and giving him some context. The question is whether Revenue NSW is likely to be a creditor in Deliveroo's voluntary administration?

The PRESIDENT: However, you did mention privilege in the preamble and suggest that the Minister may be able to.

The Hon. Daniel Mookhey: That is true. I am guilty of that.

The PRESIDENT: The Minister is completely in order in addressing that issue in his answer.

The Hon. DAMIEN TUDEHOPE: Notwithstanding my reluctance for what I would perceive as an abuse of privilege, I indicate to the honourable member that, if Revenue NSW is a creditor, it will file as a creditor in respect of the voluntary administration of Deliveroo.

GOVERNMENT PERFORMANCE

The Hon. SCOTT FARLOW (12:22): My question is addressed to the Leader of the Government. How is the New South Wales Government delivering for the people of New South Wales? Are there any alternatives?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:23): Before I commence, I acknowledge that I am not necessarily the author of some of this material. I acknowledge Richard Egan, whom I am now outing as the author of a considerable amount of this material. So that I am directly relevant to the question, I thank the member for the question. The Liberal-Nationals Government

is continuing to deliver for the people of New South Wales by building new schools, new hospitals, new roads. We will continue to do so.

Is there an alternative? For example, we do not know of a single road that the Hon. John Graham—the would-be Minister for roads and bridges—would build. However, we do know that as the shadow Minister for Night Time Economy and Music, he loves the nightlife; he's got to boogie. Just today Mark Gerber, the owner of the Oxford Art Factory and curator at the Lansdowne Hotel, said, "Live music is back, better than ever. It's great to see bands touring, crowds back and venues full again. As we head into our busiest summer in years, the outlook for Sydney's music scene is bright." Working together with the Hon. John Graham, we have rebuilt this city on rock and roll. Through you, Mr President, to the wannabe water Minister, I say:

I'm sorry, Ms Jackson (oh), I am for real
Never meant to make your colleagues cry.
I apologize a trillion times.

What for, you ask? For outing your secret plans for a water tax. One memory from 2022 to stay with me will be the 104 orders for papers agreed to by the House, resulting in the delivery of a whole library of documents. Why did we do it? I will tell you:

What you want me to say? I won't lie, that I can't deny
I did it all for the Mookhey!

The Hon. SCOTT FARLOW (12:26): I ask a supplementary question. Will the Leader of the Government elucidate that part of his answer in which he said he did it all for the Mookhey? Can he tell me more; tell me more? Did he get very far? Tell me more, tell me more. Did he put up a fight?

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations) (12:26): I thank the member for the supplementary question. The answer is no, we did not get very far resisting the orders because, no matter how many returns to order we supplied, the Hon. Daniel Mookhey, like Oliver, asked, "Please, sir, can I have some more?" Unlike Oliver, he got more. As each new box arrived, the normally unflappable, phlegmatic Clerk was heard to mutter under his breath, "Damn Standing Order 52. I need some U2. I want to run. I want to hide. I want to tear down the walls that hold me inside. I want to reach out and touch the flame where the streets have no name. Ha, ha, ha."

STUDENT BEHAVIOUR

The Hon. ROD ROBERTS (12:27): My question is directed to the Minister for Education and Early Learning. With the majority of teachers reporting that they have been verbally abused by students and one in 10 having been physically attacked, why did the Minister and her departmental head, Georgina Harrison, refuse several opportunities to meet with Katharine Birbalsingh, the headmistress of London's Michaela Community School, when she was in Sydney, to learn of the success of her internationally recognised disciplinary model, the strict, no-excuses approach?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:28): I thank the honourable member for his question. I am not aware of refusing to meet with the lady he mentioned in his question. Other members of the Government met with her. I think that the Leader of the Government did. We are always interested in what other jurisdictions are doing. My office mentioned an event that I might have been invited to but that we could not make it, but there was no ill intention in that. Issues around student behaviour are things we take seriously. The Premier and I recently announced the creation of a new chief behaviour adviser to work across all school sectors in New South Wales. I am always happy to look at other jurisdictions around the world in terms of their approaches to behaviour, and that will continue to be the case.

SCHOOL INFRASTRUCTURE

The Hon. MARK BUTTIGIEG (12:29): My question without notice is directed to the Minister for Education and Early Learning. Why has the Government refused to purchase land that has been identified to construct a high school in Gledswood Hills that the Minister's own department stated was desperately needed as far back as 2019?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:29): I thank the honourable member for his question. We are a government that has absolutely delivered when it comes to school infrastructure in this State. In fact, we are the Government that has delivered the most new and upgraded schools since Federation. We are really proud—

The Hon. Courtney Houssos: Yes, Gledswood Hills Primary School was built and then needed an upgrade.

The Hon. SARAH MITCHELL: We are really proud of that delivery. I am happy to take—

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

The Hon. SARAH MITCHELL: I believe issues relating particularly to high schools in the region that the member is referring to were discussed quite a bit during budget estimates. I am not sure of the specifics of the site that the member is talking about. I do not think he mentioned anything particular in his question, but I am happy to take anything that he wants to put to me on notice and come back with a response after I have a chat to School Infrastructure NSW.

The Hon. MARK BUTTIGIEG (12:30): I ask a supplementary question. Will the Minister elucidate that part of her question where she said that she was not aware specifically of the arrangements of the site? Does the Minister believe that a high school is still required and, if so, why will she not act on it now?

The Hon. Wes Fang: Point of order: It was a nice try, but that is clearly a new question. I ask you to rule it out of order.

The PRESIDENT: We have been down this path before. The question is in order. It arises from the answer that the Minister gave. Indeed, the nexus between it and the question is strong. The Minister has the call.

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:31): As I said in my earlier response, we are a government that delivers schools. We plan appropriately, we listen to community needs and we deliver schools as and when they are needed. That includes our primary schools and our secondary schools. We stand by our track record on delivery.

HEALTH SERVICES

The Hon. WES FANG (12:31): 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 how the New South Wales Government is making access to health care easier for the people of New South Wales?

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:32): I thank the honourable member for his question. On Sunday the Government announced landmark reforms to the scope of practice for pharmacists. But this change is not about pharmacists; it is about the people of New South Wales, and it is particularly pertinent for people in regional New South Wales. We are expanding the number of vaccinations our pharmacists can administer to include a range of public health and travel vaccinations, such as Japanese encephalitis, hepatitis A and hepatitis B, poliomyelitis, typhoid and zoster. We are also funding a 12-month trial to allow pharmacists to prescribe medication for urinary tract infections, and running a pilot for trained pharmacists to prescribe medications for a range of other conditions such as skin ailments, ear infections and hormonal contraception.

Every step of the way, NSW Health will work with the pharmacy sector and its regulators to inform training to ensure that we maintain high safety standards while providing the community with more convenience. We will work with pharmacists to support the expansion and with the community to make sure that these extra services benefit them in the way that we know they can. This change is a huge win for rural and regional New South Wales, as well as for women right across the State. It is no secret that it can be difficult for people in the bush and even in our metropolitan areas to get an appointment to see their local GP. This expansion will help free up our country GPs to see more patients, which will be so helpful in our rural and regional communities. I am particularly excited about this announcement because I have heard loud and clear from women that the process of getting a script for a urinary tract infection or birth control needs to be made easier and more accessible. These reforms will be transformational for health care across New South Wales.

We appreciate the strength of the pharmacy network, which we have seen in full force during the pandemic. I take this opportunity to wholeheartedly thank every pharmacist and pharmacy team in every town in New South Wales for their work. Pharmacies are part of the fabric of our communities, and empowering our trusted pharmacists to work to their full scope of practice will be an absolute game changer. I have been on this idea for a long, long time. I have always felt that pharmacists, particularly in our rural and regional communities, are some of our most underutilised professionals. They spend a long time at university. They are highly skilled, highly capable and highly effective.

I am really pleased that this is happening. It has had support from all sides of the Chamber. Recently I attended a Pharmacy Guild dinner at which the Opposition spokesperson, Ryan Park, said this is important progress. We know that extending models of care and making them different or more adaptable really works. I am really pleased by the feedback we have had about this. This is what it is all about: It is about reform and everyone working to their full scope.

TAXI INDUSTRY COMPENSATION PAYMENTS

The Hon. MARK BANASIAK (12:35): My question is directed to the Minister for Regional Transport and Roads. Given that the Minister refused to address industry concerns during the Point to Point Transport (Taxis and Hire Vehicles) Amendment Bill 2022 debate regarding whether the Government would offer financial advice to applicants for the transitional package, will the Minister commit today to offering recipients financial advice, so that taxpayers' money is spent wisely?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:35): I thank the member for his question. Obviously, the Point to Point Transport (Taxis and Hire Vehicles) Amendment Bill 2022 did pass this place last night. The taxi industry now has certainty that we will complete the deregulation of that market. A transitional payment will now be finalised. We aim to get those transitional payments into the bank accounts of taxi operators and plate owners by February. This is important. It has been a period of time, and it is good to see this come to an end.

There was significant debate in this place last night on the bill. Commitments were also made by me, as the Minister for Regional Transport and Roads, about concerns that were raised throughout the bill. Whether it is wheelchair-accessible taxis, subsidies or a scope of work that needs to be done in regional areas, this Government, through Transport for NSW, is committed to doing it. In his question, the honourable member referred to seeing that taxpayers' money is spent wisely. This money to taxi owners is their money. That is their money. It is their asset. We are doing the work, as was outlined by Ms Abigail Boyd last night—

The Hon. Mark Banasiak: Point of order: I have been quite fair in allowing the Minister a bit of leeway to give some introductory remarks, but my point of order goes to direct relevance. The question is quite specific about whether the Government will commit to providing the financial advice that the industry is asking for along with that transitional assistance. Mr President, I would ask you to draw the member back to that part of question. The answer is yes or no—just make the decision, yes or no, so the industry has that certainty.

The PRESIDENT: I do not have a copy of the question in front of me, but I do recall what the member has just put. I think the Minister has been directly relevant, as far as I can tell. I will listen closely. I ask the Minister to continue his answer.

The Hon. SAM FARRAWAY: Firstly, in terms of the transitional payments, now that the bill has been passed by the Parliament, my priority, and the priority of the Government and Transport for NSW is to have dialogue with the Australian Tax Office to ensure that transitional payment can be determined to either be a financial loss—

The Hon. Robert Borsak: Point of order: What has the Australian Tax Office got to do with the Government offering—

The PRESIDENT: Is the member's point of order about direct relevance?

The Hon. Robert Borsak: Relevance.

The PRESIDENT: I now have the question in front of me. I can see that the nub of the question is about offering recipients financial advice, which was not absolutely clear to me before. The Minister will address that in continuing his answer.

The Hon. Robert Borsak: Yes or no?

The Hon. SAM FARRAWAY: My priority, to answer that question, is to ensure that taxi plate owners have direct guidance from the Australian Taxation Office, whether a capital loss or gain, on the transitional payment they will receive. How they spend their money for their asset as part of the deregulation of the taxi industry is their business. Financial advice services are available. But my priority, as was said in this place last night, is that we get the correct capital gain or loss. That is the precedent set in Victoria. That is my priority. In direct feedback from industry, that is what taxi owners and the NSW Taxi Council asked me to do. The council's number one priority was to get Transport for NSW working with the Australian Taxation Office.

The Hon. Robert Borsak: Point of order: My point of order is relevance. I ask the President to draw the Minister back to the question. The question has nothing to do with what the Minister is talking about. It has nothing to do with capital and non-capital payments, which is all very simple. Their tax agents can take care of all of that. The Government is going to either do it or not.

The PRESIDENT: The Minister has completed his answer.

SINGLE WOMEN DEMOGRAPHIC

The Hon. ROSE JACKSON (12:40): My question without notice is directed to the Minister for Women. What is the Minister's response to community concerns about the publication of an article by the executive director of the publicly funded Liberal think tank the Menzies Research Centre which stated, "For Liberals in Australia, the rise of single 20- and 30-something single women is one of the most disturbing trends to emerge from last year's census. For the first time, women under 35 are more likely to be single than not"?

The Hon. Scott Farlow: Point of order: Questions directed to the Minister should relate to public affairs with which the Minister is connected. The Minister has no portfolio responsibility for funding the Menzies Research Centre.

The Hon. Penny Sharpe: To the point of order: The Minister is the Minister for Women. She often makes comments and shares views in this Chamber about current events regarding women in this State. I believe the question is in order.

The PRESIDENT: I have read the question. It is framed in relation to comments with respect to women under the age of 35. The Minister has the call.

The Hon. BRONNIE TAYLOR (Minister for Women, Minister for Regional Health, and Minister for Mental Health) (12:41): I thank the honourable member for her question. I have not read the article but, to be up-front, I am aware of it. People are entitled to have their views. It is a free country with free speech. Everyone knows that every day in this place I promote issues about women. I promote education, choice and women's ability to speak their minds and do what they need to do. Being the Minister for Women for close to four years now has been about economic opportunities for women to make sure that they can be independent and have financial independence so that they can have all the opportunities that are available to them each and every day. I absolutely stand by that.

On a personal level, as the mother of two daughters, I want more for my daughters than even I have had—and I reckon I have done alright. I am happy for them, and I just want them to keep going and to progress women's issues. We should all be proud, particularly about the coercive control legislation, which we have all played a role in this week, and about what having that framework means for women going forward. We listened to stakeholders yesterday. The things that have happened over the past four years have been incredible. My record speaks for itself.

ROADS AND TRANSPORT INFRASTRUCTURE

The Hon. CHRIS RATH (12:43): My question is addressed to the Minister for Regional Transport and Roads. Will the Minister update the House on the impacts that continual union strikes have had on the New South Wales Liberal-Nationals Government's record road and transport infrastructure build?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:43): I thank the member for his question and wish members a happy last sitting day. What an important year it has been for the Liberal-Nationals Government's \$112.7 billion infrastructure pipeline. As I say day in, day out in question time, we on this side of the House are building what matters to secure a bright future for everyone who lives in this great State. It is worth noting that while we are embarking on our building program to make daily life easier for families, it seems those in the unions, who, as we know, are some of the most card-carrying Labor members, are looking to make life harder for the people of New South Wales—shame!

I start with the obvious, and that is the new intercity fleet [NIF]. Members on this side of the House understand the importance of delivering better services for customers. Members opposite do not realise that those customers are the people of New South Wales. They are our constituents, who need better services. We are here to deliver those. The fleet's state-of-the-art carriages are more spacious. Members have heard me talk about the USB ports, better power points, better coach-like seat backs, far better options, better accessibility and better amenities. Importantly, that project has supported around 1,600 jobs in New South Wales and created a further 120 permanent jobs in the new maintenance facility at Kangy Angy on the Central Coast, boosting the local region's economy. Unfortunately, customers have not been able to enjoy the new fleet that they have paid for.

It is important to note that it is not only the NIF that has been disrupted. The Government's Transport Access Program, which makes our train stations more accessible to our community's most vulnerable, has suffered setbacks. Some 23 upgraded stations have had their opening dates delayed this year because of union action. On a number of occasions union members refused to turn off the power at stations, posing a safety risk for contractors who were then unable to perform work on the upgrades. To interrupt commuters who are trying to get to work is one thing, but to then stall upgrades that would improve access for the community's most vulnerable is nothing short of disgusting.

That industrial action is estimated to have had a cost impact of more than \$80 million on the upgrading of those stations. That \$80 million could have been spent on upgrading more roads and filling more potholes or it could have been pumped into schools and hospitals. Come March, the choice is simple: Let us build a brighter future for New South Wales by voting for the Liberals and The Nationals, because we know what is important to our communities and how to deliver. We will see members opposite when we are back sitting on the Government benches. [*Time expired.*]

NSW POLICE FORCE AND FIREARMS USE

The Hon. ROBERT BORSACK (12:46): My question is directed to the Minister for Education and Early Learning, representing the Minister for Police in the other place. Will the Minister inform the House how many police officers with diagnosed post-traumatic stress disorder, or PTSD, are currently issued with and carrying firearms on active duty?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:47): I thank the member for his question on a serious topic relating to members of the NSW Police Force who are suffering from post-traumatic stress disorder. I am happy to take the question on notice and come back to the member with an answer.

HARMONY POLICY

The Hon. ANTHONY D'ADAM (12:47): My question without notice is directed to the Leader of the Government, the Minister for Finance, and Minister for Employee Relations. Given One Nation's New South Wales leader, the Hon. Mark Latham, is headlining an event in northern Sydney that is associated with the Roseville branch of the Liberal Party, how does the Government balance that with the community's concern that the event contravenes its public policy commitment to promoting a harmonious society?

The Hon. Scott Farlow: Point of order: The question does not appear to relate to the public affairs with which the Minister is connected. The Minister is not, in any way, shape or form, responsible for the Roseville branch or the Northern Sydney Conservative Forum.

The Hon. Penny Sharpe: To the point of order: The question to the Minister, as the Leader of the Government, deals with community concerns about the policies of this Government related to harmony. We want to understand the community concerns about the Hon. Mark Latham headlining a Liberal Party event in Roseville.

The PRESIDENT: I call that a long bow, but it is a very interesting question. It is a pity that the Hon. Mark Latham has COVID. For the information of members, he has advised that he has had a positive rapid antigen test. I rule the question out of order.

LIVE MUSIC INDUSTRY

The Hon. SCOTT BARRETT (12:49): My question is addressed to the Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism. How is the New South Wales Government supporting regional musicians in New South Wales?

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (12:49): I update the House on two important initiatives that the New South Wales Government invested in to support music, artists and other people working in our music industry, particularly in the regions. Firstly, earlier this month I announced that MusicNSW will be receiving \$250,000 per annum over four years to extend its incredibly successful regional music officer program for musicians across New South Wales. The program provides on-the-ground, tailored support to regional musicians, venues and live music professional to grow local touring capacity and increase tourism opportunities.

Importantly, the program is focused on building capacity. It will employ music officers who are already living and working in regional New South Wales. The officers will work closely with the established Regional Arts Development Organisation network. In this way the program can be moved around the State while leaving a living legacy of the program in the hands of the community. The program will kick off in five areas: Northern Rivers, mid North Coast, out west, Upper Hunter and the north west. I am so proud that the Government is investing this program because I know that a stronger music industry equals a stronger regional economy and, through difficult times, a much more resilient community.

Secondly, I acknowledge that this year Support Act is celebrating its twenty-fifth anniversary. That charity delivers crisis relief services to musicians, managers, crew and music workers across all genres who are unable to work due to ill health, injury, a mental health problem or some other crisis. For example, Support Act played a critical role during the pandemic in ensuring that performing artists and related arts workers did not fall through the cracks when they were ineligible for other support such as JobKeeper. I was proud to provide them with

\$5 million from the New South Wales Government to assist in supporting those individual artist. At the close of the COVID-19 Crisis Relief Grants program, Support Act had allocated \$44.6 million to people in New South Wales working in the music industry.

While I referred to Support Act as a charity, they prefer to view the financial assistance they give to people in the industry as a grant, awarded in acknowledgement of their contribution to Australian music. While I am sure there is incredible variety of music tastes across the Chamber, one thing I am sure we can all agree on is the defining value that Australian music has for our culture and communities. And what better way to celebrate our love for Australian music than on Ausmusic T-Shirt Day, which is tomorrow. This is an annual day of fun and awareness to celebrate Australian music and to raise money for Support Act.

There is a star-studded line-up of ambassadors this year including Darren Hayes and Casey Donovan. I encourage everyone to support the cause by wearing an Ausmusic T-shirt, making a donation to Support Act and sharing on social media. If you have a T-shirt here today, join John and me on the steps of the Parliament at 1.45 p.m. this afternoon. Through the Regional Music Officer Program and through Support Act, it is clear that the New South Wales Government is fully committed to supporting musicians across New South Wales. To them we say, in the immortal words of ABBA, "Thank you for the music."

REGIONAL ROADS

The Hon. PETER PRIMROSE (12:53): My question is directed to the Minister for Regional Transport and Roads. Given the Minister's previous commitments to repairing potholes in New South Wales, how does he respond to community concerns that he has ignored Singleton Council's pleas to repair roads left devastated in the wake of multiple flood emergencies?

The Hon. SAM FARRAWAY (Minister for Regional Transport and Roads) (12:53): I thank the member for his question. I just do not agree with the premise of the question. I am the Minister for fixing potholes in regional New South Wales. I have never failed to support Singleton Council. The council and Mayor Sue Moore—a good, hardworking local mayor, who is very connected with her community—have a fantastic local member in Dave Layzell. He consistently talks to me about roads in the Upper Hunter electorate and is the biggest advocate for roads in that area. I have never failed to support Singleton Council, and my door is certainly open. To date I have not had a request from Singleton Council.

SCHOOL SUCCESS MODEL

The Hon. LOU AMATO (12:54): My question is addressed to the Minister for Education and Early Learning. Will the Minister outline the New South Wales Liberal-Nationals Government's reforms that are delivering a stronger, brighter future for New South Wales school students?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:55): I am going to disappoint you all: I am not going to sing. I am not going to dance either. But I am going to start by echoing the wise words of possibly the greatest television character that ever existed, Ted Lasso—not with a southern accent, even though my officers wanted me to do that:

Taking on a challenge is a lot like riding a horse, isn't it? If you're comfortable while you're doing it, you're probably doing it wrong.

That is a nice segue into congratulating everyone from all our school sectors who have taken on the challenge this year, particularly of remaining open during the pandemic. We need to cast our minds back to the fact it was only 10 months ago, at the beginning of this year, that we were shipping millions of RATs to schools for parent pick-up so that our schools could open their gates and classroom doors to all students once again. I genuinely thank everyone who works in our school system for the amazing efforts that they have put in, particularly over the course of this year.

Together we have also got on with the job of reforming our education system. Our record-breaking school building program has continued, delivering 200 major school projects across New South Wales, with 118 more in the pipeline. The biggest overhaul of the New South Wales curriculum in 30 years has powered on, with the focus of getting the basics right and making the job easier for teachers. Combined with our Quality Time program and additional administration staff, we are saving teachers time so they can remain focused on their students. This is all evidence based and driven by results, which has underpinned our School Success Model, making sure our schools are focused on the right things and receiving the support that they need.

Through our School Success Model, we also have our Ambassador Schools. Meeting the principals is always a privilege and always informative. They are innovators and, above all, advocates for the students they teach and the quality education that they deliver. Every week I visit schools across the State, and at every school I meet teachers who are passionate. Granted, sometimes this year some of them have been outside the school gates, but they are always passionate. I genuinely respect and admire every single teacher across New South Wales

for the incredible job that they do, day in and day out. That is exemplified by my cross-sector Teachers' Advisory Group that we started this year—the epitome of passion and optimism for education in this State.

I have to mention my student advisory council, or my Department of Student Voices in Education and Schools [DOVES]. If anyone here is ever having a bad day, please come and meet my DOVES. They are the most inspirational group of young people. Passionate does not even begin to describe them. Working with them alone makes this job worth it. Governments made a lot of announcements, but universal pre-K is the one that will be changing lives from next year onwards, and is something I am incredibly proud of. We all know high-quality early education is the key, not just for academic success but also for unlocking a world of improved wellbeing, health outcome and social skills, because it is all about the kids. Once again, to echo Mr Lasso:

For me, success is not about the wins and losses. It's about helping these young fellas be the best versions of themselves on and off the field.

That is what my focus is as education Minister: making sure that every student, and everyone in an early childhood service, has the absolute best possible education and lifelong success, thanks to the New South Wales Government and its support for education.

OUT OF SCHOOL CARE SERVICES

The Hon. PENNY SHARPE (12:58): I acknowledge the very hard work of Gabriel Sassoon and Peta Waller-Bryant in relation to the preparation of all of our questions. They do a sterling job every day. My question is directed to the Minister for Education and Early Learning. Given that there are 84 parent-run out-of-school-hours [OOSH] care centres in New South Wales, will the Minister guarantee that fees will not increase for OOSH services if parent-run services are replaced by for-profit services?

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (12:58): In relation to before and after school care, we are a government that is incredibly proud of the investments that we have made in this sector. It has been this Government that has delivered over the past four years before and after school care places at a rate that we have never seen. We have our OOSH hubs. But we also need to make sure that we have great operational requirements. There have been some changes this year that we are rolling out in relation to the categories—the parent-run services and those run by P&Cs. It is quite technical.

But what we have also done is work with the sector in relation to this. We know it is important that we have affordability for families. It has been our Government that has been delivering before and after school care vouchers for every family to access. We have a proven track record when it comes to delivering affordability measures in the before and after school care space. We are very conscious of the fact that we need to ensure that these services remain affordable for families because for working mums and dads it is important that they can access before and after school care services that they need.

In terms of the specifics of the question that the member has asked, as I said, we are working with any impacted services in relation to those changes that we are making in an operational sense. Those changes came from some requirements in terms of how we should be operating those particular services. It is a very small number, I am told—I think there are about 35. In fact an information session will be held tonight with representatives of the department and any of those impacted services. There are also legal templates that they can access and I believe there is also opportunity for grants to help them to access as they transition. We have been working hard with these services. We have also been the Government that has been able to deliver an opportunity for families to have more affordable before and after school care services in this State than ever before.

The Hon. DAMIEN TUDEHOPE: Might I suggest that if members have any further questions—

The Hon. Penny Sharpe: We do!

The Hon. DAMIEN TUDEHOPE: We may not answer them! As I was saying, the time for questions has expired. If members have further questions I suggest they place them on notice.

Supplementary Questions for Written Answers

SCHOOL INFRASTRUCTURE

The Hon. COURTNEY HOUSSOS (13:01): My supplementary question for written answer is directed to the Minister for Education and Early Learning. Will the Minister elucidate her answer where she spoke about delivering schools and upgrades, and provide a list of the schools over the past 12 years that have been built but also required an upgrade?

*Questions Without Notice: Take Note***TAKE NOTE OF ANSWERS TO QUESTIONS**

The Hon. COURTNEY HOUSSOS: I move:

That the House take note of answers to questions.

SCHOOL INFRASTRUCTURE

The Hon. COURTNEY HOUSSOS (13:02): At the outset I commend the House for the new standing orders that we adopted and the new opportunities to provide members to reflect on the answers that were provided in question time today. As I often do, I would like to reflect on the answers from the Minister for Education and Early Learning in response to a question from the Government where she talked about how this Government has delivered schools and upgrades. That is true, because this Government has so poorly planned building new schools that a large number of them are requiring upgrades already. That line "delivering schools and upgrades" is symptomatic of the spin that the Minister comes to the House and talks about.

We can talk about Oran Park, Schofields Public School, Riverbank Public School and Gledswood Hills Public School—all fantastic local primary schools that the upper House inquiry visited and saw school communities delivering fantastic local educational services for their communities. But they were delivering that in schools that were so poorly planned, they had oceans of demountables filling up their valuable play space. We uncovered that the planning figures were so poorly done by School Infrastructure that they were only provided by local government area, which left some principals literally phoning around to developers to find out what land they were planning on releasing, to try to get an accurate figure of how many students they might need to enrol in the next year. When the Minister comes in here and talks about "delivering schools and upgrades", it is like some kind of Orwellian feat that is trying to paper over what is actually happening in our schools.

The same is true when the Minister comes in here and wants to take a victory lap about the new curriculum resources that have been provided to teachers. Those resources have been provided because the Government cut the literacy and numeracy curriculum experts in the department who used to provide that very support to our teachers. Is it any wonder that 92 per cent of our teachers identified the administrative workload as the fundamental problem that they face in the classroom? A fortnight ago we saw the NAPLAN results released. In respect of year 9 boys who have completed their schooling entirely under this Government, 13 per cent cannot read to the minimum standard and most are using punctuation like a student in year 3. In 127 days the community will have their say—bring it on. [*Time expired.*]

HEALTH SERVICES

The Hon. WES FANG (13:05): I take note of a number of the questions and answers from this question time because what we saw is—

The Hon. Penny Sharpe: It is taking notice of answers, not of questions.

The Hon. WES FANG: To that point from the Leader of the Opposition, thankfully the Hon. Adam Searle moved amendments which broadened the scope of this debate. As the member indicated, you use the rules that are given to you. I have gotten very good at learning the rules—somewhat. This question time absolutely gave the people of New South Wales a window into the difference between the New South Wales Liberal-Nationals Government and the alternate government, the Opposition Labor Party. It could not be any clearer than when the Minister for Regional Health spoke about the initiatives that we on this side put forward to have pharmacies and pharmacists assist to provide basic health care to those in the community. The Minister for Regional Health has advocated for this groundbreaking initiative for a number of years and has been able to implement it in New South Wales. It will be particularly beneficial to rural and regional communities where sometimes there is a little difficulty getting in to see a GP.

Basic care such as medicines for urinary tract infections, a pilot program where trained pharmacists can provide medications for skin ailments, ear infections and even hormonal contraception will be supplied. This will provide people in regional communities the opportunity to get the health care they need more quickly. It is the initiative of the Liberals and The Nationals in government that has delivered that. While we see the constant negativity, the constant mudslinging and no policies, if I am honest, from those opposite, on this side we are delivering for the people of New South Wales and particularly for the people of regional New South Wales. On that note, I was pleased last night when the member for Murray, Helen Dalton, in the other place actually called me the member for Murray, given the amount of delivery that I have had in the electorate. I thank her for acknowledging my hard work in the electorate of Murray. [*Time expired.*]

SCHOOL INFRASTRUCTURE

The Hon. MARK BUTTIGIEG (13:08): I participate in the take-note debate with particular respect to a question that I asked the Minister for Education and Early Learning about the refusal to provide a high school in Gledswood Hills. The Hon. Wes Fang goes on about those on that side delivering; I do not think the people out at Gregory Hills and Gledswood Hills would agree. I have a briefing note here that dates back to 2019, signed by the Executive Director, Infrastructure Planning, School Infrastructure NSW, which recommended an offer for a site for a high school back in 2019. That offer was made.

Then another document recommends that the Minister approve the purchase of land. There is no signature on the document, but the Minister says that she knows nothing about it. She said, "I'm not aware of the site. I'm not aware of the need for a high school." Is this "delivering"? All the while people in that area are screaming not only for a high school but for a primary school, which has finally been promised and will allegedly be delivered next year with a ton of demountables. That is Gregory Hills Public School. The Government is feeding in all these overloaded public schools, and the poor parents and the kids there do not have a high school to go to.

A whole generation of kids was promised a primary school. Now people have to campaign for a high school—for basic infrastructure and services—having moved into the area on the promise that these things would be forthcoming. Then the Minister comes into the Chamber and says she does not know about a block of land that her own departmental head suggested should be bought. The offer was actually made, and there is another briefing minute to release the money to purchase the land. I find it breathtaking that Government members would then come into the Chamber and wax lyrical about how well they have delivered for people. They should tell that to the people of Gledswood Hills. When they are campaigning in the electorates of Camden and Leppington, they should tell that to the people who live there, because those people do not think the Government has delivered at all.

The Minister not knowing about a basic piece of infrastructure in her own portfolio says everything there is to know about Government members. They are not only incompetent; they do not even know what is going on in their own portfolios. This is not a state secret. We have been campaigning on it for months. I find it very revealing that during question time the Minister did not have a clue about it. We asked these questions during budget estimates. Does she not get briefings from her departmental heads? It says a lot about where the Government's priorities are.

ROADS AND TRANSPORT INFRASTRUCTURE

The Hon. CHRIS RATH (13:11): I take note of today's answer from the Minister for Regional Transport and Roads. It is sad to see that those opposite have been encouraging and enabling unions to disrupt our State's \$112.7 billion infrastructure pipeline. While members on this side of the House are working to build what matters to secure a brighter future for our State, those opposite seem to have no regard for the people of our State who are being disadvantaged by union strikes. Government members put our communities first. Those opposite put the vested interests of trade unions first.

Before I entered the Chamber for question time today, I had a meeting with the CEO of Sydney Metro. I asked them to identify the single biggest challenge it faces to rolling out metro across Sydney. And what was the response? Think of all the potential causes for delays to rolling out Sydney Metro: It could be the wet weather and the terrible floods that we have had, it could be COVID or it could be supply shortages of materials. But, no, the single biggest cause of potential delays to rolling out Sydney Metro is sabotage by the trade union movement. We know that the NSW Labor party is run by the bosses of the trade union movement.

We on this side of the House want to improve everyday life and deliver better services. Projects like the Mariyung Fleet are about improving services for the commuters in our State. Yet those opposite seem to care more for their union mates than the everyday commuters trying to get to work or school, or access essential services—not to mention the industrial action that had delayed the Transport Access Program upgrades to 23 stations across our State. Apparently those opposite do not appreciate the importance of improving accessibility to our transport network.

Fortunately, the people of New South Wales can see through Labor. They know that Labor cannot deliver for them. They know that Labor has forgotten about the people of New South Wales. Those opposite only care about getting elected and getting the trade union movement to help them get elected. Up until recently, Alex Claassens was running the show from the admin committee of the NSW Labor party. But we on this side have a different program. That is why the people of New South Wales trust only the Coalition Government to improve daily life and secure a better future for our State.

SINGLE WOMEN DEMOGRAPHIC

The Hon. ROSE JACKSON (13:14): I take note of the answer provided today by the Minister for Women in response to my question about the really disturbing comments made in the newspaper by Nick Cater, the Executive Director of the publicly funded Liberal think tank, the Menzies Research Centre. In part, I asked this question of the Minister as a member of The Nationals. Obviously, I have my disagreements with The Nationals—that goes without saying. But I give The Nationals credit for encouraging and promoting women into senior roles. I reflect on the comments of Mr Justin Field in his valedictory speech and recognise that it is not just about being oppositional and bashing each other all the time. Good on The Nationals for recognising that having women—like the Minister herself, the education Minister and the emergency services Minister—in senior leadership is good and a positive contribution to our public life.

Unfortunately, one of the reasons I asked the Minister about it is that it is not a view shared by The Nationals' Coalition colleagues, the Liberal Party. The Liberal Party's record on the promotion of women speaks for itself. Less than a third of the members of the New South Wales Cabinet are women. Most of those are members of The Nationals. There are very few female Liberal Party members in the Cabinet despite all the words of the Premier and Treasurer about how much they want to promote women. They know that they have to do it because—newsflash—women are 50 per cent of the population. We do not like it when people say that promotion needs to be on merit and it turns out that, in their mind, "merit" is 80 per cent men. That kind of does not come across well to women, because we think, "If we're 50 per cent of the population and it's on merit, then presumably we'd be 50 per cent, unless there's something wrong with us." The Treasurer and the Premier recognise that it is not going great with women. They say that they want more women yet the Liberal Party is going backwards.

The Hon. Penny Sharpe: Shelley Hancock.

The Hon. ROSE JACKSON: The female member for South Coast who is retiring is being replaced by a bloke. Let's see what happens in Pittwater. Good on the Minister for Families and Communities for putting her name forward. But she is gone. It will probably be a bloke there. Good luck to Minister Ward in the electorate of Davidson. I honestly hope that is a step forward, but who knows? This view is epitomised by the head of the Menzies Research Centre, who suggests that single women are not just a political problem for the Liberal Party but a problem for our country. Nick Cater has used his platform in a national newspaper to attack women under 35 who are not married, suggesting that they perhaps have had the dubious misfortune of attending university and that maybe, if they want a career and a life of their own, they are a problem for this country. Well, the Labor Party stands with all women.

CENTRAL WEST FLOODS

The Hon. SCOTT BARRETT (13:17): I take note of answers referring to regional New South Wales. All members should be aware of the terrible flooding that has affected much of the Central West at the moment. That area has been incorporated into the biggest flooding event and response in our State's history. Towns and communities such as Molong, Cudal, Canowindra, Forbes and Condobolin have lost their homes, businesses and key infrastructure to an unfathomable amount of water that swept through those towns at incredible force. Of course Eugowra has been decimated, with very little of the town unaffected.

I do not have the words to describe what these people have gone through, the impacts on the towns and communities, or the emotional stress and wounds this has caused. I encourage members to spend some time looking at some of the photos, reading the accounts and watching some of the videos. But now we have to get our towns cleaned up again. This process is already underway. Australian Defence Force personnel, the RFS, the SES, local businesses and individuals, crews from Orange and other surrounding communities, and members of the Orange Local Aboriginal Land Council have come to those areas. Many of these locals are themselves affected by this horrific event. I thank all those people who have put their lives on hold to help out those in need.

I worry for our community groups, organisations and sporting clubs, and we must support them. They are absolutely critical to getting those towns back on track. We have lost infrastructure like the hockey fields in Molong, which is so very proud of its hockey. It is an incredible culture there, and to see those fields lifted up like a wet piece of cardboard has hurt a lot. I will work incredibly hard to support those groups so we see our clubs come back better and stronger and so they continue to be the key thread in the fabric of our local communities.

All that physical damage and all the houses washed away are nothing but an emotional scratch compared with the horrific loss of at least one very loved community member in Eugowra. The unimaginable pain that that must be causing out there is in all of our thoughts, as insignificant as that might seem. To those affected, I am sorry that I cannot articulate to this place what they have been through, nor can I adequately express what I and others are feeling for them. But they are in the thoughts of all of us here. I and others on every side of politics are here to do what we can to help them recover from this in the short term, the medium term and the long term. They

and their communities are the key factor that makes regional New South Wales the best place to live, work and raise a family.

ROADS AND TRANSPORT INFRASTRUCTURE

HARMONY POLICY

SINGLE WOMEN DEMOGRAPHIC

The Hon. PENNY SHARPE (13:20): I take note of answers given today about three issues. First, I respond to the Hon. Chris Rath, who did an extraordinary thing today. I know he is new to this place, but verballing a senior public servant after what I assume was probably a private briefing is extremely out of line and unhelpful. It is completely the antithesis of sorting out the issues within our transport system, and it should not go unremarked upon.

Secondly, what is going on with the New South Wales Liberal Party? Under John Howard, the Liberal Party used to guarantee that One Nation was put last in every seat at every election. We now find out that One Nation is headlining a fundraiser for the Liberal Party in New South Wales, which is an extraordinary change. It is a break from what had been a clear rejection of some of the policies that that party has regarding our harmonious community, and it is a major step back that the New South Wales Liberal Party thinks that that is a reasonable thing to do. It is a slap in the face to John Howard and his ethics regarding that party. It is very challenging for those in the Liberal Party who are working extremely hard to stare down challenges around multiculturalism and inclusivity in the community. I am very concerned about what has happened and call on the Liberal Party to reject getting into bed with One Nation, which does our community no good at all.

Thirdly, I place on record my concern about what the article from Nick Cater says to all women about our place in the community and our desire and hard-won fight to be educated and to make choices about our own lives—about when and if we will partner, with whom and under what circumstances. The idea that educated single women are a threat to democracy and a threat to electing Liberal governments is shocking. Frankly, it points to the reality: What does it say about the modern Liberal Party if it is putting out those kinds of messages? I stand with the excellent Liberal women that I am fortunate to know, who work very hard and stand up in their own party regarding those matters.

Articles like Nick Cater's are shameful. I had hoped that the Minister for Women would say there was no place for that and that women were welcome everywhere. I am disappointed that we did not get that from the Minister for Women. I was hoping that the Hon. Bronnie Taylor would stand up for her Liberal sisters and really tee off about that article, but she chose not to do that. Finally, I wish all the Liberal women who are standing for preselection all the best. I hope that they get preselected, because we need more women in Parliament from all parties.

VOLUNTEERS

The Hon. AILEEN MacDONALD (13:24): I take note of our volunteers—those community heroes whose tireless efforts contribute so much to our way of life. Volunteers perform acts of kindness through services and programs run by not-for-profit organisations, and they spontaneously answer calls for help in times of need. Volunteers are on our sports fields; in refuges, shelters and volunteer rescue associations; and in art galleries and heritage venues. They are in our community gardens and parks, and they run school fetes and market stalls. In fact, my Rotary Club in Guyra is gearing up to deliver the annual Christmas carnival in a fortnight, which is a ton of fun.

Volunteering goes way beyond the iconic efforts we see so often on the front pages of newspapers and on our screens. The initiative of the Minister is a way not just to celebrate and recognise those important contributions and organisations but also to thank the volunteers, who are the unsung community heroes who work in the background for the benefit of us all. The initiative aims to recognise the local volunteers who contribute so much to our communities. They help ensure that our communities are safe, fun and great places to live, but their service is often overlooked and undervalued.

Volunteers maintain art galleries and historical collections. In Guyra, volunteers open the museum every weekend. They maintain community venues and deliver activities after school and during school holidays. They provide a warm blanket and a cup of tea, and they listen and provide support. I thank all volunteer-involving organisations and volunteers across New South Wales for their continued efforts. I have seen firsthand the work they do and the difference they make, and it is a testament to what makes our society great. We are better together.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. TAYLOR MARTIN (13:26): In my take-note debate wrap-up I usually say, "What a question time it has been", and then go through a series of topics that have been raised. I might reply to a few things that have been raised by the Opposition. As it is the last sitting day and the last question time, I say, "What a term of Parliament it has been". We came back after the March 2019 election and, while members on this side of the House formed government, the Parliament soon abandoned party lines and debated, amended and subsequently passed the Abortion Law Reform Act 2019—which was not the original name of the bill, but I will not digress. Despite the outcome not being one that I supported in the debate, the process certainly brought out the best of us in this Parliament. It put on display for all to see that when it comes down to it, we have one of the best deliberative bodies in the world in the Legislative Council.

While that debate raged in here, the earliest stages of what would be our worst bushfire season in living memory were beginning throughout many parts of New South Wales. It was such a devastating time, with so much loss that I know still lingers in our communities throughout New South Wales. Just as those fires finally started to subside in January 2020, the next month would then see the first of many floods. Some areas that had already copped it from the fires that I described would soon be traumatised again by nature, which has continued ever since. As the Deputy Government Whip just mentioned, that continues today.

As I am sure we all remember, at the same time the first lot of COVID cases began to appear in New South Wales. Just when we thought that we could go back to normal after the fires and the floods, we then had a one-in-100-year pandemic at our door. I recall being in this place when those initial case numbers started to rise, and within weeks we began to lock down in New South Wales. I acknowledge that from that point onwards, we really saw the best of government—from Premier Gladys Berejiklian and health Minister Brad Hazzard, who of course were on the TV every day, but also from the 345,000 employees of the New South Wales government. They really stepped up and did what needed to be done, especially our frontline workers throughout every department.

Then came 2021, and we thought we were headed for some semblance of normality. We were back in here again to debate another life-and-death matter, the Voluntary Assisted Dying Bill, which was ultimately passed. The next month, a cracking Coalition budget from then Treasurer Perrottet was able to absorb all that COVID threw at the State. It was a tough one for this Chamber to vote on, not because of its contents but rather because all members were locked upstairs in isolation in our offices on that Thursday. We all remember what happened, although I am sure many would rather forget the back half of 2021.

It has been an interesting term in Parliament. Nobody could have seen what was coming after that last election. They say a week is a long time in politics, so the next 128 days may well seem like an eternity. The people will choose a government in March of next year, and in doing so they will choose a Parliament. It will be different, and we will not know what will be thrown at us in the next four-year term. But I know that the best will be brought out in all of us again next year.

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

Motion agreed to.

Written Answers to Supplementary Questions

WINE INDUSTRY TAX

In reply to **the Hon. MARK LATHAM** (16 November 2022).

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

I am advised by the Minister for Environment and Heritage:

An analysis of the costs and benefits of the proposed expansion of the scope of containers for New South Wales Return and Earn indicates that it will deliver a significant net benefit to the community. Including wine and spirit bottles will also ensure equity across the alcoholic beverage market, as beer and mixed drinks are already captured by the scheme.

The scheme operates on a cost recovery basis to collect and recycle used drink containers. Beverage suppliers are charged a fee for each container supplied into New South Wales and can pass the cost on to consumers. While there is an increased cost associated with the scheme, independent surveys of suppliers that are currently in the scheme have found that over 70 per cent of suppliers find participating in the scheme easy or very easy.

Furthermore, the Independent Pricing and Regulatory Tribunal reviewed the scheme in 2018 and found that there was no evidence of a material reduction in competition in the beverage market and that beverage prices had increased in line with the costs of the scheme.

The New South Wales Government will work closely with industry, noting that an expanded scope of containers is under active consideration in several Australian jurisdictions. Environment Ministers agreed in 2021 to harmonise the scope of containers for Container Deposit Schemes across jurisdictions by the end of 2025.

Since the introduction of Return and Earn, there has been a doubling of the beverage container recycling rate and a more than halving of the volume of beverage container litter, compared to the outcomes being achieved through kerbside recycling prior to the commencement of the scheme.

Return and Earn has also delivered significantly better-quality recycling materials compared to kerbside recycling.

For each tonne of glass collected by the scheme, 95 per cent is remade into new glass packaging compared to 40 per cent for kerbside recycling. Cleaner source-separated glass collection results in less environmental impact – both from the reduced energy required and reduced raw materials needed to make new glass packaging.

Expanding Return and Earn to include wine bottles will reduce total household glass material going to landfill by nine per cent, while also increasing the volume of high-quality glass material going to recycling by 15 per cent – all at a lower cost to the community than the alternative option of a glass-only kerbside bin.

Community support and participation has been key to the success of Return and Earn and regular consumer research consistently shows very high levels of participation. Seventy-nine per cent of New South Wales adults have participated in the scheme and more than 90 per cent of these continue to return containers on a quarterly basis.

The New South Wales Government is seeking feedback on this proposal and encourages businesses and the community to make submissions. Consultation is open until 2 December 2022.

TEACHER RECRUITMENT AND RETENTION

In reply to **the Hon. COURTNEY HOUSSOS** (16 November 2022).

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

Existing temporary teachers and school support staff who are supported as part of this initiative will be offered permanent employment throughout 2023.

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

Bills

NSW RECONSTRUCTION AUTHORITY BILL 2022

In Committee

Consideration resumed from an earlier hour.

The CHAIR (The Hon. Wes Fang): Before I call the next member to make a contribution, I provide some clarity. Amendment sheet c2022-237 stands in the name of Mr Justin Field, not The Greens. I am advised that updated copies have been circulated to the Committee. Sheets c2022-239A and c2022-240A, also standing in Mr Justin Field's name, were lodged prior to the Committee stage, but final copies were not made available to the table office before the House resolved into the Committee of the Whole. On that basis, I am happy to accept those sheets of amendments. Sheet c2022-241, also standing in Mr Justin Field's name, was submitted after the commencement of the Committee stage. It is at my discretion as to whether it is accepted. I am inclined to accept the amendment of Mr Justin Field on this occasion, but I remind and urge members to lodge their amendments before the Committee stage in the next Parliament. With that, Mr Justin Field has the call.

Mr JUSTIN FIELD (15:02): I support Greens amendment No. 1 on sheet c2022-234G, moved by Ms Cate Faehrmann. We are having a discussion and debate about the need to have a reconstruction authority in New South Wales and the ability to respond to climate emergencies and work with communities in a coordinated way to assist them in reconstructing and adapting to deal with ongoing disasters. Climate change is central to this debate. With regard to how the authority will achieve the objects laid out in the Act that will govern its formation and operations, it would make sense to be explicit that we want it to be able to consider, plan for, understand and incorporate the best evidence about how climate change is increasing the frequency and severity of natural disasters.

But there is another aspect to it. The instinctive reaction of some elements in the Government to climate emergencies is to make matters worse, whether it be clearing native vegetation on a broad scale in the name of protecting communities from fire—which all evidence suggests is the worst thing to do—or responding to floods by building levees that only move the severity of the flood further downstream and set up the next community for worse flooding next time. We need to know that the authority charged with this important work is required to not only take into consideration the changing nature of the weather and climate, and how that is impacting on severity, but also ensure that the work it does to prepare communities or take preventative action will not make matters worse. The amendment makes a lot of sense. It goes to the heart of what we all understand is the intention of

having a coordinated authority. It is an eminently sensible amendment. I commend the amendment to the Committee.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendment No. 1 on sheet c2022-234G. The question is that the amendment be agreed to.

Amendment negatived.

Ms CATE FAEHRMANN (15:05): By leave: I move The Greens amendments Nos 12 and 14 on sheet c2022-234G in globo:

No. 12 **Climate change impacts—State disaster mitigation plan**

Page 14, clause 31(2). Insert after line 16—

(a1) an assessment, and consideration, of the impacts of climate change on disasters,

No. 14 **Climate change impacts—disaster adaptation plans**

Page 15, clause 36(2)(b). Insert after line 32—

(iiia) an assessment, and consideration, of the impacts of climate change on disasters,

The amendments will require State disaster mitigation plans and disaster adaptation plans to assess and consider the impacts of climate change on disasters. As I said in the second reading debate, the intent behind the bill is good. The fact that the State will have a disaster mitigation plan and disaster adaptation plans that are worked on with communities is a positive. These amendments will ensure that climate change is considered as part of that. I understand, after having conversations with the Government and the Opposition, that both parties will support the amendments. I thank them for recognising, at least in this instance, that it is a glaring omission that climate change is not recognised in the bill. It is driving the regularity, severity and frequency of the disasters that this State is currently facing and will face into the future. I commend the amendments to the Committee.

The Hon. PETER POULOS (15:07): I thank Ms Cate Faehrmann for her observations. The Government supports The Greens amendments Nos 12 and 14 on sheet c2022-234G. The State disaster mitigation plan will be the key strategy document for outlining how to proactively plan for future natural disasters across the State. The plan will be reinforced and supported by disaster adaptation plans that outline details on the implementation of priority actions at the more local and subregional levels. The Government supports The Greens' proposed amendments Nos 12 and 14 to embed the assessment and consideration of the impacts of climate change on disasters in the preparation of the State disaster mitigation plan and disaster adaptation plans.

The Hon. PENNY SHARPE (15:07): I indicate that Labor also supports the amendments. They will ensure that climate change impacts are acknowledged and incorporated into the key documents that the authority will have to develop and consult on with both communities and agencies. As I have said a number of times in this debate, we are here because climate change is real. This is one of what I suspect will be many bills into the future that deal with the adaptations we will have to make, which lends itself to the more urgent need to take action to try to turn it around. These are important amendments, and Labor is happy to support them.

Mr JUSTIN FIELD (15:08): I support the amendments and welcome the support of the Government and the Opposition. I will not seek to move it or disrupt the flow of the debate, but I highlight my amendment No. 1 on sheet c2022-240A because the Government may want to respond, and we can avoid needing to move the amendment down the track. The amendment raises a question—I understand that approximately \$93 million was set aside in the budget for this work and I ask the Government to respond; it can decide how to respond to it—how do the climate adaptation action plans foreshadowed in that strategy differ from the disaster adaptation plans that are flagged in the bill that empower the authority to do this work? It seems to me that there may be a plan to subsume the climate adaptation strategy and plans into the work of this body and in that way take up the \$93 million. I am not sure whether the bill would empower this authority to do the work that is foreshadowed in the climate adaptation strategy.

Either we have a big overlap or a substantial gap. The Government flagged this important work. Minister Matt Kean made a real virtue out of saying that the Government is taking climate change seriously and planning to get us to net zero, and a big part of that is adaptation. How will the Government bring those two things together in a strategic and coordinated way that enables this body to make decisions based on good planning around climate adaptation, which is similar but distinct from disaster adaptation? I ask the Minister to foreshadow this. I would not stand in the way of these amendments. However, it would make sense to ensure that, in doing this work on the State's disaster mitigation plans and in acknowledging the impacts of climate change on disasters, there be some way of incorporating the work that has already been done and the work that is intended to be done on adaptation planning.

The CHAIR (The Hon. Wes Fang): Mr Field, I invite you to move your amendment. I believe the Government can provide a response to you if you move it and then members can speak to it as well.

Mr JUSTIN FIELD: Mr Chair, I can do that. I appreciate there is willingness from all parties to support The Greens amendments, and I do not want to make that more complicated.

The CHAIR (The Hon. Wes Fang): You can still move it.

Mr JUSTIN FIELD (15:11): Thank you for that advice. I move Independent amendment No. 1 on sheet c2022-240A:

No. 1 Disaster adaptation plans

Page 15, clause 36(2). Insert after line 25—

- (a1) be developed having regard to the NSW Government's NSW Climate Change Adaptation Strategy, as in force from time to time, and any climate adaptation action plans made under that Strategy, and

I stand by my earlier contribution for the rationale.

The Hon. PETER POULOS (15:12): I respond to Mr Field's observations relating to sheet c2022-240A and his reference point. We will not be supporting that aspect of his proposed amendments. The State disaster mitigation plan will be reinforced and supported by disaster adaptation plans outlining details on the implementation of priority actions at the more local and subregional level. We acknowledge that understanding how climate change will impact on those disasters at different scales is a key component of modelling and prediction, which will help us determine the expected frequency and magnitude of disasters into the future. That is why the Government has supported The Greens amendments Nos 12 and 14: to embed the assessment and consideration of the impacts of climate change on disasters in the preparation of the State disaster mitigation plan and disaster adaptation plans. For those reasons we will not be supporting Mr Field's amendment.

Ms CATE FAEHRMANN (15:13): The Greens support Mr Field's amendment. The Minister's second reading speech highlights that it is like the Government was trying to do everything with the bill but not mention climate change—the elephant in the room—which is the reason the bill was introduced in the first place. It is extraordinary to not agree that the bill would be improved by it requiring that the disaster adaptation plans be developed, having regard to the NSW Climate Change Adaptation Strategy. That makes perfect sense. I thank the Government and the Opposition for supporting my amendments, but this amendment is sensible too and only strengthens the requirement for the Government to take climate change into consideration.

Mr JUSTIN FIELD (15:14): I appreciate that the Parliamentary Secretary is somewhat reliant on advice coming from the Minister's office. But I note that he did not answer my question. What is happening with the money? I know they are listening and watching. Send the Minister a note. What is the Government doing with the \$100 million? How will it fit into the work? I can see what could happen. This could get all the attention. Obviously there is a need. The impact is in the community right now, but this is a huge bucket of money. It is supposed to be put towards coordinating this longer term thinking on climate adaptation. Central to that and the reason a lot of money was put towards it is understanding how climate-related disasters will impact communities and industries, and assisting in adaptation.

Clearly, there will be a crossover. It would be good to know where things sit not just in terms of the strategy but also in terms of that money. Is it a fact that the Government just forgot to announce it? It was a good idea at the time. Obviously disasters have been rolling over the past few years. I understand the need to address what is going on right now, but in my view it looks like a pretty substantial oversight by this Government in its coordination around thinking on climate.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendments Nos 12 and 14 on sheet c2022-234G. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Wes Fang): Mr Justin Field has moved amendment No. 1 on sheet c2022-240A. The question is that the amendment be agreed to.

Amendment negatived.

Mr JUSTIN FIELD (15:17): By leave: I am delighted to move Independent amendments Nos 1 and 2 on sheet c2022-237 in globo:

No. 1 Clearing native vegetation and environmental impact

Page 6, clause 12, line 28. Omit "appropriate in the circumstances, or". Insert instead—

appropriate in the circumstances, and

- (iv) the development will not involve clearing native vegetation or will involve clearing native vegetation only to the minimum extent necessary, or

No. 2 Clearing native vegetation and environmental impact

Page 6, clause 12, line 39. Omit "circumstances.". Insert instead—

circumstances, and

- (iv) the development will not involve clearing native vegetation or will involve clearing native vegetation only to the minimum extent necessary.

This issue was raised in my contribution to the second reading debate. I will not go into it in more detail other than to remind people of some Government members' responses to the fires. They were reactive in nature and sought to blame native vegetation and forests in a way that had no scientific basis. Their comments were thoroughly pulled apart by the bushfire inquiry. The transport Minister at the time wanted to see every highway with 40-metre clearings on each side and issued an order for his agency to do that work, which clearly was an unlawful order. The Government is now creating legislation that would make that order lawful.

There are concerns about the bill's potential to enable the Minister for Planning to jump straight into national parks and other protected areas. We saw that the Government was quick to act to allow private landholders to clear their boundaries, with little scientific basis, arguing that this would provide fire mitigation, which was not backed by science. My amendments go to that point. If the Government provides those extraordinary powers, there needs to be some check on them. It is a modification of some of the amendments moved by Ms Cate Faehrmann and is somewhat narrower. I sense there may be some support for this, which I appreciate.

It makes sense to authorise clearing of vegetation only to the minimum extent necessary for development associated with assisting communities to respond to and adapt to disasters, because we know that the protection of native vegetation is fundamental to carbon sequestration and mitigation of climate change. One of the real benefits of native vegetation and mature forests is their water-carrying capacity and their ability to mitigate flood and flood impacts. So it makes absolute sense for an authority charged with this to minimise to the greatest extent possible the clearing of native vegetation. I commend the amendments to the Committee.

The CHAIR (The Hon. Wes Fang): For the information of members, Mr Justin Field's amendments Nos 1 and 2 on sheet c2022-237 are of a similar nature to The Greens amendments Nos 5 and 6 on sheet c2022-234G. With that in mind, before I call other speakers, I offer Ms Cate Faehrmann the opportunity to foreshadow those two amendments or move them, so they can be debated in turn, or to indicate that she does not intend to move them.

Ms CATE FAEHRMANN (15:20): I will not move The Greens amendments Nos 5 and 6 on sheet c2022-234G.

The Hon. PETER POULOS (15:20): I acknowledge Ms Cate Faehrmann's response that those amendments will not be moved. The Government supports Mr Justin Field's amendments Nos 1 and 2 on sheet c2022-237. Clearing native vegetation will be a last resort in any of the authority's undertakings. However, if it needs to be carried out in order to protect life and property, it will be done to the minimum extent necessary. Therefore, the Government supports the amendments.

The Hon. PENNY SHARPE (15:21): Labor also supports the amendments. This is a very challenging bill. I have previously made the point—and I will make it again here—that in trying to respond to the disasters that are facing our communities, we cannot throw absolutely everything out. The impact on the environment can be substantial. After the bushfires, the previous member for Bega, the Hon. Andrew Constance, had the ridiculous notion that there needed to be a half-kilometre-wide felling of every tree along every road and fire track in the State. Luckily, he was not allowed to do that.

I note Mr Justin Field's comments in relation to this and the concerns that are held by the community. Labor supports the amendments because they make clear the intention that the NSW Reconstruction Authority's use of the powers contained in the bill should be rare, proportionate and a last resort. The amendments make that clear when it comes to the environmental impact of clearing native vegetation. Labor is pleased to support the amendments.

Ms CATE FAEHRMANN (15:23): The Greens support the amendments. As the mover indicated, they are based on stronger amendments that The Greens had put forward. The Greens recognise that the amendments before us have the support to pass, and that is a good thing. There are stark, glaring omissions in the checks and balances in the bill. Including a requirement that development will not involve clearing native vegetation, or that it will involve clearing native vegetation only to the minimum extent necessary, will be of some comfort.

The Greens will move other amendments—which I will speak to then—that, obviously, would go a lot further than that if they were supported. I still have concerns about what this could mean in practice in circumstances where there is a likely disaster—for example, in the Central West at the moment, where almost half the State is impacted by floods—without tighter prohibitions around clearing of national parks, stock routes and reserves. But if these amendments are agreed to, that is good; it is better than nothing.

The CHAIR (The Hon. Wes Fang): Mr Justin Field has moved amendments Nos 1 and 2 on sheet c2022-237. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Wes Fang): There are still amendments to be moved on sheets c2022-237G, c2022-239A, c2022-238C and c2022-241.

Mr JUSTIN FIELD (15:25): I will not move my amendments on sheets c2022-239A or c2022-238C. For the benefit of the Committee, they are largely superseded by the amendments on sheet c2022-241.

The CHAIR (The Hon. Wes Fang): From this point, I am happy for members to move amendments as they choose.

Ms CATE FAEHRMANN (15:26): By leave: I move The Greens amendments Nos 3, 4, 13 and 15 on sheet c2022-234G in globo:

No. 3 Authority's functions

Page 5, clause 10(1)(j), line 20. Insert "climate" before "disaster risks".

No. 4 Authority's functions

Page 5, clause 10(1). Insert after line 32—

- (o1) to carry out climate modelling, including the impact of projected climate change on disasters,

No. 13 State disaster mitigation plan

Page 14, clause 31(2). Insert after line 17—

- (b1) a requirement that—

- (i) all steps are taken to ensure the potential strategies and actions mentioned in paragraph (a) do not have significant impacts on the environment or significantly worsen the impacts of climate change, and
- (ii) all reasonable steps are taken to maintain the current structure of affected communities,

No. 15 Climate change impacts—disaster adaptation plans

Page 15, clause 36(2)(b). Insert after line 35—

- (va) a requirement that—

- (A) all steps are taken to ensure the potential strategies and actions mentioned in subparagraph (ii) do not have significant impacts on the environment or significantly worsen the impacts of climate change, and
- (B) all reasonable steps are taken to maintain the current structure of affected communities,

The Greens amendments Nos 3 and 4 add "climate" to the NSW Reconstruction Authority's functions and the requirement for the authority to carry out climate modelling, including the projected impact of climate change on disasters. In my contribution to the second reading debate, I spoke about the authority's functions, part of which is to carry out flood modelling. Therefore, it would seem wise to ensure that part of the authority's functions is to carry out climate modelling. It is a big gap in the functions of the authority that it does not do that. I note that the bill has been amended in this place today to include climate change in some of its remit. That is a good thing, but this goes further by requiring it in the description of the functions of the authority.

These amendments also ensure that actions taken by the authority do not worsen the impacts of climate change—for example, engaging in broad-scale clearing or developments that unnecessarily produce large amounts of carbon emissions that, while potentially mitigating the impact of disasters in the short-term, we know will contribute to the climate crisis. We also spoke about the need to work with and restore nature to ensure that we have the healthy ecosystems that are essential to communities surviving some of the worst of the disasters that will be upon us. I commend the amendments to the Committee.

The Hon. PETER POULOS (15:29): The Government does not support Greens amendments Nos 3, 4, 13 and 15 on sheet c2022-234G. I will make some comments later about amendments Nos 3 and 4 because commentary on those is quite similar to commentary on other proposed amendments. I focus my remarks on

amendments Nos 13 and 15. The bill provides for the development of disaster adaptation plans that focus on the strategic link between planning at the State level through the State disaster mitigation plan and on-the-ground actions that can be taken at the local level. The bill's provisions are not intended to be an exhaustive list of the matters that should be considered when preparing plans. More detailed content requirements of disaster adaptation plans will be prescribed by regulation and through the application of guidelines that are enabled by clause 37 of the bill. For those reasons, the Government considers amendments Nos 13 and 15 unnecessary and does not support them.

The Hon. PENNY SHARPE (15:30): I understand what The Greens are trying to achieve by the amendments. I am not unsympathetic, but we need to understand the purpose of the bill and the other climate change adaptation work that is occurring across government. There are other plans and work is already being undertaken on modelling and a range of issues. I have views about how well and how transparently that is being done. I flag that one thing that the Labor Party is taking to the election is legislating climate change emission reduction targets and, importantly, setting up a net-zero commission. Labor considers work should be done that way, not through a reconstruction authority. There is some scope creep and misunderstanding about how to pull everything together. I say that with respect.

I understand what The Greens are trying to do. However, Labor does not support the amendments because this bill is not the appropriate place for them. Other work that is underway within government should deal with modelling of disaster risk, managing adaptation and a range of other issues. The bill deals with a separate issue: the role of a reconstruction authority after a disaster has occurred to address the immediate need to support the community, to get people back on their feet and to do mitigation work so that it does not happen again. This is the immediate crisis part of it. The work that The Greens are trying to do by way of their amendments is well-intentioned but this bill is not the right place for it. For those reasons, Labor does not support the amendments.

Mr JUSTIN FIELD (15:32): I pick up on the point made by the Hon. Penny Sharpe, which I understand. I also understand why The Greens have moved their amendments. The reason is that the Government has made a conflation in the bill. The new body is called a reconstruction authority, but a substantial element of its powers, via the Minister and with the concurrence of the Premier, is the declaration of disaster prevention areas. I will discuss disaster prevention areas in a lot more detail when I move one of my amendments. The bill provides extraordinary scope for an area to be declared a disaster prevention area, irrespective of whether a disaster is imminent or even close on the horizon. The Premier and the Minister could consider that development in any part of the State is necessary to help prevent or mitigate against potential disasters in the community. That could apply to almost anything. It seems like the new body is being set up to deal with an extraordinary range of things.

The point is that this is all about climate, so maybe it should do the climate work as well. Fundamentally, I agree with the Leader of the Opposition, but that is because the Government has made an unnecessary conflation. I have pushed for clarity about the scope of disaster prevention areas. There is a key crossover or near conflation of disasters, climate and adaptation. It is all part of the same confusing message about what the bill is trying to do. That is unfortunate because there is broad acceptance that communities need a more coordinated strategy to respond to the immediate effect of disasters, but they also need help to adapt in the future.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendments Nos 3, 4, 13 and 15 on sheet c2022-234G. The question is that the amendments be agreed to.

Amendments negatived.

Ms CATE FAEHRMANN (15:34): By leave: I move The Greens amendments Nos 8 and 10 on sheet c2022-234G in globo:

No. 8 Concurrence from National Parks and Wildlife Service

Page 7, clause 12. Insert before line 15—

- (4B) If the head of the National Parks and Wildlife Service advises the Authority that the head of the Service reasonably believes development on specified land will have a significant or unnecessary environmental impact on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, the Authority must not carry out development on the specified land.

No. 10 Clearing native vegetation—consequential amendment

Page 7, clause 12. Insert after line 33—

- (9) In this section—

clearing, in relation to native vegetation, has the same meaning as in the Local Land Services Act 2013, Part 5A.

As I flagged in my contribution to the second reading debate, the powers conferred by the bill would allow, potentially, for broadscale development in the national parks estate. There is nothing stopping that. Such powers

have never been seen in the New South Wales since the national parks system was established. To be honest, I hope that such powers are not intended, but the bill does allow for them. Amendment No. 8 would ensure that if the head of the National Parks and Wildlife Service advises the authority that they reasonably believe that development on specified land will have a significant or unnecessary environmental impact on land that is part of the national parks estate under the National Parks and Wildlife Act 1974, the authority must not carry out development on the specified land. Amendment No. 10 simply clarifies that "clearing" in the bill carries the same definition as in the Local Land Services Act 2013.

The Hon. PETER POULOS (15:35): The Government does not support The Greens amendments Nos 8 and 10. I will specify our response when several other amendments that are closely aligned are considered. In relation to amendment No. 8, the definition of "disaster" and "event" in the bill are robust. We do not support changes to workable definitions. Equally, reference to "climate" and specifically calling out climate modelling and its impacts are not supported. Concurrence from the head of national parks is duplicative of the current requirement in the bill to consult the Minister administering the Act. For those reasons, the Government does not support The Greens amendments Nos 8 and 10.

The Hon. PENNY SHARPE (15:36): Labor has given a lot of thought to concurrence. We need to define the fear, which is gross overreach that undermines the hard fought-for protected areas of this State, which are supposed to have the highest level of protection. The concern that those areas will be opened up in any way to development under the bill is a reasonable one, which Labor shares. If Labor were in government, we would not agree to that. The community's lack of trust in how the Government has dealt with planning matters and a range of other issues over 12 years has, in part, led to the concern.

Labor was involved in the drafting of the bill. We have looked at the Queensland model. We have listened carefully to communities' concerns with government agencies' responses. The National Parks and Wildlife Service has not featured heavily in those concerns. We are supporting the bill on the basis that we cannot keep doing the same thing over and over again and failing communities. The bill is attempting to do things differently. It is trying to get fast action and to set up a regime that would be used rarely, would be proportionate and would hopefully provide the necessary support to deal with the disasters of which we are all aware. The bill contains a provision for consultation with the Minister who administers the Act. That is different to concurrence.

The issue with formal concurrence is that it is quite a long and lengthy process. Those of us who have been in this place for a while would remember the dramas we have had around private native forestry, water and land clearing. Concurrence is serious and very process driven. Within government internally, it can take a long time. That is why it is challenging when we are trying to set up an authority that is able to move quickly, in real time, at the time and during recovery. We believe that the consultation mechanism is the important one. We are willing to give that a try.

Again, I point to the fact we have a joint oversight committee. We believe that the issue will need to be dealt with very carefully. Labor is not interested in chopping up our national parks or in seeing inappropriate development or gratuitous use of disaster fears to undermine our protected areas. We have thought about the issues a lot. Given the context of the bill—rare, proportionate and immediate—we will not support the amendment, but will be watching the operation of the legislation closely in the future. It is not a disagreement about what needs to happen; it is about whether concurrence will deliver, if needed—we are not consenting that it will be needed—into the future.

Mr JUSTIN FIELD (15:40): I make a couple of points. I support the amendments. First, in response to the Leader of the Opposition and the Government, the reality is that the disaster prevention areas are not time bound in the bill as it currently stands. That has been acknowledged to me by the Government. And it can apply to any land. We have seen the degree to which environment Ministers in this State get rolled when a junior Minister jumps up and down in Cabinet. A consult does not make a great deal of difference. I agree that the concurrence process is not going to suit an emergency situation, and probably has some limitations in the recovery stages as well. But it is not unreasonable if we are talking about potential development in disaster prevention areas. The unnecessary conflation and lack of clarity around the breadth of the disaster prevention areas is a reason for significant concern about how the bill could impact on protected areas.

The second point is that my community on the South Coast was devastated when Endeavour Energy was given carte blanche, it seemed, to go along every fire-affected powerline and chop down every tree that they deemed to be unsafe because it could have the potential, at some stage in the future, to fall on a powerline. That process cut straight into Conjola National Park in a big way, where there was almost nothing left. It was one of the worst-affected national parks. In trying to engage with the environment Minister's office at the time, it felt like a cookie-cutter process. Everything was allowed to happen. At the end of the day, no-one felt that they could make the argument that Endeavour Energy could not do that because it was an outcome from an emergency. It had a

profound psychological impact when there was not a fair process. There was no consultation; there was no awareness.

I spent a lot of time facilitating community discussions so that at least Endeavour could explain to the community what happened. That would have avoided people finding out as they were driving home that the bush they had just watched burn—and the animals that they had been trying to recover—had all of a sudden been chopped down for seemingly no reason. The disaster had already struck. I know how in practice this sort of stuff gets utilised. It is made worse when it is in national parks because people have the expectation that that has some meaning, carriage and importance. But Governments have shown they do not respect that in some ways. It seems too easy, too often, for disasters to be used as an excuse to do what I bet some infrastructure operators have wanted to do for a long time. I think that is the concern. Those emergencies get used to deal with challenges in government around the interaction and points of conflict between infrastructure, communities and protected areas. These sorts of bills give tremendous power to one side over the other, which is why I support the amendments.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendments Nos 8 and 10 on sheet c2022-234G. The question is that the amendments be agreed to.

Amendments negatived.

Ms CATE FAEHRMANN (15:44): By leave: I move The Greens amendments Nos 2, 7, 9, 11, 16 to 20 and 22 to 24 on sheet c2022-234G in globo:

No. 2 Meaning of "disaster" and "event"

Page 3, clause 6, lines 7–20. Omit all words on the lines—

- (1) In this Act, a *disaster* means a serious disruption in a community, caused by the impact of an event, that requires a significant coordinated response by the State and other entities to help the community recover from the disruption.
- (2) In this section—
serious disruption means—
 - (a) loss of human life or illness or injury to humans, or
 - (b) widespread or severe property loss or damage, or
 - (c) widespread or severe damage to the environment.

6A Meaning of "event"

- (1) In this Act, an *event* means any of the following—
 - (a) a cyclone, earthquake, flood, storm, storm tide, tornado, tsunami, volcanic eruption or other natural happening,
 - (b) an explosion or fire,
 - (c) a chemical, fuel or oil spill or a gas leak,
 - (d) an infestation, plague or epidemic,
Example— a prevalence of foot-and-mouth disease
 - (e) a failure of, or disruption to, an essential service or infrastructure,
 - (f) an attack against the State,
 - (g) another event similar to an event mentioned in paragraphs (a)–(f).
- (2) An event may be natural or caused by human acts or omissions.

No. 7 Concurrence from Minister for Environment

Page 7, clause 12. Insert after line 14—

- (4A) If development on specified land will impact on any of the following, the development may be carried out only with the concurrence of the Minister who administers the *National Parks and Wildlife Act 1974*—
 - (a) a threatened species within the meaning of the *Biodiversity Conservation Act 2016*,
 - (b) an endangered ecological community within the meaning of the *Biodiversity Conservation Act 2016*,
 - (c) an area of outstanding biodiversity value within the meaning of the *Biodiversity Conservation Act 2016*.

No. 9 Forbidding development in certain areas and in certain circumstances

Page 7, clause 12. Insert after line 29—

(7A) Development may not be carried out under this section—

- (a) on land that is—
 - (i) part of the national park estate under the *National Parks and Wildlife Act 1974*, or
 - (ii) Crown land subject to a native title claim under the *Native Title Act 1993* of the Commonwealth, or
 - (iii) land subject to exclusive native title possession under the *Native Title Act 1993* of the Commonwealth, or
 - (iv) land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
 - (v) a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
 - (vi) a flora reserve or special management zone under the *Forestry Act 2012*, or
- (b) in an aquatic reserve under the *Fisheries Management Act 1994*, or
- (c) in a marine park under the *Marine Estate Management Act 2014*, or
- (d) if the development will clear any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (i) the habitat of threatened species,
 - (ii) an endangered ecological community,
 - (iii) an area of outstanding biodiversity value.

No. 11 **Membership of Advisory Board**

Page 12, clause 26. Insert after line 38—

- (4A) A person may not be nominated as a member of the Advisory Board if the person—
 - (a) is a property developer within the meaning of the *Electoral Funding Act 2018*, section 53, or
 - (b) has other commercial interests that would create a real or perceived conflict of interest with holding the office of a member.

No. 16 **Declared projects**

Page 17, clause 39(2)(c)(iii), line 15. Omit "community." Insert instead—

community, and

- (d) the Minister is satisfied—
 - (i) the project will not be carried out—
 - (A) on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, or
 - (B) on land that is Crown land subject to a native title claim under the *Native Title Act 1993* of the Commonwealth, or
 - (C) on land subject to exclusive native title possession under the *Native Title Act 1993* of the Commonwealth, or
 - (D) on land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
 - (E) on land that is a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
 - (F) in a flora reserve or special management zone under the *Forestry Act 2012*, or
 - (G) in an aquatic reserve under the *Fisheries Management Act 1994*, or
 - (H) in a marine park under the *Marine Estate Management Act 2014*, or
 - (ii) the project will not involve clearing any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (A) the habitat of threatened species,
 - (B) an endangered ecological community,
 - (C) an area of outstanding biodiversity value.

No. 17 **Reconstruction areas**

Page 17, clause 40(2)(c)(iii), line 32. Omit "community." Insert instead—

community, and

- (d) the Minister is satisfied—

- (i) the declaration will not result in development being carried out—
 - (A) on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, or
 - (B) on land that is Crown land subject to a native title claim under the *Native Title Act 1993 of the Commonwealth*, or
 - (C) on land subject to exclusive native title possession under the *Native Title Act 1993 of the Commonwealth*, or
 - (D) on land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
 - (E) on land that is a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
 - (F) in a flora reserve or special management zone under the *Forestry Act 2012*, or
 - (G) in an aquatic reserve under the *Fisheries Management Act 1994*, or
 - (H) in a marine park under the *Marine Estate Management Act 2014*, or
- (ii) the declaration will not result in development that involves clearing any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (A) the habitat of threatened species,
 - (B) an endangered ecological community,
 - (C) an area of outstanding biodiversity value.

No. 18 Disaster prevention areas

Page 18, clause 41(2)(c), line 2. Omit "community." Insert instead—

community, and

- (d) the Minister is satisfied—
 - (i) the declaration will not result in development being carried out—
 - (A) on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, or
 - (B) on land that is Crown land subject to a native title claim under the *Native Title Act 1993 of the Commonwealth*, or
 - (C) on land subject to exclusive native title possession under the *Native Title Act 1993 of the Commonwealth*, or
 - (D) on land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
 - (E) on land that is a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
 - (F) in a flora reserve or special management zone under the *Forestry Act 2012*, or
 - (G) in an aquatic reserve under the *Fisheries Management Act 1994*, or
 - (H) in a marine park under the *Marine Estate Management Act 2014*, or
 - (ii) the declaration will not result in development that involves clearing any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (A) the habitat of threatened species,
 - (B) an endangered ecological community,
 - (C) an area of outstanding biodiversity value.

No. 19 Concurrence from Minister for Environment—projects

Page 26, clause 65(5), line 22. Omit "consult with." Insert instead "have the concurrence of".

No. 20 Concurrence from Minister responsible for SOC etc—projects

Page 26, clause 65(6), line 26. Omit "consult with." Insert instead "have the concurrence of".

No. 22 Ministerial authorisations

Page 28, clause 68(3), line 9. Omit "disaster". Insert instead—

disaster, and

- (d) the Minister is satisfied—
 - (i) the authorisation will not result in development being carried out—

- (A) on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, or
- (B) on land that is Crown land subject to a native title claim under the *Native Title Act 1993* of the Commonwealth, or
- (C) on land subject to exclusive native title possession under the *Native Title Act 1993* of the Commonwealth, or
- (D) on land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
- (E) on land that is a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
- (G) a flora reserve or special management zone under the *Forestry Act 2012*, or
- (F) in an aquatic reserve under the *Fisheries Management Act 1994*, or
- (H) in a marine park under the *Marine Estate Management Act 2014*, or
- (ii) the authorisation will not result in development that involves clearing any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (A) the habitat of threatened species,
 - (B) an endangered ecological community,
 - (C) an area of outstanding biodiversity value.

No. 23 Ministerial authorisations

Page 28, clause 68(4), line 16. Omit "circumstances.". Insert instead—

circumstances, and

- (d) the Minister is satisfied—
 - (i) the authorisation will not result in development being carried out—
 - (A) on land that is part of the national park estate under the *National Parks and Wildlife Act 1974*, or
 - (B) on land that is Crown land subject to a native title claim under the *Native Title Act 1993* of the Commonwealth, or
 - (C) on land subject to exclusive native title possession under the *Native Title Act 1993* of the Commonwealth, or
 - (D) on land owned or claimed under the *Aboriginal Land Rights Act 1983*, or
 - (E) on land that is a travelling stock reserve within the meaning of the *Local Land Services Act 2013*, or
 - (F) in a flora reserve or special management zone under the *Forestry Act 2012*, or
 - (G) in an aquatic reserve under the *Fisheries Management Act 1994*, or
 - (H) in a marine park under the *Marine Estate Management Act 2014*, or
 - (ii) the authorisation will not result in development that involves clearing any of the following, within the meaning of the *Biodiversity Conservation Act 2016*—
 - (A) the habitat of threatened species,
 - (B) an endangered ecological community,
 - (C) an area of outstanding biodiversity value.

No. 24 Definition of event

Page 45, proposed Schedule 4. Insert after line 19—

event—see section 6A.

I note that I will not move amendment No. 21. The Greens amendment No. 2 introduces the definition of "disaster" as per section 13 of the Queensland Disaster Management Act 2003, which builds in the threshold of "serious disruption". The current definition of disaster in the bill before us is incredibly broad. Coupled with the unprecedented powers in the bill that we have talked about, we believe it is a recipe for gross government overreach. We understand that many of the powers and functions of the authority may be necessary in the face of disasters, but we want to ensure that the definition of disaster is more narrow and contains a threshold trigger.

It is unclear under the current definition if, for example, a minor incident of flooding fire could be used to trigger the powers in the bill. The amendment would create a threshold that a disaster is a serious disruption in a community, caused by the impact of an event that requires a significant coordinated response by the State and

other entities to help the community recover from destruction. It will ensure that the authority's powers can only be triggered in the case of a serious disaster. It creates a safety measure to limit the potential for abuse, frankly, by a future government or Minister.

Amendment No. 11 refers to the membership of the advisory board. This amendment ensures that property developers and persons with commercial interests that would create a conflict of interest cannot be members of the advisory board. Given the powers in the bill to construct almost anything anywhere in the State, it is important that those with developer or property interests are not able to sway decisions in any way and that decisions are made in the public interest. Amendments Nos 19 and 20 refer to concurrence.

Under clause 65 of the bill in its current form, the Minister is required to consult with a relevant portfolio Minister, voting shareholder or chairperson of a State-owned corporation before making a project authorisation order that declares the authority to be responsible for a project being carried out by, or that involves, that State-owned corporation. However, those consultations would have no tangible effect on the decision of the authority, leaving State-owned corporations powerless to the whims of the CEO and the planning Minister. The amendments would introduce a requirement for concurrence from those State-owned corporations.

Finally, amendments Nos 7, 9, 16, 17, 18, 23 and 24 deal with protected areas. The National Parks Association, which I mentioned in my second reading debate contribution, and the Nature Conservation Council have expressed overwhelming concern to us about the ability for the bill to develop on and clear national parks estate. The amendments restrict the powers within the bill from applying to particular protected areas, including national parks estate under the National Parks and Wildlife Act 1974. It includes aquatic reserves under the Fisheries Management Act 1994 or a marine park under the Marine Estate Management Act 2014, as well as flora reserves and special management zones under the Forestry Act 2012.

In its current form, the bill would give the CEO of the authority incredible powers to engage in development in what are currently highly protected environmental areas. I cannot think of, and it has not been put to me yet, any significant reason why development or clearing should occur in those protected areas with no protections whatsoever. Again, in the hands of the wrong government or wrong Minister, those powers could wreak catastrophic damage in some of our most precious places.

I touch on the issue of Aboriginal lands. I know that a number of members in this place—Government, Opposition, as well as The Greens and others—were contacted by stakeholders, who are incredibly concerned about what the bill does. The categories of lands protected under The Greens amendments also include Crown land subject to a native title claim or land subject to exclusive native title possession under the Native Title Act 1993 (Cth), and land owned or claimed under the Aboriginal Land Rights Act 1983. While the Aboriginal Land Rights Act 1983 states that land vested in an Aboriginal land council must not be appropriated or resumed, except by an Act of Parliament, part 5, clause (39) (4) of the bill grants the power to declare that an Act does not apply, which overrides the protection in the Aboriginal Land Rights Act.

The restriction on national parks estate will also include Aboriginal areas and other national parks estate that is jointly managed with traditional owners. A number of stakeholders, including NTSCORP, the native title service provider, have contacted my office to express their deep concerns about the Government introducing powers to simply acquire different forms of Aboriginal land. Even worse, they have had no consultation or assurances about how those powers would work and no assurances to allay the concerns they have expressed. I thank them for providing advice to my office on the bill.

The climate crisis and increased disasters that come with it are a direct result of colonialism. I reference Jacob Miller from my office, who has done outstanding work on pulling together the amendments. He has had conversations with those stakeholders. They have talked to him about how the climate crisis and the increased disasters that are coming with it are a direct result of colonialism. The bill before us today is using the climate crisis to justify introducing what are truly colonialist powers to yet again take away land from traditional owners, who have lived here for more than 60,000 years. That is how they view the bill.

Further amendments will prevent any development occurring that would result in the clearing of threatened species habitat, ecologically endangered communities or areas of outstanding biodiversity. The amendments also require concurrence from the Minister for Environment and Heritage if development will impact a threatened species habitat, ecologically endangered communities or areas of outstanding biodiversity. I cannot see why the Opposition or Government would not support this amendment. It is not about stopping the reconstruction authority in its tracks. If there was a disaster and there was nothing else to be done to save a particular community but clear threatened species habitat, we would get the concurrence of the environment Minister to clear the land. The amendments will not stop the work of the reconstruction authority, but they will put the brakes on, yet again, the potential for a future Minister administering this Act, and all of us in this place might not like the thought of them having such extreme control.

I can see what the Government is trying to do. I can see where the amendments came from, after the terrible devastation in the north of the State and the reconstruction that has occurred there, as well as what the Queensland Reconstruction Authority has done and the need to establish a body to pull it all together. But this bill was an opportunity to guarantee that checks and balances were in place so that the work the authority does is not at the expense of Aboriginal cultural heritage, threatened species habitat and our national parks. Some of the amendments have been well thought through in consultation with the experts in the space, such as the native title service and Aboriginal lawyers. They have said that the amendments are really good. I am thankful they have been moved. Let's hope we can get them through.

It is extremely disappointing that in this place today we have heard, yet again, the Opposition's argument that they will improve it when they get into government. This is the moment. I understand that Reverend the Hon. Fred Nile will support the amendments because they improve the bill so that it does not have the potential to destroy Aboriginal cultural heritage or to take land away from traditional owners. But what does that mean? It means that all of the amendments I have moved could potentially be passed in this place today, which could significantly improve the bill. We could significantly improve the bill to the point that we need the concurrence of the environment Minister, before threatened species habitat is destroyed. We could ensure that the bill is improved so that Aboriginal land is not taken away from its traditional owners. Unfortunately, we do not have support from the Opposition. It is a pity. The Opposition does not support those very sensible amendments. If it did, the amendments would be passed in just a few moments.

The Hon. BEN FRANKLIN (Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism) (15:57): It is not my intention to speak specifically on the amendments in detail. My colleague and friend the Hon. Peter Poulos is doing a sterling job and he shall continue to do so forthwith. However, I intend to give some overarching commentary about the Government's position on the issues regarding Aboriginal people that Ms Cate Faehrmann has raised today. I think it is very important that, as the Minister for Aboriginal Affairs not only in this place but in this State, I put on record what I know the bill is about but, more importantly, what it is not about. I have three points to make. Firstly, the bill is not about taking away land from traditional owners in this State. Building this up as a significant issue takes away from where the focus and the fundamental thrust of the bill is and should be—that is, ensuring that we have processes appropriately structured to deal with these most extraordinary events as a State and as a nation.

Secondly, I say publicly and on record that there is no intention under the bill to compulsorily acquire land from Aboriginal people. Because it is not about that. The third point is that I, as the Minister for Aboriginal Affairs in this State—and, in fact, any future Minister for Aboriginal Affairs in this State—would expect to be consulted on any proposal that impacts Aboriginal people in this State and to have the opportunity to provide, as is my role, a full defence and advocacy for Aboriginal people, whether it is on Aboriginal cultural heritage or traditional ownership of lands. I hope that gives members some comfort. Those comments are now on record. This has never been the intention of the bill. I would, frankly, hope that the House would be able to see the bill for what it is.

The Hon. PETER POULOS (16:00): I take the opportunity to acknowledge the contribution of the Minister for Aboriginal Affairs, which helps clarify some of the points raised in debate on the amendments moved by Ms Cate Faehrmann, who I also sincerely thank for bundling her amendments together to help expedite their consideration. In summary, the Government opposes The Greens amendments. I will work through each amendment. I thank honourable members for their patience if I jump around a bit. I will endeavour as much as I can to outline how the Government's thinking has been shaped. In response to amendment No. 11, the advisory board has been designed to respond to the needs of the community at the time. Schedule 1 to the bill includes added checks and balances to ensure that the advisory board exercises its function in an aboveboard way, including through standard conflict-of-interest declarations and disclosure of pecuniary interests.

One of the purposes of the authority is post-disaster rebuilding. Not specifying the make-up or excluding individuals from the board will be important to ensure that persons with the appropriate skill sets can be appointed to the board when needed. For that reason, the Government opposes The Greens amendment No. 11. The Government similarly opposes The Greens amendment No. 20. Proposed section 65 (6) provides for consultation with the various Ministers responsible for various State-owned corporations. Further, the Minister highlighted in his second reading speech that memorandums of understanding [MOUs] will be entered into with various agencies and organisations, including State-owned corporations. Consultation was favoured over concurrence, primarily due to the speed of the response, which will be managed. Again, the Government will not accept any amendments that hamper the ability of the authority to respond to critical disasters in a timely manner.

The Greens amendment No. 2 intersects with some of the amendments that we have already addressed. Primarily, as I have mentioned, the definitions of "disaster" and "event" in the bill are robust. We do not support changes to workable definitions. Equally, references to "climate" and specifically "climate modelling" and its impacts are not supported. The Greens amendment No. 21 requiring consultation with the Minister administering

the Biodiversity Conservation Act is not supported. As I have mentioned and as outlined in the second reading speech in the other place, the authority will establish MOUs with all relevant agencies so they can work collaboratively. The Government opposes amendments Nos 16, 17 and 18. The legislation has safeguards for planning for and recognition of climate change and acknowledges the increased frequency and severity of disaster across our State. Proposed section 68 (4) highlights when certain powers in the bill will be used:

- (a) exceptional circumstances exist, and
- (b) immediate action is required to protect the safety and welfare of members of the public, and
- (c) no other mechanism—

in the Act is available. Labor Party amendments passed in the Legislative Assembly provide a joint select committee with the ability to review the operations of the authority regarding any disaster over which the authority exercises its functions. The remaining amendments proposed by The Greens include amendments Nos 7 and 9, and those that follow. I note that The Greens have not moved two of those remaining amendments. Provisions such as proposed section 65 (5) in the bill provide for consultation with the Minister responsible for the National Parks and Wildlife Act. For those reasons and consistent with previous responses I have outlined, the Government does not support The Greens amendments.

The Hon. PENNY SHARPE (16:06): I respond to one thing that Ms Cate Faehrmann said about the Opposition's response to these amendments in our general discussion. We are not saying that when we get into government somehow we will fix it. We have actually worked extremely hard and negotiated with the Government to establish the joint select committee, which will review the legislation 12 months after the authority is created. That is an important step. It is not about whether we are in government or not. The joint select committee gives the Parliament oversight of this authority. Not very many authorities have that sort of oversight. We do not think that it is token. We do not think that it is unimportant. In fact, we think it is essential. It is part of the reason we were willing to support the bill.

The joint select committee will be reconstituted after each use of the authority's power as a check on its power. I remind members that that power has only been used three times in Queensland. I go back, again, to the point that it should be rare and proportionate. But when it is used, it will be reviewed by a multi-partisan oversight committee of the Parliament—one of the most powerful oversight bodies, with all of the powers that come with committees. All members, particularly in this place, are very familiar with the use of those powers. We are not afraid to use them. This is not about Labor being in government or not being in government; this is about putting together a reconstruction authority that is going to deal with the disasters that are occurring. I do not want there to be particularly partisan politics in relation to this. This is about trying something new because the status quo is inadequate. That is why this is occurring.

I understand the deep concerns, particularly from Aboriginal people, in relation to any undermining of the land rights Act. That is a serious matter. To be frank, if I get on this committee—it sounds like I am volunteering at this point—it will be one of the things that we will absolutely have to deal with. It is a serious issue that has not had enough time to be aired properly. I completely accept that. But Labor's position is to look at that, and whether Labor is in government or in opposition has nothing to do with it. This is not a Labor, Liberal, Nationals or Greens issue; it is about how we set up government to be as responsible as possible to deal with the disasters that are coming as a result of climate change—the disasters that we have already lived over the past few years and that all of us frankly wish would just go away, but that are not going away any time soon.

I share the concerns about what will happen with the bill, but the position of Labor members is very clear. We believe we have put in place the oversight that will need to be used every time the powers are enacted. Let us be clear that it will not just be the odd review and then wait five years. Every time the powers are enacted, there will be a review by the Parliament and a report on that review. Labor will take that extremely seriously, and I believe that over time we will see changes to the bill as it is used and as we try to do something different in response to those disasters.

Mr JUSTIN FIELD (16:10): I will not speak to too many of the amendments. I understand the arguments as they have been laid out, and I appreciate the contribution from the Minister. But my reading of the bill is that it is so incredibly broad regarding the powers of the Minister, on the recommendation of the authority, to acquire any and all land that it deems to be necessary. I can conceive of a situation in a reconstruction environment where there are options for a reconstruction authority—whether it is moving people, providing additional space to make land swaps possible, creating temporary accommodation facilities or providing a staging area for a reconstruction effort. They will have to balance private lands, Crown lands and native title-controlled land. I wonder how it all gets balanced when there are no consultation requirements. The powers to acquire are so broad, including on a compulsory basis, and I wonder how those things will get teased out.

Maybe we do not know yet, maybe that stuff will have to be worked through by an authority and maybe they will ultimately get teased out through a committee inquiry when we see the powers being applied, but I certainly understand the very real concern of some people who feel like that amount of power has come about very quickly and with very little consultation with stakeholders. Maybe that is partly their fault or partly our fault. But when I saw the bill earlier in the week, I was surprised at the extent of the powers that it grants the Minister with very little consultation. The amendments come from that place.

I hear what has been said by the Opposition and the Government, and I am not sure how to balance all of that in weighing up the amendments. It goes to some of the points I was raising earlier in the week. They are difficult challenges, particularly when this place has only come to a consensus position that climate change is a problem in the past couple of years. We are living with the impacts of it now, and they will only get harder to deal with in the future. It will take some really creative thinking and collaboration to deal with that in a responsible way.

The CHAIR (The Hon. Wes Fang): Ms Cate Faehrmann has moved The Greens amendments Nos 2, 7, 9, 11, 16 to 20 and 22 to 24 on sheet c2022-234G. The question is that the amendments be agreed to.

The Committee divided.

Ayes7
Noes29
Majority.....22

AYES

Boyd (teller)
Faehrmann (teller)
Field

Higginson
Hurst

Nile
Pearson

NOES

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

Graham
Houssos
Jackson
MacDonald
Maclaren-Jones
Mallard
Martin
Mason-Cox
Mitchell
Mookhey

Moriarty
Poulos
Primrose
Rath
Roberts
Searle
Sharpe
Taylor
Veitch

Amendments negatived.

Mr JUSTIN FIELD (16:23): I move Independent amendment No. 1 on sheet c2022-241:

No. 1 **Disaster prevention areas**

Page 18, clause 41(2)(c), line 2. Omit "potential". Insert instead "imminent".

The amendment goes to the issue of the extraordinary powers in the bill to override the planning Act in New South Wales. To be really clear for members who may not have taken notice of the extraordinary powers that the bill confers on the planning Minister, the bill entirely switches off the provisions of the Environmental Planning and Assessment Act. In fact, there appears to be no limit on the sort of development that could be approved at the stroke of a pen by the Minister. There seems to be no limit on the extent of the proposal, including a proposal that would otherwise be State significant infrastructure requiring very detailed planning and assessment, and there seems to be no limit on where that development could occur in New South Wales.

Under proposed section 68, the planning Minister is authorised to undertake a development without the need for an approval under the Act. This applies under certain circumstances, but those circumstances are my concern. The authorisation may be given "in relation to a declared project, reconstruction area or disaster prevention area". This is a critical point. If we take note of the specifics in the bill, a disaster prevention area could be incredibly broad. There is no requirement for exceptional circumstances. There is no requirement for a disaster to be underway or even likely to be underway in a particular area. If the authority, via the Minister and the Premier, decides that an area is a disaster prevention area, that in and of itself empowers the Minister to authorise the undertaking of a particular development.

In the second reading debate, I raised the example of the Warragamba Dam. I do not for a moment expect that the planning Minister will just authorise the construction of the Warragamba Dam using the provisions of this bill but, to be clear, there is no prevention in the bill. The bill would allow for such a significant development to be undertaken should the Minister, with the concurrence of the Premier, declare the area around the dam to be a disaster prevention area.

Rather than such an extreme example, let us consider a levee around a particular town. Questions around levees are often incredibly controversial. They are raised from time to time and they are highly politicised. Often they must go through extraordinary degrees of community consultation and planning before they are even considered. But, particularly on councils, you will hear some voices arguing strongly for a levee to be increased or a levee to be added. You will hear others warning that there will be incredible downstream impacts as a result that might impact businesses or homes or the environment. I can envisage that these sorts of powers to authorise a development with no restriction could be used to circumvent normal political disputes.

It would be better to resolve the disputes and design such infrastructure, if we were going to proceed with it, in a considered and methodical way using the planning system and all its provisions for consultation in order to go through the potential impacts. But here we have the power to simply declare a disaster prevention area. It is important for people to note just how broad this is. The Minister may make a declaration for such a prevention area if they are satisfied that part of the State is likely to be directly or indirectly affected by disaster. We have had, in the past four years, enough experience to know that any part of New South Wales is likely to be directly or indirectly affected by disaster. We have seen it happen, and we know it is only going to get worse. In my mind, there is no constraint about where this could apply.

The second aspect requires that the authority has recommended making such a declaration. I can envisage that it might arrive at that conclusion because the Minister is satisfied the declaration is necessary to help prevent or mitigate against potential disasters for a community. Not only is it broad in its scope as to where it could apply, the only test is whether the Minister considers that such a development could help prevent or mitigate potential disasters for a community. We have heard the Government make arguments like that for Warragamba Dam. We have heard certain representatives and communities make those sorts of arguments for levees around their towns. We hear those arguments when it comes to clearing of vegetation for fire mitigation, no matter how misguided and not supported by the science that is.

There is a very low test, no threshold, no oversight, no transparency and a very broad remit for an area to be declared a disaster prevention area. Once that is done, the Minister has the power to switch off the New South Wales planning Act entirely and approve a development. That might seem extraordinary, but I have tested it with the Government. The Government has acknowledged that it is true. That is the extent of the powers in the bill, but the Government says, "We don't intend to use it." I would love for the Parliamentary Secretary to clearly put on record in his response to this amendment that the Government does not intend to use it that way. I agree that the Government would not intend to use it in some of those ways, but I ask this fundamental question: Should emergency powers be used to do preventative work at all? In fact, that is an important consideration. I raised it in my speech to the amendment regarding the climate adaptation plans.

If it is a good idea for the prevention of risk in the instance of a potential disaster, let us do it now. Let us do it in a collaborative and coordinated way. Let us engage the planning system in the way that is intended, which is to raise issues, highlight potential impacts and then mitigate or avoid them where possible. One would expect that that is how it would be done. I have been told by the Government that is not what it intends with disaster prevention areas. The Government described the situation in Lismore with the potential requirement to clear the drains and said that it would have been able to act in advance of that. I do not buy that. There are other provisions in this bill and other elements of the law that would not allow that but, if that is the case, my amendment is clear and simple. Instead of requiring the Minister to be satisfied that the declaration is necessary to help prevent or mitigate against potential disasters for a community, let us omit the word "potential" and insert instead "imminent".

There has been sufficient time to understand the potential risks associated with flood and fire impacts in recent years and to give time for an authority, once established, to act at that level to implement projects that could help mitigate risks. But giving it carte blanche with a broad definition "some potential disaster somewhere that it might be likely to directly or indirectly affect", would be open to abuse. This reasonable amendment will bring the bill into line with what the Government says is its intention in the first place. I commend the amendment to the Committee.

The Hon. PETER POULOS (16:32): The Government notes Mr Justin Field's observations about the amendment on sheet c2022-241, which relates to disaster prevention areas. However, the term "imminent" is used in the State Emergency and Rescue Management Act 1989 in relation to when emergency services are able to, or are required, to take action. The Government has used the word "potential" when describing disasters or

emergencies to avoid confusion about who is responsible and when responses to imminent threats are in the remit of emergency services personnel. For those reasons, the Government does not support the amendment.

The Hon. PENNY SHARPE (16:33): I listened carefully to the Government's response to the amendment. I note that Mr Justin Field is trying to do what he has always done in this place. This may be the last amendment that he moves in this place, and I am sorry that Labor is not able to support it. There are specific protocols in the use of words relating to emergency responses. I am convinced that is an issue. I understand what Mr Justin Field is trying to do. He and I have had discussions over time about this matter. I refer to his valedictory speech and acknowledge that some of the nuances and thoughtfulness he brought to the Chamber throughout his time here has been reflected in this and other amendments. As I said, Labor does not support the amendment on this occasion.

Ms CATE FAEHRMANN (16:34): The Greens support the amendment for all the reasons that Mr Justin Field has already outlined.

Mr JUSTIN FIELD (16:34): Given the Parliamentary Secretary so clearly outlined the definition of "imminent", I wonder whether he would like to inform us of the definition of "potential"?

The CHAIR (The Hon. Wes Fang): Mr Justin Field has moved Independent amendment No. 1 on sheet c2022-241. The question is that the amendment be agreed to.

Amendment negatived.

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

Motion agreed to.

The Hon. PETER POULOS: I move:

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

Motion agreed to.

Adoption of Report

The Hon. PETER POULOS: On behalf of the Hon. Bronnie Taylor: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. PETER POULOS (16:36): On behalf of the Hon. Bronnie Taylor: I move:

That this bill be now read a third time.

Ms CATE FAEHRMANN (16:36): While The Greens will not be dividing on the third reading of the bill, I put on record that we have extreme reservations and concerns about the bill, particularly considering that the sensible amendments that would have put in place checks and balances around native title, national parks, threatened species habitat, the concurrence of the environment Minister and conflicts of interest on the advisory board were not supported. It is good that we are debating this issue in this place and that a bill will be passed that establishes a reconstruction authority that will look at preparing disaster management plans. This should have been a moment for us to all be behind a bill of this intent. It is disappointing in the extreme that provisions that will put unfettered power in the hands of one Minister have been allowed to go through today.

The DEPUTY PRESIDENT (The Hon. Chris Rath): The question is that this bill be now read a third time.

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. SHAYNE MALLARD: On behalf of the Hon. Damien Tudehope: I table the following papers:

- (1) Animal Research Act 1985—Report of the Animal Research Review Panel for year ended 30 June 2022.
- (2) Annual Reports (Departments) Act 1985—Reports for year ended 30 June 2022:
 - Department of Communities and Justice, volumes 1, 2 and 3;
 - Department of Planning and Environment;

- Department of Premier and Cabinet;
Department of Regional NSW;
Department of Transport, incorporating Transport for NSW, volumes 1 and 2;
Fire and Rescue NSW;
Investment NSW;
New South Wales Crime Commission;
New South Wales Rural Fire Service;
New South Wales State Emergency Service;
New South Wales Treasury;
New South Wales Treasury Corporation;
NSW Crown Solicitor's Office;
NSW Health, with financial statements;
NSW Police Force;
Office of the Director of Public Prosecutions;
Parliamentary Counsel's Office;
Public Service Commission;
Resilience NSW; and
Valuer General NSW.
- (3) Annual Reports (Departments) Act 1985 and Greyhound Racing Act 2017—Report of the Greyhound Welfare and Integrity Commission for year ended 30 June 2022.
- (4) Annual Reports (Statutory Bodies) Act 1984—Reports for year ended 30 June 2022:
- Administration of Agricultural Statutory Authorities;
Agricultural Statutory Authorities;
Art Gallery of New South Wales Trust;
Australian Museum Trust;
Biodiversity Conservation Trust;
Board of Surveying and Spatial Information;
Cemeteries and Crematoria NSW;
Cobar Water Board;
Combat Sports Authority;
Combined New South Wales Health Professional Councils, Volumes 1 and 2;
Dams Safety NSW;
Destination NSW;
Dumaresq-Barwon Border Rivers Commission;
Environment Protection Authority;
Essential Energy;
Forestry Corporation of New South Wales;
Greater Cities Commission;
Greyhound Racing New South Wales;
Health Care Complaints Commission;
Health Commission of New South Wales;
Heritage Council of New South Wales;
Historic Houses Trust of New South Wales;
Hunter and Central Coast Development Corporation;
Hunter Water Corporation;
Independent Pricing and Regulatory Tribunal;

Infrastructure NSW;
Insurance and Care NSW;
Jenolan Caves Reserve Trust;
Landcom;
Legal Aid New South Wales;
Library Council of New South Wales;
Local Land Services;
Lord Howe Island Board;
Multicultural NSW;
Natural Resources Commission;
New South Wales Aboriginal Housing Office;
New South Wales Electoral Commission;
New South Wales Environmental Trust;
New South Wales Government Telecommunications Authority;
New South Wales Health Foundation;
New South Wales Rural Assistance Authority;
NSW Architects Registration Board;
NSW Food Authority;
NSW Institute of Sport;
NSW TrainLink;
NSW Trustee and Guardian;
Office of Sport;
Office of Transport Safety Investigations;
Place Management NSW (including the report for Luna Park Reserve Trust);
Port Authority of New South Wales;
Property NSW;
Regional Growth NSW Development Corporation;
Rental Bond Board;
Rice Marketing Board;
SAS Trustee Corporation, incorporating report of SAS Trustee Corporation Pooled Fund;
State Archives and Records Authority of New South Wales;
State Insurance Regulatory Authority;
State Sporting Venues Authority;
State Transit Authority of New South Wales;
Sydney Living Museums;
Sydney Olympic Park Authority;
Sydney Opera House Trust;
Sydney Metro;
Sydney Trains (Volumes One and Two);
Sydney Water Corporation;
Teacher Housing Authority of New South Wales;
Technical and Further Education Commission (TAFE) NSW;
Transport Asset Holding Entity of New South Wales, volumes 1 and 2;
Trustees of the Museum of Applied Arts and Sciences;
Trustees of the Parliamentary Contributory Superannuation Fund;
Veterinary Practitioners Board of New South Wales;

- Venues NSW;
Waste Assets Management Corporation;
Water NSW; and
Zoological Parks Board of New South Wales (trading as Taronga Conservation Society Australia).
- (5) Anti-Discrimination Act 1977—Report of the Anti-Discrimination Board of New South Wales for year ended 30 June 2022.
- (6) Civil and Administrative Tribunal Act 2013—Report of the NSW Civil and Administrative Tribunal for year ended 30 June 2021.
- (7) Crimes (Administration of Sentences) Act 1999—
- (a) Report of the NSW State Parole Authority for year ended 31 December 2021; and
- (b) Report of the Serious Offenders Review Council for year ended 31 December 2021.
- (8) Environmental Planning and Assessment Act 1979—Report of the Independent Planning Commission for year ended 30 June 2021.
- (9) Harness Racing Act 2009—Report of Harness Racing New South Wales for year ended 30 June 2022.
- (10) Health Practitioner Regulation National Law (NSW)—
- (a) Report of the Australian Health Practitioner Regulation Agency and National Boards for year ended 30 June 2022; and
- (b) Report of the National Health Practitioner Ombudsman and Privacy Commissioner for year ended 30 June 2022.
- (11) Health Services Act 1997—Report of the Administrator of the National Health Funding Pool for year ended 30 June 2022.
- (12) Independent Pricing and Regulatory Tribunal Act 1992—Reports of the Independent Pricing and Regulatory Tribunal entitled:
- (a) *Maximum prices for water and wastewater services supplied by Essential Energy in Broken Hill: Final Determination*, dated November 2022;
- (b) *Maximum prices for water transportation services supplied by Water NSW for the Murray River to Broken Hill Pipeline: Final Determination*, dated November 2022;
- (c) *Review of Essential Water's prices for water and wastewater services in Broken Hill: Final Report*, dated November 2022;
- (d) *Review of Essential Water's prices for water and wastewater services in Broken Hill: Final Technical Report*, dated November 2022;
- (e) *Review of WaterNSW's prices for the Murray River to Broken Hill Pipeline: Final Report*, dated November 2022; and
- (f) *Review of WaterNSW's prices for the Murray River to Broken Hill Pipeline: Final Technical Report*, dated November 2022.
- (13) Judicial Officers Act 1986—Report of the Judicial Commission of New South Wales for year ended 30 June 2022.
- (14) Law Reform Commission Act 1967—Report of the New South Wales Law Reform Commission for year ended 30 June 2022.
- (15) Legal Profession Act 1987—Report of Committees of the Law Society of New South Wales for year ended 30 June 2022.
- (16) Legal Profession Uniform Application Act 2014—
- (a) Report of the Law Society of New South Wales for year ended 30 June 2022, incorporating annual financial statements of the Public Purpose Fund and the Legal Practitioners Fidelity Fund;
- (b) Report of the Legal Profession Admission Board for year ended 30 June 2022;
- (c) Report of the New South Wales Bar Association for year ended 30 June 2022; and
- (d) Report of the Office of the Legal Services Commissioner for year ended 30 June 2022.
- (17) Mental Health Act 2077—Report of the Mental Health Review Tribunal for year ended 30 June 2022.
- (18) Public Defenders Act 1995—Report of the Public Defenders for year ended 30 June 2022.
- (19) State Owned Corporations Act 1989—
- (a) Statement of Corporate Intent of Essential Energy for year ending 30 June 2023;
- (b) Statement of Corporate Intent of Forestry Corporation of NSW for year ending 30 June 2023;
- (c) Statement of Corporate Intent of Hunter Water Corporation for year ending 30 June 2023;
- (d) Statement of Corporate Intent of Landcom for year ending 30 June 2023;
- (e) Statement of Corporate Intent of Port Authority of New South Wales for year ending 30 June 2023;
- (f) Statement of Corporate Intent of Sydney Water for year ending 30 June 2023;

- (g) Statement of Corporate Intent of Transport Asset Holding Entity of New South Wales for year ending 30 June 2023; and
- (h) Statement of Corporate Intent of Water NSW for the year ending 30 June 2023.
- (20) Thoroughbred Racing Act 2009—Report of Racing NSW for year ended 30 June 2022.
- (21) Water Industry Competition Act 2006—Report of the Independent Pricing and Regulatory Tribunal entitled *Licence compliance under the Water Industry Competition Act 2006 (NSW): Annual Compliance Report to the Minister*, dated October 2022.
- (22) Water Management Act 2000— Report of the Murray-Darling Basin Authority for year ended 30 June 2022.

CENTRAL BARANGAROO

Tabling of Documents Reported to be Not Privileged

The CLERK: According to the resolution of the House of Thursday 10 November 2022, I table documents identified as not privileged in the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated Monday 24 October 2022, on the disputed claim of privilege on papers relating to Central Barangaroo, received from Infrastructure NSW.

SENIOR TRADE AND INVESTMENT COMMISSIONERS

Tabling of Documents Reported to be Not Privileged

The CLERK: According to the resolution of the House of Thursday 10 November 2022, I table redacted documents identified as not privileged in the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated Monday 31 October 2022, on the disputed claim of privilege on papers relating to the appointment of Senior Trade and Investment Commissioner, received from the Department of Enterprise, Investment and Trade.

Bills

MOTOR ACCIDENT INJURIES AMENDMENT BILL 2022

Second Reading Speech

The Hon. SHAYNE MALLARD (16:41): On behalf of the Hon. Damien Tudehope: I move:

That this bill be now read a second time.

I am pleased to introduce the Motor Accident Injuries Amendment Bill 2022. The bill implements several proposed legislative amendments to the Motor Accident Injuries Act 2017 and the regulations under the Act following a statutory review of the Act. In 2017 the Government introduced a new compulsory third-party insurance scheme in New South Wales, established under the Motor Accident Injuries Act 2017. The new 2017 scheme focused on recovery from injury and supporting injured people by providing fast access to payments for medical treatment and loss of income to assist in their recovery and return to work or other pre-injury activities.

Since 1 December 2017, the commencement date of the 2017 scheme, premiums have reduced from an average of \$635 per year to \$482 per year, representing an average saving of \$153 per premium. Last year Clayton Utz and Deloitte were engaged to undertake the three-year statutory review of the 2017 Act. The statutory review considered all aspects of the 2017 scheme. The review assessed whether the policy objectives of the Act remain valid and whether the terms of the Act, the Motor Accident Injuries Regulation 2017 and the *Motor Accident Guidelines* remain appropriate for securing those objectives. It also considered recommendations arising from the Legislative Council's Standing Committee on Law and Justice 2020 review of the 2017 scheme. Mr Deputy President Rath, I believe that you will be chairing the current inquiry on the scheme tomorrow. I wish you luck. I wanted to make sure that we noted that Legislative Council reference.

I seek leave to have the remainder of the second reading speech incorporated in *Hansard*.

Leave granted.

The key findings and recommendations of the statutory review have informed the reform package brought before Parliament. The bill:

- prioritises extending and allowing speedier access to benefits for certain injured people;
- responds to feedback from scheme participants regarding the need for increased access to, and availability of, rehabilitation and trauma supports for injured people; and
- includes other scheme and regulatory enhancements that will improve the operation of the 2017 scheme without undermining the architecture of the scheme or having a material impact on premium affordability.

The bill also includes several important miscellaneous amendments, consistent with the delivery of the policy objectives of the Act and made in response to stakeholder feedback.

I now turn to the specific amendments in the bill.

Responding to recommendation 1 of the statutory review, the bill amends section 11.13 to require the Act be reviewed as soon as practicable after three years after the commencement of this proposed Act, and then every five years thereafter, with a report to be tabled in Parliament within 12 months after the period for undertaking the review.

It is appropriate that the 2017 Act be reviewed every five years to determine if it is meeting its objectives as the scheme continues to mature.

The bill will amend the Act to change the term "minor injury" to "threshold injury". Recommendation 38 of the statutory review proposed the Government consider an alternative term for "minor injury". The statutory review received feedback that the term trivialises an injury and the impact on an injured person, and that using this term may cause unnecessary distress. The change in terminology does not change the substantive definition and operation of the relevant provisions. As I now describe the impact of other amendments, I will use the term threshold injury in place of minor injury.

The bill will amend section 3.11 of the 2017 Act to extend weekly payments from 26 to 52 weeks to injured persons wholly or mostly at fault, or injured persons with a threshold injury. The bill also amends section 3.28 to extend statutory benefits for treatment and care expenses to injured persons wholly or mostly at fault, or for persons with a threshold injury from 26 to 52 weeks.

These amendments respond to recommendations 37 and 40 of the statutory review. The review noted that for threshold injuries, the average additional treatment and care required 26 weeks after the accident was for a further 10 weeks. These amendments will ensure those injured people who need it can access statutory benefits up to 52 weeks after the accident, if required. They also ensure consistent financial support for both loss of earnings and for treatment and care, thus providing appropriate additional support to enable a person to return to work and their pre accident activities.

The objectives of the 2017 Act encourage early and appropriate treatment and care to achieve optimum recovery from injuries sustained in motor accidents and to maximise return to work or other activities. This supports overall objectives of the scheme are to support injured persons.

Recommendation 5 of the statutory review considered an amendment to the Act to establish a guideline making power for the types of treatment and care that would be taken to be reasonable and necessary in certain circumstances. The statutory review recommended SIRA use that power to issue guidelines specifying relevant types of treatment and care, and relevant treatment and care costs incurred in defined circumstances.

This recommendation has been given effect through a minor amendment to existing guideline making powers. Section 3.24 of the 2017 Act has been amended so that the guidelines may provide for circumstances in which treatment and care is taken to be reasonable for the purposes of that section. SIRA will consult on any proposed guidelines to be made under this section. This will further support the objects of the Act and as noted in the statutory review this will "reduce the need for insurer decision making, reduce the need for injured persons to interact with the insurer, reduce disputation and delay, and enhance the autonomy in the scheme of injured persons."

Amendments to section 6.13 of the 2017 Act will address recommendation 15 of the statutory review, which considered the requirements and time frame for making a claim for statutory benefits. The amendments to section 6.13 (2) now provide for a regulation-making power that can give flexibility for the payment of weekly statutory benefits in the period before the claim is made when a claim is made more than 28 days after the accident concerned.

This will provide a fair balance between encouraging injured persons to lodge their claims early while enabling access to statutory benefits for loss of earnings and treatment and care expenses.

The bill also proposes amendments to section 6.27 of the 2017 Act that will enable SIRA to make guidelines in relation to the appointment of persons authorised to conduct rehabilitation and vocational assessments and to require such assessments under the Act to be undertaken by a person authorised by the guidelines. In developing these guidelines SIRA will consult with relevant stakeholders. A framework for authorising rehabilitation providers will be focused on improving the quality and consistency of these assessments and improving confidence and trust in the scheme and responds to recommendation 8 of the statutory review.

Consistent with recommendation 23 of the statutory review, the bill amends the Act so that internal review is not required for a decision relating to the degree of permanent impairment. This amendment will facilitate quicker progress of these medical disputes to a medical assessor at the Personal Injury Commission. This amendment will operate in conjunction with the removal of the 20-month waiting currently required before commencing a damages claim for certain claims. The removal of this waiting period reflects the differing circumstances of damages claims and injury stability. It will allow injured persons to commence and finalise their claim quickly supporting the objectives of the scheme and responds to recommendation 17 from the statutory review.

In response to recommendation 45 of the statutory review, amendments to the 2017 Act include changes to section 11.1A and consequential amendments to section 10.12 to enable SIRA to establish a trauma support service to be funded from the Motor Accidents Operational Fund. This trauma support service will be designed to operate to assist family members of persons who have been injured or who have died because of a motor accident. This new service will support people in the period after the accident and will connect and guide those who have been impacted by the incident. The response to this recommendation reflects the impact of motor incidents on the wider community.

The statutory review also considered the operation of the scheme regarding the adjustment of profits and losses for scheme insurers. Recommendations 19 and 20 considered the pre- and post-transition provisions that implement this adjustment. In responding to these recommendations an amendment has been made to section 2.25 of the 2017 Act to align the language used for the adjustment of premium and fund levies in the case of excess profit and loss with those during the pre-transition period. This amendment also incentivises innovation by insurers. These changes provide continued support for the sustainability and financial management of the scheme.

Recommendation 48 of the statutory review considered SIRA's existing regulatory powers in issuing a civil penalty to a licensed insurer. The recommendation suggested removing limitations that require SIRA to refer a civil penalty determination for advice to a special committee. Section 9.10 of the 2017 Act states SIRA is unable to impose a civil penalty on a licensed insurer without first referring the matter to a special committee. The statutory review flagged this was an unnecessarily high threshold for SIRA to overcome to engage section 9.10. This requirement has been omitted in line with the recommendation.

The bill also contains miscellaneous amendments to ensure efficient operation of the scheme.

First, these amendments relate to the operation of CTP Care, being the statutory arrangement where the Lifetime Care and Support Authority (LCSA) becomes the relevant insurer for the payment of an injured person's treatment and care expenses after 5 years following a motor accident. The proposed amendments provide important regulatory oversight in relation to the assessment of the amount to be contributed to the Motor Accident Injuries Treatment and Care Benefits Fund (MAITC Benefits Fund). This includes requiring the LCSA to disclose to SIRA information relating to significant matters which may have a material financial impact to the scheme. The amendment also authorises SIRA to determine maximum amounts that may be determined by the LCSA in relation to the cost of claims handling when exercising the functions of the relevant insurer under the Act.

The bill also includes amendments to clarify the application to claims for statutory benefits of provisions in the 2017 Act relating to the liability of the Nominal Defendant. This amendment will provide clarity in the operation of the scheme and certainty for scheme participants. We have listened to stakeholder feedback that additional statutory provisions would assist in clarifying the application of the provisions relating to the Nominal Defendant to claims for statutory benefits.

In response to this, amendments include a new section 1.10A and consequential amendments to existing sections 2.27 and 2.28 to make clear that the existing provisions in the 2017 Act relating to the liability of the Nominal Defendant in connection with a motor accident apply to a claim for statutory benefits in the same way as they apply to a claim for damages. The application of those provisions to statutory benefits is subject to necessary modifications. The amendment also authorises the making of regulations modifying the application of the provisions to statutory benefits. Stakeholders will be consulted during the development of any regulation.

Additionally, a note has been included at section 3.24 of the 2017 Act to clarify that a medical assessor may determine a dispute about whether treatment and care provided, or to be provided, to an injured person is reasonable and necessary. This ensures certainty in the review of disputation and the jurisdiction of the Personal Injury Commission to review and resolve these disputes when they may occur.

Amendments have been included to support parties in resolution of disputes. Section 7.33 has been omitted, which removes the three-year time limit on referring a claim for damages to the Personal Injury Commission. This means that parties can bring a claim outside of this time frame without a requirement for a full and satisfactory explanation of the delay.

An additional amendment has been included to provide for the funding of legal costs where court proceedings will significantly impact the sustainability and affordability of the 2017 scheme. This will enhance the oversight of significant scheme issues and will only be implemented in cases where there is a clear need for the determination.

In conclusion, I thank the many stakeholders who provided submissions to the statutory review and the 2020 Law and Justice Review into the NSW CTP Scheme. These submissions have helped inform this bill, as well as a range of non-legislative reforms the Government is implementing to improve the operation of the CTP scheme in New South Wales.

I thank the NSW Law Society, the NSW Bar Association, Australian Lawyers Alliance, the Insurance Council of Australia, the New South Wales licensed insurers, the Road Trauma Support Group of New South Wales, Independent Review Office, and Personal Injury Commission. Thank you for your assistance in providing constructive feedback and advice to the Government throughout the development of these reforms.

I thank Clayton Utz and Deloitte for conducting the statutory review, which was thorough and produced meaningful recommendations for the Government to consider.

Finally, I thank the team at SIRA for their work on developing this reform package, as well as progressing the many other non-legislative recommendations from the statutory review that will improve the operation of the NSW CTP scheme.

I commend this bill to the House.

Second Reading Debate

The Hon. MICK VEITCH (16:43): I lead for the Opposition on the Motor Accident Injuries Amendment Bill 2022. After reading the speech of the shadow Minister in the other place, the member for Swansea, Yasmin Catley, I realised that I cannot better it.

I seek leave to have her speech incorporated in *Hansard*.

Leave granted.

I lead for the Opposition on the Motor Accident Injuries Amendment Bill 2022.

This bill will amend the Motor Accident Injuries Act 2017 to implement recommendations from the three-year statutory review conducted by Clayton Utz and Deloitte.

The review received feedback from 31 organisations and individuals, along with taking on board submissions to the 2020 Law and Justice committee review into the Compulsory Third Party [CTP] scheme.

After receiving feedback from stakeholders, the review assessed the performance of the scheme over its first three years. Finding that firstly, the policy objectives of the Act remain valid and secondly that the applied terms, regulations and guidelines are largely appropriate for securing those objectives.

Clayton Utz and Deloitte made 73 recommendations to improve scheme design, scheme implementation and key performance indicators. 10 priority recommendations were identified covering:

Independent claim file review

Internal review case selection

Personal Injury Commission improvements

Claimant understanding of scheme and entitlements

The CTP assist complex claim team

Additional monitoring of claims and how they progress

Transitional excess profits and losses mechanism

Vulnerable persons and lower claims frequency compared to the original Schedule 1E parameters

Fraud Information

Fraud responsibilities.

I will now turn to the contents of the bill. As the Minister made note of in his second reading speech the lexicon regarding injuries has changed since the bill was initially passed. To reflect this Schedule 1 amends multiple sections of the Act to replace the term minor injury with threshold injury. This term is less distressing for claimants.

Section 1.6 outlines the definition of a threshold injury for the purpose of this Act as either a soft tissue injury, or a psychological or psychiatric injury that is not a recognised psychiatric illness.

I am pleased to see statutory benefits being increased from 26 to 52 weeks with amendments several sections throughout Schedule 1 of the bill. In particular, Section 3.28 will have a new heading inserted: Cessation of statutory benefits after 52 weeks to injured adult persons most at fault or to injured persons with threshold injuries.

Section 7.33 will be omitted. This section covers time limits for referring claims and making assessments, the removal of this section will make the scheme more accessible.

Section 11.1A enables the Authority to establish a trauma support service for members of the family of persons who have been injured or who have died as a result of motor accidents. This service will be funded via the Motor Accidents Operational Fund outlined in Section 10.12.

For those that have lost a family member or had a family members life turned upside down by a motor accident know how traumatic an experience this is. I welcome the amendments to section 11.1A to establish a trauma support service which I hope will provide crucial support to families struggling with the loss of a family member.

Section 11.3 establishes that after three years from the commencement of the Motor Accident Injuries Amendment Act 2022 it will be reviewed, with a further review to take place every five years thereafter. The review will be required to be tabled within both houses of parliament within 12 months of being conducted.

The application of amendments within the Act ensures the amendments apply to a motor accident occurring before the commencement of the amendment, but not before 1 December 2017. A claim for statutory benefits or damager made prior to the commencement of the amendments but not before 1 December 2017, or lastly to proceedings currently before a merit reviewer, medical assessor, claims assessor, or court.

I understand stakeholders are broadly supportive of the bill and the State Insurance Regulatory Authority has remained in contact with stakeholders on any concerns they have about the bill.

One area of concern in which I foreshadow Labor will move amendment relates to the payment of statutory benefits with payment period moving from 26 to 52 weeks.

However for those deemed partially or wholly at fault, after 26 weeks that received a reduced statutory benefit.

The Insurance Council of Australia have raised some concerns with the change in terminology from minor injury to threshold injury. The concerns centre around this change being confusing in explaining to an injured person that while they have a threshold injury that injury does not meet the threshold for benefits beyond 52 weeks.

Instead of threshold injury the use of terminology such as "Schedule 1 Injury" which would align with the former "minor injury" terminology and "Schedule 2 injury" to align with the former "non -minor injury" terminology has been suggested to the Government. I ask the Minister to also address these concerns.

Finally concerns have been raised about the extension of the timeframe for a liability decision to be made from three to nine months. This change risks statutory benefits expiring after 52 weeks before a decision, insurers have raised this with the Government. Insurers have argued that liability decision should be made within 6 months in line with statutory benefits. I ask the Minister to address this issue.

As the Minister made note in his second reading speech, the member for Swansea was the shadow Minister at the time the original Act was passed, and Labor did not oppose that act.

Labor will not oppose this bill either but will move amendments to improve the bill in the other place.

Ms ABIGAIL BOYD (16:43): On behalf of The Greens, I indicate that we support the Motor Accident Injuries Amendment Bill 2022. I thank Roshana May and Andrew Stone, who combined spent about an hour and a half, one Sunday afternoon, giving me a detailed legal tutorial about this bill and associated legislation. I am grateful to them for getting me up to speed so quickly on something that I did not know I needed to know about. The main purpose of the bill is to implement the recommendations of the Clayton Utz report. It is important that we recognise that only about 15 of those 45 recommendations will be implemented by this bill. We look forward to seeing the remainder of the recommendations make their way into a future bill.

I comment on one provision, which is the insertion of new section 1.10A. I note this one because it goes beyond what was recommended in the Clayton Utz review. I understand that it has been inserted to correct, in the

intervening period, the interpretation of a provision established through a particular case. I am not convinced that dealing with that issue in the context of this bill is necessarily the right thing to do. I think that what is required is looking deeply at where we have a lower level of coverage for people who have suffered motor accident injuries in contexts other than on our roads.

At the moment, we have three different insurance schemes for people who are injured, depending on where they are injured—on private land, at work or on the roads. Where a person happened to be unlucky impacts whether they have lifetime insurance. It would have been great if that section were not in the bill. There has been quite a lot of discussion around that point. It is where it is, but I put on record The Greens' willingness to engage next year to try to sort out the patchwork of insurance schemes in our State and reach greater equity.

The Hon. ROD ROBERTS (16:46): On behalf of One Nation, I say that we will not be opposing the Motor Accident Injuries Amendment Bill 2022, but I have one amendment that I will move in the Committee stage. Like you, Mr Deputy President Rath, I am a member of the Standing Committee on Law and Justice. I sat through the 2020 review of the compulsory third-party insurance scheme. I have read the submissions for tomorrow's hearings for the 2022 review of the scheme. My amendment will go directly to evidence that we received in 2020 and was not acted upon and will be replicated tomorrow, when similar evidence will be given. But, to speed up the process, I will keep my comments for the Committee stage.

The Hon. SHAYNE MALLARD (16:47): On behalf of the Hon. Damien Tudehope: In reply: I thank the Hon. Mick Veitch and hope he may return, though he probably will not. He has been a great gentleman to work with in this place. I thank Ms Abigail Boyd for her contribution in detail and the Hon. Rod Roberts for bringing the connection to the committee, which I chaired for several years when I was first elected. I commend the bill to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that this bill be now read a second time.

Motion agreed to.

In Committee

The TEMPORARY CHAIR (The Hon. Chris Rath): There being no objection, the Committee will deal with the bill as a whole. I have two sheets of amendments, one from the Opposition and one from One Nation.

The Hon. ROD ROBERTS (16:50): I move One Nation amendment No. 1 on sheet PHON 1:

No. 1 **Taxis and hire vehicles**

Page 4, Schedule 1. Insert after line 11—

[12A] Section 2.26 Special provisions relating to taxis and hire vehicles and other vehicles

Insert after section 2.26(4)—

- (4A) In determining the guidelines for insurance premiums for third-party policies for taxis and hire vehicles, the Authority must ensure that similar insurance premiums are to be paid for taxis and hire vehicles having regard to relevant factors of comparison.

The amendment is a simple one, but necessary for fairness and equity. I am a member of the Standing Committee on Law and Justice, and during the 2020 review of the compulsory third-party [CTP] insurance scheme we heard evidence from the NSW Taxi Council about the unfair CTP regime in place for taxis when compared to rideshare vehicles. As it turns out, the committee is sitting tomorrow—as you well know, Chair—to undertake a public hearing into the 2022 review of the scheme. From the submissions I have read, the NSW Taxi Council will be providing a similar message this time around.

As it stands at present, taxis are at an extreme disadvantage because for the purpose of CTP premiums they are defined as a class 7 vehicle. Rideshare vehicles are regarded as class 1 vehicles for the purpose of calculating CTP premiums. We debated the taxi industry at length last night in this place and we listened to the rhetoric of creating a deregulated industry to open it up to further competition. The majority of this Chamber agreed to deregulation. That is all well and good, but how can we sit here and say that we have levelled the playing field when the Government, in introducing this model, has failed to account for those differences in CTP premiums? The aim of the amendment is to rectify that anomaly.

According to the NSW Taxi Council, taxi operators in Sydney and the greater urban area are paying approximately \$5,600 in CTP premiums, while the average paid in country and regional New South Wales is \$3,200. That is under the class 7 arrangement. Rideshare vehicles are treated as class 1 vehicles and, therefore, attract a significantly reduced premium. I find it concerning and grossly unfair—and I suggest that we all should find it unfair—that the Government treats rideshare operators and taxi operators differently when it chooses and,

therefore, creates an uneven playing field. All operators need to be aligned. Financially, taxi operators are at an extreme disadvantage. The cost of doing business before they even turn a wheel is significantly higher, and this is more pointed and acute in regional areas.

I understand that Queensland has successfully moved to the model of placing taxis and rideshare vehicles in the same class for CTP purposes. If Queensland can do it, there should be no reason why New South Wales cannot. The amendment simply says that in determining the guidelines for insurance premiums for third-party policies for taxi and hire vehicles, the authority—being the State Insurance Regulatory Authority—must ensure that similar insurance premiums are to be paid for taxis and hire vehicles having regard to relevant factors of comparison. In other words, balance it up and level the playing field. It is One Nation's belief that taxis and rideshare vehicles carry out the same type of work and, therefore, need to be in the same class. It is my preference that they should all be moved into class 1. Ultimately, it will be whatever class is chosen by the authority. But for the sake of fairness and equity, all operators should be classed equally. I commend the amendment to the Committee.

The Hon. SHAYNE MALLARD (16:55): I thank the Hon. Rod Roberts for his contribution. The Government does not support the amendment. I will outline the reason for that. The proposed amendment seeks to include additional considerations when making guidelines on premium determinations for third-party policies for taxis and hire vehicles. The amendment requires the State Insurance Regulatory Authority to ensure that, when determining the guidelines, and after having regard to relevant factors, similar insurance premiums are to be paid for taxis and hire vehicles. Section 2.26 was substantially amended recently with the passing of the Motor Accidents and Workers Compensation Legislation Amendment Act 2022 to give greater guideline-making powers in relation to the determination and payment of premiums for taxis and hire vehicles. The Government is satisfied that the existing provision is sufficient without any further amendments required. That provision was considered as part of the Point to Point Guidelines currently being drafted. Therefore, it is the Government's view that the proposed amendment is unnecessary.

The Hon. MICK VEITCH (16:56): I am advised that, currently, vehicle classes are established by guidelines issued by the State Insurance Regulatory Authority [SIRA]. That includes taxis, rideshare and other vehicles. The NSW Taxi Council's submission to the 2022 review of the compulsory third-party insurance scheme makes the following recommendation:

For the State Insurance Regulatory Authority (SIRA) to move Taxis into Class 1 Premiums to be aligned with Rideshare vehicles or move Rideshare into a class of their own with Taxis.

I am advised that issue is best dealt with by SIRA under the guidelines they are empowered to issue by section 2.19 of the Motor Accident Injuries Act 2017. The *Motor Accident Guidelines* provide for the determination of insurance premiums for third-party policies. Further, the shadow Minister has had discussions with the Government and SIRA indicating that new guidelines moving in this direction will be released before Christmas. At this stage, the case has not been made for enshrining this change in legislation, given that it can already be achieved via the guidelines, noting also that the NSW Taxi Council has not called for it to be legislated. On that basis, the Opposition opposes the amendment moved by the Hon. Rod Roberts.

Ms ABIGAIL BOYD (16:57): In relation to the amendment moved by the Hon. Rod Roberts, I also recall that during the Portfolio Committee No. 6 point to point inquiry we heard representatives of the NSW Taxi Council explain that taxi operators pay over \$5,500 in compulsory third-party [CTP] insurance premiums in metropolitan Sydney and over \$3,000 in regional New South Wales, compared to rideshare operators who pay as low as \$500 for their premiums. This is just another aspect of the deregulation in New South Wales that has led to a distorted market and a very hard time for taxidriviers.

Apparently we finalised deregulation of the industry yesterday. But the idea that taxidriviers are still paying up to seven times as much as rideshare operators for their CTP insurance clearly needs to be rectified as part of that deregulation. I think that the member is spot on in bringing this to the House's attention and trying to amend it. I understand the Hon. Mick Veitch's point relating to the State Insurance Regulatory Authority. Putting this amendment in the bill, at this time, would send a really powerful message to SIRA to get on with the job of fixing this. For those reasons, The Greens support the amendment.

The Hon. MARK BANASIAK (16:59): The Shooters, Fishers and Farmers Party supports the One Nation amendment. Last night in this Chamber, when I spoke out about the big, seven-year lie about the so-called "level playing field", the main thing that I was referring to is the disparity that has existed for seven years between rideshare and taxis regarding compulsory third-party insurance. It is one of the biggest compliance costs for taxis. Rideshare companies have never had it, which has allowed them to get a stranglehold on the sector. I thank the Hon. Rod Roberts for bringing forward the amendment. The Parliamentary Secretary argued that it would be better done by guidelines, which he says will happen. The Government has had seven years to do it. For

those seven years, the disparity has been clear and plain as day. But the Government has done nothing to progress the matter. I eagerly await the State Insurance Regulatory Authority making the change in December or January. If it does not, I will introduce a bill to do it in the new parliamentary term. If that happens, clearly guidelines do not work.

Reverend the Hon. FRED NILE (17:00): I support the One Nation amendment. It is long overdue—years overdue. It is time that we had fair treatment for taxidriviers in New South Wales.

The Hon. ROD ROBERTS (17:01): I thank Ms Abigail Boyd for her considered contribution. I also thank the Hon. Mark Banasiak. Both members sat on the inquiry into point to point transport undertaken by Portfolio Committee No. 6 – Transport and have an intricate knowledge of the difficulties the industry faces. I also thank Reverend the Hon. Fred Nile for his support and contribution. I am extremely disappointed in Labor's position. That is not an attack on the Hon. Mick Veitch, who has been sent in to deal with the bill. In the lead-up to yesterday's vote in this Chamber on the Point to Point Transport (Taxis and Hire Vehicles) Amendment Bill 2022, we heard lots of rhetoric from Labor about how it stands with taxidriviers and is "right beside" them. Today Labor has the opportunity to show its support and to fix the problem. But the shadow Minister responsible has chosen to go in the completely opposite direction. That is not a reflection on the Hon. Mick Veitch, who has been sent in to do a job. But Labor has shirked its opportunity to do something about it.

As for the Parliamentary Secretary's contribution, I know he is just a representative of the Minister in the other place. The issue has been around for a long time. As I said, it featured in the 2020 review of the compulsory third-party insurance scheme. There has been ample opportunity to fix it, yet nobody has done it, which has forced me, together with my party, to bring this to light with the support of The Greens, Reverend the Hon. Fred Nile and the Shooters, Fishers and Farmers Party. I have been clever enough to do the numbers. I have made my point clearly and I await the vote.

The CHAIR (The Hon. Wes Fang): The Hon. Rod Roberts has moved amendment No. 1 on sheet PHON 1. The question is that the amendment be agreed to.

The Committee divided.

Ayes9
Noes26
Majority.....17

AYES

Banasiak (teller)	Faehrmann	Nile
Borsak	Higginson	Pearson
Boyd	Hurst	Roberts (teller)

NOES

Amato	Houssos	Poulos
Barrett (teller)	Jackson	Primrose
Buttigieg	MacDonald	Rath
D'Adam	Maclaren-Jones	Searle
Donnelly	Mallard	Sharpe
Farlow (teller)	Martin	Taylor
Farraway	Mason-Cox	Tudehope
Franklin	Mitchell	Veitch
Graham	Moriarty	

Amendment negatived.

The Hon. MICK VEITCH (17:13): By leave: I move Opposition amendments Nos 4 to 8 on sheet c2022-205A in globo:

No. 4 Contributory negligence

Page 4, Schedule 1[18], lines 25–33. Omit all words on the lines. Insert instead—

[18] **Section 3.11, note**

Omit "26 weeks". Insert instead "52 weeks".

No. 5 Contributory negligence

Page 5, Schedule 1. Insert after line 19—

[25A] Section 3.38, heading

Omit "6 months". Insert instead "12 months".

[25B] Section 3.38(1)

Omit "26 weeks". Insert instead "52 weeks".

No. 6 Contributory negligence

Page 8, Schedule 1. Insert after line 18—

[48A] Schedule 2, clause 3(g)

Omit "6 months". Insert instead "12 months".

No. 7 Contributory negligence

Page 9, Schedule 1[50], line 3. Omit "[21] or [23]". Insert instead "[21], [23], [25A], [25B] or

[48A] or Schedule 2[6A]".

No. 8 Contributory negligence

Page 10, Schedule 2. Insert after line 16—

[6A] Schedule 1, Part 1, clause 3(2)(g)

Omit "6 months". Insert instead "12 months".

Stakeholders have raised concerns over clause 3.11, which extends benefits from 26 to 52 weeks. While the extension of benefits is welcomed, the clause also reduces the weekly payments, by 61 per cent of the entitlement ordinarily paid, to those wholly or mostly at fault. This change will only increase complexity and be an impediment to the ability of those who are injured to focus on their treatment and recovery. Both insurers and members of the legal fraternity have raised concerns over this change, and I understand that they have been in discussions with the Government and the State Insurance Regulatory Authority. The amendments will ensure that all claimants get 52 weeks paid statutory benefit at their full wage. I commend the amendments to the Committee.

The Hon. SHAYNE MALLARD (17:14): As is so often the case, the Hon. Mick Veitch has made a compelling case. The Government will support the amendments.

Ms ABIGAIL BOYD (17:14): The Greens also support the amendments. I note how annoyed I was that I spent a day drafting the exact same amendments, only for the Opposition's to be lodged about five minutes before mine. On that basis, we support the amendments.

The CHAIR (The Hon. Wes Fang): The Hon. Mick Veitch has moved Opposition amendments Nos 4 to 8 on sheet c2022-205A. The question is that the amendments be agreed to.

Amendments agreed to.

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

Motion agreed to.

The Hon. SHAYNE MALLARD: I move:

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

Motion agreed to.

Adoption of Report

The Hon. SHAYNE MALLARD: On behalf of the Hon. Damien Tudehope: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. SHAYNE MALLARD: On behalf of the Hon. Damien Tudehope: I move:

That this bill be now read a third time.

Motion agreed to.

*Motions***CONSTITUTION (DISCLOSURES BY MEMBERS) REGULATION**

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)
(17:17): I move:

That this House:

- (1) Notes that the Integrity Legislation Amendment Bill 2022, having passed the Parliament, the Government will in due course make changes to the Constitution (Disclosure by Members) Regulation 1983.
- (2) Notes the requirements of section 14A (5) of the Constitution Act 1902 that a designated committee of the Legislative Council must be afforded the opportunity to consider and make representations with respect to any such proposed changes, and that such representations must be taken into account.
- (3) Designates the Privileges Committee as the committee for this purpose.
- (4) Requires the Privileges Committee to report to the House on its review of any proposed changes to the Constitution (Disclosure by Members) Regulation 1983.

Motion agreed to.

*Special Adjournment***SPECIAL ADJOURNMENT**

The Hon. DAMIEN TUDEHOPE: I move:

That this House at its rising today do adjourn until Tuesday 28 February 2023 at 2.30 p.m. unless the President, or if the President is unable to act on account of illness or other cause, the Deputy President, prior to that date, by communication addressed to each member of the House, fixes an alternative day or hour of meeting.

Motion agreed to.

*Motions***SEASONAL FELICITATIONS**

The Hon. DAMIEN TUDEHOPE (Minister for Finance, and Minister for Employee Relations)
(17:19): I move without notice:

That this House note its thanks to members and staff of the Parliament and wishes seasonal felicitations to all.

I have brought the wrong speech. They wrote to me and gave me a speech and said, "Read this one out." I will not give that one. They are all good blokes.

The Hon. Rose Jackson: And the women too.

The Hon. DAMIEN TUDEHOPE: No women attended the meeting—I can tell and it is a pity. I think they would have resolved it by now if they were there. On this last day—not just of the 2022 Parliament, but also of the Fifty-Seventh Parliament—it is my pleasant duty as Leader of the Government to, for the first time, move this motion of gratitude and of seasonal felicitations. The Fifty-Seventh Parliament will potentially go down as one of the more historic parliaments. If we look back over the past four years that this Parliament has sat, we can see that it has been the subject of shutdowns, pandemics and in fact some controversy in respect of the election of a President—all of which make it a significant parliament. When those who write the history of this place do so, it will be educative for all those who have the opportunity to read it.

This year has been significant in one other respect. We saw the celebration of the platinum jubilee of Her Late Majesty Queen Elizabeth II, the sad passing of Her Majesty and the accession of our new King, His Majesty King Charles III. We also saw the world returning to a sense of normalcy after the two years of lockdowns and restrictions following the COVID-19 pandemic. But there were some good things. We have passed 80 bills this year, including the 24-hour economy bill, which I referred to earlier today; the coercive control bill, one of several measures passed to enhance how the law treats sexual and domestic violence; and the first home buyers choice bill—all of which are significant pieces of legislation. I note that 28,538 prospective first home buyers have now used the online calculator to compare the big up-front cost of stamp duty with the small property payment enabled by this bill.

Proceedings in this place—robust as they often are—require wise and patient occupants in the chair at all times. I acknowledge and thank you, Mr President, as well as the Deputy President, the Assistant President and each of the Temporary Chairs of Committee. You have all kept us in line throughout the year. I make this observation in relation to the Deputy President, because there were many in this place who were sceptical of the election of Wes Fang—

The Hon. Taylor Martin: Name them.

The Hon. DAMIEN TUDEHOPE: I will not name them, but there were people who were sceptical of that appointment. I have to say that the Hon. Wes Fang has conducted himself in the position of Deputy President with some dignity and humour and, from time to time, amazement. The way he conducts himself while in the chair does him credit. Much of the work done in this place depends profoundly on the quiet, expert service of the Clerk of the Parliaments, Mr David Blunt; the Deputy Clerk, Mr Steven Reynolds; the other Clerks at the table; and the Usher of the Black Rod, Ms Jenelle Moore. She has not had the opportunity to escort me from the Chamber, unlike my predecessor. I join Mark Pearson in never having been evicted from this Chamber, although there were circumstances where potentially opportunity did arise, but I am grateful to those opposite that they never sought that.

I also pay tribute to Kate Cadell. I always wonder why everyone pays tribute to Kate Cadell. During the valedictory speeches everyone mentioned Kate Cadell and I thought, "What is it about this woman that everyone likes her?" I have never seen her in bad humour. Maybe you have, David. All the times and all the meetings which we have with Kate Cadell are conducted with very good humour and the most magnificent smile. On behalf of the Government members I thank all these officers of the Parliament and all the Legislative Council and Department of Parliamentary Services staff, including the hardworking teams from the Procedure Office, Committee Office, Hansard, Parliamentary Counsel's Office, the Chamber attendants, audiovisual, security, IT, maintenance, the cleaners and the special constables who keep us safe. If I have forgotten someone, I am sorry.

I pay special tribute to the Committee Office and the Procedure Office because some of the work that is done by those offices is exceptional. During the pandemic we sought to conduct committee hearings via Zoom, where reports had to be obtained and assistance was provided to members. It has been a most difficult period. Hansard—in circumstances where we have tried to make life a bit easier in the way we conduct committee hearings—has provided a magnificent service for members in this place.

I thank my six ministerial colleagues, particularly the Deputy Leader of the Government, the Hon. Sarah Mitchell, for her support and ongoing contribution. I extend the same thanks to the Deputy Leader of the Nationals, the Hon. Bronnie Taylor. My predecessor always said that the Whips never get thanked enough and I endorse that view. On behalf of all Government members, I say thankyou to the Government Whips, the Hon. Scott Farlow and the Hon. Scott Barrett, for the crucial functions they carry out.

The Hon. Mark Buttigieg: And the Opposition?

The Hon. DAMIEN TUDEHOPE: Okay, the Whips on both sides. It is all right, Mark.

The Hon. Mick Veitch: That is not going to do you much good, Mark. You are in trouble now.

The Hon. DAMIEN TUDEHOPE: Exactly. He can use it as a reference. I also thank my fellow Liberal and National colleagues in this place—what a great team you are to work with. I am grateful for all the work you have done. I thank the Leader of the Opposition, the Hon. Penny Sharpe, for the direct and constructive way in which she engages with the Government. Penny is the first woman to hold the position of Leader of the Opposition in the 200 years of this House—and I certainly hope she holds the position of Leader of the Opposition for many, many years to come! I also acknowledge the Deputy Leader of the Opposition, the Hon. John Graham—who masquerades after dark as the shadow Minister for the Night Time Economy and Live Music. Where is he?

The Hon. John Graham: I am still here.

The Hon. DAMIEN TUDEHOPE: No, where is he? I also recognise my regular sparring partner, the Hon. Daniel Mookhey, who I can assure that I will return in 2023 to continue to provide him with many more character assessments. I also thank all the honourable members in the Opposition as well as those on our very diverse and active crossbenches. Despite the different perspectives we bring to bear, together as a Chamber we seek to serve the people of New South Wales. I thank each of you for your contributions this year. I also pay special tribute to Reverend the Hon. Fred Nile, who leaves us after 42 years of service to the people of New South Wales, as well as to the other honourable members who are leaving us at the next election.

I take this opportunity to thank members of my staff, who continue to provide me with expert advice and assistance. My Chief of Staff, Phil Coates, Alex Holtom, Andrew Santucci, Ann-Marie Boucher, Lyn Wheadon, Rebecca Kazzi, Richard Egan—who is so effective in some of the material that he provides me with—Peter Stoodley and DLOs Milly Voegt and Jesse Fischer. Unlike the Master of the House in *Les Misérables*, our master of the House, Director of Government, Sam Tedeschi, is valued by all of us for the indefatigable, professional and cheerful manner in which he keeps the wheels moving. I have to say, this place just would not function without Sam.

Between now and when the Fifty-Eighth Parliament commences, there are many festivals marked in our multicultural, multifaith community—Bodhi Day, Pancha Ganapati, Hanukkah, Dongzhi, Lailat al Miraj, Christmas, New Year's Day and Australia Day. I extend seasonal felicitations to all members and staff, with the hope that we will enjoy times of refreshment, recreation, reflection and renewal with family and friends before we next assemble in this Chamber. To those who, for whatever reason, will not be returning, I wish them well in the next stage of life's adventure.

The Hon. PENNY SHARPE (17:29): On behalf of the Opposition, I express our seasonal facilitations and thank all of those who have kept our State and this building moving for the past year. Like every year, 2022 has been another interesting and fascinating one. It has been a year of adjustment as we have adapted our lives to the COVID pandemic, and I acknowledge and mourn the many lives that have continued to be lost to the virus. It has been a year of significant change. In May Australia voted to change our Government at the Federal level for the first time in over a decade. We on this side of the House hope that this will also be accomplished at the State level before we meet again next year.

It has also been a year of reflection in this building, particularly following the handing down of Elizabeth Broderick's year-long review into the cultures of the New South Wales Parliament and electorate offices. The results of the review were shocking and unacceptable. MPs and staff alike reported bullying, harassment and sexual misconduct that would be unacceptable in any workplace and should be unacceptable in this one. There are two reasons we have been able to commence on a process of structural and cultural reform following the findings of the Broderick review. First, it is because of the courage of the people who provided honest and difficult evidence to the review. I extend the thanks of the Opposition to everyone who did so. Second, it is because of the multi-partisan acceptance of the Broderick review's findings and recommendations, as well as a commitment to reform.

I acknowledge the work of the Parliament Advisory Group on Bullying, Sexual Harassment and Sexual Misconduct. The group comprises of members of Parliament from both Houses and multiple parties, members of staff, parliamentary staff and former staff. It has provided important advice to Elizabeth Broderick and her team and continues to provide advice to the Parliamentary Executive Group in the implementation phase of the report. The statements from the Presiding Officers in both Houses this week apologising to those who have experienced bullying, sexual harassment or sexual misconduct in the workplaces of New South Wales Parliament demonstrate the path we should all aspire to travel on into the Fifty-Eighth Parliament to make this workplace better, safer and fairer to everyone who has the privilege of spending time here.

By the time Parliament comes together again next year, it will look very different. From this Chamber, we will say farewell to a number of members who have been constants to the work that we do. Those members have shaped our approach, culture and character in the Legislative Council. Every time there is a new member, the energy becomes a little different. They all bring something new to our collective decision-making. While we have not always agreed, all of those departing will be missed and remembered for the contributions they have made—for all of them have made a significant contribution to the people of this State. From the Opposition, we will farewell the Hon. Shaoquett Moselmane, the Hon. Walt Secord and the Hon. Adam Searle, who was my predecessor as the Leader of the Opposition in this place. If we win government next year, we may live to regret the substantial reforms he has helped implement in this House. But we know, as he said in his valedictory speech yesterday, that they were done in the public interest. We are very pleased to have backed them.

We also farewell the Hon. Mark Pearson, Mr Justin Field and Reverend the Hon. Fred Nile from the crossbench. I particularly acknowledge the contribution of Reverend the Hon. Fred Nile. He and I have probably disagreed on more things than we have agreed on, but I have always respected his deep conviction for the things he cares about. From the Government, we may be saying farewell to the Hon. Natalie Ward as she seeks a position in the other place. Been there, done that. If it does not work out, she is very welcome back. We would love to see her. We would like to see some more women on the other side of the House, and we welcome the Hon. Aileen MacDonald as a new member.

I thank and acknowledge the work of the Deputy Leader of the Opposition, the Hon. John Graham, for his constant wise counsel and his general ability to make us all feel a little cooler by being in his presence. I thank his staff for the work that they do every day. I extend that acknowledgement to the Opposition Whip in the Legislative Council, the Hon. Mark Buttigieg, and his staff members, Ciahn Pertzel and Cara Punch. I particularly draw attention to the Opposition Whip's adviser, Cara Punch, who has performed exemplary work despite difficult personal circumstances this year.

I pay respect and give thanks to my staff. They make me look good every day. They put up with my constantly busy and changing diary. They also contribute in their own right and look after some of the relief staff that I have also had: Kuani, Nick and Angelica, who I also acknowledge. I extend my thanks and acknowledgement to all of my colleagues in the Opposition. It has been a long 12 years and the past four years

have been particularly challenging, but I think we have held our own. I think we have been able to provide good role modelling and perhaps some training for Government members should they find themselves on this side of the Chamber after March. I thank the Leader of the Government, the Hon. Damien Tudehope, for his constant good humour in the face of sometimes challenging arrangements and his willingness to accept defeat so gracefully.

The Hon. Rose Jackson: No win Wednesday!

The Hon. PENNY SHARPE: No win Wednesday is a thing. I thank him for the seriousness and fairness with which he engages and the fun that he brings, because sometimes it is a little tough. Much of his success is owed to Sam Tedeschi—we accept that—and the work that he does. He does an impossible task every week that he is at Parliament. He manages to hide his inner Malcolm Tucker very well. I thank the Deputy Leader of the Government, the Hon. Sarah Mitchell. Education is a tough gig. I think she has been asked more questions than anyone else. We look forward—hopefully—to answering some of the questions rather than asking them in the future.

I thank our colleagues on the crossbench. Much divides us but we have found a way to work together that fundamentally holds the Government to account and that respects each other's roles and the agendas that we all bring to this place on behalf of the people who elect us. I particularly enjoy doing that work, even when it is sometimes challenging. I extend my acknowledgement to the President of the Legislative Council, the Hon. Matthew Mason-Cox. I thank him for his fair and even management of this House. We like that we win most of our points of order. We win more than we lose. I also acknowledge the Hon. Wes Fang as Deputy President and Chair of Committees, as well as the Hon. Rod Roberts as Assistant President.

During this session of Parliament, it is no secret that this House has not made the Government's work easy. It has been a true house of review, accountability and questions—although maybe not as many answers as we would like. But there have been plenty of questions. We have sat for 39 days and 1,825 questions have been asked of the Government. As I said, the number of actual answers is a bit less than that. Some 104 calls for papers under Standing Order 52 were agreed to and 436 returns to orders were tabled. The Mookhey wing of the Procedure Office is in full swing, with 898 boxes of documents received in response. Eighty bills were passed and 413 amendments were moved, 147 of which were agreed to—not including the ones that we dealt with today.

The work of the committees was a highlight of the House during the year. A total of 28 inquiries were established, with 144 committee hearings held and 43 final reports tabled. There is a wealth of knowledge and community wisdom in those reports. They should never sit on the table. A lot can be learned about shaping New South Wales if we choose to pay attention to them. The work that we do would not be possible without, of course, the staff, who ensure that this House sits and that the committees perform their important role. I thank all the staff who have ensured our committees could meet, hear evidence and report this year, making hundreds of important recommendations to the Government and providing an essential accountability mechanism. We acknowledge the volume of the inquiries that they have dealt with this year, which have often been in excess of the resources that we have provided them. We thank them for going above and beyond to facilitate the will of the House.

I thank the Procedure Office: Beverly Duffy, Alex Stedman, Susan Want, Sharon Ohnesorge, Velia Mignacca, Jock Gardiner, Helen Hong, Monica Loftus, Noora Hijazi, Christine Rayes, Taylah Cauchi and Josh Hatch. A lot of the new standing orders are the result of their very good and diligent work. I thank the Black Rod team: Jenelle Moore, Lauren Monaghan, Vanessa O'Loan, Christine Thai, Angeline Chung, Cherelyn Brearley, Hugo Ditroia and Rachael Ho. I acknowledge the work of the Legislative Council attendants, who provide Chamber and support services to members: John, Du Toit, Dan, Rhys, Mark, Nathan and Richard. I thank them very much. I thank Hansard for keeping a record of our words and, yet again, making me sound much better than I ever am. I thank the Parliamentary Counsel's Office for its work. Its staff do last-minute work drafting bills and dealing with amendments late into the night and deal with demanding MPs. But they are always professional and diligent.

The Department of Parliamentary Services staff keep us fed and watered, keep our offices clean, keep us safe, ensure that our computers work, ensure that our staff are paid and keep the building maintained. There are too many of them to mention, but we value their work every day. I particularly acknowledge the work of Steven Collins, the first dedicated Aboriginal Liaison Officer in the New South Wales Parliament. He has started some difficult and very important work for this Parliament to better engage with Aboriginal people and communities and to make sure that this Parliament is a welcoming place for Aboriginal peoples as we head into the bicentenary. I finally extend my thanks to Steven Reynolds, Stephen Frappell, Kate Cadell and Clerk David Blunt for their impeccable tact, kindness, deep thought and consideration. They do their work with true integrity and impartiality to support us to do what we do. Thank you.

Last year I started giving awards, so I have decided I will do a few more—not long to go, I promise. Last year the Leader of the Government received the award for services to singing, but he has recently abandoned the singing and is not really holding the tune. Instead he gets an award for services to beat poetry for his Thursday question time spoken word performances, and long may they continue. After 2,127 questions on notice asked in this Parliament alone, I award the diligent questioner award to the Hon. Courtney Houssos. The Hon. Mark Buttigieg was a close second with 1,932 questions. For the Hon. Wes Fang's diligent services to the Government during the inquiry into John Barilaro's appointment as trade commissioner to the Americas, I present him with the good soldier award. I also present him with the most improved award for his work in the chair and for teaching me the NATO alphabet. We have a code.

I present the perpetually disappointed award to the Hon. Bronnie Taylor, who never likes any question we ask her in any situation. The backflip with double pike award goes to the Hon. Natalie Ward for the signs on mobile speed cameras, with a supporting thankyou to the Hon. Lou Amato for his role in ensuring that we got there in the end. My final award is a fashion award, which I only decided on today. It goes to the Hon. Sam Faraway—and real Nats wear dirty hats. This House will rise today until after the election next year. We do not yet know what the outcome will be, but I sincerely hope that we will be on the other side of the House when we return. I look forward to doing battle, whatever outcome the people of New South Wales decide.

The Hon. SARAH MITCHELL (Minister for Education and Early Learning) (17:42): It is an honour once again to offer Christmas felicitations on behalf of my Nationals team. In doing so, I first acknowledge the communities in the bush who are doing it incredibly tough at the moment with the floods, particularly the Hon. Scott Barrett's community in the Central West. We acknowledge all of the emergency services personnel and volunteers who are assisting on the ground in that region. It feels like this parliamentary term has been a time of droughts and flooding rains for much of regional New South Wales, and it is appropriate to start by acknowledging all of those communities.

I cannot believe we have made it to not only the end of another parliamentary year but also the end of a parliamentary term. Haven't the four years just flown by? It is also important to acknowledge our families. We all know what an incredible privilege it is to serve in this place, but we also know that it does not come without some sacrifice. Often our families feel the brunt of that the most, so I collectively thank everybody's spouses, partners, children and grandchildren for everything that they do to support each and every one of us. That includes the staff of the Parliament and our political staff as well. It is a great job, but we cannot do it without our families backing us in. Often we are not there when we need to be, and I certainly know as a mum what that is like. I thank my husband and our beautiful girls, Annabelle and Matilda.

I also thank the person who keeps this place running, Kate Cadell. As the Hon. Damien Tudehope said, Kate is just a gem. One story epitomises Kate to me. I said to her a few weeks ago during a non-sitting week that my youngest daughter, Matilda, would be here with me the following week. I had not brought Tilly in here for a while, so I said to Kate I would try to pop in to say hello. Till and I came for a very quick visit and, when we got here, Kate took great pride in showing Matilda the little thankyou card that I sent the Parliament after they gave me a lovely gift when she was born. She also had pencils, notepads and stickers ready for Till's amusement. Now Tilly says to me, "Mummy, can I please come back to work with you to see that really nice lady?" I thank Kate on behalf of Tilly, and everybody in the Mitchell family knows she is a gem. I know that all members feel the same way about her.

I thank David Blunt, Steven Reynolds, Stephen Frappell, Susan Want, Jenelle Moore, Beverley Duffy, all of the Legislative Council staff, the attendants, committees, procedure and everybody. They are just wonderful, and we would all be lost without them and the amazing work that they do. I thank Hansard for deciphering our musings and muttering—and, most importantly, Damien's singing—and turning them all into intelligent contributions. I thank all of the parliamentary staff. As Penny said, it would be hard to list everybody. But from the cleaners to the cafe and catering staff and the special constables, I thank everybody for keeping us tidy, fed and safe.

Mr President, thank you for keeping us on track and in order most of the time. I thank the other Presiding Officers, and I give a shout-out to our Deputy President and member of The Nationals, the Hon. Wes Fang—Whiskey Tango Foxtrot Wes Fang—who has excelled in that role. It has been remarkable to watch how well he has done, and we are very proud of him. Congratulations. I thank the Assistant President, the Hon. Rod Roberts, for everything he has done. When he is in the chair, I can see why he would have been a very formidable cop back in the day. I also thank all of the Temporary Chairs and the Whips on both sides.

On behalf of The Nationals, I thank all of our colleagues in the Liberal Party in this place, and a special mention to the Hon. Aileen MacDonald and the Hon. Chris Rath for joining the team this year. The Hon. Damien Tudehope, the Leader of the Government, has been a fantastic addition to this Chamber over the past four years. I am pleased he has brought a little bit of the Legislative Assembly to us, and we have certainly knocked a fair bit

of the Council into him. I am sure I am not breaking too many party rules when I say that it brings absolute joy to my heart to see him be the staunchest defender of upper House members and the hard work that we do, particularly when our lower House colleagues like to make us the butt of all the jokes. I am sure that is not unique to our side of the Chamber. I think we have well and truly captured him, and how lucky we are.

I acknowledge the other person who runs this place, Sam Tedeschi. Sam is a legend and always answers the "How much longer?" questions with a smile—and usually a lie. In all seriousness, we know that without him this place would not run as smoothly as it does, so I thank him very much. To my Nats colleagues—our Deputy Leader, Bronnie; Sam; Ben; Wes; and Scott, our new addition to the upper House this year—we are a team and a family, and we have each other's backs. We all have our own different roles—whether it is as duty MLCs, as committee members or as Ministers—but collectively we all work our absolute hardest for the people of regional New South Wales. We each know that it is an incredible privilege to be here representing our communities, and we all do it with pride and passion. It is a privilege to have been their leader over this term.

I thank all of our Nats staffers, who are without doubt the best in the building, no questions asked. No-one even bother to rebut that, because you would not be telling the truth. I include my own staff in that acknowledgement. I thank all of my team for everything that they do to support me. I thank Mike Fairbairn, Daniela Jozic, Sally-Anne Gilliam, Farooq Mulla, Cameron Dunger, Sam McGill, Eliza Cabassi, Jess Neale, Shannon Hall, Ben Heenan, Millie Burnett and Bryson Constable. They are all gems and I appreciate them very much.

It is a privilege to work every day with the Hon. Penny Sharpe, the Hon. John Graham and all of the members of the Opposition and the crossbench, even though it might not always seem like it. I thank Courtney for all the questions—2,000 odd, was it? I think we got about 90 per cent of those, but that is okay. It keeps us on our toes. I often talk to school students about being an MLC because when they visit they are interested in what we do on a day-to-day basis.

One thing that I make sure I tell them is that, despite what they might see on TV—or even when they come in here and see us all in full flight and think that we all despise each other—there is a true sense of camaraderie in this Chamber. Some of the best friendships are formed across the aisles because, even though we can often be in deep opposition on issues, everyone is here because we believe in something. We are passionate about what we do and we want to make a difference. That is what a good democracy should be, and we see that on display each and every day in this Chamber.

I finish by acknowledging those who are departing the Council and the Parliament this year: the Hon. Shaoquett Moselmane, the Hon. Adam Searle, the Hon. Mark Pearson, Reverend the Hon. Fred Nile—with more than 40 years of achievement, it has been a privilege to serve with him—Mr Justin Field and the Hon. Walt Secord. I also mention the Hon. Mick Veitch, depending on how the numbers fall for him. On behalf of The Nationals Legislative Council team, it is great to have a voice from the bush on the other side to spar with. We genuinely wish him all the best. I probably should not say it, but we kind of hope that he comes back because it is quite fun.

The Hon. Mick Veitch: Vote 1 below the line.

The Hon. SARAH MITCHELL: I am trying to work out how I can wish you well personally but not politically.

The Hon. Mick Veitch: Vote 1 below the line!

The Hon. SARAH MITCHELL: We will talk. To the entire cohort who are leaving Parliament, on behalf of The Nationals Legislative Council team I genuinely wish you all the very best for your next adventures. The rest of us will be back and ready to do it all again next year. Merry Christmas and seasonal felicitations to all, and best wishes for a very prosperous 2023.

Reverend the Hon. FRED NILE (17:50): Christmas is my favourite time of the year. I am sure you all feel the same way. Christmas is a sacred time in the Christian calendar. It celebrates the birth of our Lord Jesus Christ—our Saviour, Jesus Christ of Nazareth. Perhaps just as importantly, Christmas is also a time for family, caring for the vulnerable and eating too much. Before you leave this place for the year, I recommend a moment of quiet reflection and prayer in the Fountain Court. The Evangelical Sisters of Mary—who are great friends of mine—and I have been assembling a nativity scene there every year for as long as I can remember. I take this opportunity to ask that one member continues that longstanding parliamentary tradition with the good Sisters. If you would like their contact details, you are welcome to contact my office.

Before I go, I again thank the honourable members of this Chamber and those of the other place. I thank the Clerk and his team and the Usher of the Black Rod. I thank my own staff, Kaliopi Diamantis and William

Jennings, for their care and loyalty. Thank you. I wish all members of the House a merry Christmas. God bless each one of you.

Ms CATE FAEHRMANN (17:51): On behalf of my colleagues in The Greens, I wish everyone here a safe and happy Christmas, if you celebrate it, and a wonderful holiday season—as short as it is probably going to be for all of us. This year has been particularly exhausting. I have had quite a few conversations with people in the lift this week about the reasons for that. I think some of it is simply because we are out of practice from having a dedicated year of being present. It has also been exhausting because of the devastation of the floods and other emergencies that the State is still experiencing as we sit here today.

Perhaps it has been exhausting because of all of the committees and budget estimates—for us, they do not stop. If we talk about our lower House colleagues putting us down, if you like, I do not think they have any idea of just how much work we do. When this place does not sit, our work does not stop; it is just committee after committee after committee. Perhaps the year has been exhausting because of preselections, which have also been exhausting for some people. Perhaps it is because of some of the farewells. This year we bade farewell in this place to our colleague David Shoebridge. We bade farewell to our other "Greens" colleague Catherine Cusack. But it was wonderful to say hello to Ms Sue Higginson. For those of you who have not met her yet, because she is the quiet and retiring type—that is Sue behind me. It is wonderful that Sue has joined us. I extend my deepest gratitude for the friendship of both Sue Higginson and Abigail Boyd in this place this year. We can all agree how important friendships are across the political divide, but they are particularly important within our party.

It is wonderful to have three Greens women here, and after the election I look forward to having more than three on the crossbench. On behalf of the three of us, I thank David Blunt and Kate Cadell. Kate is always reminding me in the two days before various returns that I am one of the ones in competition to be the person who lodges it last. Since I found that out, I do try to get it in about four days ahead, so Kate has not been bugging me as much as she used to. Thank you to Steven Reynolds, Stephen Frappell, Susan Want and Beverly Duffy, who keep this place running like a not well-oiled but rather more like electrified machine. It has not been easy, over these past four years in particular, but they have handled the extreme pressure of this place, with our very unique numbers and balance of power, as though it is just like it has always been—as though there has been no additional pressure, when indeed there has been.

I think we could refer to this term of Parliament as the term for calls for papers. The Hon. Penny Sharpe mentioned the number of returns and the number of questions on notice and 890-something boxes. I suspect it has not placed many of us on the Christmas card list of Kate and the others who have to move those boxes around. Again, thank you, not just for your hard work but your uncomplaining work. I very much look forward to the New South Wales Labor Party's newfound love of transparency continuing into the next term, should it be successful in winning government in March 2023.

Reflecting on this term of Parliament, there have been some really significant pieces of legislation and significant pieces of reform that have passed. Abortion law reform and voluntary assisted dying law reform particularly come to mind. There was a lot of collaboration across multiple party lines—I think more than usual—which has seen this House really flex its muscles over the past four years. It has been quite extraordinary. We have been able to use pretty much all the mechanisms available to us to hold the Government to account. In this term of Parliament, it has been the upper House with our committees and our powers under Standing Order 52 that has been able to do that.

On that note, I extend my thanks—and perhaps my apologies, again—to the committees team for all of the work we have placed on your shoulders. I particularly thank Stewart Smith and Frances Arguelles from the Public Accountability Committee. I am sorry about how much work the Public Accountability Committee has put you through over the past few months since I have been chair, and also before that, but it has been worth it. Thank you. I also thank the attendants and the Procedure Office. I understand that my former colleague David Shoebridge left a legacy of last-minute bills and rushed amendments. Perhaps all the good folk in the Procedure Office and the Parliamentary Counsel's Office hoped things might improve somewhat after his departure, but indeed they have not. Sue, Abigail and myself have worked them right through until they said, "No, this has to be the last amendment." That continued right up until two minutes before the debate today on the NSW Reconstruction Authority Bill. Thank you to the Parliamentary Counsel's Office for being so patient with us.

I thank the wonderful catering team and cafeteria staff who keep us fed and—most importantly—caffeinated. I thank the Hansard team. I give speeches in this place, and then look at what the Hansard team has written, and I cannot remember speaking like that. They turn our words into wonderful speeches. I also thank the cleaners. It has been an extraordinary situation over the past few years. We have really had to worry about hygiene. We have had cleaners and attendants wiping down surfaces in this place. We have realised how invaluable the cleaning staff are in this place, and I thank them. They all deserve to be permanent staff, and they all deserve a big pay rise.

I thank the special constables. They act with nothing but professionalism. I thank them for everything they do. I thank the Leader of the Government, the Hon. Damien Tudehope; the Leader of the Opposition, the Hon. Penny Sharpe; the Hon. John Graham; and the Hon. Sarah Mitchell. Despite so many disagreements, the way in which debate has been conducted in this place over the past four years, working constructively on amendments where we can, has been extraordinary. I have been in this place for a couple of terms now, and this one stands out for that particularly.

Mr President, your presidency is a little bit different than the Hon. John Ajaka's. You have allowed us all to be a little bit more raucous than the former President allowed us to be, but I like that. A few more people possibly could have been called out or potentially taken out of the Chamber over the past year or so. I think the microphones work better than they ever have, so that may be one of the reasons for that. I pay tribute to our colleagues who are leaving this place at the close of this Parliament: the Hon. Adam Searle, the Hon. Shaoquett Moselmane, the Hon. Walt Secord, the Hon. Mark Pearson, Mr Justin Field and Reverend the Hon. Fred Nile. I thank you for your years of service. Reverend, while we have disagreed on many things, I cannot doubt your service to your community. I hope everyone has a safe, peaceful and happy break. I will no doubt see many of you on the campaign trail in the coming months.

The Hon. EMMA HURST (18:02): Mr President—

Unlike my colleague who might sing you a song,
If I try to sing out a tune, it'll come out all wrong

So on behalf of the Animal Justice Party, I ask you to humour me,
For my felicitations, I'd like to offer a little poetry.

I've always wanted to do this in rhyme,
But, admittedly, I've never had the time.

With the pandemic continuing, we couldn't get a break,
Everyday temperature checks—even though those were fake.

A very big thanks to the people who kept this place strong,
To the security, the cleaners for your work all year long.

And where would we be without DPS and the Parliamentary Counsel staff,
And Procedures and the Clerk, who work time and a half.

Here's to the people who keep Parliament running,
from Library to Hansard, and those who keep the coffee coming

To the inquiry staff, who managed animal inquiries galore,
Thank you for your help, as we sought to change the law.

The AJP had us talk about animals more than ever before,
And as time rolls on we look forward to more of you crossing the floor.

Ending my first term with three bills is nothing short of lyrical,
With Government, Opposition, and Crossbench support, and perhaps, a little miracle.

And to my reliable dissenters who bring their shooting and fishing kits,
I'm sorry for all the times I've given you the ***... *ahem*.

A special thanks to Alex Greenwich and his team who support us in the other place,
It's always a joy to work with you on animal protection whatever the case.

We celebrate the AJP State crew and those who volunteer,
Without each of you we wouldn't be here

And while we bid the Hon. Mark Pearson farewell,
We leave you with a promise we will continue to excel

To Mark's team, Angela and Louise,
Thank you for your work and expertise

To my own team, Sarah, Emily, and Tess,
Thank you for your unwavering ability to impress

And for the animals, of course,
Who are our driving force,

We dedicate this to you and promise you can trust us,
Because the Animal Justice Party will fight against injustice.

May it be a compassionate and kind festival season for all.

The Hon. ROBERT BORSAK (18:04): Unlike the Hon. Emma Hurst, I am very unpoetic.

The Hon. Penny Sharpe: Do interpretive dance.

The Hon. ROBERT BORSAK: And I cannot dance. I have not actually got much going for me. I am going to keep this short and sweet because I have heard everybody's wonderful comments and compliments. It has been a difficult four years for all of us, with COVID, campaigns and all of the things that I have worked on, in some cases, nicely; in other cases, quite nastily. The Hon. Wes Fang knows that. At the end of the day, all members in the place appreciate one another, and there is a collegiate exercise in here that has to be felt to be believed. Even though I have been the brunt of quite a bit over time, I give as good as I get. That is the whole idea, as far as I am concerned. I thank the Clerk and his team, who have always given me their ear and, quite often, some advice I did not want to hear. That is the way it goes.

The Hon. Mark Pearson: You are a poet.

The Hon. ROBERT BORSAK: There you go. It just pours out, like all sorts of other stuff. I thank the President, Mr Two Dads. He is a fount of knowledge. He more often than not says no to me, but he quite often also says yes when I ask for help and advice on issues. I thank the Hon. Adam Searle. I listened to his speech the other night, and I thought he summed himself up beautifully. I thank him for the work he has done and the way he has worked with us. At the start of this four-year term of Parliament, I do not know what happened but, somehow or other, he and Mr Shoebridge managed to stitch me up quite well.

The Hon. Damien Tudehope: More's the pity.

The Hon. ROBERT BORSAK: There you go. You have a vision of what you would like to do in this place, and my understanding was that I wanted to come out of this four-year term with a set of standing orders that put this Parliament in a position to be stronger and better than any other Parliament, State or Federal, in the Commonwealth. I think we have managed to do that. It is not just because of Standing Order 52; it is because of everything. We have modified the whole thing.

I remember coming into this place as chairman of the Shooters, Fishers and Farmers Party in 1995, and then in 1996, and talking to John Tingle. We saw an exhibition outside about the chook raffle. In all of the years between 1995 and 2006, when John retired, he won the chook raffle once and got up high enough on the list to have a bill run. He thought it was magic. This year is also a year of memory for my party's purposes because John passed away. But look at what is happening today on the crossbench and the way that questions are being dealt with in question time, where crossbench members actually get a chance to ask a question. That does not happen very often in the other place.

With the way politics is going, with minor parties making bigger inroads into the major parties, it is a good way to see representation on the floor of the Parliament. I thank all members for the competition. My old friend the Hon. Walt Secord is not here. I listened to his valedictory speech last night and was moved by his history and the way that he explained all of the things he has been through in his life. My life is simple. I am privileged to have been born in Australia. I really appreciate that, especially now that I have been in this place for the best part of 12 years. I thank all members. I hope that everyone has a safe Christmas break with their families, enjoys themselves and makes sure to eat as much as possible. If members want to have a drink, feel free to do so. Merry Christmas and happy new year.

The Hon. ROD ROBERTS (18:08): I speak on behalf of One Nation to contribute to the felicitations. As members would know, my colleague has been taken extremely ill. He is at home now, laid up with the effects of COVID. It has finally got him. It has taken three years. I told him, "Mate, it's going to happen," and it has happened. So I have come off the reserve bench, so to speak, to give the felicitations this afternoon. Do not expect anything as witty or satirical as my partner would deliver. However, members should all feel safe because none of them will get the Latham spray this afternoon. I will leave that for him.

Mark and I have had a great year up there in the One Nation man cave. We have continued to pursue our view of a better New South Wales. Our friendship and working relationship have continued to grow, much to the despair and dismay of those who thought we would blow up in the first six months we were here. We have done four years now, and there is no sign of any cracks. It is only getting stronger. Some scallywag once referred to us as the dynamic duo, Batman and Robin. If that is the case, I want it recorded clearly that I am Robin because I am the younger and better looking one of the two. The same wag said that Mark is running for re-election this time and that perhaps he should make a valedictory speech. In typical Latham form, this is what he said. Imagine him puffing out his shoulders and saying, "Rod," in his best Arnie Schwarzenegger impersonation, "tell them I'll be back." He will be back after the next election.

Mr President, I thank you for your support and leadership from your position of President of this Chamber. You lead by example. You are very knowledgeable and approachable. I thank you for that. I enjoy our occasional after Chamber post-mortem of an evening where we indulge in a little scotch. As one of your predecessors, William Charles Wentworth, said, it is only for the uplifting of our soul that we partake of it. My fellow

chairpersons, the Hon. Wes Fang, the Hon. Adam Searle, Ms Abigail Boyd, who has left, and the Hon. Chris Rath and I work well as a team, interchanging and swapping positions so that no matter the roster there is always someone to fill the chair.

I thank the Clerk, Mr David Blunt, Steven and Stephen, and Beverly for their assistance during the past year. Their office is a fount of knowledge, and we thank them for that. I do not like to point out individuals, but I make mention of Jenelle Moore and Susan Want. Mr President, you know that we recently travelled to the Solomon Islands as a parliamentary delegation, and we were blessed to have Jenelle and Susan look after us. There were times on the trip when I thought it was just like being back at school, and they were the two frustrated teachers trying to organise us on the school excursion. "Make sure you are on the bus on time and get off the bus on time. Have you got your tickets right? Have you packed your bag? Is it at the bus?"—all that sort of stuff. We would have been lost without them, as you know, Mr President. They did a tremendous job.

The Leader of the Government, the Hon. Damien Tudehope, is a man of impeccable integrity and honesty. I have approached him many times in the past 12 months. Usually, the answer is no, but he always says it to my face and never behind my back. To have someone with his credibility is a bonus for this Government. While I am on the Government, I thank Government members for working with us in the past calendar year. To the Hon. Bronnie Taylor I echo what the Leader of the Opposition said earlier. She should not take offence if we ask her a question. She has a job to do, but she must remember that we also have a job to do. Whatever we do is not personal and is not driven towards her as an individual; it is simply the role. No-one would ever want to upset Bronnie—no-one.

The Hon. Bronnie Taylor: You talk to my Duncan. He will tell you that.

The Hon. ROD ROBERTS: I am sure. I do not think I need to listen to Duncan; I know. To the other Government members, in particular my good dining partners, the Hon. Taylor Martin and the Hon. Scott Farlow, who always make me feel welcome in the members' dining room—

The Hon. Mick Veitch: Do they shout?

The Hon. ROD ROBERTS: No, they never shout, Mick. They regale me with their David Elliott impersonations. Ask them at some stage to do David Elliott denying that it is he who leaks to Linda Silmalis all the time. That will keep members chortling for hours. Fellas, thanks very much for your dining hospitality. Mr President, I put you on notice. Your colleague the Hon. Peter Poulos has entrenched himself well in that corner there. That was your corner, sir. I hope he does not think that it is a springboard to that chair. Keep your eye on that man. But he is good company down here in the corner of scallywags. He has fitted in quite well. While I am talking about the scallywags, I mention the Hon. Lou Amato, the dentists' friend. He has provided that much sugar to us all over the year, through his jelly snakes. We need that sugar hit during the day. Thank you, Lou.

I thank the Hon. Penny Sharpe and the Hon. John Graham as the leaders of the Opposition. I like to think that we have all worked constructively throughout the year. There will always be common ground there somewhere. To the rest of the Opposition members, I express exactly the same gratitude. The Hon. Daniel Mookhey is not here at the moment, but I will single him out. The scurrilous ones among us may suggest that the renovations of the Legislative Council that are about to be undertaken in the break are being done purely to accommodate the Mookhey wing. There is probably a damn good chance.

I am a lot older than most members, and only the older people will appreciate what I am about to say. I have mentioned before that I have come from a humble background. Our family could never afford encyclopaedias. Back in my day, we used to have Encyclopaedia Britannica, which one could buy as a set. If one came from our sort of background, one got the Funk & Wagnalls. The Funk & Wagnalls were affordable for people like us because we could buy them by the volume. When there was some money left over, Mum and Dad would buy volume 1, which might have been A to B, and then volume 2 would be C to D, and so on. I like to think that the Mookhey library is full of Funk & Wagnalls because every week he achieves another volume. Now I reckon he has the whole set of every government paper ever printed. To the Opposition members who are leaving us, the Hon. Adam Searle, the Hon. Walt Secord, the Hon. Mick Veitch and the Hon. Shaoquett Moselmane—

The Hon. Penny Sharpe: Mick is not leaving.

The Hon. ROD ROBERTS: He may be leaving. I will get to that in a minute. I am putting a line through Moselmane and Secord because they have not had the decency to turn up here today. I will address my comments to Adam. Over the past 18 months we formed a good working relationship, going as far back as I remember, to the Work Health and Safety Amendment (Industrial Manslaughter) Bill. I like to think that between both of us we managed to get that through this Chamber. In more recent times there has been our work on ICAC and the stuff that has evolved from that. I thank Adam for his efforts. I hope that Mick Veitch comes back. I do not know what

his chances are and it is not for me to speculate, but he will be a sad loss, not only to this Chamber but also to his party. His party will have no credibility in the bush without a man like him sitting on the benches.

The other members leaving us are Mr Justin Field, the Hon. Mark Pearson and Reverend the Hon. Fred Nile. I congratulate them on their stellar careers and what they have achieved while they have been here. My two scallywag friends, the Hon. Robert Borsak and the Hon. Mark Banasiak, and I, put in another good 12 months together. I can always rely on those men to be right beside me. To all those who are facing election in March—quite a few in this Chamber are going around again—I genuinely wish them all the best of luck. It is not up to us to decide who is in here; it is up to the members of the public. Those members will be out there again and they will be going for it. I genuinely wish them all the best.

I thank our One Nation staff upstairs—Gary, Nella, Ed and Alex—for everything they do. The old duck analogy comes to mind—swimming along the surface, looking good, but underneath is where all the hard work is going on. I thank Hansard, once again, for their good work. I will probably read this contribution tomorrow and not believe that I said it, because Hansard will have polished up all the drivel and made it look good. In closing, I remind everyone to enjoy their break and to spend it with their friends, family and loved ones. Recharge those batteries as we have a big year in front of us. I will probably see all members out there on the campaign trail. In 2023 let us come back and rip into it with one united goal—that is, to make New South Wales the best place to live.

The PRESIDENT (18:19): I thank all honourable members for their very kind words and continuing contribution to the orderly running of this place. Serving as your President over the past year has been an honour, a privilege and a duty that I have really enjoyed. Indeed, as many of you have commented, it has been a busy and challenging year on many fronts. Whilst we have gradually learnt to live with the threat of COVID, successive mutations and subsequent waves have continued to be very testing for this parliamentary administration in particular. The Parliament's response to COVID-19 and the challenges it has presented this year has again been exemplary. I wish to acknowledge the dedication and resilience of all who work in this special place. I especially thank those who have been pivotal in ensuring the safety of us all while we have been working in this place.

Notwithstanding the shadow of COVID, the year began with an air of anticipation as we commemorated the platinum jubilee of Her Majesty Queen Elizabeth II on 6 February 2022, marking 70 years of magnificent, selfless service to the people of the Commonwealth. Who will ever forget the stunning Platinum Party at the Palace in early June—Paddington Bear and his marmalade sandwiches, or the parades of military, horses and pipe bands from across the Commonwealth? I am glad that all of my republican friends particularly enjoyed it, almost as much as I did. How quickly things changed. Tragically, only two months later, on 8 September 2022, we bore witness to an unprecedented outpouring of loss and grief on the passing of Her Late Majesty.

Many echoed the famous words of Sir Robert Menzies, "I did but see her passing by, and yet I love her till I die," as they remembered and mourned the only sovereign they had ever known. London Bridge had fallen, and New South Wales Parliament played its part by hosting the Proclamation Ceremony on Sunday 11 September 2022, where the Governor of New South Wales, Her Excellency the Hon. Margaret Beazley, AC, KC, proclaimed Prince Charles to be King Charles III, by the grace of God, King of Australia and his other Realms and Territories. I will never forget the thousands that were gathered on Macquarie Street on that day in respectful silence to be a part of that most historic occasion.

Let me now turn to the bicentenary of the Legislative Council. Whilst discussions with Buckingham Palace continue concerning a royal tour in November 2024, we secured the rights to hold the sixty-seventh International Commonwealth Parliamentary Conference in Sydney, also in November 2024. This is the world's largest annual gathering of parliamentarians, with over 750 delegates and delegations from 53 Commonwealth countries and over 180 Commonwealth Parliaments destined to join us here and at the Sydney International Convention Centre to celebrate our shared democratic heritage. It promises to be a unique opportunity to showcase this Parliament, Sydney and, indeed, our wider State to the world. The bicentenary program was officially launched on 18 October 2022 by our patron, Her Excellency the Governor of New South Wales. I wish to particularly thank Her Excellency, our Bicentenary Ambassadors, the cross-party Bicentenary Consultative Committee and the many staff of the New South Wales Parliament for their tremendous support so far.

Indeed, we all have much to look forward to—an exciting bicentenary program over the next two years which will respectfully commemorate our history, educate our community, particularly our young people, and create an enduring legacy that we can all be proud of. This will include the long-overdue restoration work on the Rum Hospital and both parliamentary Chambers, which will commence in December. It will be unavoidably difficult at times in terms of access to this place over the coming break, but when completed next year it will be the centre point for the commemoration of 200 years of democracy in our State and nation.

A range of other key historic events commemorated this year included the departure of Governor Lachlan Macquarie from the colony of New South Wales 200 years ago, acknowledged by the launch of the book entitled *Judging the Macquaries* by acclaimed writer John Harris, which included a critical and innovative re-enactment of the legacy of Governor Macquarie played out in this very Chamber; the unveiling in this place of the marble bust of the first female President of the Legislative Council, the Hon. Virginia Chadwick, who looks down on us every day and wonders what goes on in this place, I am sure; the twenty-fifth anniversary of the New South Wales Parliament's apology to the stolen generations, which included moving contributions on the impact of child removal on survivors in the Legislative Assembly and a compelling, complementary exhibition on our reconciliation wall; the recent launch of *Dining at the NSW Parliament*, the first parliamentary cookbook of its kind and the perfect Christmas gift—make sure you do not miss out; and the launch yesterday of *Rum Hospital to Parliament*, an updated history of the evolving use of NSW Parliament House—absolutely compulsory reading for all who work in this historic place.

The COVID recovery has also seen the resumption of diplomatic visits to Parliament by ambassadors, consuls and delegations. We returned serve by sending parliamentary delegations to Bougainville and the Solomon Islands to renew our direct links as part of our long-established Twinning program. The Speaker and I were also warmly received in our sister state of California, and we look forward to returning the hospitality when a Californian delegation visits in early December.

Honourable members, it is official—the Procedure Committee is no longer the place where inquiries are sent to die. Indeed, I was very pleased to table three important reports of the Procedure Committee in the past two sitting weeks. The report *Auslan Interpretation for broadcasting* recognises our obligations pursuant to the Convention on the Rights of Persons with Disabilities by introducing a pilot program to enable Auslan interpretation for certain proceedings in the new term, including the Governor's Speech at the opening of the new Parliament. The reports *Operation of Standing Order 52* and *Second Review of the Standing and Sessional Orders* each represent significant steps in the historic evolution of the standing orders of this place.

Together, they are a critical and important legacy that will continue to greatly improve the efficiency of this House and underpin the accountability mechanisms that lie at its core. I thank all members of the Procedure Committee, the wonderful secretariat and other key members of this place who have contributed to this important process over the past two parliamentary terms—that is what it has taken to bring all of the standing orders, sessional orders and the experience of this place together into a document that will serve this place for time immemorial.

Recently the Parliamentary Executive Group decisively moved to address serious workplace issues identified by the Broderick review. The formal statement of acknowledgement in both Houses earlier this week was an important first step, as was the recent appointment of Ms Rose Webb as the Parliament's Independent Complaints Officer. The detailed Broderick review implementation plan will be released shortly for further consultation. I again thank the Parliamentary Advisory Group and all stakeholders for their continued support and commitment to this ongoing process.

It has been such a busy year and there are a lot of people to thank. Firstly, a general thankyou to all members for your good humour, patience and cooperation in respect of the day-to-day running of this place. In particular, I wish to thank the respective political leadership of this Chamber—as harmonious a group as I have ever seen in this place. Often, during question time, they look more like a group of friends having a casual chat at the local bar, punctuated by the odd, badly crafted song from a broken-down jukebox, rather than adversaries engaging in mortal political combat.

Sometimes this vibe drifts onto the benches behind as the repartee flies thick and fast to the point where any interruption from the Chair feels like an unwelcome intrusion on a private conversation. My apologies for disturbing this vibe, particularly the burgeoning bromance between the Leader of the Government and the shadow Treasurer! Sadly, at times there appears to be a little less love amongst some members of the crossbench. Nevertheless, I also thank them for their passionate advocacy in this place—although, I would prefer to hear a little less about the dangers of being a turkey at Christmas. However, I have a hunch that my re-education will continue at the hands of the relentless Animal Justice Party. I thank Emma and Mark in that regard.

I thank the party Whips for organising the troops and for all the thankless, behind-the-scenes organisation and negotiation that is integral to the smooth running of this place. I also acknowledge the silky negotiation skills of the one and only Sam Tedeschi, the Opposition and crossbench whisperer, who naturally leaves no fingerprints or ill will. The appointment of the Hon. Wes Fang to replace the Hon. Trevor Khan as Deputy President has proven to be a masterstroke after an initial white-knuckled ride. I deeply appreciate his enthusiastic support along with that of the "take no prisoners" Assistant President, the Hon. Rod Roberts. Similarly, the Temporary Chairs, Ms Abigail Boyd, the Hon. Adam Searle and the Hon. Chris Rath, have conducted themselves impressively in the chair.

A very special thankyou to the Clerk of the Parliaments, Mr David Blunt. Even His Majesty King Charles III asked, with some concern, about how he was coping with travelling overseas with the President for three weeks. David's response was, of course, predictably diplomatic. He is supported by his thoughtful deputy, Steven Reynolds, and the magnificent Kate Cadell, who has given over 25 years of peerless service to this great institution, including over 10 years of service in the office of the Clerk. I thank the Usher of the Black Rod, Jenelle Moore, who continues to be pivotal in preparations for the bicentenary celebration of the Legislative Council, along with our dedicated procedure and Chamber support teams and, of course, Hansard, who all form an essential and valued part of this House.

I thank my fellow Presiding Officer, the Speaker in the other place, the Hon. Jonathan O'Dea—who is retiring at the March election—for his leadership and congratulate him on his significant contribution to the Parliament. I also thank the Speaker's chief of staff, Paul Blanch, the Clerks in the other place and Mark Webb for their personal leadership and wise counsel. I thank my chief of staff, Andrew O'Sullivan, who, as all members know, is the unassuming bloke with the beard, whom I have had the privilege to count amongst my close friends since our days at university together. He is an outstanding human being who is trusted and respected by all who have the pleasure of dealing with him. I also thank the rest of my team: my deputy chief of staff, Marie Mirza; Mark Rusev; James Brown; Norm Lipson; and, more recently, Tina Mrozowska; and my driver, Craig Brown. I deeply appreciate their abiding loyalty and support. I also thank Jenny Walker, who meticulously cleans my suite every day, and Gary Chan, who cheerfully supplies us with much-needed coffee and for whom nothing is too much trouble.

I wish all of those who have chosen to retire at the coming election all the very best in your future endeavours. I know some of you do not go as willingly as others, but you should all be very proud of your contribution and the legacy that you have created in your time in this historic place. In that regard, I wish to particularly acknowledge Reverend the Hon. Fred Nile, the Father of the House, who has served in this place for some 42 years. That is an incredible contribution to the people of New South Wales. I wish you all the very best in your retirement. I trust all those who are retiring will join us in 2023 and 2024 for the bicentennial celebrations that will be held during that time.

For those destined to return in the next term, a long campaign beckons. Notwithstanding that, I trust you seize the opportunity to be with your family and friends over Christmas, and for as much time as possible into the new year, before we once again have to take up the election cudgels. Whatever the result in the March election, I look forward to you all rejoining our noble quest to make this great State an even better place for those whom we are all privileged to represent.

The question is that the motion be agreed to.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. DAMIEN TUDEHOPE: I move:

That this House do now adjourn.

BANJO PATERSON AUSTRALIAN POETRY FESTIVAL

The Hon. SCOTT BARRETT (18:33): Next February the Rotary Club of Orange will host the 2023 Banjo Paterson Australian Poetry Festival. Further details about the festival are available from Orange Rotary. I suggest everyone get involved. To celebrate and promote the festival and as a present to the President and other members of this place—particularly the Hon. Mick Veitch and the Clerk, Mr David Blunt—I offer the following submission of a former entrant in that competition:

I got an uninvited letter, from this fancy sort of fella
Said he met me out at Forbes when I was shearin'.
Well I don't know but I suppose it was that flashy city cove
Who kept yappin' in my ear without me hearin'.

See the shed was full of noise like the swearin' of the boys
As they dragged another wether 'cross the board.
The screaming of the press and the machine up overhead
That would chatter every time I pulled the cord.

Then at lunch he'd flap his gums; we'd block our ears up with our thumbs
As we'd try to get some rest from work and heat.
But he'd roll off whats and whys, he was annoying as the flies
That would dance across the rancid food we'd eat.

That was a while ago. And now I've got a job moving some cows
 Out from Winton where the drought is four years deep
 It's a slow and dyin' mob, and a bugger of a job
 But I was sick to bloody death of shearin' sheep.

I got a parcel in the post, and a letter with the most
 Precise and finest writing that you'd ever see.
 There were other little bits, like some yarns and worthy clips
 From the rag at Forbes my mate had sent to me.

So I did not have to reply, my mate had told this guy
 I'd gone to Queensland drovin' and he did not know where.
 This suited me just fine, I'd not the patience nor the time
 To answer all the questions that he had in there.

He asked about the "bush folk" I had met and what it was like to set
 up camp underneath the stars and how bright they glimmer.
 He wondered if I sang a song as I poked the mob along,
 And if I'd describe the sound made by a river.

This bloke is bonkers mad of course, and I told this to my horse
 Who's the only one up here worth talkin' to
 The food is quite displeasin', and the nights are dead set freezin'.
 And the river been dry for a year now going on two.

I'd like to trade with him I'd say, give this drovin' game away.
 Get a cruisy office job down in the city.
 There'd be no flies and no dust, and no more sweat to make a crust.
 And I'm told the girls down there are extra pretty.

Oh those city lights they beckon. I'd have a grand old time I reckon
 As I strutted like a rooster down the street
 With my simple county charm, I'd have a bird under each arm.
 Just think of all the people I could meet.

And with the ease to get around, just catch a bus or train down town
 Head off to the beach or maybe see a show.
 Get a cute and cosy flat, a little garden out the back
 Where tomatoes, herbs and other plants would grow.

I'd get my pen pal here a job, riding tail behind the mob
 As they stumbled over spinifex and plains.
 Cold nights, hot days and flies, dust grating at his eyes
 As he searches the horizon for the rains.

In a flash I'd swap my friend, him in saddle weeks on end
 As I sit comfortable behind an office desk
 But I know that dream will never come, this life was never meant for some
 And I'd doubt the cloth from which he's cut would pass the test.

What a year it has been. I entered this place in March. I am still in awe of it and the position that we hold. It is certainly not lost on me. Lots of thanks have been given by previous speakers. I will not do much more than echo their thanks to all the wonderful people that make this place happen: the committee staff, Hansard, the Hon. Sarah Mitchell and my Nationals colleagues, and all those across the spectrum who have made my experience joyful, entertaining or at least interesting. It has been an incredible ride and an immense privilege. I give a nod again to people experiencing floods at the moment. My heart bleeds for them all. It has been a particular honour to represent regional New South Wales—by far the best place to live, work and raise a family.

STATE ELECTION

The Hon. MARK BUTTIGIEG (18:38): It is time for a Labor government in New South Wales. The Liberals and Nationals do not deserve to be in power for 16 years. They have mismanaged the economy and put our State in over \$182 billion of gross debt. Even with its colossal debt, the Liberal-Nationals Government has managed to neglect our education and health systems. Consequently, our schools and hospitals are in crisis. Our education system is at breaking point and the Government is ignoring the crisis. Over 28,000 permanent teachers left our public schools between 2010 and 2021. Under the Liberals and Nationals, our teachers are burnt out and have been leaving in droves.

An upper House committee survey indicates 60 per cent of surveyed teachers plan on leaving the profession in the next five years, with the majority blaming their departure on unmanageable workloads. Job insecurity is rampant for our teachers, with 40 per cent of the workforce on casual or temporary contracts. The chronic shortages are impacting our kids, as they are constantly being left with cancelled or merged classes. Education outcomes for our students are at all-time lows. Recent NAPLAN results even demonstrate that grammar and punctuation outcomes for year nine boys are the worst on record.

The Liberals and Nationals do not have a plan to deal with the teacher shortage crisis. In fact, the Minister for Education and Early Learning has been caught out misleading the public by saying that there were not thousands of teacher shortages, when in reality her own data demonstrated that at the start of term 4 there were 2,458 vacant positions. Our students and teachers deserve better from the Liberals and Nationals. Labor has a comprehensive plan to address the teacher shortage crisis, by bringing back permanency to the profession. A Minns Labor government will convert 10,000 temporary teachers to permanent, to ensure that teachers have certainty and confidence in their profession. Labor will decrease the admin load on our teachers by five hours a week, providing teachers with further time to focus on student outcomes. We will get rid of classroom distractions by restricting mobile use in high schools.

Our Labor team understands the issues that schools are facing. For instance, our candidate for Camden, Sally Quinnell, knows firsthand the mess that the Liberals have created in our schools and the issues facing teachers. Sally is a passionate schoolteacher and has taught across Camden schools. Sally knows that the residents of Sydney's south-west are sick of their kids being stuck in demountables and overcrowded schools, and that they are also tired of the broken promises from the Liberals on building new schools. Sally will always fight for the best educational outcomes for our students.

After 12 years of a Liberal-Nationals Government, our health system is in crisis. The devastating understaffing and underinvestment of our health system has had a catastrophic impact on the ability of our residents to access treatment and care. Emergency wait times have been at record highs. Our residents should not be waiting multiple days to access a bed in our State's hospitals or be forced to leave hospital without any treatment. Health professionals have been publicly sounding the alarms on a failing health system. Our nurses and midwives have been leaving the system or dropping their hours. Our health workers are under enormous pressure and their deep concerns have been ignored by the Liberals and Nationals.

We have listened to our health workers. A Minns Labor government will prioritise the structural repair of our system. Labor will employ a further 1,200 nurses and midwives, and we will be introducing minimum and enforceable safe staffing levels into public hospitals, starting with emergency departments and then moving to other areas such as maternity wards and ICUs. A Labor government will also provide \$150 million for 500 additional paramedics. A Minns Labor government will put families first by ensuring that we address the crisis in our health and education systems. We simply cannot trust the Liberals and Nationals when it comes to resourcing our schools and hospitals. They have failed us for 12 years.

AUSTRALIAN AND UNITED STATES POLITICAL CULTURE

Reverend the Hon. FRED NILE (18:43): My adjournment speech deals with the Australian and United States political culture. I note that Australia has a friend—the United States of America. The United States has recently undertaken its mid-term elections and the Republicans have taken back the House of Representatives but possibly not the Senate. I welcome yesterday's announcement that Donald Trump will be running for President in 2024. The impacts of his presidency are still being felt today, especially with the overturning of the unconstitutional *Roe v Wade* 410 US 113 (1973) by the United States Supreme Court. However, I note that what happens in the United States matters as to what happens in Australia. It slowly affects our nation. I have observed with some alarm that America is very much a house divided. As Matthew 12:25 says, "A house divided against itself shall not stand."

The former Speaker of the House of Representatives, Nancy Pelosi, recently had her home broken into. Her husband was violently taken hostage by a politically motivated individual and beaten with a hammer whilst the assailant screamed, "Where's Nancy?", referring to his wife. This individual wanted to attack the Speaker. At the University of California, Berkeley, Zionist Jewish students are regularly the object of antisemitic bullying and intimidation. The Berkeley School of Law has redrafted its by-laws to forbid any speakers that support Israel or Zionism. That is a racist and undemocratic disgrace that defeats the purpose of a tertiary education—that is, to learn. Of course, there were also the terrible scenes that the world saw on 6 January 2021 when violent crowds stormed the American Capitol Building in Washington DC demanding that the election be overturned amid yet to be proven concerns of election fraud.

A New South Wales State election will be held on 25 March 2023. As I leave this place it is my sincere hope and prayer that Australia remains a fair, open-minded and peaceful society—a society where we can discuss both important and small matters without fear of violence, scorn or intimidation, and a society that has mutual respect for all rather than partisan exclusion and hate. This is my prayer as I finish my adjournment speech: God bless Australia and God bless New South Wales.

SEASONAL FELICITATIONS

The Hon. SCOTT FARLOW (18:48): The end of a year and the end of a term is indeed a moment of reflection. We have had much in this House already, with felicitations. I feel that since becoming the Government Whip, I have a few thanks of my own to add. In the role, I have had a much greater appreciation, admiration and acclamation for the work undertaken by all the cogs in the wheel that make this place run, particularly those behind the scenes, who will not be seen on your screens or as speakers in *Hansard*. I start where most have ended in their recent valedictories with my heartfelt thanks to the Clerks at the table—David Blunt, Steven Reynolds, Stephen Frappell, Janelle Moore and the wonderful Kate Cadell, who fortunately happens to be in the Chamber. When I first came into this place I was amazed at how smoothly people appeared to get things done. Then I discovered loqs and the *President's Program*, and it was like looking behind the curtain at the great and powerful Oz.

I extend my thanks to Beverly Duffy and the Legislative Council procedures team of Chereyn Brearley and Noora Hijazi. They have been able to successfully decode all of our utterances at the business committee meetings every Tuesday night and make Wednesdays in this place as seamless as possible. In the same vein, I also thank all who have been a part of the committee for their forbearance and the constructive nature in which we get things done, and particularly the Opposition Whips, the Hon. Mark Buttigieg and the Hon. Anthony D'Adam; and the crossbench representatives, the Hon. Mark Banasiak, Ms Cate Faerhmann, Mr Justin Field, the Hon. Emma Hurst, the Hon. Mark Latham and Reverend the Hon. Fred Nile.

While we may have heated discussions and acrimony in the Chamber from time to time, it rarely, thankfully, spills to outside of this place. For whatever we may say in this Chamber, it is often our staff who are left to work through the mechanics of what needs to be done in this place to make things happen. I place on record my gratitude and thanks for the work of the Opposition Whip's office, in particular Cara Punch and Ciahn Pertzell, and the role that Edwin Dyga in the office of Mark Latham plays in crossbench coordination. I also put on record my thanks to my own staff, in particular William Olive for all of his work supporting me in the role—can I say "Fins up" for everything that may come—and my Whip's adviser, Bo Ok.

I never consider Bo to be my staff member, but rather that of all members in this Chamber. When I first started in the role, I lived every day in fear that she would not come back. Thankfully, each and every day she did. In fact, I am still not sure whether she ever leaves the place. She has been absolutely amazing in her role for all members. As other members have remarked, we are only as good as our staff. I am very lucky to have someone of her calibre in my office working for everyone. I record my thanks for our own team, particularly the captain of our team, the Hon. Damien Tudehope, for his good grace, humour and leadership in this place. In mentioning the Leader of the Government, it is hard not to, in the same breath, thank the man who knows what is actually going on in this place when the rest of us just pretend we do: the master of the House, Sam Tedeschi. He books a match card better than Eric Bischoff did in 1996. Only he will know what that means.

It would also be remiss of me not to pay tribute to the Leader of the Government's chief lyricist Richard Egan for the role that he plays for the Minister and the support that he has provided to a cross-section of this Chamber over the past four years on a number of issues. I thank our deputy leader, the Hon. Sarah Mitchell, who has always been willing to do whatever she can to support our team. I also thank all of our ministerial team, particularly the Deputy Leader of The Nationals, the Hon. Bronnie Taylor, and Ministers Ward, Maclaren-Jones, Faraway and Franklin. I thank all of our non-ministerial Government troops. Throughout this term of Parliament, they have had to deal with more committees than ever thought possible. They have had to do so in circumstances that no other Parliament would ever have considered, and they have done so with the derision of their lower House colleagues and little appreciation until something goes wrong. I thank them all for their grace and willingness in undertaking these activities and causing very little grief along the way.

I thank my Deputy Whip, Scott Barrett, and his staffer, Rick Biggs. He has been thrown in the deep end since day one. He has risen to the challenge every step of the way and has provided me and the whole team with every ounce of support ever needed from the role. I thank you, Mr President, and your office, particularly Andrew O'Sullivan, for making sure that this House runs smoothly and for supporting all the team. I thank Deputy President Wes Fang, Assistant President Rod Roberts and all of the Temporary Chairs of Committees very much for all the work that they do to make this place operate. I thank the committee staff for their service and *Hansard* for making everything somewhat comprehensible and fixing up all of our mistakes in the Chamber. We now leave this place for the battlefield of the campaign. Much is unknown at this point about the composition of this place in the future, but I am thankful for the chapter and part that we have all written in this book. I look forward to the future chapters of this Chamber and the great things that it will do, particularly with its coming bicentenary.

ANIMAL JUSTICE PARTY

The Hon. MARK PEARSON (18:52): Surprisingly, I am going to talk about the Animal Justice Party [AJP]. Quite interestingly, just after the election in New South Wales, I was contacted by the Electoral

Commissioner because something had gone wrong with iVote and three parties were not above the line. He said, "Mr Pearson, what do you think we should we do?" I said, "Well, if we're close, we'll probably contest it. But, Commissioner, don't you think it'd be a good idea for the donkey vote to automatically go to the Animal Justice Party?" It was then that I first learnt that typical commissioner response, which was a low chuckle, and that was it. That was the conversation. Anyhow, it seems fitting for my final adjournment speech to be about the party that I helped found and have watched flourish over the past decade.

As the Animal Justice Party's first elected representative, I record in *Hansard* how this little party of animal carers and activists created a new force in politics—one based on kindness and compassion towards all sentient beings, including humans. The genesis story of the AJP starts in 2008 when the Australian Capital Territory's Greens-Labor Government ordered the needless and cruel slaughter of kangaroos. Wildlife carers and Animal Liberation ACT had been negotiating with the department of defence to relocate a population of kangaroos that had been living on enclosed lands. The ACT Government intervened by hiring shooters, who shot 1,400 kangaroos that had been peacefully grazing in the grasslands. This actually caused post-traumatic stress disorder in the people who witnessed it.

In 2009 wildlife carers Steve Garlick and Bernie Brennan discussed the need for a political response to the ongoing slaughter of native animals. They felt that the time had come. At this point I was contacted and we had a meeting to begin the party. From the beginning I was confident that the time had come; the public was outraged about the live export trade and this newly forming concern about animals could be harnessed to support a party running on an animal protection platform. For the next two years a small group of founding members developed policies and a founding constitution for the new Animal Justice Party, and the party was registered with the Australian Electoral Commission in 2011. Our first campaign was in the 2013 Federal election, when we ran 10 candidates in electorates across Australia. Over the next two years we founded and registered the New South Wales, Victoria and ACT branches.

We made history in 2015 when I was elected as the first Animal Justice Party member of Parliament following our initial New South Wales State election campaign. I remember contacting my New England Independent MP, Tony Windsor, early in the campaign. He very kindly gave me many tips to take on the campaign trail. He advised me that he had looked at our votes in the Federal election and was confident that one day the Animal Justice Party would get a seat. This helped immensely, giving me a sense that victory was possible. He proved to be correct. I garnered 1.8 per cent of the vote and almost 80,000 primary votes.

We are also making inroads into local government, with the election of local councillors in Bendigo, Alpine Shire and Campbelltown councils. I predict that our lead candidate in the forthcoming New South Wales State election, Alison Waters, will become our second female MLC. And I have a very good feeling that we might end up with three. The AJP exists as a response to the growing public concern about how Australian political parties have neglected the needs of animals and animal protection issues generally. Australia continues to fail the test outlined by Mahatma Gandhi:

The greatness of a nation and its moral progress can be judged by the way its animals are treated.

Australia was given a "D" rating by the World Animal Protection's Animal Protection Index, which ranks countries around the world. As long as this country fails to treat animals with kindness and denies their intrinsic worth and sentience, the Animal Justice Party will campaign to secure their interests through Australia's democratic institutions of government. I am proud to be part of this party which, I must say, has made extraordinary, unprecedented and unexpected progress in the past eight years.

FAREWELL SPEECH

The PRESIDENT: Before I call the Hon. Mick Veitch, I welcome his partner, Carina Raglione, into the gallery.

The Hon. MICK VEITCH (18:58): I cannot table this but I have just received a text from my grandson River. It says, "Good luck, Pop." And the first line of my speech is "Don't cry." I wonder how it has got to this—poetry and singing in the Legislative Council. It was not like that in 2007, I can tell you. I am also reading from a prepared speech, which I know my former staffer Stephen, who is here, is probably absolutely gobsmacked by because he would write wonderful speeches and when I got here, I would fold them up and put them in my pocket. This one probably will not have that effect. I wish to acknowledge the traditional owners of the land on which we meet, the Gadigal clan of the Eora nation. As most people are aware, I will be contesting the next State election at No. 9 on the Labor Party upper House ticket, and you all have to vote 1 below the line.

The Hon. Damien Tudehope: You get kicked out of the party for doing that.

The Hon. MICK VEITCH: I won't tell them. If things do not work out, this shall be my last speech in this place. I thank the President and the Leader of the Government for allowing a little privilege and turning off

the clock. When I was shearing wethers near Hay, Hell and Booligal—where is Bronnie?—or tight merino hoggets on the Monaro Plains, I had no idea my journey would land me in this most historic of democratic Chambers. Indeed, I am but the fifth shearer to serve in this Chamber since 1856, and the first since 1952. Ironically, my journey has progressed from working in one tin shed to another. I look around the Chamber often, reflecting upon the history in this old tin shed. I try to imagine the voices and the debates. We really do follow in the footsteps of some giants, and I have no doubt that giants will follow us.

Of those honourable members who were here when I first walked through the doors to this Chamber but five remain: the Hon. Peter Primrose, Reverend the Hon. Fred Nile, the Hon. Greg Donnelly, the Hon. Penny Sharpe and yourself, Mr President. You were here to observe my swearing in and my inaugural speech—in a stunning green suit, with no grey hair and—if I can pinch a line from Guy Zangari—no glasses. You have witnessed my time in this place: the good, the bad and—I have to admit, on a couple of occasions—the ugly.

I am the 681st person to be sworn in as a member of the Legislative Council since 1856. I am the 201st member of the Australian Labor Party to take a seat on the so-called plush red leather. I hope you all agree with my good mate Nathan Rees, who said, "Mate, you gave it a red-hot go." I am a member of the class of 2007. In fact, I am the last of that group to serve the people of New South Wales in this place. I cannot mention those who joined me here in 2007 without reflecting upon the very sad passing of Dr John Kaye and Roy Smith. Both passed away while serving the people of New South Wales in this place. Those were very sad days, and every member was deeply affected by their passing.

I started looking at my speeches—there are too many. There were close to 2,000 speeches by my reckoning. I also liked to put questions on notice—I stopped counting when I got past 6,500. That is partly Stephen's fault, by the way. I started counting my committee work as well, and the list of committees went for nearly three A4 pages. It really is for others to determine the quality and substance of my body of work whilst I have been here, but I did not sit idle. I worked long hours and I worked very hard. Hopefully, I have made a difference for the people of New South Wales.

My first four years here were as part of the last Labor Government. They were hard years for many of us. I remember the electricity privatisation debate, when several of us in this Chamber had committed to crossing the floor. Helen Westwood, Lynda Voltz, Ian West, Penny Sharpe, Peter Primrose and I were going to cross the floor on that issue—something that has huge ramifications for members of the Labor Party. The privatisation bills were not put to a vote in the end, and we did not have to cross the floor, but everyone knew our commitment to the anti-privatisation position. We would have taken that action if the bills had been progressed.

As I reflected upon those years in government, I recalled Jenny Gardiner's valedictory speech. At that time, she saw fit to calmly remind Coalition MPs of the years of hard work undertaken by a few when they were in opposition to get the Coalition to the Treasury benches. She said words to the effect, "Those who drink from the well should remember those who dug the well." After those four years in government, I would also suggest that we in the Labor Party should remember those who poisoned the well, and we should never, ever allow that to occur again.

This is the house of review. I love my committee work, as you all know. It is what makes this place different to the other place. Getting into the detail of an issue is exciting, and so is working through submissions—lots of them—and taking evidence to identify potential solutions for problems affecting the people of New South Wales. I have endeavoured to work with all members in a constructive manner on all of our committees, and I have been engaged in some rather torrid deliberative meetings. But do you know what? If you read the reports, you should all be very proud. It may surprise members to know that I spent more time on committee work in this place with Rick Colless than any other member, closely followed by the Hon. Greg Donnelly.

I served on the State Development Committee for my entire 16 years in this place. It is a very good committee—in fact, I would go so far as to say that it is the best committee to get on. Those of you who are eyeing off committees after the next election, get that one on your list. We have done some very good committee work. I would recommend to people that they look at the nanotechnology report of that committee from many years ago. The terms of reference for that inquiry, by the way, were developed by a mastermind: the Hon. John Graham. John was then working in Verity Firth's office and pulled together the terms of reference. John, who is a good friend of mine, said to me, "This won't be too hard." The lead recommendation was to appoint a chief scientist in New South Wales, and that has occurred.

I also enjoyed the hydrogen inquiry for a lot of different reasons—I found that whole inquiry quite fascinating. In this term I also enjoyed the work of Portfolio Committee No. 4, particularly the timber inquiry and the recent cultural fishing inquiry. I really must note the chairing by the Hon. Mark Banasiak of Portfolio Committee No. 4. Mark is a very capable and fair chair and I have enjoyed our work together. I would venture to say that he is probably one of the better chairs in the House at the moment for committee work.

In 2015, after several discussions with Don Harwin and others, I moved a motion to establish the Select Committee into the Upper House Committees. That is one for the nerds, I know. The inquiry became colloquially known in this place as the "committee into committees". How parliamentary is that? The committee laid down a plan to overhaul the upper House committee system. You all enjoy—or possibly not—a committee structure that has been put in place because of that committee. The Selection of Bills Committee and the Regulation Committee came out of that committee, and there was a complete overhaul of the budget estimates arrangements.

Dr Phelps—who I must say I miss greatly in this place—and I were on a unity ticket. We wanted the senate model for budget estimates. We are not LA lite; we are a place of our own, operating in a very different way, to a very different model. If we are to be the House of review, we must have the tools to undertake that function. We have one of the best committee structures of any jurisdiction in Australia—so protect it, folks. Nurture it, allow it to evolve, but fiercely protect it. I extend my appreciation to my good mate the Hon. Adam Searle, who actively promoted these initiatives from that particular committee when the procedure and sessional orders were being overhauled in 2019. He is a good friend.

After the devastation of the 2011 election, I, with a handful of others, walked into the caucus room. There were not many of us left. It was a difficult time for all. There were new members who must have thought to themselves, "What is this all about?" You only have to ask those who were there, who had to go through that exercise. It was a really difficult time. We had to rebuild our party, and there were not many of us left for the task ahead. I felt isolated after the 2011 election. I was quite alone, actually. I was pretty much on my own in working for the Labor Party in regional New South Wales. Steve Whan was here, but he was essentially tasked with the campaign in Monaro. Very few stakeholders would invite me to their meetings or functions. If I went to an event or function, people would ignore me or sit me at the back of the room. They were not being rude; Labor was no longer relevant. I could not have got through that period—and they were tough times—without the friendship and support of the Hon. Penny Sharpe, Michael Daley, Nathan Rees and Clayton Barr. I have many stories emanating from those days.

The Hon. Penny Sharpe: Don't tell too many.

The Hon. MICK VEITCH: There were escapades that I cannot put on the record. For a moment there, they all thought, "Oh, no." Suffice to say, we found a way to have a laugh. They were difficult times. I decided that I was going to turn up to everything, I was going to say g'day wherever I went, and I was going to agitate hard for regional New South Wales in our forums. John Robertson put me into his shadow ministry. There were not many of us, so we all got a gig. It gave me the encouragement I needed to start rebuilding Labor's reputation in regional New South Wales. As an aside, I should mention that the Hon. Penny Sharpe and I are now the longest-serving shadow Ministers, having been in the shadow Cabinet uninterrupted from that very first day in 2011. Some members have disappeared and come back.

This will not surprise people, but I developed a plan. Anyone who knows me knows that I have a plan—yes, Penny, it had colour coding on it. It was segmented into colours. Anyone who has ever seen my budget estimates folders would know what I am talking about. It was difficult and, as I said, they were very lonely days. I travelled upward of 80,000 kilometres a year in my car on my own. I would make about 30 return flights somewhere in regional New South Wales. There were lots of nights in country motels. It was essential work, and no-one else could do it. I got to discover all of those award-winning bakeries and pie shops—because every country town has an award-winning pie shop—and I found the best coffee, which was generally not on the highways. Importantly, I found the venues with the cleanest toilets.

After the 2015 election, then leader Luke Foley pulled me aside after allocating some new portfolios. He laid down some KPIs: rebuild our relationship with stakeholders, develop policy that is relevant and turn up wherever you can. I did that with gusto. I was pretty much the most travelled MP in the building. I was upset one year because Robert Brown from the shooters party got me. He travelled more than I did, so I worked harder. The next year, I looked things up and that wily bloody Peter Primrose got me two years in a row. If one wants to see what a hardworking MP looks like, they should take a look at the Hon. Peter Primrose. I am in awe of his capacity for work and, along with his wonderful wife, Jan, he is a bloody good mate.

If the 1,000 or so emails and text messages of support after my recent hiccup are much to go by, or the phone calls that Carina has sat and listened in on, I think I have met the KPIs set by Luke. As one of my other good mates David Harris said to me, I cannot go anywhere in regional New South Wales without someone asking, "How's Mick?" They all know Mick. In fact, Carina can attest to the fact that it is difficult for us to find a holiday destination in Australia, not just in New South Wales, without someone at some point singing out, "G'day, Mick." I think I have met my KPIs.

As I have said, others can assess and comment on my time in this place, but there are a couple of moments I want to reflect upon as personal highlights. Many may know, or not, that it was my suggestion to accommodate

a home in the Chamber for the Message Stick. It was a special moment in this place, and every time I walk past the Message Stick, I am proud of that initiative. Then President John Ajaka and Minister Sarah Mitchell made it happen. I know that my very good mate the Hon. Trevor Khan may have had a bit to do with it as well. We should never forget that moment in the Parliament, and that is why it is there.

One of my most satisfying actions was helping the family of Baby Michael. This is part of the work that people do not see—assisting the family, an Indigenous family, to locate the remains of their brother, who passed away some 60 years ago. Stephen, from my office, said to me, "Mate, we've got to help here." Baby Michael was buried in an unmarked grave at Rookwood. We went through a serious amount of effort to assist the family to locate Baby Michael. As a part of the exercise, we also found that buried above him was a homeless individual who had been bashed in the park and was buried out there. He was a returned serviceman. We found the family, a couple of sisters, and he now has an appropriate burial place. Baby Michael's remains were exhumed, and he has been relocated to country, where he is with his family. There is a National Indigenous Television program that was made about that exercise, for anyone who wants to watch. Every time I go to Armidale, I now think of Baby Michael.

I have enjoyed my time as shadow Minister, and I cannot wait to be Minister for Primary Industries. When Luke Foley appointed me as the shadow Minister for Primary Industries, shadow Minister for Water, shadow Minister for Crown Lands and shadow Minister for Western New South Wales—it is a lot, I know—he said, "I am putting you up against Niall Blair." I loved it. We had so many policy debates on the floor of this Chamber. We had some blues, but they were blues over policy and how we could do things better. As a result, I am certain we achieved great things for agriculture and regional New South Wales. I hope I made Niall a better Minister. I worked hard on ways to get ahead of him, which was hard. I would get up at 5.00 a.m. and do media every morning, trying to set the agenda of the day. I wanted Niall's office staff looking at the media clippings every day and saying, "What the bloody hell is Veitch saying today?" I hope, in some way, the primary industries are much better because of that work as shadow Minister, and I hope I made Niall a better Minister as well. He is a really good mate, and I think he is watching tonight.

As I said, I had many debates with Niall in this place, but I have two favourites. The biosecurity bill was one of them. My friends from the NSW Farmers are in the gallery tonight. Niall and I stood here for 15 hours debating that piece of legislation. When we walked out of here, I met Niall outside of the Chamber, shook his hand and said, "I think we did well. That's a good job. Nice piece of work." It is a good Act. We also debated water reform. As a shadow Minister, you do your best in this place, but a really telling moment for me was when I had said during the debate on the Water NSW Bill that I had an issue with putting compliance in with the same agency, and that I thought we would regret it at some point. Six months later, Niall came back with the Natural Resources Access Regulator Bill. His opening comment was, "Six months ago, the shadow Minister stood in this place and said, 'We shouldn't be doing this. It's going to be a problem.'" He said, "I think we should have reflected a bit longer on what the shadow Minister had to say, because now we are back to fix it." That is a mark of a parliamentarian. I accept that Niall did that in good faith, because he did not have to. He could have played politics.

I have some other observations. In my time here, the funniest and wittiest interjector was Charlie Lynn. Charlie would sit in opposition over here, just beside where the Hon. Peter Primrose is right now. You would stand at the lectern here, and Charlie would not miss. He had this brilliant ability to pick the moment you took a breath. That is when he would unleash. As anyone in Hansard knows, if you respond, the interjection will go into the transcript. So Charlie would do it in such a way that you would have to respond so that it would go into the transcript. We used to have a competition in the Labor Party caucus. Janelle and David and others would remember this. There was a prize at the end of the year for the wittiest interjection. But, to be eligible for the award, you had to get it into the transcript. So there was a lot of trying to acknowledge or point to a really good interjection six weeks ago, sending the poor Hansard people off to try to find it.

Mike and Duncan in opposition at the table were incredible. It was a tag team approach. Penny and I were Parliamentary Secretaries. We would stand here. Mike would sit at the chair and lean forward and talk incessantly, about anything: That's a terrible tie. Your shirt's undone. Your collar's sticking up. You have your coat-tails stuck in your strides. I think that's the wrong speech. You might want to check the bill. Did you have coffee this morning? He would not stop the whole time. It was so low. In those days the microphones hung from the ceiling, so if you got down low enough your words would not be picked up. But Duncan bellowed the whole time. I do not know where in the standing orders he got his favourite point of order, which was, "The Minister is not within a bull's roar of the question." That was every point of order.

Hansard is a wonderful crew. We were on a committee trip to Broken Hill and had had a long day. In those days three Hansard staff travelled with the committee, along with three committee staff. We were having a lovely meal at a restaurant. I will not mention the poor lady's name, but one of the reporters started choking. I was sitting

there and thought, "Is she coughing or choking?" I realised that she was choking. So, as we all would do, I got up, grabbed her, performed the Heimlich manoeuvre, and she is still working with Hansard.

Aileen, I do not know whether Scot told you this. In Broken Hill, on another a committee trip, we were heading off to do a tour with the committee. The bus took off. We got to the first site. The secretariat got us out of the bus, set us up for the first photograph and took the photograph. We got back in the bus, and someone said, "Where's Scot?" It would appear Scot did not get on the bus, back at the motel. We had lost Scot. The secretariat does a wonderful job, David. But, at that moment, I thought, "Oh dear. How do they explain this when they come back to the Parliament?"

The Hon. Taylor Martin: It is just a casual vacancy.

The Hon. MICK VEITCH: Yes. A true Lib. A casual vacancy. There was a classic moment with Sylvia Hale. Penny is nodding. A committee was established to investigate the land sales down in south-western Sydney. It just happened to coincide with the murder of Michael McGurk. The committee secretariat had people from these agencies from all over Australia ringing us up and saying they needed to have a meeting with the committee. So we had a meeting. I cannot tell you what happened in that meeting, not because I am not allowed to tell you; I just do not know what happened.

With Greg Pearce's and Trevor Khan's great legal minds in the room, we were told, "I can't tell you which organisation this person works for. You cannot ask the following questions to these people, because it would compromise the investigation. I can't tell you who you can't ask it to. But you can't ask those questions." Next one would come in. "I'm working for an investigative agency. There's a list of questions you can't ask. I can't tell you who you can't ask it to, because it might compromise our investigation." Then we have the hearing day. I cannot tell you which one of the questions it was. We had the first round of questions, with Trevor Khan and Greg Pearce doing their absolute legal best to elicit information from Mr Medich. The questioning went to the crossbench members, to Sylvia Hale, who asked, "Did you have any involvement in the murder of Michael McGurk?" Cameras clicked. Journos got up and ran out of the room. If you do not believe me, go and check the news reports.

Tuesday club friends would catch up on a Tuesday after the sittings. Particularly from 2011 to 2015, I valued it because it was a place to vent. It was a counselling session for some of us, or for all of us, probably. But they got me through that. They are a good bunch of people, across the parties. We started having conversations about how we could work on a whole range of issues. I am not going to out them on all the issues they worked on, but Trevor, John, Don and Penny and I had bloody good times. We did a lot and achieved a lot. You may not know this either, but I delivered a speech in this place—a five-minute adjournment speech—supporting Sprent Dabwido, the former President of Nauru. I thought the guy had been terribly wronged. The next day the Nauruan Parliament spent all day debating one Hon. Mick Veitch. And I am now no longer able to go to Nauru. Just watch those adjournment speeches.

This is one for Wes. One of the other great things I did while I have been here was interviews with Anne Delaney from ABC Riverina. With the media, you do these things and think, "I'm not sure where this is going to go", but Anne rang me and said, "I've got an idea. No-one understands how the upper House works." A lot of us do not understand how it works. She said, "I wouldn't mind having a conversation live to air every Friday for about five to 10 minutes and just talking about some aspect of what happened this week in the upper House." I said, "I can do that." I left the politics at the door. I did it for 10 years; it was sensational. It is one of the best received things I have done. People do not care about the politics; they just want to know what we do, because no-one understands what we do. I have had to explain it many times, mainly to myself. No-one knows what we do.

I will talk about Hatz. John Hatzistergos would have the last question every year. Because it was a dixer, the last question asked of Hatz for the year would be, "Will the Minister please advise the House of the craziest question asked of him this year?" Hatz would then spend the next four minutes talking about crazy questions, like about David Clarke and some phone he was obsessed with at Windsor Court House. But there was the moment when we had the photograph. You have all seen the photos for the upper House. Everyone is seated. The Leader of the Government stands there, hand on the lectern, looking at the camera. Hatz is there. Duncan used to refer to him as the Easter Island statue, which is unfair, but Hatz is not one for smiling, which anyone who knows him knows. I am not sure whether you have noticed. Hatz was standing, looking at the camera, and Mike Gallacher said, "Look. Hatz is smiling." And Hatz said, "And it hurts." I like Mr Tudehope's Thursday songs. I would like, one day, rather than seeing you say the words, to see you dance the words.

The other thing I will mention is a bit of a personal thing. I do not think that Melinda Pavey has made it here tonight. You may not know that, many years ago, about 2010, my brother Robbie—who is referred to as Peko Bodine, which is a shearing shed nickname that stuck with him—was driving concrete trucks at Coffs Harbour, and he had a terrible accident. The brakes gave out while going down one of the big banana plantation

hills. He finished up in a creek. The concrete came out of the tub all around. It took four hours to cut him out. He was in intensive care. I had to go back to Tumut, grab his very young family, drive to Coffs Harbour, take my mum up and then work through a whole range of issues with his partner.

After a couple of days, it just got to be a lot. Only one person was allowed into the intensive care unit to see him. I do not know how he survived. I really do not know how he survived. I was doing it a bit tough. Anyway, Mel sent me a text—in those days, Mel was in here—which said, "I believe that truck driver was your brother. If you need a moment, come to our place." I took her up on the opportunity. It is funny how politicians work across the Chamber. I did not ask Mel to do that. I really appreciate the time that she and her family gave me. It gave me the space to sit down and not be so wrapped up in that really traumatic time for our family. I really appreciate that. I will never forget it.

You do not get to choose your way in politics; politics will choose your way for you. I hope it returns me to this place in 2023. I hope that I am to be the Minister for Primary Industries. However, these are things that are out of my control. I cannot lie; I was devastated by the recent ballot at the NSW Labor State Conference. I feel I have so much still to give to politics in this State and to the people of New South Wales. But as they say in the shearing sheds, "You can only shear a sheep once. Best to move on." I took a couple of days to reflect on what happened at the State conference—I sheared that sheep a lot—and then I decided it is best to move on. In making my decision, it was suggested to me that I should speak with the last Labor MP who got up at No. 9 on the Legislative Council ticket to seek their help in coming to a position on what I was going to do. Well, that MP was me. So, I had a chat with myself, we came to a consensus position, and I am going to contest from position No. 9. I am a team player and I like to fight to the end. I felt that I had unfinished business, and I really could not walk away. I am going to give it a go. Vote 1 below the line, everyone!

I guess I have to draw this to an end. My notes say, "That will do," and then I have a long list of additional handwritten notes—so bear with me for a bit. I want to thank David Blunt and Kate Cadell. They are fantastic individuals, always with good advice. David, Kate, you make this place tick. I really appreciate our wonderful conversations, David. I know sometimes I do not take your wise counsel—but if you ask Carina, that is not unusual. Thanks to the rest of the staff in your office—Stephen, Jenelle, Beverly, the whole lot. They are fantastic people, who are always supportive and work really hard. I think we are well served here. Staff from here go to work in the Senate—they are headhunted. It is a good group of people. I have to plug Jenelle Moore's book—the *Want Moore* book. You have to read it, folks, and learn the standing orders.

To Hansard—I will come to Carina in a moment—thank you very much. Anyone who wants to party, go to a Hansard party, because they party like there is no tomorrow. They are a wonderful bunch of people. If you get a chance, talk to them. They have worked in Sierra Leone, in the House of Commons and in The Hague—they are really skilled people. We have a good Hansard unit here, folks—look after them. The committee staff are fantastic. We are really lucky to have them, and the attendants—there have been a few in my time. Does anyone remember Charles? I liked Charles. He was really good. He gave me a cheeky smile and a snippet of wise counsel every morning. The staff at Cafe Quorum do a fantastic job. I go down there for a coffee just to get away from everything. They ply us with caffeine and food—there is probably more of me after COVID.

The Hon. Rose Jackson: Bring back the ice creams.

The Hon. MICK VEITCH: Yes, bring back the ice creams. I do not know what happened there. Mr President, we have to put the machine with the ice creams back in. I want to thank Gary. Nothing is a problem for Gary. In the early days he did not ply me with caffeine; he would serve us alcohol. He looked after us. He was really good. Someone who is overlooked but who I want to recognise is Brad. He is out the front, every morning when we come in. Brad is there, sweeping away, making the place respectable for everyone to come in. I ask him, "How are you this morning, Brad?" and he responds, "Good, good." He is a really nice guy and does a really good job, as do all the cleaners. Mr President, give them a bit longer to clean the offices. I do not think we give them enough time to do their job properly. They want to do it properly, so give them a bit more time. They do a fantastic job and we should appreciate them.

I acknowledge the staff in Library and Research. In opposition you need the research service and the library. I have used it extensively. They do a fantastic job. Do whatever you can do to protect the library and the research service, folks, because you will need them. They should be appreciated. They are a really good bunch. Members, you will need them and you should appreciate them. In my time here there have been some fantastic House whisperers—on all sides. When Labor was in government we had a couple of good ones. But I have to say, I think Sam Tedeschi is the best. You are the best, Sam. It is not an easy job. We all pile it onto Sam at times. "Quite rightly," the Hon. Damien Tudehope says. No, I am misleading the House. He did not say that. Sam, you do a cracking job.

To the members of the House—I will not name them all—you are all fantastic and I really do appreciate the time we spent together. For the Labor Party the branch members are critically important. After 2011, a lot of my work was going to the branches in the regions and it was almost a counselling session every time. I would have to sit there—often not in a good position myself—having to listen to the branch members work their way through the ills of the Labor Party. Others were not going there, because there was not many of us, but someone had to do it and so I continued to turn up. I hope out of that process I have generated a bit of respect.

There are two people I want to draw attention to—not because they are the only two, but these two characters ring me on a very regular basis, with very wise counsel about all sorts of matters: Paul Sekfy and Matt Martin. Those in the Labor Party know these two gentlemen. They just do not give up. They are really well intentioned. So, Matty and Paul, keep ringing! Matt sends texts if he cannot ring—and then he will email, and then he will get a message through some other way. He is very good at keeping in touch.

In all of the valedictory speeches, members have made comments about their staff. I have had the privilege of having some very good staff in my time here. I am not going to mention them all; they were all good. But I do want to single out a few: Meg—what a champion; Steven, who is outstanding at policy and political strategy; Harry, who really brought country understanding to the role—and I am not going to look at him, because he will be crying; Mitchell, who is a brilliant campaigner and made the Hon. John Graham look very good, I must say; and Liam, who is a fantastic researcher and I really appreciated the work that he did in my office—in fact, he was so good that he got pinched by the Hon. Penny Sharpe.

There is not long to go, folks. I want to mention the family pressures of public life. I want to thank my kids and their partners: Mark and Melissa, Maddie and Nathan, Pat and Sarah, Gareth and Belle, and Alicia. I also thank my grandkids: Ella, Jayda, Rylan, Archie, River, Oakie and Dustie. They have put up with a lot—actually, more than a lot. I was first elected to public life in September 1995. I have been doing this for 27 years. My kids have grown up—this is Niall Blair's fault—with me pretty much not in the picture. They are all champion kids.

I say to most country MPs when they come to this place, "The gig's hard. It will be hard on your family. It will be hard on your kids." When I came here, I was a terrible telephone parent—twice a day, morning and night. It is not satisfactory. Steve Whan and I asked the Parliament if we could have Skype put on our computers all those years ago so that we could speak to our kids face to face instead of on the telephone. We were told we could not do that. I am glad we now have Webex and Zoom because you can do that with your kids and your grandkids. Sorry, River, but pop is a bit of a mess! You have got to work out how to make it easy for yourselves while you are here but stay close to your kids. I am lucky that they have all grown up to be champions. I do like spending my time tormenting the kids and spoiling the grandkids.

I want to talk about Carina, who has endured with me the stresses of my recent experiences. We do not realise how much our lives impact our partners. Carina has been a rock. Giving this speech is harder than I thought it would be. Carina sees me get up at 4.00 a.m., drag myself out the door, only to return at 10.00 p.m. or 11.00 p.m., pretty tired. Sweetheart, I am asleep within minutes. Then I get up and do it all again the next day. Members will know what that is like because you all do it. It is the side of politics that no-one talks about. We are never home. Carina says to me when I am at home reading those submissions that I like to read, "I think we need to have a coffee," and we will toddle off somewhere and have a coffee to get a break. It is the little things like that that our partners do that just keeps our lives a bit sane. But this is part of the job they do not tell you about, and I think they should. People should be aware of it. I love you, sweetheart.

My approach to politics has been to just be honest and up-front and try to work for a constructive outcome. I have sat with stakeholder groups and said, "We're just not going to agree about that. Can we maybe come to a position where we're not going to agree and work on what we can agree on? Can we get to a position where we can work on things together?" I used to do that a lot with NSW Farmers. I probably still do. I think I had one of those conversations with Xavier recently. But I think stakeholder groups appreciate the fact that we say that there are some things we cannot get to but that we can get to other stuff.

As I listen to a member's valedictory speech, I try to work out what their theme song would be. I hear you laughing. The other night when the Hon. Adam Searle gave his valedictory speech, it was classical music; the Hon. Mark Pearson, *I Did It My Way*; Niall Blair, the theme song from *Rocky* because he liked to fight. I like to think that my theme song would be *Working Class Man*. If number nine gets me up next year, I will come back. If it does not go that way, this has been a bloody fantastic journey. I hope my time here sees me remembered as someone who at least had a go at making things just that little bit better for the people of New South Wales. So crank up *Working Class Man*, Merry Christmas and have a safe and happy new year.

Members and officers stood in their places and applauded.

[Business interrupted.]

*Bills***MOTOR ACCIDENT INJURIES AMENDMENT BILL 2022****Messages**

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

GOVERNMENT SECTOR EMPLOYMENT AMENDMENT BILL 2022**Messages**

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

NSW RECONSTRUCTION AUTHORITY BILL 2022**Messages**

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

*Adjournment Debate***ADJOURNMENT DEBATE**

[Business resumed.]

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 19:46 until Tuesday 28 February 2023 at 14:30.