



**New South Wales**

# **Legislative Council**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Eighth Parliament  
First Session**

**Thursday 25 May 2023**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE COUNCIL

**Thursday 25 May 2023**

**The PRESIDENT (The Hon. Benjamin Cameron Franklin)** took the chair at 10:00.

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

### *Announcements*

#### **LEGISLATIVE COUNCIL PHOTOGRAPHS**

**The PRESIDENT:** I advise members that a photographer from the parliamentary staff will be present in the Chamber today to take photographs for use in official publications.

### *Visitors*

#### **VISITORS**

**The PRESIDENT:** I welcome and acknowledge the guest of the Hon. Anthony D'Adam, Ms Sonia Hakim, who is present in the gallery today.

### *Ministerial Statement*

#### **WALGETT WATER SUPPLY**

**The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (10:20):** I make a ministerial statement to update the House on matters relating to water quality and availability in Walgett. Upon my appointment as Minister for Water, one of the first matters that came across my desk was the ongoing water quality situation in the far north-west town of Walgett. In the grand scheme of the quite significant water challenges facing New South Wales, it may seem as though this is a relatively small issue, but in fact it is not. This story is indicative of some of the broader challenges that we face to deliver secure, high-quality water to regional New South Wales.

For those who do not know, Walgett is a town of about 4,000 people in far north-west New South Wales. Walgett sits at the intersection of the Namoi River and the Barwon River. It has been reliant on river water for many years. Like a lot of towns in regional New South Wales, it was impacted by drought, and water can be unreliable. At the end of the 2019 drought the town of Walgett switched over to bore water, which is a decent, drinkable, reasonable backup emergency water source in times of drought. So the town switched to bore water in 2019 and, thankfully, the drought broke later in 2019 and into 2020. That is when the real problem started. Instead of moving back to the primary water source, which was the Namoi River, the people of Walgett, a large percentage of whom are Aboriginal, have for the past three or four years been consistently drinking bore water. Walgett has never moved back to its primary water source, which was river water.

As I have said, bore water is drinkable—it is passable within the Australian Drinking Water Guidelines—but the sodium levels in bore water are considerably higher than those that are safely recommended. Bore water has around on average 226 milligrams per litre of sodium. Extended consumption of water with that high a concentration of sodium can lead to negative health outcomes, including kidney disease, heart problems and skin infections. It is not safe to drink over an extended period. As I said, bore water was never intended to be a permanent water source for the town of Walgett. It is not only that the sodium levels are at that high a concentration; the water is also quite unpalatable. The bore water has what I would describe as a soapy, slippery taste. When I tasted the tap water in Walgett it was not pleasant to drink. So of course people do not drink the water. One can say to people as many times as one likes, "It is not technically going to make you sick if you have a glass," but people do not drink tap water that tastes like crap.

As the bore water in Walgett was unpalatable and undrinkable, people had to do one of two things. First, they could buy bottled water. Apart from the environmental impact of all of those plastic bottles, it is expensive to rely on bottled water as a primary drinking water source. The people of Walgett do not have a lot of money to spend on bottled drinking water. Secondly, people could choose non-water options. So people were drinking soft drinks and juices because, if they did not want to drink tap water and they went to the shop to buy something to drink, they may have bought juice or Coke instead of bottled water. That compounds those health problems.

Over a number of years the people of Walgett, which is a disadvantaged, low-income community with a high percentage of Aboriginal people, were essentially unable to drink tap water. They had to spend money to drink bottled water or sweet, unhealthy alternatives. When Labor was elected to government, I asked why that had happened and how long the town had been waiting to switch back to the much healthier, higher quality, cleaner and safer river water source. The answer was that there had been water in that river for years but the switch back to river water had not happened because the various agencies responsible for making it happen did not really care.

To be clear, Walgett Shire Council is the local water utility service. It is primarily responsible for delivering drinking water to the community. But Walgett Shire Council, like a lot of our regional councils, particularly those in Far West New South Wales, does not have a high rate base or a high population base, so it is not flush with funds. Given that Walgett has demonstrated for years that it is not equipped with the capability, resources, skills or capacity to deliver that service, it is utterly unacceptable that the New South Wales Government would say to a town like Walgett that it is not the Government's problem but the problem of Walgett Shire Council. It is the State Government's job to ensure that people in regional New South Wales have access to clean and safe drinking water. Sometimes we partner with local water utilities to do that. We have great partnerships with local councils to deliver that service. But when a local council does not have the capacity to do that, we must step in.

It is utterly unacceptable to wash our hands of the problem after years of the town relying on bore water, which is not safe to drink over an extended period. What was most astounding was that when we asked if we could help to fix the problem, the answer was yes. In fact, by just paying attention, we fixed it quite quickly. When I visited the town of Walgett on 28 April, with support from the water team in the Department of Planning and Environment, we were able to get the water switched over almost immediately using the local water treatment plant.

**The Hon. Daniel Mookhey:** Point of order: When a Minister makes a ministerial statement to the House, the convention has always been that the Minister is heard in silence. The Opposition will have equal time to reply. Due to the level of interjections, the Minister cannot make her ministerial statement on a serious matter. I ask that the Opposition be encouraged to listen to the Minister in silence.

**The PRESIDENT:** There is no point of order, but I encourage the Opposition to act with a level of decorum and dignity as behoves the House.

**The Hon. ROSE JACKSON:** I was reporting on my visit to the town of Walgett on 28 April. At that visit we held a roundtable discussion with various members of the community, including the Walgett Aboriginal Medical Service, the Dharriwaa Elders Group and representatives of the Murdi Paaki Regional Assembly from the Walgett township. They sat around the table and expressed their dissatisfaction that despite the fact that the drought had broken years ago they were still relying on poorer-quality emergency bore water that they could not and did not want to drink. They expressed frustration and dissatisfaction. We were able to give them a commitment that we would be switching over to treated river water as soon as we could.

I visited the Walgett water treatment plant. I acknowledge Mickey, who has been running that utility for the Walgett Shire Council. He is an amazing bloke and a testament to the skills and capacity of the people in regional New South Wales. I also mention Trent from the Department of Planning and Environment [DPE] Water. He is from Tamworth but has been spending a lot of time in Walgett helping to get its water treatment plant working again. Almost immediately after that visit we were able to switch the town over from bore water to river water. In the days that followed there was a bit of switching back and forth because of the years that the plant had not been operational. It took a few stops and starts to iron that out and get it operational, but I can report to the House today that it is now seven straight days since the town of Walgett has been on river water and we are extremely confident that will be the case going forward. The DPE staff are in constant contact with Walgett Shire Council.

I thank Sydney Water, who sent representatives from its engineering team to Walgett, on behalf of the New South Wales Government and Sydney Water, to help Walgett Shire Council have the skills and capacity to get the water treatment plant operational and working smoothly. That is exactly what has happened. With a little bit of effort, with a little bit of interest, with a little bit of capacity and preparedness to turn up, talk to the community and support them through DPE Water and Sydney Water, the change that should have happened in 2020 has now happened. It is a good news story but it should not have taken this long or been this hard. When the Government paid attention, asked the council what it needed to get the water treatment plant operational and listened to the community, the change that was needed was relatively simple.

There is another part to this story that goes to the neglect that this town has experienced. One of the ways that bore water can be treated to make it more palatable, and to reduce the very high sodium levels which have a detrimental health impact over time, is to use reverse osmosis. A reverse osmosis plant was delivered to Walgett

in 2020. It was an acknowledgement that at times of drought this community will rely on bore water, and that steps would be taken to ensure that bore water is drinkable and of high quality. The reverse osmosis plant was delivered. Within months the plant was not operational and sat there. I saw it and walked through it. It was sitting there dormant. For three years this piece of infrastructure, which could have helped the town access drinking water that was not exacerbating chronic health conditions or causing kidney problems and skin infections, sat there, mothballed. No-one ever asked, "How can we get this piece of infrastructure working?" "How can we help you to ensure that this reverse osmosis plant that we have paid for and delivered to your community is doing its job?" That is neglect. There was no interest in ensuring that the facilities were there, operational and working. Again, I report to the House—

**The Hon. Damien Tudehope:** Point of order: I am loath to do this, but I will do it anyway. Perhaps the matter needs some guidance on the difference between making a ministerial statement to outline government policy and making a speech to the Parliament to debate issues, which is not necessarily the province of ministerial statements. If the Minister wanted to get to her feet, address the issue and say what the Government is doing, that would fit within the ambit of a ministerial statement. I know this is a sensitive issue and I do not want to traverse the issue or be seen to be impeding her addressing a serious policy issue. However, the manner in which the Minister has sought to address this appears to me to be outside the province of a ministerial statement, which is to outline government policy. That is what ministerial statements are designed to do.

I would respect your decision, Mr President, if you wished to reserve on the point of order. I seek your guidance and, perhaps, the Clerk's guidance on where the province of a ministerial statement begins and ends and whether Ministers should not traverse the liberty given to them to make ministerial statements in the House to outline government policy. I put it no higher than that. I acknowledge that there is definitely provision in the standing orders for the giving of ministerial statements, but it should not be used as a licence to give an adjournment speech or enter into a debate about a particular issue. That is for another time and another place. In this circumstance the Minister is flouting the spirit of what ministerial statements are about.

**The Hon. Penny Sharpe:** To the point of order: Standing Order 50 talks about ministerial statements. It states:

- (1) A Minister may make a statement regarding government policy at any time when there is no other business before the House.

The Minister is entitled to make a statement in the form in which she wishes to do so. If the Leader of the Opposition has problems with ministerial statements—which is a bit rude, as this is the second one given to the House since Labor came to government—perhaps he should put forward something more formal about the parameters of ministerial statements.

**The Hon. Anthony D'Adam:** To the point of order: It is quite clear that Ministers do not have prerogatives to make adjournment speeches and private members' statements for the specific reason that they have questions and answers and ministerial statements. That is an opportunity for the Minister to elaborate on the policy of the Government and the measures it is taking. It is perfectly appropriate and the Minister is well within her rights to continue in the way that she is addressing this matter. It is clearly within the ambit of ministerial statements.

**The Hon. Daniel Mookhey:** To the point of order: My need to make this submission, Mr President, depends on whether you intend to reserve your decision.

**The PRESIDENT:** My strong view is that the Treasurer should resume his seat. I do not uphold the point of order, but I have some sympathy with it. The first point is that the Leader of the Opposition, in taking his point of order, used the word "outlining". He submitted that a ministerial statement is a statement outlining government policy. It is not. Standing Order 50 states it is a "statement regarding government policy". That, by its nature, will ensure that it has wider latitude under any consideration.

The second point is that the rulings I have given since I took the chair consistently show that I believe wider latitude should be given to this place, whether it be in supplementary questions, preambles or ministerial statements. However, I did say in my first two rulings—and I say it again here—that I will be watching very closely. The Leader of the Opposition makes a valid point. That point potentially could be considered by the Procedure Committee, but at the moment, with the standing orders before me, I have no recourse whatsoever but to say that the Minister is totally in order and she should continue her ministerial statement.

**The Hon. ROSE JACKSON:** I take on board that feedback and will try to limit my comments to what the Government is doing. It is listening to the community. I make no comment that this has taken three or four years to resolve. The Government's policy is to engage with the regions and visit them. I have been to Walgett. I have been to Lismore. I have been to Ballina. I have been to Mullumbimby. I have been to Dubbo. I have been right across New South Wales since I have been in office.

**The Hon. Penny Sharpe:** Point of order: Interjections are disorderly at all times. We disagree about this during question time every day, but this is a ministerial statement about the quality of drinking water in Walgett. It is not acceptable for Opposition members to create an increasing wall of noise during a ministerial statement because they do not like what the Minister is saying. They will get equal time to respond. We look forward to hearing what they did about it for the past 12 years. My point is that interjections are disorderly at all times and ministerial statements have a level of seriousness and gravitas that should be respected by everyone in this Chamber.

**The Hon. Damien Tudehope:** To the point of order: That is exactly the point of my previous point of order. The extent to which the Minister engages—

**The Hon. Penny Sharpe:** You're flouting the ruling now.

**The Hon. Damien Tudehope:** I am not flouting the ruling. I am saying that the Minister is seeking to introduce material that is outside ministerial policy and wanting to trumpet things she supposedly does when, in fact, she visits places and does nothing. Giving us a catalogue of her travel is outside what should be in a ministerial statement.

**The Hon. Penny Sharpe:** Further to the point of order: The Leader of the Opposition is flouting the ruling you just gave that the Minister is in order under Standing Order 50. Just because Opposition members do not like it does not mean they get to interject or flout a ruling of the Chair.

**The PRESIDENT:** We have all had a very long couple of weeks, but I ask that members settle a little so we can get through the day and have a lovely weekend. There is no point of order. The Minister has the call.

**The Hon. ROSE JACKSON:** I was outlining the approach that our Government takes to engaging with regional communities, which is to turn up and listen to them. That is the first principle. That is what I did. When I went to Walgett and sat down with the local community, it was clear to me that resolving the issue was a top priority for them. Far from doing nothing, that is exactly what I then did. After years of nothing happening, this Government's policy is to listen to regional communities and then act on their concerns. Once we understood the issues that were preventing Walgett from accessing water from the Namoi River, we were able to quickly and relatively efficiently resolve the situation. That is our Government's policy. No town in regional New South Wales should be forced to drink emergency bore water of a lower quality for an extended period when a river is flowing simply because a government is not interested in helping fix their water. That is our Government's policy—turn up, listen and act.

That is what has happened in Walgett. As a result of turning up, listening and delivering support through DPE Water and Sydney Water, we were able to quickly transfer the town from bore water to river water. It is great news that the town of Walgett has now had seven continuous days of water sourced from the Namoi River. It took a few days to switch back and forth. Obviously, the water treatment plant had not been operational for many years. Unfortunately, despite the fact that it could have been delivering clean, quality drinking water to the town of Walgett since 2020, it was not. It was sitting there. Its maintenance issues were allowed to get out of control so that when we switched back to it there were a few issues. But this is a good news story because now we have had an extended period where Walgett residents are drinking Namoi River water from the water treatment plant. The reverse osmosis facility purchased in 2020 malfunctioned after a few months and has sat dormant ever since. Arrangements are being made to recommission that facility and get it back on track. None of this was actually that difficult. All it took was a little bit of interest in and engagement with the community.

Unfortunately, the issues in Walgett are not isolated. There are dozens of towns across regional New South Wales where local water utilities need infrastructure and staffing support from the Government to get their drinking water quality and security up to the level it is meant to be at. We are trying to work through those in a systematic and methodical way but, unfortunately, the task that has been left to our Government is a substantial one. There is no denying that the town of Walgett is not an isolated example. It is an example of a pattern across regional New South Wales where towns do not have safe and secure water. Their water quality and water security are low. We have been able to intervene in Walgett. The town is now on water that is down from 206 milligrams per litre of sodium to around 80 milligrams per litre, which is a much safer level. It is a really positive story about the outcomes that can be achieved from engaging, paying attention and caring enough to turn up to a community to listen. We did not say, "It's not our job. It's Walgett Shire Council's job. If they don't have the resources and staff then people have to drink poor quality water." Instead, we were able to listen and engage and ensure our resources were there for the community.

That is the update that we deliver in this House for the Walgett community. It is one of the first issues that we identified coming into government. It is not satisfactory to us that towns are left drinking poor quality water



for years. We met with the community, we listened to them and we took action. We can now report that Walgett is drinking secure water from the river.

**The Hon. Sarah Mitchell:** Today. They are today.

**The Hon. ROSE JACKSON:** I don't mind if you don't think this is an important issue—

**The Hon. Wes Fang:** Point of order! Point of order!

**The Hon. ROSE JACKSON:** —but the fact that you would snipe across the table and say "today", after years of that town drinking bore water when you did nothing—

**The Hon. Wes Fang:** Point of order! Point of order!

**The PRESIDENT:** Order! There is no need to yell. I heard the member the first time. I call the Hon. Wes Fang to order for the first time. What is the member's point of order?

**The Hon. Wes Fang:** Thank you, Mr President, for acknowledging my call on the fourth time.

**The PRESIDENT:** I call the Hon. Wes Fang to order for the second time.

**The Hon. Wes Fang:** My fourth point of order is that the Minister is addressing the member at the table rather than directing her comments through the Chair.

**The Hon. Penny Sharpe:** Is that seriously it?

**The Hon. Wes Fang:** Yes, it is exactly. It is a valid point of order. I suggest you read the standing orders if you have questions about the point of order.

**The Hon. Penny Sharpe:** I know them better than you.

**The Hon. Wes Fang:** I don't know that you do.

**The PRESIDENT:** Order! I remind all members that they should address their comments through the Chair. I uphold the point of order.

**The Hon. ROSE JACKSON:** I will address my comments through the Chair. I know it is disorderly and not good form to respond to interjections. I normally try to power through, but it has been suggested that delivering clean, safe and stable Namoi River water from the water treatment plant to the Walgett community is somehow dissatisfactory or unacceptable after years of no-one trying or even listening. The reality is that it was quite straightforward when we tried. It has been dragging on for this long, but now that we have done it the suggestion is that it is not good enough. What is not good enough is that it took until 2023 for this to occur.

That is the update for the Walgett community. Those are the things that we have done. We will continue to work through the many issues across regional New South Wales. The longer term health, safety and security of our rivers is another piece of unfinished business. We want towns to rely on river water as their primary drinking source because it is of a higher quality than bore water, which should be used only as an emergency backup during drought. That means we have to get more serious about our connectivity challenges and improve the reliability and quality of our river water. That is a big piece of work.

I recognise that resolving that challenge in regional New South Wales is a big task because our overall river connectivity and river health has been declining. A number of the rivers in catchments have been under strain and put to the test. That will continue over the coming years as the impacts of climate change increase. The Government is committed to resolving that in the long term to ensure that rivers like the Namoi and Barwon are as safe, reliable and as clean as they can be so that the towns along them can continue to access their drinking water from them for as long as they possibly can. That takes engagement from the New South Wales Government. Leaving it to local water utilities will not be good enough as they often do not have the resources and skills. That is the commitment I give. We have delivered that in Walgett.

In the long term I will support local water utilities in regional New South Wales, raise the quality and reliability of our rivers to the levels we want, and have the Department of Planning and Environment water group, Sydney Water and Hunter Water step in and assist where they need to. I thank them for that. In the long term, I will engage with communities, turn up, sit down and listen to their frustrations and work through those issues. With that long-term commitment to those communities, we are going to make a significant improvement in water quality and water reliability across regional New South Wales. Walgett was just the first step. A lot more is coming.

**The Hon. SARAH MITCHELL (10:51):** I will say a lot given I have 29 minutes and 50-odd seconds to respond to a very long ministerial statement that did not contain much about Government policy. The Government

is filling out Thursday because it does not have any business. Walgett water supply is a serious issue, and the Opposition takes it seriously. As someone who lives in regional New South Wales, I found the Minister's contribution quite interesting. The Opposition has coined the new phrase "region-splaining", which is when someone from the city talks to us about what regional communities need. To the Minister's credit, she did talk about the Government's policy, which is what a ministerial statement is for. She said that the Labor Government's policy approach is to turn up and listen to regional communities. The Opposition's approach is to actually live in those communities. That means we do not fly in and fly out and then say that we are going to fix all of their problems.

**The Hon. Damien Tudehope:** Point of order: The Leader of the Government was sanctimonious in seeking to call the Opposition to order for interjecting during the ministerial statement. When the shadow Minister is on her feet, the Leader of the Government flouts the convention of not interjecting. As a matter of consistency, if the Leader of the Government wants to jump to her feet and admonish the Opposition for interjecting, the same standard should apply to her.

**The Hon. Penny Sharpe:** To the point of order: I wish to admonish myself.

**The PRESIDENT:** The Leader of the Government has self-admonished.

**The Hon. Greg Donnelly:** Point of order: The Deputy Leader of the Opposition is directly reflecting on the Minister with the fly-in fly-out comment. It was made to disparage the Minister. If Opposition members give it, they should take it.

**The PRESIDENT:** I uphold the point of order of the Leader of the Opposition. I remind all members that interjections are disorderly at all times. The Deputy Leader of the Opposition has the call.

**The Hon. SARAH MITCHELL:** I understand that the Labor Party is filling in time today because it does not have business ready. Walgett's water supply is an incredibly important issue. With all due respect to the Minister, it is fantastic that she visited Walgett. The Opposition hopes that she continues to go back to Walgett and will be holding her to account on everything she has said in the House today. Unfortunately, there was nothing the Minister said that I did not already know from having read *The Northern Daily Leader* and listening to ABC Radio in our community. The Minister gave no new Government policy. My point is—

**The Hon. Wes Fang:** Point of order: The Leader of the Government is now flouting the President's ruling and flouting her own points of order. I ask that she be admonished and called to order.

**The PRESIDENT:** I remind all members, as I have now four times, that all interjections are disorderly. I know the debate has significant heat in it, but let us cool it down a little and ensure that the Deputy Leader of the Opposition can be heard in silence.

**The Hon. SARAH MITCHELL:** We were already aware of the information provided by the Minister. Opposition members who live in regional communities follow closely issues about water. The Opposition agrees with the idea that every community has a fundamental right to safe and clean drinking water. In her ministerial statement the Minister claimed that the Opposition did nothing when it was in government—that it ignored the community and did not speak to people. That is not correct. As recently as last night, Dugald Saunders, the Leader of The Nationals and former Minister for Western New South Wales, spoke to the mayor of Walgett. The Opposition is watching closely what is happening in those communities. Under Dugald Saunders' tenure as Minister, work was done with the Department of Regional NSW and the Department of Primary Industries in relation to the issue of water supply.

This Government has not turned up at the last minute as saviour. The issue is complex and has been worked through for some time; it was an area that the member for Dubbo focused on when he was the Minister for Western New South Wales. I appreciate the Minister's comment that no town should be forced to drink bore water for long periods. The Opposition looks forward to seeing significant investment from the Government in water infrastructure in regional New South Wales. Last night, shadow Minister for Water Steph Cooke spoke about issues in Boorowa in her electorate where the community has a not dissimilar situation to that of Walgett. I look forward to the Minister engaging with those issues as well.

I have some concerns about the coming budget. I note the Treasurer is in the Chamber. Yesterday in question time the Leader of the Opposition asked the finance Minister about whether the Government would be providing support through some of the previous Government's water programs, including the Safe and Secure Water Program designed to ensure communities in the regions have access to clean drinking water. The Opposition looks forward to the many budget announcements to come. Given the Government is intent on supporting water supplies in regional New South Wales, the Opposition looks forward to making sure that those programs are not cut when the razor gang starts looking at everything the Government needs to do. They are big and serious issues.

I will finish my contribution before question time, even though I could speak for longer. I respect the importance of the issue. I think using the issue to filibuster and delay getting to other business that the Government does not have ready is disrespectful to people in the community. Lastly, the Minister did not mention that the Dharriwaa Elders Group has written to her about a range of things they would like her to address. They have been vocal in the media about the installation of a reverse osmosis plant in the main street to provide safe, clean drinking water. I believe they have written to her with a list of demands; that was widely reported on regional radio over the past 24 hours.

The Opposition looks forward to the Minister updating the House on those issues. I would appreciate if she lets us know what she will do with the requests of that Elders group, which is held in high regard by the community. I would also appreciate the opportunity to continue to engage. Steph Cooke is keen to have the issues addressed. She is happy to meet with the Minister, and I think she has put in a request to do that. Hopefully the Minister will find time to meet with her and make sure that the issues are taken seriously in a bipartisan way. The safe drinking water of any community in this State should not be politicised, particularly a town like Walgett which has a long history of dealing with issues with its water supply.

We know the impacts of drought and what happens when the rivers dry up. We know the real impact that has on people who live in regional communities. Nobody knows the impact better than Opposition members who live in regional communities. We feel the real-life impacts of drought and issues with water quality supply all the time when they impact our communities and people. We do not visit communities, listen to them and talk about water supply issues and then leave. We live in those communities and experience it, wearing our country clothing and being proud of who we are and where we are from. Water supply is an important issue that we take extremely seriously. The Minister has said an awful lot today and made a lot of promises for regional New South Wales, and the Opposition will be watching closely.

#### *Bills*

### **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2023**

#### **Introduction**

**Bill introduced on motion by the Hon. John Graham.**

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

#### *Visitors*

#### **VISITORS**

**The PRESIDENT:** I welcome student leaders from high schools across New South Wales who are attending the Secondary Schools Student Leadership Program conducted by Parliamentary Education and Engagement. You are all very welcome and I hope you enjoy the display before you in question time over the next hour.

#### *Questions Without Notice*

#### **FIRST HOME BUYER CHOICE SCHEME**

**The Hon. DAMIEN TUDEHOPE (11:00):** I acknowledge the school students in the gallery for question time. I suggest that they take note of the performance of some of the Ministers in response to questions. It will be enlightening. My question is directed to the Minister for Finance. In a written answer to a supplementary question from the Hon. Chris Rath about the First Home Buyer Choice program, the Minister provided the following:

As at 23 April 2023 for properties valued between \$1 million and \$1.5 million: This information is publicly available on the NSW Revenue website.

A specific URL was included as part of her answer. I visited the URL but the information was not available. Has the Minister misled the House?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:01):** I thank the former finance Minister for his question about the previous Government's land tax arrangements. There is currently a bill in the lower House to bring the arrangements to a close. As I outlined in my answer to Opposition questions on Tuesday, we took this issue to the election. We take the issue of providing support to first home buyers—

**The Hon. Damien Tudehope:** Point of order: It is a specific question. We do not need a discourse about what they took to the election. It is about answering a question, which is an important ministerial responsibility. If the Minister does not understand that part of her ministerial responsibility is to answer questions accurately, then she should admit that she misled the House.

**The PRESIDENT:** I uphold the point of order. I make two comments. The first is that the scope of the question is extraordinarily narrow. Therefore, I ask the Minister to be directly relevant. The second is that members should restrict their comments to the point of order alone and not make pejorative annotations.

**The Hon. COURTNEY HOUSSOS:** I thank the former finance Minister for his question. The particular supplementary answer that I provided to the House directed the Opposition Whip to a website that was built during the former finance Minister's period in office.

**The Hon. Damien Tudehope:** Point of order: This is not an answer to the question. Either the written answer to the question is correct or it is not.

**The PRESIDENT:** I do not uphold the point of order. The Minister is being specifically and directly relevant to the question that was asked.

**The Hon. COURTNEY HOUSSOS:** The supplementary answer I provided to the House was the second supplementary answer I provided. We too asked many supplementary questions for written answer when we were on the other side of the Chamber, so I read this one closely before providing an answer to the House in a timely manner. It was about the first home buyer land tax in place at the moment. I direct the former finance Minister to the website to look at the information that was created when he was in government. That provides the information sought by the Opposition Whip. I find the approach of the former Government interesting, given that the most voracious interjector from those opposite is the former education Minister, who provided me with some very interesting written answers to questions. I would like to show those to the House, but I will keep my remarks directly relevant to the question. I stand by what I submitted to the House.

**The Hon. DAMIEN TUDEHOPE (11:05):** I ask a supplementary question. Did the Minister open the URL that she included in the correspondence? Did she satisfy herself that that link provided the information that the member requested?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:05):** I welcome the supplementary question from the former finance Minister and his very helpful instructions on how to access a web link. I am familiar with how to do that. In fulfilling my obligations as a Minister of the Crown, which I take incredibly seriously, and my responsibilities as a member of this House, I stand by the answer that was provided to the House.

### REGIONAL DIGITAL CONNECTIVITY

**The Hon. CAMERON MURPHY (11:07):** My question without notice is addressed to the Minister for Regional New South Wales. Will the Minister outline the Government's priorities for improving digital connectivity in rural and regional New South Wales?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:07):** I thank the honourable member for his question and his ongoing interest in this important issue. Good public infrastructure is vital, especially in regional New South Wales. It is a priority for this Government and for me as the Minister. There is a lot to do in this space because the previous Government did nothing. Members opposite did nothing. They were more worried about pork-barrelling and finding jobs for their mates—jobs for the boys. Roads, bridges and transport infrastructure help connect communities in regional New South Wales and so too do high-quality internet connections. COVID-19 has shown the importance of a reliable high-quality internet service to keep communities and families connected. Improving connections results in better health. It allows a mum in White Cliffs who is worried about her baby's rash to consult a doctor through telehealth.

*[Opposition members interjected.]*

The Nationals are not interested in hearing about this, which is extraordinary. Better connections lead to better education. They allow a student in Walgett to access classes remotely. Better connections also lead to better general well-being. I saw this firsthand in Dubbo when I was talking with farmers, business owners and the renewable energy sector. Better connections give our young people the opportunity to stay in the regions where they grew up, build businesses, start a family and contribute to their communities. I hope there are some in the gallery today.

Regarding mobile phone coverage, the lack of reliability is one of the most common issues raised with me as I travel throughout regional New South Wales—and I am going everywhere, do not worry about that. More than 36 per cent of the New South Wales landmass has no mobile coverage.

**The Hon. Bronnie Taylor:** You've got a lot of work to do.

**The Hon. TARA MORIARTY:** I have a lot of work to do because the previous Government did nothing in this space. Around 26 per cent use just one mobile provider. That means 62 per cent of the State has either no coverage or only one operator. People who live, work and travel in regional New South Wales deserve much better than this. I was recently talking to the owners of a large car rental franchise which operates through central New South Wales. The business relies on mobile connectivity for its fleet management, customer experience and to communicate with its teams, who are constantly on the road. There is no connection between Orange and Wagga Wagga provided by the previous Government. This will be a priority for our Government and I am already onto it.

#### **REGIONAL APPRENTICE AND UNIVERSITY STUDENT TRAVEL CARD**

**The Hon. SARAH MITCHELL (11:10):** I am shocked by that answer. Obviously the practice this morning needs a bit more work. My question is directed to the Minister for Finance. Given that yesterday the Minister refused to rule out cutting the Regional Apprentice and University Student Travel Card, what is her response to Luke, a mature age apprentice electrician who has welcomed the card? Luke said:

My wife and I have a young son and have just bought a house in Dubbo. With interest rates rising, any help with our costs is much appreciated. I will use the card for fuel for my vehicle. Having moved to Dubbo from London, where I didn't even need a car, I am well aware of the greater distances in regional New South Wales we face to get to work and training.

Why is the Minister refusing to support apprentices, like Luke, in New South Wales?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:11):** I thank the former education Minister for her question.

**The Hon. Sarah Mitchell:** Point of order: Members opposite are continually referring to members on this side as "former Ministers".

**The Hon. Daniel Mookhey:** I would be ashamed too.

**The Hon. Sarah Mitchell:** I am not ashamed; I am really proud. You will all be "former" soon enough. "Former Minister" is not a title. I am the Hon. Sarah Mitchell. I would like to be addressed in that way and not be spoken to in that manner.

**The Hon. Scott Farlow:** She is the Deputy Leader of the Opposition.

**The PRESIDENT:** I uphold the point of order. It is appropriate that members are referred to by their correct title. The Hon. Sarah Mitchell can be referred to as the Hon. Sarah Mitchell or, as the Hon. Scott Farlow says, as the Deputy Leader of the Opposition.

**The Hon. COURTNEY HOUSSOS:** I thank the Deputy Leader of the Opposition for her question. I too welcome the many secondary school students who are here to witness question time today. It was remiss of me not to welcome them earlier. I got a little overexcited responding to the earlier question.

**The Hon. John Graham:** That can happen.

**The Hon. COURTNEY HOUSSOS:** It can happen.

**The PRESIDENT:** Order! I need to be able to hear the answer of the Minister, and so does Hansard. The Minister will be heard in silence.

**The Hon. COURTNEY HOUSSOS:** I have been asked a specific question around my responsibilities as the Minister for Finance and the comprehensive expenditure review that the Government is undertaking. All week members opposite have heard us speak about the \$7 billion worth of difficult-to-avoid pressures that have forced us into undertaking a comprehensive economic review. But, for the benefit of the secondary school students who are here today—

**The PRESIDENT:** Order! I will start to call members to order.

**The Hon. COURTNEY HOUSSOS:** For the benefit of our audience today, I outline that, upon being elected on 26 March, the Government was briefed about the fact—

**The Hon. Bronnie Taylor:** Point of order: Mr President, I understand from your previous rulings that latitude must be allowed at the beginning of the answer to set the context, but the Minister has done the same thing time after time. The question was very specific, about a real person in a real regional town. The Minister was directly asked what her response to that is. She needs to be honest with the House and say whether she will cut that support to rural and regional students.

**The PRESIDENT:** I reinforce my original comments that when members take points of order, they should reference the standing order. Nonetheless, the point of order of the Hon. Bronnie Taylor has validity. The Minister will come directly to the leave of the question.

**The Hon. COURTNEY HOUSSOS:** I get excited when speaking about the comprehensive expenditure review because it is an opportunity for us to ensure that taxpayers' money is being spent responsibly. In the past 12 years that was not being done.

**The PRESIDENT:** I call Hon. Bronnie Taylor to order for the first time. I call the Hon. Daniel Mookhey to order for the first time.

**The Hon. COURTNEY HOUSSOS:** I was asked a specific question about the support being provided to regional apprentices. Coming from a former Minister in a former Government who oversaw as education Minister—

**The Hon. Sarah Mitchell:** Point of order: I was never responsible for anything to do with apprenticeships.

**The Hon. Daniel Mookhey:** That's true.

**The Hon. Sarah Mitchell:** I wasn't. I was the Minister for Education and Early Learning. It wasn't in my portfolio.

**The PRESIDENT:** Order!

**The Hon. Sarah Mitchell:** I have asked a very serious question on behalf of a real person, Luke in Dubbo, relating to how this card has helped his family and what it would mean if it is cut. Will the Minister give a serious and honest answer about whether the Government will get rid of it?

**The PRESIDENT:** The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I find the question an interesting approach from the former Government Ministers who oversaw such a dramatic decline in apprenticeship rates, from 54,000 apprenticeships completed each year to 11,000. This Government took a—

**The Hon. Sarah Mitchell:** Point of order: Once again, the Minister is not being directly relevant. I am not asking about the number of apprentices. I asked a very specific question about a travel card for apprentices and whether this Government will cut that fund. I am not asking about the number. I want to know: Will the Government stop people like Luke being able to access that cost-of-living support while they complete their apprenticeships in the regions? Yes or no? If the Minister does not know, she should take it on notice.

**The Hon. John Graham:** To the point of order: I understand the Hon. Sarah Mitchell's frustration. The Minister was only halfway through a sentence, so she should be given some latitude.

**The PRESIDENT:** It is very difficult to determine whether the Minister is being directly relevant because I cannot hear every second word she says. I will give her the latitude to continue her response and try to listen to the words she says, which would be assisted if members remain silent.

**The Hon. COURTNEY HOUSSOS:** I find it deeply offensive that members opposite want to cast aspersions on how I answer the question from a former Minister, who is asking me to rule out cuts to—

**The Hon. Wes Fang:** Point of order: My point of order is under Standing Order 65 (5). The Minister is not being directly relevant to the question.

**The PRESIDENT:** The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I will not be ruling programs in and out as part of the Government's comprehensive expenditure review. From a former Minister, I would expect an understanding of the way reasonable governments work. [*Time expired.*]

### CATHOLIC METROPOLITAN CEMETERIES TRUST

**Ms CATE FAEHRMANN (11:18):** My question is directed to the Treasurer. On 10 December 2021 the then Minister for Water, Property and Housing requested that the Auditor-General undertake a financial and performance audit of the Catholic Metropolitan Cemeteries Trust [CMCT] to examine whether funds expended by the trust had been used for their proper purpose. To date, the trust has not met its statutory obligations under the Government Sector Audit Act and provided access to its books and records to the Audit Office for the purposes of a financial audit. NSW Treasury has determined repeatedly that the CMCT is a controlled entity of the State and the *State Finances 2022* audit report recommended that NSW Treasury and the Department of Planning and

Environment should ensure that the CMCT meets its statutory reporting obligations. What steps is the Treasurer taking to ensure that the Catholic Metropolitan Cemeteries Trust meets its statutory obligations?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:19):** I thank Ms Cate Faehrmann for her question. She is quite right to draw attention to the Auditor-General's 2021 financial audit, in which, from memory, the Auditor-General highlighted this as a high-emphasis matter. At the time of that audit public focus was heavily on issues to do with the Transport Asset Holding Entity and this issue perhaps did not get the notice it deserved. The member is quite right to point out that in last year's audit, for the first time in a long time, New South Wales had its books qualified as a result of the issue to do with the Catholic Metropolitan Cemeteries Trust. That is relevant context that the House should have.

The member asked what steps I am taking. I have met with the Auditor-General about all issues to do with the State's books and her report from last year. The State finance report came down this year in February, which was close to the caretaker period. For the past two years the Parliament has not got the State reports at the time that it should. That was a cause of frustration for the Auditor-General. Ordinarily the Parliament should receive the report by about December to allow questions like this one. It is fair to say that remains an issue of concern.

This financial year will end in a month and the next State audit will commence thereafter. It is fair to say that this Government has not yet had enough time to avoid whatever inspection the Auditor-General has to do for this year. The issue has to do with control, which is a complicated accounting concept. The Government respects the Auditor-General's views on this matter. I am working through the issue with the new Minister for Lands and Property, who I represent in this place. We are working through the issue with the Catholic Metropolitan Cemeteries Trust as well. We have to make sure that the State is capable of producing books that are audited and are capable of clearing audit.

**Ms CATE FAEHRMANN (11:21):** I ask a supplementary question. Has the Treasurer assured the Auditor-General that he will be doing all he can to ensure that the Catholic Metropolitan Cemeteries Trust does what the Auditor-General and the Treasurer's department have requested and provides those books?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:22):** Firstly, I respect the Auditor-General and the confidence of conversations had between Executive Government, Treasury and the Auditor-General. I recognise that the Auditor-General is an independent officer who reports to the New South Wales Parliament and no-one else. I will be meeting regularly with the Auditor-General for as long as I am Treasurer, and I will be in all meetings talking about all matters to do with the State's accounting standards. I will be talking with the Auditor-General about all matters arising from any performance audit she or her successors choose to do and recommendations they make. This is a responsibility of the Parliament, not just the Executive Government. The Auditor-General reports to the Public Accounts Committee in the other place. That is a really important function for parliamentary oversight because that is how Parliament gets access to independent accounts that it can then use to develop further questions and further lines of inquiry.

I will take responsibility for raising matters and discussing all such matters that the Auditor-General wishes to discuss with the Executive Government, but it is incumbent upon all sides of the House to respect the fact that all members have an obligation. In their respective forums, all members should be taking it seriously. I certainly did when I was a parliamentarian and not a Minister. I learned valuable lessons from reading the Auditor-General's reports, including the State finance reports, the performance reports and—my personal favourite—the annual audit reports for all 63 government agencies. That is an excellent way for everyone to be spending the summer holidays. I spent many a Christmas reading those audit reports, but I learned a lot. I assure the member that I will be discussing any matter that the Auditor-General wishes to discuss. I look forward to being quizzed by those opposite on the agency reports.

## RENEWABLE ENERGY ZONES

**The Hon. BOB NANVA (11:24):** My question is addressed to the Minister for Energy. Will the Minister inform the House of the status of the New South Wales Renewable Energy Zone projects and outline the immediate action the Government has taken to get a better deal for New South Wales electricity bills?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:24):** I thank the honourable member for his very important question. I have a good update for the House. There is no longer a question of whether the transformation of our energy system needs to happen; it must happen as quickly as possible. Today the Government published the inaugural Network Infrastructure Strategy. The report provides guidance about the forward plan to deliver the transmission infrastructure—the poles and wires, if you will—needed to transport renewable energy from Renewable Energy Zones to where it is needed. We face significant challenges in this task and in the broader energy transition—challenges that the previous Government was not transparent about.

This is the first time that the time frames and costs of Renewable Energy Zone network infrastructure have been published by the New South Wales Government. The previous Government was asked about cost and time frames but remained silent. I am concerned that the previous Government did not disclose that two projects will be delivered later than initially expected and two projects at a higher cost than first estimated in 2020. The previous Government's addiction to privatisation in the energy sector has made all aspects of those projects more difficult to deliver. As the energy Minister, I want to be up-front about the costs, time frames and challenges of delivering the electricity infrastructure New South Wales needs. That is why I can inform the House that the Government is commissioning an independent check-up of all energy policies. I am committed to getting on with the task of delivering the Electricity Infrastructure Roadmap.

**The Hon. Damien Tudehope:** The one that we introduced.

**The Hon. PENNY SHARPE:** And that we supported. The check-up will help us identify what else we need to do to remove barriers to deliver and accelerate getting infrastructure into the ground. The check-up will ensure that New South Wales has the right policy settings and programs to deliver a timely and cost-effective transition of our electricity sector; ensure that it can manage any residual risks to reliability and price in the short term, should the Eraring Power Station close in 2025; and consider opportunities for the New South Wales Government to enhance local community support, workforce readiness and supply chain improvements. The eight-week check-up will be conducted by Cameron O'Reilly, an energy and public policy specialist from Marsden Jacob Associates with extensive experience in working across the Australian energy markets. The Government is getting on with the job of ensuring reliable, affordable and clean energy for the households and businesses of New South Wales.

Today the Australian Energy Regulator [AER] released its final determination of the default market offer [DMO]. The DMO directly affects around 10 per cent of residential customers and 18 per cent of small business customers in New South Wales. The DMO sets the benchmark for retail electricity prices. Several weeks ago I wrote to the AER requesting that it consider whether the 10 per cent retail margin included in its draft DMO determination was justified, given the rising electricity prices for consumers. I am pleased to say that in the final DMO released this morning, the AER has revised the retail margin down to 9.3 per cent for New South Wales residential customers. Many DMO customers are also eligible for the energy price relief package, which is a \$500 rebate for households and a \$650 rebate for small businesses. Thanks to the coal and gas price interventions and the energy price relief package, this year households will save around \$819 on their energy bills. There is more work to do, and I look forward to updating the House on the way through.

### SILICOSIS

**Ms ABIGAIL BOYD (11:28):** My question without notice is directed to the Treasurer. Last night, during debate on my motion for New South Wales to impose a total ban on the use of engineered stone, the Treasurer told the House that he accepts that there is conjecture about whether regulating silica concentrations to 40 per cent is the right level. The Treasurer then warned the House that:

We should also accept the fact that some pretty powerful forces are organising on this issue to stop reform.

Will the Treasurer elaborate on what he meant by that statement and tell the House which powerful forces are organising to prevent the regulation of engineered stone?

**The Hon. DANIEL MOOKHEY (Treasurer) (11:28):** I thank the member for her question. To be very clear, I am referring to Caesarstone, which is the world's biggest manufacturer of engineered stone. Its products have a silica concentration level of about 90 per cent. The work of members from both sides of the House, especially the Minister in the other place when she was the Opposition spokesperson for workplace health and safety, led to an eye-opening report broadcast by *60 Minutes* and some coverage in *The Sydney Morning Herald* by Adele Ferguson. In the wake of those media reports, Caesarstone published newspaper ads that were designed to mislead the public and give an inaccurate picture of the risks associated with engineered stone, which has silica concentrations of 90 per cent. Those tactics have been used before when it comes to dust diseases and we know how dangerous it can be to peddle inaccurate information.

This House knows that the information is inaccurate because it has done more work than any other Parliament to expose the dangers of the industry. The Deputy Whip, the Hon. Chris Rath and others led that work in the Standing Committee on Law and Justice. It was supported by both sides of the House as we tried to expose the truth. Caesarstone appeared before the committee, where I in opposition, now Senator Shoebridge and other members questioned its claims pretty heavily. We pointed out multiple times that the claims it was making in Australian jurisdictions were not the same as the claims it was making in other jurisdictions. We have already undertaken some of that important accountability work. My message to Caesarstone and all other companies involved is to come on board with the reform, and stop endangering people's lives by putting them at risk with these harmful products. I accept that Caesarstone manufactures engineered stone across the world and it has



obligations to disclose, but it should tell the public the truth. We can work with Caesarstone sensibly on a reform plan.

**Ms ABIGAIL BOYD (11:31):** I ask a supplementary question. I thank the Treasurer for his answer. I ask him to elucidate whether the 40 per cent threshold has been part of the Caesarstone campaign.

**The Hon. DANIEL MOOKHEY (Treasurer) (11:32):** The answer is no; I do not think that number is coming from them. It is coming from other businesses and groups in the industry that have pointed out the different risk profile at 40 per cent. As other members have said, I accept that it is still a contested point. But people in the industry have developed a reform path that involves 40 per cent and makes a meaningful difference between 90 per cent and 40 per cent. The Standing Committee on Law and Justice found that the risk level of silicosis lies in the intensity of short duration exposure and long duration exposure. The risk profile changes according to the concentration levels.

I point out that 40 per cent is also to do with tunnelling. We should not forget that silicosis is as much a danger to our tunnellers and people who work in quarries as it is to people who work with engineered stone. We can see that in the data. The previous Government eventually got around to establishing a dust disease register, so there is now far more data about who is developing silicosis. That data alerts us to how fast growing the issue is. When the dust disease register was established, we expected 30 to 40 to 80 people to be reporting each year. I have not checked it in a while—since about March—but around 200 cases are reported. It is a serious issue. We must work on this issue together. Our message to the industry is to come on board with reform so that we can ensure that good profits are made and lives are protected.

**The PRESIDENT:** I welcome to the gallery student leaders from high schools in New South Wales, who are attending the Secondary Schools Leadership Program conducted by the Parliamentary Education and Engagement office. They are most welcome to question time today.

#### LAND TAX

**The Hon. SCOTT FARLOW (11:34):** My question is directed to the Minister for Finance. Given the Andrews Labor Government in Victoria is lowering the tax-free threshold for land tax from \$300,000 to \$50,000 and imposing land tax of between \$500 and \$975 on an estimated 380,000 property owners for the first time, including many mum-and-dad property investors, will she rule out lowering the tax-free threshold for land tax in New South Wales, which is \$969,000 for 2023, and imposing a new similar land tax on mum-and-dad investors in New South Wales?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:35):** I again welcome to the gallery our visitors from the Secondary Schools Leadership Program. It does not feel like long ago that I was at secondary school. But apparently those years fly past very quickly. I welcome the question from the member about land tax. It is an interesting choice to ask about land tax, given that we had a ferocious debate during the election campaign around the question of land tax—

**The Hon. Scott Farlow:** Point of order: The question is about the Andrews Labor Government's changes to the land tax regime in Victoria and whether that will be implemented in New South Wales. It is not about the Coalition's First Home Buyer Choice program, which is a different policy.

**The PRESIDENT:** There is no point of order. The Minister is making appropriate remarks before coming to the specific detailed discussion and being directly relevant to the question. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I note that the Opposition does not want us to speak about one of the key issues that we fought the election on, which was our choice to reduce—

**The PRESIDENT:** Order! I remind the Treasurer that he is already on one call to order. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I welcome the question from the member about the budget that was handed down by the Victorian Labor Government earlier this week. I thank the Treasury officials who diligently provided the Treasurer and I with an excellent summary of the measures in the budget. It is an interesting choice for members opposite to speak about land tax because it was so clearly repudiated by the community on 25 March. We made a deliberate decision that we believed—

**The Hon. Wes Fang:** Point of order: My point of order is taken under Standing Order 65 (5). The Minister must be directly relevant to the question. I ask you to draw her back to the question that was asked by the Hon. Scott Farlow.

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

**The Hon. COURTNEY HOUSSOS:** As I was saying, the Treasurer and I were briefed on the contents of the Victorian Labor budget earlier this week, including the proposed land tax arrangements to be introduced on industrial and commercial land holdings and the range of other measures that were pursued to address the budget in Victoria. We are not looking at the same measure at this time. We face serious budget pressures in New South Wales as well as billions of dollars' worth of pressures that were not communicated to the public before the election. We will continue to work through those in a careful, considered and methodical way.

#### REVENUE NSW CONFIDENTIALITY AGREEMENTS

**The Hon. Dr SARAH KAINE (11:38):** My question is addressed to the Minister for Finance. Will the Minister share with the House the nature of Revenue NSW consultations on confidential taxation matters and any action the Government is taking to ensure confidentiality?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:39):** I thank the honourable member for her question and congratulate her on an excellent inaugural speech last week. We are delighted that she can now participate in debate in the Chamber, and she already made a great contribution last night. This is a very serious matter and the Government is deeply troubled by the breaches of confidentiality regarding sensitive Federal tax plans. I have already been in discussions with Revenue NSW regarding the breaches committed at the Federal level and I have sought advice on the confidential briefings that the New South Wales Government conducts when we draft tax legislation or issue new rulings or guidance materials.

Consultations between Revenue NSW and liaison groups are an important part of the drafting process. The tax experts in the private sector who participate help to ensure that any changes to the tax regime are fair and sensible. Revenue NSW regularly consults with peak organisations, including the Law Society of New South Wales, the Tax Institute, Chartered Accountants Australia and New Zealand, CPA Australia, the New South Wales division of the Property Council of Australia, and an association representing several small business groups. But make no mistake: The disturbing events recently reported in the media are very serious and a categorical breach of trust. Breaking the confidentiality seal of those forums can lead to tax avoidance.

The Chief Commissioner of State Revenue has already contacted the chairs of the liaison groups to underscore the importance of confidentiality. Members opposite might laugh, but I reiterate that, while those bodies are an important part of tax consultations, there needs to be a level of respect and understanding when it comes to the handling of sensitive Government information. We are also putting under the microscope the confidentiality measures currently in place. I have asked the Chief Commissioner to consider what further protections might be required and how quickly they can be implemented. We must ensure that we impose significant punitive penalties for individuals and entities that unlawfully breach confidentiality agreements involving tax with this Government.

That may necessitate a change to current legislation. We will investigate a range of measures, including imposing significant penalties for individuals and entities that unlawfully use or disclose sensitive or confidential tax information provided to the Government. We will pursue those changes swiftly and consider penalties in the order of millions of dollars. The proposed penalties should be a firm warning for organisations and businesses that we expect confidentiality arrangements with the Government to be honoured on behalf of the people of New South Wales. I congratulate the Labor Senator for New South Wales, Deborah O'Neill, on her important work on this significant issue.

#### TOXIC WEEDS

**The Hon. EMMA HURST (11:42):** My question is directed to the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales. Earlier this month two healthy ponies, Joey and Midnight, tragically died after eating *cestrum nocturnum*. It is a toxic weed that is poisonous to both humans and animals and is becoming an increasing threat to horses, deer and farmed animals in the Northern Rivers region—in part, because it continues to be able to be legally sold in garden centres and nurseries. Will the Minister commit to action to stop the sale of this toxic weed and take steps to get it under control in New South Wales?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:43):** I thank the honourable member for her question. It is an important question, and I acknowledge her concern about the death of the two ponies, Joey and Midnight. I also extend my sympathy to the family of the people who owned the horses. A tragedy has occurred. The New South Wales Biosecurity Act prohibits some specific high-risk activities and materials. It includes a general obligation on people to be aware of their surroundings and take action to prevent the introduction and spread of pests, diseases, weeds and contaminants. There are two versions of the weed in question. Green *cestrum*, or *cestrum*

parqui, is known for being toxic to livestock and other animals. The other version of the weed that the member refers to in her question is *cestrum nocturnum*, which is commonly known as "Lady of the Night", which can also have similar impacts. However, that species is not as common as the green version.

The role of the Biosecurity Act and agencies such as Local Land Services [LLS] and the Department of Primary Industries is critical in the control of pests, weeds and contaminants. I am advised that a district veterinarian from LLS has investigated this incident, and I am advised that the conclusion was that *cestrum* was the likely cause of the death of the ponies. The advice that I have is that it was the green version. However, given the question from the member asking me about and alleging that the other version of the weed was the cause, I will ask the department to double-check that and to investigate whether the information that I have is up to date and accurate. We need to understand the risks that are involved and make sure that we are doing everything we can to eradicate these weeds across New South Wales.

I have engaged the Department of Primary Industries to begin work on one of our key election commitments to introduce an independent biosecurity commissioner and an independent biosecurity commission so that we can deal with these issues in an appropriate way and with independent oversight to make sure that we properly understand the issue of weeds across regional New South Wales and the whole community, and to make sure that we invest appropriate amounts of money—which did not happen under the previous Government—to deal with this weed issue.

*[Opposition members interjected.]*

Nationals members might make noises about this, but they did nothing about it, and it is one of the most significant issues affecting regional landholders and farmers across New South Wales. In this case, those toxic weeds caused the death of two horses—an issue that I take seriously. That is why we take biosecurity seriously. I will implement our election commitment in full.

**The Hon. EMMA HURST (11:46):** I ask a supplementary question. My supplementary question relates to the comments made by the Minister about taking the investigation to the department. Will that investigation include looking at what action would be taken if those weeds are being sold in nurseries and causing the death of animals? What would the Minister's proposal be from there?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:46):** It is a great supplementary question and an important consideration regarding this particular weed. As I explained in my original answer, there are two versions of this weed. One version that is widely known to be toxic and a risk is not for sale; the other version that the member is asking about is. The member asked me about the investigation. The information I have is that the LLS veterinarian investigated the death of the horses. As I am advised, the findings were that the banned green version of the weed was the cause. However, given the question, I will make sure that that information is accurate and that is the part we will investigate.

The member also referred to versions of the weed that are currently for sale. We need to understand which version caused the death of the horses. This weed did kill those horses, but we must understand which version was toxic and contributed to those deaths. I am happy to come back to the member with specifics about that but more broadly we must deal with this issue seriously. That is why we will have a biosecurity commission. This incident will be properly investigated—and it has been—but I will make sure that the findings are accurate.

More broadly, these issues happen across regional New South Wales. We must sure that our animals and our lands are protected. We must make sure that these toxic weeds are managed appropriately. Farmers everywhere tell me that they are out of control across regional New South Wales. I know from talking to farmers every day when I am out and about that weeds are one of the biggest issues that they have to deal with. The previous Government did not put money into the budget to deal with this. A key commitment for Labor was to get a better understanding of where these issues are affecting farmers and get a better understanding of how to address them. I take this matter very seriously.

**The Hon. WES FANG (11:49):** I ask a second supplementary question. In her answer the Minister said she would seek further advice from the department on the investigation. Will the Minister elucidate that part of her answer and explain why she does not have trust in the department's first investigation?

**The Hon. Jeremy Buckingham:** Point of order: Clearly the question contained an epithet, which is out of order. The honourable member ascribed a characteristic to the actions of the Minister, which is out of order. He should know that. I ask that the question be ruled out of order.

**The Hon. Wes Fang:** To the point of order: Standing Order 65 (1) (e) on epithets does not apply to my question.

**The PRESIDENT:** While I have substantial sympathy with the point of order taken by the Hon. Jeremy Buckingham, I have made it clear that at this stage I will provide significant latitude on a number of different issues. I invite the Minister to respond to the question.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:50):** I am very happy to answer the question and elucidate on the information I have provided. I have full faith in DPI, the Department of Primary Industries. I have been working very closely with it. It is full of professionals and wonderful scientists. It does amazing research. Local Land Services does terrific work helping farmers to manage their land and the weeds on their farms. I have been on many farms with LLS to see the work they do with farmers. It is really impressive. I am incredibly impressed with the department. I look forward to working with them over my term in office. I celebrate the terrific work they do. I plan to talk about the research and wonderful work they do at every possible opportunity because I do not think they get enough recognition for that fantastic work, particularly LLS, which works directly with farmers to ensure that weeds, particularly, which are the subject of this question, are properly dealt with.

In relation to the original question, I was advised that the green version of this weed was found to be the killer when it was investigated by an LLS veterinarian. But given the question was raised by a member of this House for me to consider as the responsible Minister—and I respect her work and her question—I will do that. She asked a question about the other version of the weed, which I described for the House today. I will endeavour to answer the member's question. I have full faith in the department. I will ask the department to look into this because I have full faith in the information that it will provide me with. The Animal Justice Party member asked a question on behalf of her interests and the constituency she represents, alleging that there was a different outcome. I will have a look at that because it is appropriate to respect her and the question she asked me. I have full faith in the department and I look forward to its answer.

#### REGIONAL MAYORS

**The Hon. SAM FARRAWAY (11:52):** I direct my question to the Minister for Regional New South Wales. Given that yesterday the Minister told this House she was happy to engage with mayors from across regional New South Wales, has she accepted or declined the invitation to attend the meeting of the New South Wales Country Mayors Association at Parliament House tomorrow, noting that they represent more than 100 local government areas across regional New South Wales?

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:53):** I thank the Hon. Sam Faraway for his question, which I am delighted to receive. I know that being in opposition is tough. We spent a bit of time in opposition, so I understand that it is difficult to get intelligence. It is hard to ask questions in this place when one thinks one has killer blows. Yesterday the National Party thought it had a killer blow against me about some dinner that I did or did not go to with some mayors or other mayors—I am not really sure. The Nationals thought it had something yesterday. It was all very ridiculous, but members are entitled to ask questions.

**The Hon. Sam Faraway:** Point of order: I allowed the Minister some latitude in her introductory remarks, but she has not been relevant to the specific question I asked, which is relevant to her portfolio, about whether she would attend the Country Mayors Association meeting tomorrow at Parliament House.

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

**The Hon. TARA MORIARTY:** I am aware that the Country Mayors Association is meeting at Parliament House. A number of Ministers will attend that meeting. I have met with the chair—

**The Hon. Sarah Mitchell:** We know you met with Jamie Chaffey.

**The Hon. TARA MORIARTY:** They are tracking my movements. That is very exciting. I am happy to disclose that I met with the president of the Country Mayors Association. It is a terrific organisation. The president came to Parliament House and met with a bunch of Ministers and, clearly, Opposition members, as is appropriate. I am aware that the association will hold a forum here tomorrow. I am also aware that a number of Ministers will attend, including the Minister for Water and the Minister for Regional Roads, and I am sure other Ministers will also attend.

**The Hon. Sam Faraway:** Point of order—

**The PRESIDENT:** Order! I will not hear the point of order from the shadow Minister until there is silence in the Chamber.

**The Hon. Sam Faraway:** Additional latitude was given to the Minister. She is struggling; she cannot answer the question. I ask that the Minister be brought to the core of the question about her attendance at the meeting tomorrow.

**The Hon. Daniel Mookhey:** To the point of order: Reflecting on any member in a point of order is unparliamentary. To do so in the manner in which the Hon. Sam Faraway just did does not respect the decorum of this House. He should withdraw his comments.

**The PRESIDENT:** I will make this point to all members very clearly, particularly the Hon. Rose Jackson: I will not entertain points of order if they contain pejorative or ad hominem arguments about the individual member in question—full stop. Those points of order will not be upheld. The Minister has the call.

**The Hon. TARA MORIARTY:** Speaking of struggling, it is really difficult in opposition, as I acknowledged at the beginning of my answer. Unfortunately for the honourable—

**The Hon. Natalie Ward:** Point of order: Mr President, you have just made an annunciation to the Chamber. The Minister, in the first two seconds of the resumption of her answer, was unparliamentary in her language. The Opposition is entitled to ask questions. I ask that the Minister be reminded to refrain from making reflections on members of the Chamber in her answer.

**The Hon. Damien Tudehope:** To the point of order: Mr President, you are quite right in the ruling you made about pejorative introductions to questions. The same rule ought to apply to Ministers using pejorative language when answering those questions.

**The PRESIDENT:** Order!

**The Hon. Damien Tudehope:** To the extent that you want to retain decorum in this place, particularly in respect of the manner in which questions are asked, I accept your ruling. But I ask that you also give directions to Ministers in respect of the manner in which questions are answered.

**The PRESIDENT:** I am happy to rule on the point of order. The Hon. Natalie Ward was incorrect in saying that I made a ruling about the way in which Ministers answer questions. The Hon. Damien Tudehope was incorrect in saying that I made a ruling about the way in which questions are asked. I made a ruling on points of order, and that ruling stands. That said, I absolutely take the point that has been made. All members must observe decorum and dignity in the Chamber and understand what a respectful workplace is. Therefore, I agree with the Leader of the Opposition. I ask that all members be mindful of the way in which they speak of others in the Chamber. We must do so respectfully and with grace.

**The Hon. TARA MORIARTY:** I am sure the Country Mayors Association forum will be very successful. A number of Government Ministers will attend. I look forward to working with the Country Mayors Association. As I have said publicly, I want to deal with every member of this House respectfully. I want to engage openly with people. My door is open, as I have said publicly. I ask that members do the same. I think it has been—

**The Hon. Wes Fang:** Point of order: My point of order relates to Standing Order 65 (5). The Minister should be directly relevant to the question asked. The question was specific. I ask that the Minister be directed to answer the question of the Hon. Sam Faraway.

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

**The Hon. TARA MORIARTY:** I am answering the question about the country mayors forum tomorrow. I am sure it will be terrific. At the beginning of my answer I indicated my excitement about being asked the question by the honourable member. That is genuine excitement. I know that being in opposition is difficult and the transition has been difficult for members opposite.

**The Hon. Sarah Mitchell:** Point of order: The Hon. Sam Faraway asked a specific question about whether the Minister was attending the meeting of country mayors tomorrow. We are not asking for her opinion on the National Party—we are not interested in it. We would like the Minister to answer the question directly asked of her. Is the Minister going to the meeting tomorrow? Yes or no?

**The Hon. TARA MORIARTY:** They are big issues. I take the Country Mayors Association meeting seriously. I look forward to working with them as much as possible.

**The Hon. Sarah Mitchell:** Are you going? Are you seriously going to turn up, or not? Are you going? You're not answering.

**The PRESIDENT:** I call the Hon. Sarah Mitchell to order for the first time.

**The Hon. TARA MORIARTY:** It is difficult for members opposite to understand the difference. While they have been tracking my movements, I have been googling them. Poor old Sam Faraway! The Hon. Sam Faraway—

**The Hon. Sarah Mitchell:** Point of order—

**The Hon. TARA MORIARTY:** —has forgotten to update his website. He still thinks he is the Minister for Regional Roads. Talk about not checking the websites.

**The PRESIDENT:** Order! The Minister will resume her seat.

**The Hon. Sarah Mitchell:** Firstly, the use of props is unparliamentary.

**The PRESIDENT:** Order! I will hear the point of order in silence.

**The Hon. Sarah Mitchell:** There are two parts to my point of order: Firstly, the use of props is unparliamentary and the Minister should be called to order. Secondly, my point of order relates to direct relevance. The question asked specifically whether the Minister is attending a meeting tomorrow. She has less than three seconds to answer and I invite her to say either yes or no, otherwise we would assume the answer is no.

**The PRESIDENT:** I uphold the first point of order. Props are unparliamentary and should not be used. As to the second point of order, as the Deputy Leader of the Opposition well knows, I cannot direct a Minister how to answer a question. The Minister should do so for the remaining three seconds of question time.

**The Hon. TARA MORIARTY:** As I have repeatedly said, I am very much looking forward to working with the Country Mayors Association in Parliament tomorrow. I think it is a terrific organisation.

**The Hon. PENNY SHARPE:** It is disappointing that time has expired because we have missed out on the Tina Turner tribute from the Hon. Rose Jackson as a result of the rubbish from the other side of the House.

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

#### CATHOLIC METROPOLITAN CEMETERIES TRUST

**The Hon. DANIEL MOOKHEY (Treasurer) (12:02):** Earlier in question time I was asked a question by Ms Cate Faehrmann about the Catholic Metropolitan Cemeteries Trust [CMCT]. I have some additional information. I am advised that all Crown cemeteries and their controlling bodies will be required to comply with guidelines and legislation. Direct dealing guidelines will be taken into account as the Government considers options for the design of a two-operator model. The current options contemplate that both Crown cemetery operators will be controlled entities once finalised, subject to advice around design and legal requirements. Crown assets that are under the control of the CMCT are held on behalf of the Crown. I thank all the officials in the Catholic Metropolitan Cemeteries Trust, the Treasury and the Auditor-General, who have been working on this complicated issue.

#### *Supplementary Questions for Written Answers*

#### REGIONAL MAYORS

**The Hon. SAM FARAWAY (12:03):** My supplementary question for written answer is directed to the Minister for Regional New South Wales. Will the Minister advise if she will be attending the Country Mayors Association meeting to be held at Parliament House on 26 May 2023?

**The Hon. Anthony D'Adam:** Point of order: In substance this is the same question that was asked during question time. A supplementary question should be an elucidation, not a restatement.

**The PRESIDENT:** There is no point of order. Having looked at the original question, I will allow the supplementary question.

#### *Questions Without Notice: Take Note*

#### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. MARK LATHAM:** I move:

That the House take note of answers to questions.

#### REGIONAL MAYORS

#### RENEWABLE ENERGY

**The Hon. MARK LATHAM (12:04):** I congratulate the Minister for Agriculture on her answers. When there is a change of Government, there is always suspicion on the Opposition side that there may be a weak link

that it can target. I think it has missed the target. The Minister's answers have been effective and diligent. The Minister has raised all the right points and exceeded any of the expectations that the Opposition, in particular, might have had about her performance. I say well done. In my view the Minister missed only one point in her answers. When the National Party was keen to find out what was on the menu in Dubbo, she should have raised the obvious point that it was fried Toole being cooked up in Dubbo, or baked Toole, or Toole five ways. Obviously that was what was on the menu, with all the difficulties the National Party has had.

On a more serious subject, I take note of the answer given by the Minister for Energy with the fascinating announcement of yet another review of Government policy, this time undertaken by the very diligent, effective and intelligent Cameron O'Reilly, whom I have known for 30 years. The Minister is saying that the Labor Party that voted 182 times for the Matt Kean renewable energy program in that late night sitting of the Parliament 2½ years ago now has so much confidence in the renewable energy zones that they have to be reviewed by Cameron O'Reilly. This is a government of review, by review, for review. The Government is having more reviews than a rugby league referee using the bunker. Every second day there is a new review underway, and this time—

**The Hon. Penny Sharpe:** Every second day there is a mess left by that lot that we have to sort out.

**The Hon. MARK LATHAM:** Well, the Labor Party had so much confidence, it voted 182 times for Kean's plan. Now there is so little confidence it needs to be reviewed by Cameron O'Reilly. Who is Cameron O'Reilly? He is a very good person of substance and integrity. He worked for Laurie Brereton in the time of the Keating Government when I first met him. He lobbied here, somewhat to my surprise, in the energy unit advising Matt Kean. He then went out as a private consultant and is now to review the Kean plan. Perhaps the Labor Party should have listened to him 2½ years ago. He was one of the voices saying that two things would happen if the Keanism of the mad rush to 100 per cent renewables was supported. One is that coal-fired power stations would be forced to close early, and that is what is happening with Eraring with the forecast from the Australian Energy Market Operator and others about the economic and social disaster of blackouts in New South Wales. The other thing that I suspect Matt Kean was advised about was that he would not have the back-up power—the pumped hydro and the gas peaking plants—in place. Will anyone ever build another pumped hydro system after the complete disaster of Snowy 2.0? It will be interesting to see what the review produces. Hopefully the document will be made public.

**The Hon. Penny Sharpe:** Yes.

**The Hon. MARK LATHAM:** It will be made public?

**The Hon. Penny Sharpe:** Yes.

**The Hon. MARK LATHAM:** That is good to hear but the Labor Party should have listened to O'Reilly a long time ago.

### REGIONAL APPRENTICE AND STUDENT TRAVEL CARD

**The Hon. DAMIEN TUDEHOPE (12:07):** In tribute to the late great Tina Turner, I direct my comments to the Minister for Finance:

You're simply the best  
Better than all the rest  
Better than anyone  
Anyone I've ever met

This Minister is better than the rest of her colleagues in avoiding even the simplest, accurate questions asked in question time. When I was Minister for Finance and would direct members, including the Hon. Courtney Houssos, to a web page as part of my answer to a question, I would make sure that the web page actually contained the data sought. The Hon. Sarah Mitchell asked a question of the Minister for Finance about Luke, who left a good job in London and moved to Dubbo where, as a mature-age apprentice electrician, he values the Regional Apprentice and University Student Travel Card that the Minister's comprehensive expenditure review is set to axe.

The Minister is incensed that regional apprentices and students may use the regional travel card to subsidise the cost of their transport to activities potentially other than work, TAFE or university. According to the Minister, they cannot go to the store on Friday or the church on Sunday. In summary, I am keenly looking forward to three more question times next week, and I say to all the freshly minted Ministers in the Government:

You better be good to me  
That's how it's gotta be now  
'Cause I don't have no use  
For what you loosely call the truth

## SILICOSIS

**The Hon. JEREMY BUCKINGHAM (12:10):** I take note of an answer given by the Treasurer regarding silicosis. I was unable to conclude my comments yesterday during the take-note debate. I raise a significant issue that will persist for decades to come regarding silicosis and the management of engineered stone in this State. I note that the Minister, and the outlined reform, suggests that a register will be established for those products. I welcome that.

**The Hon. Daniel Mookhey:** No, it was not a register.

**The Hon. JEREMY BUCKINGHAM:** It was not a register?

**The Hon. Daniel Mookhey:** Registration of all sites.

**The Hon. JEREMY BUCKINGHAM:** I misspoke. That is exactly what I meant—a registration of all sites. I welcome that, but I note that process will create an enormous liability for someone in the future. Engineered stone products are ubiquitous in renovations and property developments throughout Australia. Some of the most recent developments, including high-rise hotels, in Sydney and across Australia are absolutely full of engineered stone. Hotels and multistorey apartments have hundreds if not thousands of engineered stone benchtops, vanities and other installations. Those will have to be managed. At some stage in the future, they will have to be removed. The issue with installing engineered stone is that a dry process is needed, but removing it requires wet cutting, and that is going to cost this country billions of dollars. Someone will need to remove the material like asbestos is removed, which will be a dangerous job. They are going to be at risk, and someone will have to pay.

The people who should pay for it are the producers of the stone, and they should pay by a ban and a line in the sand. I understand the arguments made about a 40 per cent silica threshold. They produced a product that is going to kill people. They have created enormous liability and the reality of a terrible disease for people. We should draw a line in the sand and ban engineered stone because we are going to have to manage it. I hope the State does not have to manage the issue. In the future, property owners will have to deal with taking the stone out and wet cutting it on site. That will be a huge cost, including the disposal of it. The issue of engineered stone will be managed in this State for decades to come.

## REGIONAL APPRENTICE AND STUDENT TRAVEL CARD

### REGIONAL MAYORS

### HILL END TRANSPORT SUBSIDIES

**The Hon. SARAH MITCHELL (12:13):** I take note of a number of answers given today. I start with the question I asked the Minister for Finance on the regional apprentice and university student travel card. We also spoke about the topic yesterday, but I revisited the issue today because it is important for not only young people but also those doing their apprenticeships or studying at university in regional New South Wales. Today the Opposition asked about Luke, a mature-aged apprentice electrician living in Dubbo and getting the benefits of the card.

The Minister's refusal to rule the program in or out is concerning not just for people like him but also for the thousands of others who have an interest in this card and who have been benefiting from it. The Minister not ruling anything in or out is interesting. The program is up and running—a trial is ongoing—so the Minister does not have to rule it in; all she can do is rule it out. That appears to be what the Minister is intending to do in the budget later in the year. Cutting that program will be a shame for those living and working in regional New South Wales who do not have access to the subsidies available to city students and apprentices. It is a matter of equity. The Opposition will be watching closely the cuts that we know are coming for regional New South Wales under this Government.

I take note of the answer to the question asked by the Hon. Sam Farraway of the Minister for Regional New South Wales about tomorrow's country mayors meeting. I listened closely to the Minister's answer, and she did not say whether she was going. She spoke about wanting to engage and said that lots of Ministers were going. I thought it was a pretty simple question to answer. Either the Minister is going or she is not. If she is not going, she should tell us what is more important than meeting with more than 100 local government mayors from regional New South Wales when she is the Minister for Regional New South Wales.

We look forward to the Minister's written answer to see whether or not she is attending. It was a pretty simple question. She did not really answer it. Maybe she will go now. If she does, that is great. If we are able to influence that outcome, we will be happy with that. My other point is that I wonder how the Minister has time to google pictures of the Hon. Sam Farraway. I am sure he is flattered to be on her wall. We might have to seek an



order under Standing Order 52 for production of her search engine history. It is interesting that she is spending time looking at images of Opposition members.

Finally, in a written supplementary answer given today, the Minister said she is looking to visit Hill End in the coming weeks. I suggest that if she is going to google anything, maybe she should google where Hill End is and how to get there. She might be able to get there a little bit sooner to provide support to landowners who are dealing with the aftermath of an extensive bushfire and who want more subsidy support. They are farmers asking the Government to assist them. I suspect that the Minister should be spending time on that rather than googling images of the Hon. Sam Farraway.

## REGIONAL MAYORS

### REGIONAL APPRENTICE AND STUDENT TRAVEL CARD

**The Hon. STEPHEN LAWRENCE (12:16):** I make a couple of contributions to the take-note debate. Firstly, I note the question directed to the Minister for Agriculture about her travel and meeting arrangements. It was resonant of the question yesterday about the dinner in Dubbo. I encourage Opposition members to perhaps speak to those who arrange such events, particularly the event at the Indian restaurant in Dubbo—which is a great restaurant—that was spoken of yesterday because I think they may find that the question contained a direct misrepresentation. I encourage them to do that quietly. I also suggest that perhaps they might want to reconsider their focus on the Minister's movements. I commend the Minister for her answers to those rather strange questions.

The Hon. Sarah Mitchell asked a question of the Hon. Courtney Houssos about the regional apprentice and student travel card. It was also resonant of questions asked earlier. The game of "rule in, rule out" has been a continual focus in question time. That is probably one of the oldest political tricks in the book. Opposition members know that a comprehensive budget review is underway, so they sit in their planning meeting and pose to themselves, "What program might give concern to people in the community that we can mount some sort of scare campaign about? How about the regional apprentice and student travel card program? Let's get them to rule that in or out." The Opposition knows that a responsible Government conducting a comprehensive budget review will not rule in or rule out anything. That has always been the case when a responsible Government operates such a review. The Opposition asked the question even though it knows the answer, and it hopes to cause some sort of scare campaign in the community.

It is particularly egregious to engage in that game when the true context of the matter is that the Opposition created the budget problem over years in government through a focus on discretionary and politicised expenditure. Previous Government members loved those sorts of voucher programs. They were not generally as interested in things that are means tested or implemented through industrial agreements. They were much more into purely discretionary expenditure, which they thought could influence political outcomes, and we see that continued focus. *[Time expired.]*

## LAND TAX

**The Hon. SCOTT FARLOW (12:19):** I take note of the answers given by the Minister for Finance. While the Leader of the Opposition may have thought she was simply the best when it came to obfuscating and not answering questions, I will stand up for the Minister for Finance and thank her for her answer to my question. Maybe it was asked in a nicer manner. I was glad to hear that she has ruled out the arrangements in response to the Victorian Government's changes to the land tax threshold. In September Opposition members will watch the budget with interest to make sure that the Minister for Finance lives up to that commitment that this is not something the Government in New South Wales is considering.

The Victorian Government has proposed a change to its land tax threshold from \$300,000 to \$50,000. It has said that will, on average, cost landlords in Victoria another \$1,300 per year. More concerning, that cost will be passed on to renters and make housing affordability even more difficult. We have challenges in New South Wales around housing affordability and supply. More rental accommodation and housing needs to be built. Changes to tax arrangements have a very real impact on housing stock in New South Wales, in particular on housing affordability. The Opposition is very concerned by the changes that have been proposed in Victoria. The Victorian Premier has said that this is a matter for the Federal Government and every State will pick up the tab for Victoria's tax arrangements. New South Wales taxpayers will have to contribute to Victoria because, of course, the payments are tax deductible.

The Opposition knows how closely aligned property tax arrangements are with housing supply and affordability. If landlords are sluggish with more taxes, those costs will be passed on to tenants. That will ensure that people will not be interested in investing in property, creating more rental accommodation across the State, which we cannot afford to have in New South Wales and across Australia. I was very glad to hear the answer from

the Minister for Finance. The Opposition will hold her to her word and will watch the State budget later this year with interest.

### GOVERNMENT FUNDING

**The Hon. Dr SARAH KAINE (12:22):** We have heard a lot about so-called cancellations from Opposition members this week, but scratch the surface and they are, in fact, attacking their own record. I know I am only new but I do not think that I am easily shocked. I grew up in the labour movement, so I thought I had experienced every political shock that could be imagined. But I have been shocked by the hypocrisy that I have witnessed during the first sitting week and over the past few days. If the Liberal Party really cared about things like the Active Kids vouchers when it was in government, it would have funded them past 30 June 2023. If the Liberal Party really cared about infrastructure projects, it would have ensured that they did not face unacceptable budget and schedule blowouts. If the Liberal Party really cared about the First Lap vouchers, it would have funded them past 30 June 2023. Those schemes are all important, but there was no commitment from the Government to include them in the budget in an ongoing way.

This week we learned the previous Government secretly cut \$100 million from Destination NSW, putting at risk major iconic events like the Sydney Festival, Australian Fashion Week, Mardi Gras and the Australian Open of golf, not to mention its lack of long-term funding for Cyber Security NSW. I find it astounding that on one of the biggest issues facing governments around the world—cybersecurity and data management—the Opposition when it was in government not only showed a lack of appropriate fiscal management but also a disturbing denial of the big technology issues of our time. Those are two deficits that have been revealed about what the previous Government did.

While I am on the subject, the Government wishes to announce some cancellations. The Government will cancel the Liberals' privatisation obsession—\$90 billion of assets, causing higher prices and worse services. We will cancel the Liberals' sell-off of almost every toll road in Sydney, turning it into the most tolled city anywhere on earth. We will cancel the Liberals' offshoring of major public transport builds, like trains and ferries, leading to the loss of 4,000 jobs. The Government has positive and fresh plans. The Opposition says it will be constructive but there are no signs of that.

### REGIONAL APPRENTICE AND UNIVERSITY STUDENT TRAVEL CARD

#### REGIONAL MAYORS

**The Hon. SAM FARRAWAY (12:25):** I take note of answers given to questions without notice. I will start with Minister Houssos's not answer but contribution to my question on the Regional Apprentice and University Student Travel Card. The Minister said openly that she will not rule anything in or out of the budget. The scheme was a funded two-year trial. Based on the data that the Minister gave in answers to the House this week, 5,302 regional apprentices already have access to the card. I do not know how something is ruled in when it is already happening. The Opposition wants to know whether the Minns Labor Government will keep delaying the scheme so that regional university students never have a chance to apply for the card and then bring out the scissors and cut the funding in the September budget—the big cut, cut, cut. We know that is what is coming. The Minister clearly could not answer the question.

It is disgraceful because it appears that the Government will withhold the opportunity for regional university students to access the travel card. What sort of message does that send to the next generation of apprentices, trainees and regional university students? This new Labor Government is not prepared to back them in a two-year trial to see if this program will work. Existing travel card programs have already been incredibly effective. Look at the regional seniors travel card scheme, on which many Labor MPs lobbied me when I was the Minister to have their metropolitan areas included. It is a bit rich that now the Labor Party is in government it wants to cancel projects on which many of its own MPs lobbied me to have their electorates included. Over one million regional seniors travel cards have been issued in the first three years, with 300,000 issued in the first three months of this year.

I also take note of the answer, or lack of, given by Minister Moriarty. Tomorrow the Country Mayors Association, which is a key organisation that represents over 100 councils in regional New South Wales, will hold its annual general meeting. The mayors and general managers of those councils are worried. They have seen what the Albanese Government has done through its cuts to programs for the regions. They want to know the agenda of the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales. What does the future look like under her as a Minister in a Minns Government? If Mick Veitch was still a member of this House, he would be attending the meetings tomorrow. Steve Whan will be there. Maybe in time he will be there representing the Minns Government as Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales.

## FIRST HOME BUYERS REGIONAL MAYORS

**The Hon. WES FANG (12:28):** I take note of answers to questions without notice. Given that Parliament has been sitting for only two weeks, it is really disappointing that Government members are obfuscating and trying to hide behind tricky answers. Two examples of that have been highlighted during questions without notice, including when a website was provided yesterday in a written answer to a supplementary question that did not address the number of people who had accessed the First Home Buyer Assistance scheme, introduced by the former Government in the last term of Parliament, for homes valued between \$1 million and \$1.5 million. That strikes at the heart of everything those opposite said in the last term of Parliament, and it has only taken two weeks.

I turn to the answer given by the Hon. Tara Moriarty about her attendance tomorrow at the Country Mayors Association annual general meeting and the disrespect that was given to the association. The Country Mayors Association is coming to Parliament to engage with the Government. For the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales not to provide the House with guidance about whether she is going to attend is an obfuscation of what the House was asking on behalf of that organisation. It would have been extremely easy to say yes or no. Mayors like Carrathool Shire Council's Darryl Jardine want to know what Labor is doing with the programs and what it is going to be doing for regional and rural New South Wales. He calls me and asks me because he never hears from the Government's side of the House. He knows that I will still pick up the phone and provide him with responses. Members opposite do not answer. They do not know what is happening, and that is why the country mayors are coming here to find out. [*Time expired.*]

## TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (12:31):** I am delighted to close the take-note debate for the first time. I acknowledge that members and officials from the Transport Workers' Union are present in the Chamber. I thank them for their time and the important advocacy and work they do on behalf of transport workers. Some old habits die hard; it was great to hear the now Leader of the Opposition entertain us with a tribute to the great Tina Turner. I turn to some of the questions that the Opposition directed to me in my capacity as the Minister for Finance. It is so interesting that after just 60 days we have heard in the Chamber a series of lectures on things that those opposite failed to do for 12 long years. I invite the former finance Minister or the former education Minister to consult some of the answers they provided to me when I was in opposition. I acknowledge that I asked many supplementary questions for written answer. The quality of the answers was appalling. I look forward to reminding former Ministers about some of those answers in future.

I draw the attention of the House to the question about regional apprentices. The former education Minister professed that she had no responsibility for apprentices in the previous Government, which is interesting given the number of students in our school system who are undertaking apprenticeships. The numbers declined under her watch. She used to represent the Minister for Skills and Training in this place. Under the previous Government, the number of apprentices halved. One of the biggest handbrakes on the economy right now is the shortage of labour, particularly in the building industry, and that is a direct result of the former Liberal-Nationals Government's inaction over the past 12 years.

The Government is undertaking a comprehensive expenditure review. It is doing so because the former Government did things like putting 1,112 nurses on temporary contracts and then coming into the Chamber and trumpeting about the nurses it was putting in our hospitals. Instead of putting them on permanent contracts, the former Government put them on temporary contracts that will run out at the end of next year. One has to question the judgement of those opposite when that is the decision they made as we were coming out of a COVID-19 pandemic. That is why the Government is undertaking a comprehensive expenditure review. That is why it is taking a careful and methodical approach to the work being undertaken across the Government. I will not come into the Chamber and undermine that important work.

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

**Motion agreed to.**

*Written Answers to Supplementary Questions*

## HILL END TRANSPORT SUBSIDIES

In reply to **the Hon. SARAH MITCHELL** (24 May 2023).

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales)**—The Minister provided the following response:

I am hoping to visit Hill End in the next few weeks.

I have asked the Department of Regional NSW for further advice and on how we can provide further assistance in a timely and appropriate manner.

I am in regular contact with my Federal counterparts.

### STATE-OWNED CORPORATIONS

In reply to **Ms SUE HIGGINSON** (24 May 2023).

**The Hon. DANIEL MOOKHEY (Treasurer)**—The Minister provided the following response:

I am advised that Treasury works with the Forestry Corporation of NSW and the Department of Regional NSW to best manage and care for the two million hectares of public native forests within New South Wales. This includes developing an annual Statement of Corporate Intent and Business Plan (SCI) for the shareholding Ministers' approval.

Shareholding Ministers receive SCIs by 30 September, and they will table the SCI within 14 sitting days after it has been received. The SCI sets out the strategy of the corporation and the key performance indicators, including returns to the Government (dividends).

I intend to raise the issues you have brought to the House when I meet with the Forestry Corporation of NSW.

### *Documents*

### TABLING OF PAPERS

**The Hon. COURTNEY HOUSSOS:** I table the following paper:

- (1) Service NSW (One-Stop Access to Government Services) Act 2013—Report of the Department of Customer Service entitled *Report on the statutory review of Part 3A of the Service NSW (One-Stop Access to Government Services) Act 2013*, dated May 2023.

**The PRESIDENT:** I shall now leave the Chair. The House will resume at 2.00 p.m.

### *Bills*

### STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2023

#### First Reading

**Bill read a first time and ordered to be published on motion by the Hon. John Graham.**

**The Hon. JOHN GRAHAM:** According to standing order, I table a statement of public interest.

**Statement of public interest tabled.**

#### Second Reading Speech

**The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (14:02):** I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2023 continues the Statute Law Revision Program, which has been in place for more than 35 years. Statute law bills have featured in most sessions of Parliament since 1984. They are an effective method for making minor policy changes. They are also significant in maintaining the quality of the New South Wales statute book by removing typographical errors, updating cross-references and repealing redundant provisions. Schedule 1 to the bill contains policy changes of a minor and non-controversial nature. The schedule gives effect to proposals that are too inconsequential to warrant the introduction of a separate amending bill. The schedule contains amendments to 23 Acts, and I will outline for the House some of the amendments that are contained in it.

Schedule 1 includes an amendment to the Medicines, Poisons and Therapeutic Goods Act 2022 to ensure that the offence of prescribing, supplying, or administering prescribed substances and other therapeutic goods in the circumstances prescribed by the regulations without an approval of the health secretary applies to veterinary practitioners in the same way that it applies to health practitioners. The schedule includes amendments removing outdated references from legislation to help streamline government administration. For example, the Conveyancers Licensing Act 2003 and the Property and Stock Agents Act 2002 are amended to remove obsolete references to statutory declarations that were required under now repealed provisions. The Contaminated Land Management Act 1994 is amended to omit a reference to a guideline that has been superseded.

The schedule amends the Plastic Reduction and Circular Economy Act 2021 to clarify that the requirement for a prohibited plastic item to be unnecessary or problematic applies only to items prescribed by the regulations and not to items prescribed as prohibited plastic items in schedule 1, part 1 of that Act. Amendments to the Fisheries Management Act 1994 include allowing the Minister to vary the conditions of an aquaculture permit at the request of the permit holder. Currently, that Act allows only for the Minister to vary the conditions of an aquaculture permit. The amendment will now allow the permit holder to apply to change the conditions of the permit. As is usually the case with statute law amendment bills, one of the matters that has been brought to the Government's attention may be removed from the bill later in the debate in a way that is customary with these pieces of legislation. I thank the member who raised that issue and acknowledge their concerns.

The Game and Feral Animal Control Act 2002 is amended to permit the Secretary of the Department of Regional NSW to waive or refund fees for game hunting licences and applications for game hunting licences. The waiver and refund of the fees was authorised under the Game and Feral Animal Control Regulation 2012 before its repeal on 26 August 2022, and the amendment returns that discretion to the secretary. The Subordinate Legislation Act 1989 is also amended to postpone the automatic repeal of statutory rules. The Subordinate Legislation Act 1989 provides for a mechanism for statutory rules to remain in force until a specified date. Ten regulations are proposed to be postponed this year. The Heritage Regulation 2012 is proposed to be postponed in light of the significant review of that Act being undertaken as a result of the previous Government's response to Report No. 59 by this Chamber's Standing Committee on Social Issues entitled *Review of the Heritage Act 1977*.

A bill is being prepared to repeal and replace the Boarding Houses Act 2012, which has prompted the postponement of the remake of the Boarding Houses Regulation 2013. The current regulation is required until the new Act and accompanying regulations commence. A review of the expenditure growth rate target is expected to be undertaken this year and the remake of the Fiscal Responsibility Regulation 2013 is being postponed so that review can be completed. The repeal of the Prevention of Cruelty to Animals Regulation 2012 and the Veterinary Practice Regulation 2013 is proposed to be postponed to enable the Government to develop its reformed animal welfare regulatory framework in line with its public commitments. The postponement of the repeal of the Radiation Control Regulation 2013 will enable the Environment Protection Agency to complete its review of the Radiation Control Act 1990 following a report tabled in Parliament in December 2021 before making any consequential regulation changes.

The new Public Interest Disclosures Act 2022—from a fine bill that passed this Chamber—will commence on 1 October 2023, replacing the Public Interest Disclosures Act 1994. Accordingly, it would be premature in the view of the Government to repeal the Public Interest Disclosures Regulation 2011 as new regulations will be made under this new Act. The repeal of the Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013 is being postponed to allow consideration of amendments related to the New South Wales public sector wages policy. The repeal of the Child Protection (Working with Children) Regulation 2013 is being postponed for two years to enable the Office of Children's Guardian to undertake a review of the Child Protection (Working with Children) Act 2012. The repeal of the Explosives Regulation 2013 was postponed by legislative amendment last year until 1 September 2024. The bill re-enacts the existing postponement.

Schedule 2 to the bill deals with matters of pure statute law revision, consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Schedule 2 includes amendments to remove expired provisions relating to the response to the COVID-19 pandemic. Other examples of amendments in the schedule are corrections of typographical errors, removing duplicate punctuation, inserting missing punctuation and corrections of cross-referencing errors. Schedule 3 makes minor and non-controversial amendments proposed by Parliamentary Counsel to the Interpretation Act 1987. The amendments insert definitions for a number of frequently referenced courts, tribunals, statutory offices, bodies and offices to remove the need for these to be separately defined in individual Acts and instruments across the New South Wales statute book. Schedule 4 contains general savings, transitional provisions and other provisions. That includes a provision that deals with the effect of amendments on amending provisions. That schedule also includes a provision allowing for regulations to be made that are of a savings or transitional nature.

I hope that members will appreciate the uncontroversial nature of many of the provisions contained in the bill. However, if any amendment causes concern or requires clarification, it should be brought to the attention of the Government. If necessary, I will arrange for government staff to provide additional information on the matters that are provided. If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill, as has often been the case. Those minor matters are all-important. That has always been the process. I reiterate that offer to members as this type of bill has travelled through the House on previous occasions. Withdrawn proposals can also be dealt with in a second bill using the procedure for splitting bills in the Legislative Council, which can be dealt in each of the Houses in the same way as an ordinary bill.

I turn now to the contents of the bill in more detail. I will deal first with the provisions of the Community Land Management Act 2021, which address three related issues regarding unit entitlements. Section 194 of the Act allows the tribunal to make an order that the schedule of unit entitlements for a community, precinct or neighbourhood scheme be revalued or replaced. Section 206 requires the Registrar General to take actions to give effect to an order affecting unit entitlements. There are some errors and inconsistencies in the section. Sections 188 (4) (d) and section 206 (1) (a) refer to orders allocating unit entitlements. Those sections address unit entitlements that have already been allocated. The amendment provides the Registrar General with the appropriate authority to replace the schedule of unit entitlements in the register to give effect to a tribunal order, consistent with the wording used in section 194.

Section 206 (1) (a) inadvertently restricts the application of section 194 to orders affecting a neighbourhood scheme. The amendment will enable section 206 (1) (a) to apply to all unit entitlements, not only neighbourhood schemes but also community and precinct schemes that are covered by section 194 of the Act. Section 206 (2) requires the Registrar General to give effect to an order. To do that, the Registrar General is directed to amend the schedule of unit entitlements that is recorded on the folio of the register for the common property. However, for community, precinct and neighbourhood schemes, the schedule of unit entitlements is not recorded on the folio of the register but as part of the scheme plan. The Registrar General gives effect to an order by making amendments to the plan. The amendment will better reflect the practice of the Registrar General. That is, the Registrar General should be required to take such action and make such recordings in the relevant registers as are necessary to give effect to the order.

I refer now to the Community Services (Complaints, Reviews and Monitoring) Act 1993, which relates to the Ombudsman. The Act confers on the Ombudsman various complaint handling, monitoring and review functions relating to the conduct of service providers in relation to the delivery of community services. As defined in section 4 (1) of the Act, "service provider" includes the Department of Communities and Justice or a person or organisation funded, authorised or licensed to provide services by the prescribed Minister. Currently, the prescribed Minister in paragraphs (c) and (d) of section 4 (1) is the Attorney General and the Minister for the Prevention of Domestic Violence and Sexual Assault. That is also the prescribed Minister in the definition of "relevant Minister" in section 4 (1).

Those references and other references to the Attorney General and the Minister for the Prevention of Domestic Violence and Sexual Assault in section 5, section 28 and section 45 were introduced in error upon the enactment of the Children's Guardian Bill 2019. They must now be read subject to the Administrative Arrangements (Administrative Changes—Ministers and Public Service Agencies) Order 2021, which ordered that references to the Attorney General and Minister for the Prevention of Domestic Violence and Sexual Assault are to be construed as references to the Minister administering the Act. For clarity, the Act should be amended to delete all references to the Attorney General and to the Minister for the Prevention of Domestic Violence and Sexual Assault and replace them instead with references to the Minister.

I turn now to schedule 2, clause 5 (d) to the Contaminated Land Management Act 1997. Schedule 2 contains savings and transitional provisions. Clause 5 lists guidelines made by the Environment Protection Authority that are taken to be in force for the purposes of the Act as if they had been made under the Act. References to the 1995 sampling design guidelines in clause 5 (d) are out of date following gazettal in August 2022 of the 2022 sampling design guidelines. The 2022 sampling design guidelines revoke the 1995 sampling design guidelines in accordance with section 105 (4A) of the Contaminated Land Management Act. That amendment repeals clause 5 (d) of schedule 2 to the Contaminated Land Management Act.

I turn to the Conveyancers Licensing Act 2003 and the Property and Stock Agents Act 2002. The amendments will rectify minor drafting oversights and improve legislative clarity. Both Acts refer to the inspection of a statutory declaration by an auditor, despite having no substantive provision requiring a person to give a declaration. Previously, some licensees needed to make a statutory declaration under section 77 of the Conveyancers Licensing Act 2003 and section 113 of the Property and Stock Agents Act 2002. The declaration supported the auditing of trust accounts and was required if a licensee did not receive or hold any money during the year.

However, the substantive provisions no longer exist or have been updated. The Electronic Transactions Legislation Amendment (Government Transactions) Act 2017 No 25 updated section 77 of the Conveyancers Licensing Act 2003 to replace the statutory declaration with an approved form. Similarly, the Property, Stock and Business Agents Amendment Act 2013 No 3 repealed section 113 of the Property and Stock Agents Act 2002 in its entirety. The amendment Acts did not include consequential amendments to update later references to the statutory declaration. As a result, section 80 (3) of the Conveyancers Licensing Act 2003 and section 116 (3) of the Property and Stock Agents Act 2002 still refer to the secretary making the obsolete statutory declaration available for an auditor to inspect.

In relation to the Criminal Procedure Act 1986, the Law Enforcement (Powers and Responsibilities) Amendment (Digital Evidence Access Orders) Act 2022 amended the Law Enforcement (Powers and Responsibilities) Act to create section 76AO, which is the offence for failure to comply with a digital evidence access order. This is an indictable offence with a maximum penalty of five years imprisonment and/or 100 penalty units. It was intended that section 76AO be prescribed as a table 2 offence under the Criminal Procedure Act. Table 2 offences are indictable offences that must be tried summarily in the Local Court unless the prosecution elects to have it tried on indictment. However, there is a mistaken reference to section 76AG (1) in the Criminal Procedure Act. Section 76AG (1) is the offence of providing false or misleading information in a Digital Evidence Access Orders application. This is a summary offence. It therefore cannot be included in table 2 of the Criminal Procedure Act. The proposed amendment would reference the correct Law Enforcement (Powers and Responsibilities) Act 2022 offence as a table 2 offence in the Criminal Procedure Act 1986.

I turn now to the District Court Act 1973. The jurisdictional limit of the District Court was increased on 16 December 2022 from \$750,000 to \$1,250,000 in the District Court Amendment Act 2022. Section 51 of the Act deals with the consent jurisdiction of the District Court and allows, in certain circumstances, a judgement of 50 per cent above the jurisdictional limit of the court at the time the action was commenced. Section 51 (3) sets out the past jurisdictional limits of the court. The proposed amendment clarifies that the jurisdictional limit for an action commenced on or after 18 July 1997, but before 16 December 2022, is taken to be \$750,000.

In relation to the Drug Misuse and Trafficking Act 1985, the lawful use of anabolic and androgenic steroidal agents—testosterone and trenbolone—including for use in implant preparations in animals, is regulated by the Poisons and Therapeutic Goods Act 1966. Section 8 of the Drug Misuse and Trafficking Act provides that the Drug Misuse and Trafficking Act does not render anything done in accordance with the Poisons and Therapeutic Goods Act unlawful. The operation of section 8 makes redundant the words "other than in implant preparations for use in animals" in the description of these prohibited drugs. These words should be removed and this bill does that. This proposal will not have any impact other than to clarify that these substances are prohibited drugs unless authorised under the Poisons and Therapeutic Goods Act, noting the Poisons and Therapeutic Goods Act regulates the use of these drugs in implant preparations in animals.

I turn now to the Fisheries Management Act 1994. Section 103 sets out who may hold a commercial fishing licence. Section 103 (2) (b) provides that an individual who held a licence under section 25 of the Fisheries and Oyster Farms Act 1935 immediately before the repeal of that section by the Act may hold a licence. This section was a transitional provision following the repeal of the Fisheries and Oyster Farms Act 1935 and commencement of the Fisheries Management Act 1995. Section 103 (2) (b) has not been relied upon since 1996 as commercial fishing licences have historically only been issued for annual terms.

Under longstanding practice all commercial fishing licences are issued to people who are eligible to hold a licence under either subsections (a) or (c). While commercial fishing licences are necessary to take fish for sale, they are not a fishing authority, cannot be transferred and have no value beyond the fee paid for issue or renewal. Fishing authorities of considerable value are commercial fishery shares and restricted fishery endorsements. Section 103 (2) (b) has not been needed for a long period of time and can be omitted. There will be no impact to the operation of the Act or on stakeholders.

I turn to the Game and Feral Animal Control Act 2002. The Game and Feral Animal Control Regulation 2012 contained a provision, clause 16 (6), for waiving and refunding game hunting licence fees. This provision was not included in the Game and Feral Animal Control Regulation 2022. The Department of Primary Industries Hunting relied on clause 16 (6) of the Game and Feral Animal Control Regulation 2012 to waive and refund fees, including to waive fees for Aboriginal hunters opting to become licenced and participate in the public land hunting program, and to refund fees pro rata on death of a licence holder. Section 26 of the Act provides that the fees payable in respect of game hunting licences are to be fixed by or determined in accordance with the regulations. It is proposed to amend section 26 to provide that the regulatory authority may waive or refund game hunting licence fees.

Turning to the Hemp Industry Act 2008, section 5 of that Act provides that the secretary may grant a licence authorising a person to cultivate or supply low-THC hemp for certain purposes. The development of resin products from low-THC hemp is an emerging market in the low-THC hemp manufacturing space. Industry feedback has highlighted there is a misunderstanding about whether a licence can be issued for the cultivation or supply of low-THC resins. Amending the definition in section 3 to refer to resin as an example of products that can be derived from a low-THC hemp, along with oil and fibre, and referring to the definition in a new note in section 5 will give industry participants confidence to access licences for the cultivation or supply of low-THC resin under the Act.

It is proposed to amend the Act to amend the current definition of low-THC hemp in section 3 to refer to resin, along with oil and fibre, as an example of products derived from the plant, and insert a note into section 5

referring to the definition of low-THC hemp as including resins and other products derived from low-THC hemp plants. The production of low-THC hemp is a growth industry in New South Wales and amendments to the definition in section 3 and the note in section 5 of the Act will reduce confusion about low-THC hemp resin and expand production opportunities.

I turn to the Human Tissue Act 1983. Parliament passed amendments to section 34 of the Human Tissue Act 1983 in 2020 to assist in the COVID-19 response. The amendments allowed lawfully removed tissue to be used for testing, research, analysis or investigation relating to COVID-19 without written consent, if approved by the health secretary. The amendments were intended to be time-limited and provided that these provisions ceased to have effect on a date specified in the gazette when the Minister for Health was reasonably satisfied of a date that was the earliest possible day that a vaccine for COVID-19 was generally available to members of the public. The Minister specified 1 November 2021 as the date the vaccine was generally available. As such, the provisions in the Act are now redundant, and the Ministry of Health proposes the repeal of sections 34 (1) (b5), (4) and (5).

In relation to the Hunter Water Act 1991, the Hunter Water Regulation 2015 is due to be repealed on 1 September 2024 and must be remade. The regulation includes clause 6, and clauses 7 (2) (a), 10 (3), 14, 15, 16 and 17 that allow the secretary, or a delegate under clause 6, to approve and regulate certain activities within special areas of their catchment. This includes recreational activities such as boating or swimming as well as industrial activities such as agriculture or mining. The department would like to amend section 57 of the Act to clarify that the regulations can authorise a secretary or a delegate, including Hunter Water, to carry out approval and direction functions in relation to special areas.

The secretary's power of approval and direction under the regulation are longstanding. Further, the proposed amendment appears aligned with the intent of the enabling legislation, which under section 52 provides that the secretary is to have control of special areas, and under section 60 may authorise the corporation or an officer of the corporation to exercise functions conferred on the secretary under the regulations. However, there is no express regulation-making power in this regard. The relevant powers play a key role in assisting Hunter Water to regulate water catchment quality and deliver on core objectives and conditions set out in its operating licence and in the New South Wales Government's water strategies.

I refer now to the Law Enforcement (Powers and Responsibilities) Act 2002. In 2022 section 76AE of the Law Enforcement (Powers and Responsibilities) Act was inserted to provide for applications of digital evidence access orders by telephone. This provision commenced on 1 February 2023. The current section 76AE (5) (a) states that a form of digital evidence access order must be completed in the terms indicated by the eligible issuing officer under subsection (5). The reference to subsection (5) is incorrect and should be removed and replaced with section 76AE (4) (b) (ii), which is the section dealing with the terms of a telephone order. The proposed amendment corrects an incorrect cross-reference.

In relation to the Medicines, Poisons and Therapeutic Goods Act 2022, recalling that Parliament passed this Act in November 2022 and that the Act is anticipated to commence in 2024, the Act governs the supply chain for medicines and poisons in New South Wales. When it commences next year, the Act will repeal and replace the Poisons and Therapeutic Goods Act 1966 to ensure the framework governing medicine and poisons supply in New South Wales is fit for purpose, effective and reflective of contemporary health care models. Under the existing Act, certain high-risk medicines, such as amphetamines, require the Health Secretary's approval before they can be supplied or prescribed by a practitioner. This recognises that particular medicines are liable to diversion to the criminal supply chain or pose particular risks. The Act creates a similar requirement for prescribers and suppliers of high-risk medicines to seek approval from the Health Secretary before prescribing, supplying or administering that medicine in section 69.

The circumstances requiring approval will be set out in the regulation, which is currently being drafted. The existing provision in the Act is limited to only requiring health practitioners to seek approval and is silent in relation to veterinary practitioners seeking approval. An amendment to the Act is proposed to reference both health practitioners and veterinary practitioners needing to seek approval to prescribe, supply and administer high-risk substances in the circumstances set out in the regulation. A veterinary practitioner would not need to seek approval in circumstances where they are acting under the direction of another veterinary practitioner who already held an approval, or in circumstances where the activity was already authorised for the purposes of clinical trial. As such, it is proposed to amend section 69 (1) of the Act to add reference to veterinary practitioners requiring an approval or exemption in the circumstances set out in the regulation. It is also proposed to amend the provision to provide that an approval is not required where a veterinary practitioner is acting under the direction of another veterinary practitioner who already holds an approval or in circumstances where the activity is already authorised for the purposes of a clinical trial.

The Mental Health and Cognitive Impairment Forensic Provisions Act 2020 contains section 96, which sets out the circumstances in which the Health Secretary can allow a forensic patient or a correctional patient to



be absent from a mental health facility in emergencies or in other special circumstances. Section 96 (3) provides that the Health Secretary cannot allow a patient to be absent if the tribunal for a forensic patient or the Commissioner of Corrective Services NSW for a corrective patient has already refused an order for the patient to be absent. In practice, the tribunal or the commissioner would refuse an application to make such an order rather than refusing the order itself. An amendment to section 96 (3) is requested to clarify that the tribunal or commissioner would refuse to make the order rather than refusing the order itself. The requested amendment will align with the wording of the former equivalent provision, which was contained in section 50 (3) of the Mental Health (Forensic Provisions) Act 1990.

Turning to the Pesticides Act 1999, part 4 provides for the making of pesticide control orders. Under section 38 a pesticide control order may be made to implement a decision or a policy of the relevant pesticide regulator. Currently, section 38 (2) (b) and 38 (6) refer to the National Registration Authority for Agricultural and Veterinary Chemicals. However, under section 76 of the Commonwealth Agricultural and Veterinary Chemicals (Administration) Act 1992, the body known immediately before the commencement of that section as the National Registration Authority for Agriculture and Veterinary Chemicals is continued in existence with the new name the Australian Pesticides and Veterinary Medicines Authority. The amendments reflect this change.

In relation to the Plantations and Reafforestation Act 1999, the Threatened Species Conservation Act 1995 was repealed in 2017 and replaced by the Biodiversity Conservation Act 2016. The transitional provisions in the Biodiversity Conservation Act 2016—those are clauses 2 and 3 of schedule 9—provide that a reference to a provision in the Threatened Species Conservation Act 1995 is to be read as including a reference to the corresponding provision in the Biodiversity Conservation Act 2016.

Clause 8 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 provides that any area that was declared to be critical habitat under part 3 of the Threatened Species Conservation Act 1995 is taken to have been declared as an area of outstanding biodiversity value under part 3 of the Biodiversity Conservation Act 2016. According to these transitional provisions, section 7 (1) (i) of the Act should be read as referring to the corresponding provision in the Biodiversity Conservation Act 2016. Part 3 of the Threatened Species Conservation Act 1995 dealt with critical habitat. The corresponding provisions for areas of outstanding biodiversity value are contained in part 3 of the Biodiversity Conservation Act 2016. It is proposed to amend section 7 (1) (i) of the Act by omitting reference to land that is critical habitat under part 3 of the Threatened Species Conservation Act 1995 and inserting reference to areas of outstanding biodiversity value under part 3 of the Biodiversity Conservation Act 2016.

Currently, section 7 (1) of the Plastics Reduction and Circular Economy Act 2021 provides that a "prohibited plastic item" means a plastic item that is unnecessary or problematic and prescribed by the regulations or specified in part 1 of schedule 1. However, the requirement for a prohibited plastic item to be either unnecessary or problematic, which is met once the Minister forms such an opinion, was intended to apply only to items prescribed by the regulations. The amendments to section 7 (1) and (2) resolve the current uncertainty in the provision and are consistent with the original intent of the legislation.

Amendments to the Conveyancers Licensing Act 2003 and Property and Stock Agents Act 2002 rectify minor drafting oversights and will improve legislative clarity. Both Acts refer to the inspection of a statutory declaration by an auditor, despite having no substantive provision requiring a person to give a declaration. Previously, some licensees needed to make a statutory declaration under section 77 of the Conveyancers Licensing Act 2003 and section 113 of the Property and Stock Agents Act 2004. The declaration supported the auditing of trust accounts and was required if a licensee did not receive or hold any money during the year.

The note in section 6 of the Protection of the Environment Operations Act 1997 refers to authorities that may be prescribed by the regulations as the appropriate regulatory authority for certain non-scheduled activities in certain areas. That includes a reference to the Marine Parks Authority, which, following machinery-of-government changes, no longer exists. The amendment removes that outdated reference.

**The Hon. Damien Tudehope:** This is riveting. This is one of your best.

**The Hon. JOHN GRAHAM:** I acknowledge the interjection. Section 177 (c) of the Public Works and Procurement Act 1912 provides that an agency or agency head may delegate functions under:

... any provision of Division 5 or regulations made for the purposes of section 178(1A)(a).

Division 5 and section 178 (1A) (a) of the Act confer powers on an agency head in relation to complaints concerning enforceable procurement provisions. Section 176G provides that a government agency head may issue a public interest certificate stating that it is not in the public interest for a specified procurement to be suspended while a complaint made under division 5 is being investigated or an application for an injunction is being considered. There is no power for a government agency head to delegate that function.

Under the Subordinate Legislation Act 1989, the Boarding Houses Regulation is due for automatic repeal in September 2023. The regulation has already been postponed for a fifth time and cannot be further postponed by order. Under section 10A of the legislation, a statutory rule may be prescribed. I have almost made it through all of the provisions in the bill. I encourage members to bring any of their concerns to the Government. I thank the House for its time.

**Debate adjourned.**

## **GOVERNMENT SECTOR FINANCE AMENDMENT (GRANTS) BILL 2023**

**Returned**

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I report receipt of a message from the Legislative Assembly returning the bill without amendment.

## **REVENUE LEGISLATION AMENDMENT BILL 2023**

**Second Reading Speech**

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (14:43):** On behalf of the Hon. Penny Sharpe: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Revenue Legislation Amendment Bill 2023. With the indulgence of the House I acknowledge that this is the first bill I have introduced as Minister for Finance. With this bill, the Government is proceeding to legislate two revenue measures that were previously announced by the former Government in the *2022-23 Half-Yearly Review*. Those measures improve fiscal sustainability, provide fairness and accommodate exceptional circumstances. Together, the measures are estimated to improve State revenue by \$195 million over the three years to 2025-26, and that amount was included in the revised estimates for the 2022-23 budget, published in the *2022-23 Half-Yearly Review*.

I now turn to the detail of the bill. First, the bill removes a concession in the amount of duty payable on the acquisition of a public landholder. In New South Wales, a public landholder is a company listed on a recognised stock exchange or public unit trust scheme that holds land in New South Wales with a value of \$2 million or more. Recognised stock exchanges include the Australian Securities Exchange, the London Stock Exchange, the New York Stock Exchange, the New Zealand Exchange, a stock exchange that is a member of the World Federation of Exchanges or any other stock exchange that is declared to be a recognised stock exchange by order of the Minister published in the gazette.

Landholder duty becomes payable by a person, including an individual or a company, when they, together with their associates, acquire a 90 per cent or more interest in a public landholder. Under section 156 of the Duties Act 1997, the acquisition of an interest of 90 per cent or more in a public landholder, which, broadly speaking, would amount to a takeover in the case of a listed company, is currently subject to landholder duty at the concessional rate of 10 per cent of the duty that would be charged at the general rate of duty on the direct acquisition of the landholder's assets. In practice, this means that a person acquiring a public landholder with landholdings in New South Wales of just over \$2.1 million currently pays landholder duty of \$10,000 instead of the \$100,000 that would be payable at the full general rate.

The bill removes the 10 per cent concessional duty so that from 1 July 2023 the acquisition of a public landholder in that scenario would be required to pay the full duty of \$100,000. Removing the duty concession on the acquisition of public landholders removes an incentive to hold land in a public landholder to reduce the duty payable when the land is transferred. Charging landholder duty on public landholders at the full general rate is consistent with arrangements in Western Australia and the Northern Territory. It is also consistent with the treatment of acquisitions of interests in private landholders—that is, in a company or unit trust scheme holding \$2 million or more of land in New South Wales, which does not qualify as a public landholder. Applying full duty rates to the acquisition of public landholders is estimated to increase State revenues by \$198 million over the three years to 2025-26. This measure will also improve the longer term fiscal sustainability of the budget.

In relation to the principal place of residence exemption for unoccupied land, the second aspect of the bill provides for an extension of time during which unoccupied land may be treated as a person's principal place of residence for land tax purposes. A landowner's principal place of residence is exempt from land tax. Currently, unoccupied land may be claimed as a principal place of residence for up to four land tax years if the owner intends to use the land as a principal place of residence but the land is unoccupied because building works or renovations are being undertaken. If the owner fails to use and occupy the land as a principal place of residence before the end of the four-tax-year period, the exemption is revoked and the land is reassessed for land tax for the whole period.

The bill amends the Land Tax Management Act 1956 to permit the Chief Commissioner of State Revenue to increase the exemption period by up to a further two tax years in certain circumstances. To grant an extension, the Chief Commissioner of State Revenue must be satisfied that the owner cannot use or occupy the land because of a delay in the completion of building work caused primarily by exceptional circumstances beyond the owner's control and that the owner could not reasonably have avoided the delay. Exceptional circumstances include unforeseen events such as trade labour and material shortages associated with the COVID-19 pandemic, but those exceptional circumstances are not limited only to the pandemic.

The bill includes a provision to enable the chief commissioner to extend any such four-tax-year period that ended on or after 31 December 2019. That ensures that any owner who faced delays due to exceptional circumstances during the COVID-19 pandemic or perhaps the recent fires and floods will have access to the extension. A property owner in exceptional circumstances will now have up to six tax years in total to complete building or renovation work and occupy the property as a principal place of residence before being charged land tax. The principal place of residence exemption for unoccupied land is expected to reduce land tax revenue by \$2.8 million over the three years to 2025-26, but I have no doubt that will have a huge impact on the families and households affected. We believe this is a modest price to assist New South Wales households to build their homes with certainty and accommodate genuinely exceptional circumstances in this time of uncertainty. I commend the bill to the House.

### Second Reading Debate

**The Hon. DAMIEN TUDEHOPE (14:51):** The Revenue Legislation Amendment Bill 2023 is an excellent piece of legislation, which the Minister should be rightly proud of, because it was mine. Last year I took both of the bill's amending provisions to the Expenditure Review Committee, and both were approved. But for the fact that we ran out of parliamentary time, the bill would have been passed last year.

**The Hon. Daniel Mookhey:** You stuck it in the budget.

**The Hon. DAMIEN TUDEHOPE:** We did. It was in the budget.

**The Hon. Courtney Houssos:** The half-yearly review and the pre-election.

**The Hon. DAMIEN TUDEHOPE:** Yes, so the savings had already been accounted for. The bill gives effect to those provisions. This is the Minister's first bill, and I congratulate her on embracing two very sensible amendments that will ensure that revenue is consistent and give relief to people who buy residential property that land tax would apply to if they do not build in a four-year period. Both amendments are important to ensure that revenue provisions are consistent and that people have certainty that they will get the benefit of purchasing land despite a potential delay in the building of their residential property.

I turn to the bill and make sure that all those things that I previously thought were important are still important. The Property Council of Australia raised an issue about the transition provisions relating to the landholder duty. The Minister rightly made reference in her second reading speech to 1 July 2023. I thought it was reasonably clear that would be the commencement date of this legislation and would be clear to those people who are providing advice in this market. The Minister may wish to elaborate on whether a transition provision should be included in the bill. I do not think it is entirely necessary but it has been raised with my office by the Property Council of Australia. My view is that the Minister is correct in saying that it probably has been addressed by specifying the commencement date in the bill.

I turn to the provisions of the bill, all of which I support and embrace. Clause 3 amends section 156 of the Duties Act 1997 to remove the 10 per cent concessional rate currently provided where land is indirectly purchased through acquiring a 90 per cent interest in a public landholder. In 2009 the then Labor Government extended liability for duty to acquisitions of a 90 per cent interest in public unit trust schemes and listed companies that are public landholders. However, the duty was set at a concessional rate, being 10 per cent of the rate that would be charged on a transfer of all the landholdings and goods of the public landholder. Imposing the same duty regardless of how the land is acquired is an equitable measure and so the Opposition is happy to support that change.

I turn to clause 4 of the bill. A landholder's principal place of residence is exempt from land tax, as it should be. Currently, unoccupied land may be claimed as a principal place of residence for up to four land tax years if the owner intends to use the land as a principal place of residence but the land is unoccupied because building works or renovations are being undertaken. However, if the owner fails to use and occupy the land as a principal place of residence before the end of the period of four tax years, the exemption is revoked and the land is reassessed for land tax for the whole period.

Clause 4 amends schedule 1A to the Land Tax Management Act 1956 to permit the Chief Commissioner of State Revenue to extend the exemption period by up to a further two tax years to a total of six years if satisfied

that the owner cannot use and occupy the land because of a delay in the completion of the building work caused primarily by exceptional circumstances beyond the owner's control and that the owner could not reasonably have avoided the delay. Exceptional circumstances include unforeseen events such as trade labour and materials shortages, which were primarily identified during the COVID-19 pandemic. During the pandemic I received many applications from people whose building work was delayed and the commissioner's discretion was not able to be afforded because the Act had a four-year deadline and, as unfortunate as it was, the commissioner had no discretion to extend it. Guidelines for the Chief Commissioner of State Revenue to consider when exercising the discretion to extend the period may be published in the Gazette by the Treasurer.

This is good, sensible legislation. I have never had the chance to say this in this place but the Minister is very well advised on revenue matters. Some of the people from Revenue NSW, from the commissioner down—two of whom are present now—provide exceptional advice on revenue matters. I used to love interactions with the people at Revenue NSW. I would raise an issue with them and the first response I would get was, "That's a really interesting problem, Minister." Then they would walk away. Some people in Revenue NSW read long revenue judgements and write papers. Then they would come to me and say, "Do you want to read this?" And I would reply, "Really?" The quality of advice provided to me, which I am sure will now be provided to the new Minister, has been excellent and is generally thoughtful and considered. They need to try to work on some very difficult things. I digress for a moment; I know that the Government wants me to use as much time as I can this afternoon.

**The Hon. Greg Donnelly:** We are going to give you an extension.

**The Hon. DAMIEN TUDEHOPE:** I am sure you will. I digress. I know the Minister will have to consider the issue of doctors' medical practices at some stage. The advice she will get on that is very difficult advice to work through. I am confident that she will have to deal with that at some stage. Sometimes the advice one gets may not necessarily suit all the people who think they should be given the necessary relief. Sometimes that creates those sorts of problems. However, the quality of advice that Revenue NSW provides is advice that the Minister would be well advised to adhere to. I acknowledge the quality of the people providing that advice. The Government supports the legislation.

**The Hon. Daniel Mookhey:** Opposition.

**The Hon. DAMIEN TUDEHOPE:** The Opposition supports the legislation.

**The Hon. Scott Farlow:** The Government does as well.

**The Hon. DAMIEN TUDEHOPE:** I am sure the Government does as well. I am sure that no further speeches will be necessary on the bill. We can go straight to the Minister in reply, deal with the bill immediately and move on to the next item of business. The Clerk might read the next item of business. I thank the House for its indulgence. I thank the Minister for introducing the bill, and I thank all those involved in its preparation.

**Ms ABIGAIL BOYD (15:02):** On behalf of The Greens, I briefly contribute to debate on the Revenue Legislation Amendment Bill 2023. The Greens support the bill. I thank the Minister, her office and the people responsible within her team for briefing us so well on the bill, talking us through it at great length and answering all my nerdy questions about things that were completely unrelated to the bill. The Chamber is having a bit of a kumbaya on these revenue raising measures, and that is really refreshing. The bill is one of the rare measures suggested to increase revenue coming into government coffers rather than raising money through the false binary of either asset sales or cutting spending.

The first measure to amend the Duties Act, to remove a concession to landholder duty, applies only to relatively large-listed companies, allowing them at the moment to pay 10 per cent of the land tax payable by private landholders. I understand that removing that exemption is expected to raise around \$198 million per year. The second measure allows that tax exemption to be extended in circumstances where an owner is prevented from occupying land because building on the land has been delayed by exceptional circumstances. That is in response to widespread construction delays caused by natural disasters, the pandemic and international supply issues. Extending it and addressing the hardship being experienced by a number of people will cost a modest \$2.8 million per year. Those two reforms are expected to improve the budget bottom line by around \$195 million over three years. Some bolder measures would be even better.

I understand that the bill merely puts in place the prior Government's plans that had already been banked into the half-yearly update. The Greens wait with bated breath for this new Labor Government to show its courage and raise revenue from some of the most profitable and exploitative industries in New South Wales. I again put in a plug for the Queensland Government and encourage this Government to follow that State's lead and introduce a very modest increase in the royalty amount from the fossil fuel industry, raising at least an additional \$4 million every year. The Greens support the bill.

**The Hon. MARK BANASIAK (15:05):** On behalf of the Shooters, Fishers and Farmers Party, I contribute to debate on the Revenue Legislation Amendment Bill 2023 and add our support for the measures in the bill. The party firmly believes in a low tax environment and limiting the general level of taxation and government intervention in markets. I note the Opposition's admission that it was a bit tardy, had poor preparation and could not get the bill through in the previous session of Parliament. Nonetheless, it is good to see the bill before the House.

The proposed measures in the bill provide fairness and accommodate exceptional circumstances while improving fiscal sustainability. We support removing the concession in the amount of duty payable on the acquisition of a public landholder. Removing the duty eliminates the incentive to hold onto land by a public landholder to reduce the duty payable when the land is transferred. Charging landholder duty on public landholders at the full general rate aligns with the arrangements in Western Australia and the Northern Territory, as well as the treatment of acquisitions of interests in private landholders. The Shooters, Fishers and Farmers Party also supports the extension of time during which unoccupied land may be treated as a person's principal place of residence for land tax purposes. That is pertinent, given the experiences of the past three years.

We support the measure that allows the Chief Commissioner of State Revenue to increase the exemption period by up to a further two tax years in certain or exceptional circumstances. Exceptional circumstances, as we have seen, include unforeseen events such as trade labour and materials shortages associated with the COVID-19 pandemic. The provision ensures that any owner who faces delays due to exceptional circumstances will have access to the extension. While the measures may result in increased revenue for the State and a reduction in land tax exemptions, we believe that the benefits outweigh the costs because they ensure fairness and fiscal sustainability, and support individuals in their pursuit of home ownership amid challenging circumstances, especially in non-urban New South Wales. The Shooters, Fishers and Farmers Party supports the bill. By supporting the bill, we hope the State takes a step towards achieving a balanced and sustainable approach to taxation and property ownership in the State.

**The Hon. ANTHONY D'ADAM (15:07):** I make a brief contribution to debate on the Revenue Legislation Amendment Bill 2023. The bill has two objects. One is the removal of a concession in the amount of duty payable by a public landholder, a measure that is set to raise \$195 million over three years. That important measure needs to be taken, given the scale of the budget black hole left by the former Government, which is of the order of \$7-odd billion. I am particularly concerned about the former Government's failure to provide funding for Cyber Security NSW.

**The Hon. Damien Tudehope:** Point of order: The member when addressing the bill should direct his attention to the bill and not to other issues surrounding the bill. He ought to address the provisions contained in the bill as is set out in the long title of the bill.

**The Hon. Daniel Mookhey:** To the point of order: This is the second reading stage of the bill. The relevant rules in the second reading stage of the bill are that as long as a member is speaking broadly to the objects of the bill those matters are allowable. I was listening closely to the Hon. Anthony D'Adam who was clearly speaking about the wider context of the bill.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Treasurer will direct his comments to me because I cannot hear him.

**The Hon. Daniel Mookhey:** Sorry, Mr Deputy President. The member was clearly speaking within the objects of the bill because he was explaining why the bill was necessary. Far from being extraneous to the content of a second reading speech, it was at the core of what we usually consider to be within the bounds. As we are at the beginning of this Parliament, I think we should perhaps establish that a member has to speak to the objects of the bill in the second reading stage. We are not at the in-Committee stage.

**The Hon. Damien Tudehope:** To the point of order: Talking about the cybersecurity funding does not appear to be an issue that is raised in the objects of the bill.

**The Hon. Daniel Mookhey:** Further to the point of order: I heard the member explain that the bill was intended to raise \$195 million, which I can tell members is 2½ times what is required to continue the function of Cyber Security NSW, which is unfunded. Had the member had the opportunity to speak further, I am sure he would have made that very clear.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I rule against the point of order. It is a longstanding tradition of this House to give wide latitude during the second reading debate, as distinct from the Committee of the Whole. I am prepared to allow the member to continue.

**The Hon. ANTHONY D'ADAM:** As I was saying, the former Government left Cyber Security NSW unfunded. This is critical funding to ensure that the vital information of the citizenry is protected. The former Government neglected to provide adequate funding in the forward estimates. Hopefully the revenue measures in the bill will contribute to filling, even in a small way, the massive deficit left by the former Government. The second measure of the bill provides for an extension of time during which unoccupied land may be treated as a person's principal place of residence when it comes to paying land tax. That is a particularly important measure, which I support. A few years back I entered into the process of a knockdown rebuild of my own property. To be honest, it is a pretty nerve-racking process when you sign the contract for the build, knowing what can go wrong in a build and the kinds of delays that can occur.

**The Hon. Damien Tudehope:** If you got proper advice, mate, you'd cover it. That's what you do when you sign a contract.

**The Hon. ANTHONY D'ADAM:** That is right. I signed a fixed price contract, but there are things that can happen. It is a volatile industry and building companies can go under, which can create unnecessary delays and circumstances where the four-year exemption is inadequate. Anyone who watches *Grand Designs*, which I am a big fan of, knows that all sorts of things can go wrong, whether it is the windows coming from Germany or the weatherproofing of the House. Those are the kinds of problems that might emerge when you are undertaking a build.

At the end of *Grand Designs* they sit down with the subjects of the story and ask them, "How far over budget did you go?" We would not want for people in New South Wales to say at the end of the story, "Well, we were on budget but because of the delays and everything, we got hit by a massive land tax bill." That is the story we want to avoid, is it not? This legislation will guarantee that will not come to pass. As I said, this is a very well-considered piece of legislation. I commend the Minister for introducing it. I look forward to the revenue benefits helping to offset the very poor financial position that the new Government has been left by the terrible administration that we replaced.

**The Hon. DANIEL MOOKHEY (Treasurer) (15:14):** I contribute to debate on the Revenue Legislation Amendment Bill 2023. I reject the shadow Treasurer's attempt to shut down my freedom of speech when it comes to landholder duty. His invitation to proceed immediately to the reply stage was ill-founded, ill-considered and part of the cancel culture that he is clearly trying to enact in this House. I will not be cancelled when it comes to something like landholder duty!

When I became Treasurer, I was wisely told that one should not choose between one's favourite taxes, like one should not choose who one's favourite child is. I say you should not choose who your favourite child is, but we should all have a favourite tax. Mine is definitely landholder duty, which is unsurprising. I became fascinated with the history of landholder duty in 2020 when, as the shadow finance Minister to the then finance Minister, we had the opportunity to work on the State Revenue Legislation Further Amendment Bill 2020. I believe it was the first piece of legislation passed by the former Minister. That too had to do with landholder duty, with a purpose of dealing with particular intricacies around the taxation of land held through trusts. I recall working with the then Minister to resolve what was a complicated issue.

In that process, I certainly spent my time understanding landholder duty. That is why it is my favourite of all the duties we have in New South Wales. It was established in the Duties Act 1997 by a great predecessor of mine, Michael Egan. At that time, all of a sudden there was a lot of demutualisation and sale of public companies, quite a lot of which were landholders. AMP was one of the more prominent ones at the time. That gave rise to a particular issue in which the absence of something like landholder duty meant that a lot of people were restructuring their ownership of land to avoid land tax. Landholder duty was designed to ensure that the principles of land tax apply to land that is held through, effectively, unit trusts and public companies.

The lawyers amongst us know that property law—the actual development of equity as a jurisdiction—usually followed the development of land, which also incidentally followed the ownership of land. Many of the principles we now know to govern our laws in this State arose from that particular jurisdiction. One that came from the equitable jurisdiction was the concept of trusts—the idea that you could own assets through trust. Do not get me wrong: It is a good thing, one which we have had for 400 years. I am looking at the barristers, who have made the point that the equitable jurisdiction was developed predominantly for land ownership when we were inclosing land. It was a good thing we did that because we could not have economic development without those structures, but they were never intended to be tax avoidance structures. They were always meant to be a way in which we could facilitate the collective ownership and development of land.

Of course, as land has been used for profit it has given rise to the fact that there is obviously tax payable because land is granted ultimately by the people—hence, landholder duty. The interesting thing about landholder duty is that it is a dynamic space. Things change in the markets all the time. It is important for us to remain

constantly vigilant about how we design it, which is my way of saying let this not be the last time in this Parliament that members debate landholder duty. Let us continue to make sure that our landholder duty laws remain fit for purpose and aligned with proper standards. This is exactly the context that gives rise to this particular piece of legislation.

The finance Minister did a terrific job of explaining the intricacies of this particular land tax, but I do think the House should have some more context. More and more often public companies are making wealth from land. In fact, we are seeing a lot more corporates invest in land because it is a strategic asset. Land delivers high returns. That is not a bad thing. As Treasurer, I say each to their own—best of luck to you. If public companies wish to become landowners through their structures, good for them. But it should not lead to a reduction in revenue as a result of a deliberate intent to tax avoid by avoiding land tax. That is the point. We do not really care how you own the land, but we think that every business that owns land and makes an income should be treated fairly. That is the other context of the bill.

Not passing the bill through Parliament will not only cost our budget \$195 million; it will also mean that companies and business owners who pay land tax—the sole traders, farmers, property owners, investors in residential properties and others—are playing by one set of rules and another category of people is playing by another. The idea of having equal principles in respect to tax laws is so that no-one gets an artificial commercial advantage simply by structuring their affairs. One thing that I am sure our good friends at Revenue NSW, whom we all hold in such high regard, would say is that the ability to access tax advice turns on wealth. The higher up the income chain people or companies are, the more likely it is that they will receive sophisticated tax advice. That is why small businesses tend not to engage in complicated tax arrangements like I think it is called the Singapore Sling with the—

**The Hon. Taylor Martin:** Irish-Dutch sandwich.

**The Hon. DANIEL MOOKHEY:** I acknowledge the interjection of the Hon. Taylor Martin. There is a man who knows his international tax avoidance schemes. As he has got me on international tax avoidance, the Organisation for Economic Co-operation and Development [OECD] is doing some fantastic work to crack down on the Singapore Sling the Irish-Dutch Guinness—something like that. I mentioned it in one of my early speeches in Parliament. The OECD is doing really good work to bring an end to that scheme, led by David Bradbury, the former Federal member for Lindsay. I digress, but it is important that we keep the context in mind. It is not fair that a person's ability to structure their tax affairs should turn on their wheels or income. We should have a fair set of rules in this State that mean that no matter how rich or poor a person is, they should be able to understand our tax laws and they should not be able to gain or surrender an advantage simply because they cannot access tax advice. It is important that we consider and reflect properly on the bill. I now turn to the provisions of the bill. The objects of the bill are to:

... remove a concession in the amount of duty payable by a public landholder, and

... provide for an extension of time during which unoccupied land may be treated as a person's principal place of residence ...

The first object, which I will speak more about later, is important. The second is just as important for the reasons the Hon. Anthony D'Adam gave. People developing land, particularly those who are developing in greenfield areas, obviously have challenges in rolling out construction in current market conditions. I am particularly sensitive to that, as are the finance Minister and the wider Government, because many people who are constructing on land—be it residential, commercial or industrial—are currently dealing with skills shortages, as well as supply chain shortages, pressures and inflation. That means their ability to deliver on construction contracts in present conditions is a lot lower than even six months ago. Without getting into too much trouble with Treasury, I can probably say that it is likely to be more difficult over the next six months because the supply chain pressures are not likely to fade.

The fact the bill extends from four to six years the period during which unoccupied land may be treated as the principal place of residence by the owner of the land is material. Let me be clear that a lot of the materials that are required for construction are important; we do not manufacture them. It is not as simple as walking down to one's local Bunnings and picking up the timber. Particularly when it comes to bricks and the inputs in bricks, supply chain shortages are severe, and that is before we get anywhere near steel and aluminium issues. Those inputs for building are being bid up on global markets. As a result, it is taking time for people to complete construction. That is a big issue, as are the skills shortage and the absence of tradespeople. Earlier in questions without notice the finance Minister said that when Labor was last in office, 54,000 apprentices were graduating per year in New South Wales; last year it was only 11,000. That is a material difference in the amount of skilled labour that is available to construct homes, warehouses, distribution centres, factories and contract plants. The extra two years provided in the bill is a sensible, fair and reasonable response in the circumstances.

Clause 1 sets out the name of the bill, which is what a first clause would be expected to do. Clause 2 provides for the commencement of the Act. Clause 3 amends the Duties Act to remove the concession. Clause 4 deals with the inequities not only between landholder duty and land tax but also landholder duty that is applied privately and publicly as well. That is a straightforward part of the bill. Members should know about other things in the bill. As the former finance Minister made clear, the bill was provided for in the half-year budget review. It was one of three revenue measures that were included, even though they had not yet been legislated by Parliament. A bit of liberty is involved when governments make such decisions; sometimes that is appropriate and sometimes it is not. Sometimes governments need to do that but at other times governments that do that in defiance of parliamentary will run risk, particularly to the revenue.

As Treasurer, I cannot help but point out the fact that \$195 million of revenue is anticipated to be gained over the forward estimates period through the enactment of the bill. That gives members an indication of the value of the concession that is currently provided and allows us to debate whether that is an appropriate use of \$195 million. In the context of the State's budget challenge, the fact that it has been budgeted for has implications. To be clear, this is not the most significant of the unlegislated revenue measures that Parliament is likely to take up. The other two will probably be introduced next week, so I will not pre-empt debate on the charges that were outlined in the previous Government's last budget statement. However, I will say that one is the way in which we tax casinos in the State, which is a diabolically complicated issue.

It is important to know that the former Government expected this revenue. In the context of the State's current budget challenges, that is not insignificant. An amount of \$195 million over the forward estimates is enough to continue to employ 1,100 nurses, for whom funding would otherwise cease next year. In addition, as I alluded to in my earlier point of order, it is 2½ times what is required to continue funding Cyber Security NSW. It is also enough to buy approximately three schools, depending on where and how well they are built. It is not an insignificant amount in the context of the budget challenges the State is facing.

In the context of those challenges, it is equally fair to say revenue measures like those need to be paired with proper consideration of how the money is being spent because the Government is asking people to, in effect, pay more tax. Not to invoke Kerry Packer too often, but they will want to have confidence that we are spending it properly. The other point of context that members should be aware of is that the Government is currently undertaking a comprehensive expenditure review to ensure that if we do get the permission of Parliament to collect this additional revenue, it will go towards public priorities.

I have made the point before that if one believes in effective government and if one believes government can be an enabler of opportunity, as members on this side of the House do, then one needs to make sure that the money that is being spent is being spent wisely. The finance Minister was perhaps a bit too shy in explaining that point, but it is an important point for members to realise. If the Government is, in effect, asking for additional revenue, the House should have comfort in how it will be spent. The comprehensive expenditure review will also give the Government the opportunity to ensure that the other taxes that are not yet legislated are being spent well.

I want to talk about other issues that remain in the landholder duty space that were brought to my attention in the campaign period but which I did not have the opportunity to speak to the State's tax experts about. As I referenced earlier in my contribution, in 2020 the Government asked all people who owned land through trusts to declare whether it is domestically or foreign owned. That process is continuing. Revenue NSW has serious duties there, and it made the point that it is hard to determine who is a landholder for the purposes of landholder duty, particularly those types of private trust. Of course, the legislation is about public trust and public companies, in which things are more prominent. For example, a company like Stockland, which owns massive amounts of land, would be captured. But we have to stay vigilant on the tax enforcement aspects of this.

I am happy to speak about Revenue NSW in the four-and-a-half minutes I have remaining. I probably owe them an apology on some level because I certainly harassed them a lot about their enforcement of the Duties Act when I was in opposition. As Treasurer, I intend to continue to do so. But I did cause us to force, for want of a better term, interesting constitutional questions about the ability of this House to override statutory secrecy provisions, for which Revenue NSW seemingly has not forgiven me. But it is important that we asked those questions. In the election campaign Labor pledged to increase the resources available to Revenue NSW. We did so because we came to understand through the scrutiny of this House how complicated some of the arrangements are and that there is a requirement for Revenue NSW to have the resources it needs to do its job. We look forward to Revenue NSW having those additional resources.

At various points in time, the previous Government was less enthusiastic about that policy. I recall that at some point last year members of the then Government were attacking us for saying they should be collecting the taxes that are owed, given the amount by which outstanding tax debt had gone up. That increase occurred for good reason, COVID being the main one, but there needs to be a plan to collect it. That is not pro tax or anti tax; that is pro rule of law. I remember getting attacked about that, but we stand by it. I am pleased that in the half-year budget



review, in addition to the projected \$195 million, the former Government also committed to increasing the resources and enforcement capability of Revenue NSW. It may not have been in the budget, but it was certainly in one of the last two financial documents. The advice we have received through the Parliamentary Budget Office process is that a one-dollar increase to Revenue NSW means that it can maximise its impact by a factor of nine. That is quite an amazing return, for want of a better term. It shows that tax is complicated, and it is getting more complicated.

Another reason we made that commitment relates to the grouping provisions of the Payroll Tax Act. I heard the shadow Treasurer allude to the current complicated issues regarding doctors. Other members of the House are looking forward to debating the treatment of GPs with respect to payroll tax collection, but that is just another example of things getting more complicated. Having praised Revenue NSW—frankly, it is one of the few agencies whose budget probably needs to go up—we also expect it to be fair and respectful in its enforcement activity. We do not want to import the politics of the United States when it comes to tax collection. It is a good thing that both sides of politics respect the independence of our tax authorities, be it the Australian Tax Office at the national level or Revenue NSW at a State level. We do not want to import that type of ugly politics into this country.

Sometime during the course of this Parliament, subject to the views of the finance Minister and others, debates will be had about the use of technology in tax enforcement, particularly in land tax enforcement. We can make it administratively simpler for people to file. We could save businesses a lot of time and resources by making it simpler for them to file with Revenue NSW. Not all of those issues are handled in the bill, but there is no doubt that the bill starts a good reform agenda in the revenue space. If nothing else, it will continue to make sure that landholder duty remains my favourite tax.

**The Hon. GREG DONNELLY (15:34):** I contribute to debate on the Revenue Legislation Amendment Bill 2023. The content of this important bill has been covered in reasonable detail, so I will not read through that again. But I direct the attention of the House to the importance of the bill's long title in grasping what it provides for. We sometimes pass over it pretty quickly. The short title is an abbreviation and gives us a general sense of the bill, but the long title is important. When it comes to questions about potential legal wrangling, so to speak, over pieces of legislation, the second reading speeches of Ministers and long titles are important. The long title of the bill reads:

An Act to amend the *Duties Act 1997* to remove a concession in the amount of duty payable by a public landholder; and to amend the *Land Tax Management Act 1956* to provide for an extension of time during which unoccupied land may be treated as a person's principal place of residence.

I appreciate that the previous finance Minister, who is not currently in the Chamber but may be watching elsewhere, has a degree of sensitivity about the \$7 billion black hole. Essentially, the Opposition is attempting to put the case that the \$7 billion black hole is nothing but a confection, a made-up figure. But that is not the case. I request a little bit of latitude.

**The Hon. Wes Fang:** Not too much.

**The Hon. GREG DONNELLY:** Just a little bit of latitude. It got me thinking that \$7 billion is a large amount and it must have some significance, not just to people in Parliament and economists but to others as well. This is a slight digression, but I ask members to bear with me. I will make clear why it is relevant in a moment. The number seven billion is significant in more than one way. For those who have some interest in astrophysics, at least on a part-time basis, I note that in February the Royal Astronomical Society published an extensive paper about the discovery of an ultramassive black hole.

**The Hon. Wes Fang:** Point of order: There is wide latitude and there is "out of the ballpark" latitude. To quote Duncan Gay, a former member of this place, the Hon. Greg Donnelly's contribution is not within a bull's roar of the long title of the bill. Mr President, I ask you to draw him back to the long title of the bill and to having some relevance to the bill before the House.

**The Hon. Peter Primrose:** To the point of order: Firstly, it was not the member referred to who came up with the phrase "within a bull's roar". It was an earlier member, but I will leave that aside. When the Government is discussing revenue, obviously it must be discussing the reasons it wants that revenue. Accordingly, I believe it is well within the rights of a member to describe the reasons the Government is looking at increasing revenue by the measures proposed in the bill. That is what the honourable member is seeking to do.

**The Hon. Wes Fang:** To the point of order: I appreciate that this contribution is assisting those opposite in killing some time because they have no legislative agenda in this place. However, black holes and reports in cosmology magazines are not within the long title of the bill. Mr President, I ask that you draw the member back to something of a financial nature, at least, to make it somewhat relevant to the long title of the bill.

**The Hon. GREG DONNELLY:** To the point of order: I was focusing on the \$7 billion. I was looking for a small amount of latitude. I asked for a couple of minutes to draw the \$7 billion figure into significance.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** In that case, there is no point of order. We are discussing a revenue bill and the need to raise revenue and the purpose of the revenue. I found the topic of astrophysics to be a slight stretch in relevance, but the need for revenue is most certain. The Minister has the call.

**The Hon. GREG DONNELLY:** Thank you, Mr Deputy President. I respect your ruling and appreciate the patience of the House. I will focus on the \$7 billion. There is a galaxy at the centre of a massive cluster named Abell 1201, which is approximately 2.7—

*[An Opposition member interjected.]*

Just listen. The Hon. Wes Fang might learn something. Some 2.7 billion light-years away there is a cosmic colossus that is not a supermassive black hole but an ultra massive black hole. It is roughly—

*[An Opposition member interjected.]*

No, just listen. That black hole is roughly 30 billion times the mass of our sun. Can members imagine that? The new figure exceeds original estimates that were calculated by astrophysicists by at least seven billion solar masses. There is excitement surrounding the issue.

**The Hon. Wes Fang:** Point of order: Standing Order 98 instructs that the Deputy President or the President can rule out of order a continually repetitious contribution. I ask that the comments by the Hon. Greg Donnelly be ruled out of order as continually repetitious.

**The Hon. Peter Primrose:** To the point of order: I cannot recall any other member in the debate speaking about astrophysics in relation to the State's finances. I know the honourable member has an important point to make about that before moving on. He is using a brief analogy to highlight the issue of another massive black hole. Mr Deputy President, I urge you to allow him to briefly continue.

**The Hon. Wes Fang:** Further to the point of order: The Hon. Peter Primrose was abusing the point of order by—

**The Hon. Penny Sharpe:** Coming from you.

**The Hon. Wes Fang:** Does the Leader of the Government want to make a contribution?

**The Hon. Penny Sharpe:** I will once you finish. But you have been making so many there is hardly enough time.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I hope the Hon. Wes Fang realises that by taking these points of order he is extending the time frame of the debate, which he was originally complaining about. I will hear the point of order.

**The Hon. Wes Fang:** I appreciate that. I take a point of order to suggest that using a point of order to sledge the Opposition is disorderly. The contribution of the Hon. Peter Primrose belled the cat by pointing out that the Hon. Greg Donnelly was speaking about astrophysics and black holes, neither of which have anything to do with the long title of the bill. Mr Deputy President, I ask you to rule the contribution out of order.

**The Hon. Stephen Lawrence:** To the point of order: A Deputy President would not interpret the relevant standing order to not allow analogies, metaphors and turns of phrase that might be colourful and florid. It is quite clear that the Hon. Greg Donnelly is using an analogy or metaphor to delve further into the issue of the black hole. It is relevant. If you were to place such a strict interpretation on analogies, metaphors and turns of phrase, we would be confined to the most sterile language. He is not speaking about ultra black holes; he is speaking about the financial black hole that has been debated over numerous days. You would not interpret the standing order in a way that would prevent that.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I have been very liberal in my tolerance, bearing in mind that this is a second reading debate. I am interested in the financial black hole of New South Wales and I am prepared to hear more about that. That is related to the revenue that the bill, if passed, will garnish for the finances in New South Wales. The Hon. Greg Donnelly will draw his attention back to revenue.

**The Hon. GREG DONNELLY:** Thank you, Mr Deputy President. That is exactly where I wish to proceed after making references to the significance of the \$7 billion, not just for New South Wales politics and the State's financial situation but for other significant areas as well. The Government is pleased to introduce the bill. I acknowledge and congratulate the Hon. Courtney Houssos for the work she has done to prepare it. She worked closely and cooperatively with the Treasurer. The close relationship between the Treasurer and the

Minister for Finance on matters of finance and economics is a good sign. I am sure that close relationship will continue for the duration of this Parliament and the one beyond that.

The Government is proceeding to legislate two revenue measures that were previously announced by the former Government in the *2022-23 Half-Yearly Review*. I acknowledge the Leader of the Opposition, who was the Minister at the time. We heard a lot of noise from the Opposition yesterday during question time suggesting that we want to put legislation into the shredder if it comes from another government. But this bill is the perfect example that that is not the mindset of this Government at all. We will look at the tail end of the previous Government's plans for legislation and if we think it is fit for purpose and can contribute to the financial wellbeing of the citizens of the State then we will support it, or at least consider supporting it.

The measures in the bill will improve financial sustainability and provide fairness and accountability. Together, the measures are estimated to improve State revenue by \$195 million over three years to 2025-26. If memory serves me correctly, the last State budget in New South Wales delivered by then Treasurer Matt Kean was around \$93 billion. Once again, billion is a large and significant figure. On examination, it might seem that \$195 billion in the grand scheme of things is not a large sum of money, but that is not the case. It is a significant amount of money, particularly when considering the financial pressures the new Government faces because of the poor administration and conduct of economic affairs by the previous Government. There are many examples of that poor conduct, which have been provided in this debate and other debates and in answers to questions in question time.

To make savings like that is most significant. We are looking forward to aggregating savings like that in large quantities to ensure that our financial affairs and the State are in good shape. That is quite contra to the narrative that the conservatives like to run about how Labor governments are reckless spenders. That is the way it runs. The fact of the matter is that people who went to the ballot boxes on 25 March this year could see through the outer transparency of such an old, tired line. You would think they would give it up.

**The Hon. Cameron Murphy:** Pork-barrelling.

**The Hon. GREG DONNELLY:** That's right. Indeed, pork-barrelling is another phrase. The Opposition has been exemplary in showing us how that is to be done. Of course, the Labor Party fundamentally finds such behaviour abhorrent and that is why we brought legislation to the Parliament, but I digress. The amounts of money to be saved are important. The fact that it is \$195 million, which should not be seen as a small amount, does not diminish the bill's significance. The bill removes a concession in the amount of duty payable on the acquisition of a public landholder. In New South Wales, the public landholder is a company listed on a recognised stock exchange or a public unit trust scheme that holds land in New South Wales with a value of \$2 million or more. The honourable Minister listed the exchanges, which I will not repeat. Landholder duty becomes payable by a person—including an individual or a company—when, together with their associates, they acquire a 90 per cent or more interest as a public landholder.

Under section 156 of the Duties Act 1997, the acquisition of an interest of 90 per cent or more in a public landholder—which, broadly speaking, would amount to a takeover in the case of a listed company—is currently subject to concessional duty of 10 per cent of the duty that would be charged at the general rate of duty on the direct acquisition of the landholder's assets. The bill removes the 10 per cent concessional duty so that from 1 July 2023 the acquisition of a public landholder in that scenario would require payment of the full duty of \$100,000. Removing the duty concession on the acquisition of public landholders removes an incentive to hold the land in a public landholder to reduce the duty payable when the land is transferred. Charging landholder duty on public landholders at the full general rate is consistent with arrangements in Western Australia and the Northern Territory, which has been discussed and commented on before.

I appreciate that our new Treasurer, the Hon. Daniel Mookhey, can quickly come to a realisation. He is a forensic individual. We knew that from the extraordinarily penetrating way in which he prosecuted, time and time again, in interrogations, I would say—almost like inquisitions—of Ministers and their staff and of the poor advice received in some instances. Those policy advisers were not from the bureaucracy but rather from Ministers' offices, and he would cut them to shreds. One could see how thoroughly the Hon. Daniel Mookhey was across his brief, and he is bringing that great intelligence to running the State finances as Treasurer in conjunction with the Hon. Courtney Houssos.

Applying full duty rates to the acquisition of public landholders is estimated to increase State revenues by about \$198 million or thereabouts—\$195 million—over the three years to 2025-26. This measure will also improve the longer-term fiscal sustainability of the budget. The bill also includes a provision to enable the chief commissioner to extend any such four tax year periods that ended on or after 31 December 2019. To conclude, the principal place of residence exemption for unoccupied land is expected to reduce land tax revenue by \$2.8 million over the three years through to 2025-26. The Government believes it is a modest price to assist people

in New South Wales to build their homes with certainty and accommodate genuinely exceptional circumstances in this time of uncertainty. I thank the Minister for bringing her inaugural bill to the Parliament. It will be one of many, I am sure, and one that I am sure this Parliament will fulsomely support. I commend the bill to the House.

**The Hon. PETER PRIMROSE (15:54):** I had not planned to speak in debate on the Revenue Legislation Amendment Bill 2023, but I make a short contribution. One of the main reasons is because of the effusive support for the bill that I have heard today. It has been so well supported that it is almost love that is being expressed for this legislation. The Leader of the Opposition expressed great views and great support for the legislation, as did other members who spoke in debate. In the remaining five or so minutes, I also express and share my support and love for the Government's bill before the House.

These measures were announced in the *2022-23 Half-Yearly Review* released by the former Government on 7 February 2023. One of the changes, the removal of a concession in the amount of duty payable on the acquisition of a public landholder, was described in *The Sydney Morning Herald* by the former Treasurer as closing a loophole in the legislation. The former Treasurer said at the time, "There's no policy rationale for them, this group, to be treated differently." He has expressed the same views here today.

Removing the duty concession on the acquisition of public landholders to charge the full general rate is consistent with the treatment of acquisitions of private landholders and the direct transfer of land. A public landholder is a publicly listed or widely held unit trust scheme or a publicly listed company, listed on a recognised stock exchange, which holds land in New South Wales with an unencumbered value of at least \$2 million. Applying full duty rates to the acquisition of public landholders is estimated to increase State revenues by \$198 million over the three years to 2025-26. That is still a long way out, I should say, from the astronomical \$7 billion that was pointed out by my colleague so eloquently during his contribution to this debate. Nevertheless, it is getting us there. It is not quite *Star Trek*; it is more like a chemical rocket rather than anything else.

The 10 per cent concessional rate for acquisitions of public landholders has existed since landholder provisions were introduced into the Duties Act 1997. Under section 156 of the Act, the acquisition of a 90 per cent interest in a public landholder, which, broadly speaking, would amount to a takeover in the case of a listed company, currently attracts a concessional duty of 10 per cent of the general rate of duty, calculated on the direct acquisition of the landholder's real property assets and certain other moveable property. In practice, that means that a person acquiring a public landholder is subject to the general duty rate. They currently pay \$10,000 on an acquisition with landholdings worth just over \$2.1 million instead of \$100,000 that would be payable at the full general rate. The measure amends the Duties Act 1997 to remove the landholder duty concession for acquisitions of public landholders and will commence from 1 July 2023.

The second measure in the amending bill permits the Chief Commissioner of State Revenue to provide for an extension of up to two tax years to the time during which unoccupied land may be treated as an owner's principal place of residence for land tax purposes, if the owner encounters exceptional circumstances. A property owner in exceptional circumstances will now have up to six tax years in total to complete building or renovation work and occupy the property as a principal place of residence before being charged land tax. Providing that benefit is estimated to cost the budget \$2.8 million over the three years to 2025-26. There is currently no discretion for the Chief Commissioner of State Revenue to extend the time during which unoccupied land may be treated as an owner's principal place of residence in the event of exceptional circumstances.

Exceptional circumstances are unforeseen events beyond the owner's control, as determined by the Chief Commissioner of State Revenue, that have caused a delay to completing building works—for example, trade labour and material shortages associated with the COVID-19 pandemic or a natural disaster such as a flood or bushfire. I could continue at great length, but, as I said at the beginning of my contribution, those are the points that I wish to make. I join in the festival of support and love for this legislation.

**The Hon. STEPHEN LAWRENCE (15:59):** I contribute to debate on the Revenue Legislation Amendment Bill 2023. This is the first Government bill to be introduced by the Hon. Courtney Houssos. I am sure it will be the first of many as she continues to make a fine contribution as a Minister. The Government is proceeding with legislating two revenue measures today under the bill. I will outline the reasons for my support for the bill as well as some of my thoughts and reflections on the policy issues that are at play. The bill proposes to amend the Duties Act 1997 to remove the 90 per cent concession that applies to the acquisition of landholders, such as listed companies and trusts, that hold land in New South Wales. Those transactions will, if the bill is passed, be treated in basically the same way as acquisitions of private landholders.

As the Treasurer mentioned in his contribution, it is important that issues pertaining to revenue are not treated in any such way as to artificially encourage certain arrangements or distort, in that sense, revenue. If passed, the bill will improve fiscal sustainability over the long term and begin the process of budget repair for the \$7.1 billion black hole that was left by members opposite, as has been spoken about frequently in this place in

recent weeks. It will also provide fairness among landholders, which is, of course, an important objective in and of itself. The Government is closing a loophole, which I will speak to later in my contribution.

When I first looked at the bill it struck me as quite dry and technical. I have a preference for social and legal issues that touch on social concerns, but I was appreciative of my obligations as a member of this place to get on top of all bills. I received briefings on the bill from the Minister's office and slowly absorbed its meaning and detail. It struck me that the bill, notwithstanding my initial aversion to what seemed to be of a dry and technical nature, is tremendously important. Once I realised that, I decided to make a contribution to the debate. Hearing the previous contributions, not least the Treasurer's erudite contribution, only furthered my interest in the subject matter. I thank the staff of the Hon. Courtney Houssos for their assistance in getting on top of the subject matter.

It is core Labor policy to make the revenue base sustainable and coherent so as to allow the fulfilment of our most important objective, which is the proper investment in government services to ensure the community is happy and healthy and people have the opportunity to make the most of their lives. Therefore, the bill is most consistent with Labor's objectives. To be quite specific about the way the bill will impact upon the Government's ability to generate revenue in order to fulfil its purposes, I note the bill is expected to improve State revenue by \$195 million over the three years to 2025-26. That huge amount of money will flow into State coffers and allow the Government to invest in the services and programs that I referred to and that we were elected to invest in.

In my view, this measure stands in contrast to the previous Government's approach of privatising a finite number of State-owned operations. It is necessary to compare those two alternative ways of raising revenue in order to fully appreciate why the bill should be passed. The previous Government's approach was to privatise a finite number of State-owned operations and then essentially pretend that it had created an innovative and clever way of making the budget sustainable while meeting the State's infrastructure needs. But the reality is that the State's infrastructure needs will always be present, and they will be present long after the privatisation splurge of the last Government is forgotten. To pretend that the privatisation splurge was an innovative way of meeting the State's needs is, at best, incredibly short-term thinking.

The actions of the last Government, when viewed in any long-term sense, were not visionary, sustainable or smart. They avoided real decision-making on revenue matters and inflicted long-term harm on the financial position of the State and, therefore, on the public interest. Many of those State-owned corporations that were sold off were making a long-term contribution to the State coffers. That is no longer the case. In contrast to that approach, this bill provides a real measure that will operate indefinitely and bring money into the State coffers in an ongoing, sustainable way, as contrasted to the previous approach of the last Government.

I turn to the precise detail of the bill, which has two parts. First, the bill amends the Duties Act 1997 and, secondly, the bill amends the time that people have to engage in certain constructions. I will focus my contribution to debate on the amendments to the Duties Act 1997, which remove the landholder duty concession for acquisitions of certain landholders and instead charge the landholder duty for acquisitions of those landholders at the full general rate from 1 July 2023. The policy of imposing the same duties across landholders, regardless of the way the land was acquired, is equitable and fair.

The landholders affected are so-called public landholders. That phrase is not necessarily self-evident, though it is defined in the Act, which tells us that a public landholder is a publicly listed or widely held unit trust scheme or publicly listed company listed on a recognised stock exchange. That detail is important because the Act refers specifically to various stock exchanges. In that latter sense, it must be a publicly listed company that holds land in New South Wales with an unencumbered value of the \$2 million threshold. Landholder duty becomes payable by an individual or business when a significant interest—another defined term in the Act—in a public landholder is acquired.

A significant interest is an interest of 90 per cent or more of the issued equity of a publicly listed company or units in the public unit trust scheme. It is interesting to reflect on how longstanding the existing scheme is. The concession to charge only 10 per cent of the general duty rate for acquisitions of public landholders has, in fact, existed since the landholder duty provisions were introduced into the Duties Act 1997. So there has been an extended period for those expert public officials at Revenue NSW to assess the operation of this and to understand how it plays out in the marketplace. Of course, they have formulated the bill in light of the concession operating for that extended period.

There is some more important detail in relation to the threshold limit. Under section 156 of the Act, the acquisition of a 90 per cent interest in a public landholder, which broadly speaking would amount to a takeover in the case of a listed company, is currently subject to a concessional duty of 10 per cent of the duty that would be charged at the general rate of duty on the direct acquisition of the landholder's assets. In practice, that means that a person acquiring a public landholder with landholdings worth just over \$2 million would currently pay only \$10,000 in landholder duty instead of the \$100,000 that would be payable at the full general rate. That is an

example of the way it will operate if the bill is passed and demonstrates the effect on the revenue base. The measure will require payment of duty at the full general rate rather than the current concessional rate of 10 per cent of the general rate. That would increase the top marginal landholder duty rate from 0.55 per cent to 5.5 per cent.

I speak now about the transitional provisions that the Opposition spoke about earlier. The amendment will apply to transactions where the duty liability arises on or after 1 July 2023. That is a reference to the date of the transaction—that is, the date where as a matter of strict legal effect the ownership of the land has passed. The bill will not have a retrospective effect. That is entirely appropriate because people and corporations are entitled to arrange their affairs on the basis of the law at the time they enter into a legally binding arrangement. That is true in respect of land transactions undertaken by large entities and corporations listed on the stock exchange. It is also true I would say as a general proposition for any private landholder. People are entitled to order their affairs on the basis of a legal status quo.

There are no transitional provisions in the bill. It will seemingly have an impact where companies or like entities have taken steps to acquire property that fall short of legally taking title in the relevant sense, such as transactions, discussions and arrangements that have not been completed. This could be significant for corporate acquisitions, and I am sure that those impacted and those that advise public landholders—people working in the mergers and acquisitions area, including many lawyers—will be keenly attuned to these changes and act in their clients' interests. Importantly, removing the duty concession on the acquisition of public landholders also removes the current incentive to hold land in a public landholder to reduce the duty payable when land is transferred. We are talking about people or entities who had the title to the land held in a private, personal sense, and who were cognisant of the concessional rate and sought to structure quite complex arrangements to take advantage of it. As the Treasurer said in his contribution, that is not a desirable state of affairs. We should not structure our regulation in a way that encourages that sort of thing, and it can be tantamount to the avoidance of tax. Facilitating those sorts of arrangements impacts the fundamental ability to deliver the government services that I referred to earlier.

Not encouraging those sorts of structures promotes consistency in the treatment of acquisitions of private landholders and their direct transfers of land so they are not disadvantaged. Additionally, removing a duty concession on the acquisition of public landholders to charge the full general rate aligns arrangements in New South Wales with those in Western Australia and the Northern Territory. My research indicates that there is no such duty in the Austrian Capital Territory, which is interesting. One wonders how long it might take for other jurisdictions to follow course.

The two revenue measures in this bill were previously announced by the former Government in the *2022-23 Half-Yearly Review*, shortly before the 2023 State election, and the net revenue from those measures is included in the budget estimates. The least that members opposite can do is support the bill to create the beginning of the process of budget repair that is needed because of the mess they created. In recent days in this House—in question time and in private members' business—both the Treasurer and the finance Minister outlined the uncovering of the appalling \$7.1 billion black hole that was not just created by those opposite but intentionally hidden by them.

**The Hon. Wes Fang:** Point of order: I ask that you rule the imputation about members of the previous Government as unparliamentary and out of order.

**The Hon. STEPHEN LAWRENCE:** To the point of order: I do not think that saying "intentionally hidden" rises to the level of a slur that would engage the standing order. It is a fair and reasonable type of accusation that is used in parliaments all the time.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I urge the member to continue to make his contribution within the terms of the legislation that we are discussing.

**The Hon. STEPHEN LAWRENCE:** We could argue about how that black hole was caused and who was responsible for it, but it is certainly there. It directly relates to the provision of essential government services and directly impacts the people of regional New South Wales—where I am from—whose causes I will proudly champion in this place. This is the kind of measure that will allow investment in their services, in country schools, hospitals, emergency and other essential services. It is necessary that we pass the bill to ensure that we can continue to fund those services. In conclusion, we will not be wasting the revenue on discretionary and unethical expenditure.

**The Hon. Wes Fang:** Point of order: Standing Order 96 (3) states that imputations of improper motives should not be made during debate in the House. I ask you to draw the attention of members to the standing orders to ensure that their contributions are parliamentary and comply with the standing orders of the House.

**The Hon. STEPHEN LAWRENCE:** To the point of order: I cannot recall the exact words I used. I was intending to say that the Government will not engage in unethical expenditure of Government money. I do not

think it is an unparliamentary slur to say that we will not be doing those things. If I did in a more direct way accuse those opposite of being unethical in the expenditure of Government money then I certainly stand by that also.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I have heard enough on the point of order. I take the point made by the Deputy Opposition Whip.

**The Hon. Wes Fang:** I will now make a second point.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I will rule on this one first. There are two things. Firstly, I take the point of the Hon. Wes Fang and urge all members to make their contributions within the confines of the standing orders. Secondly, the Hon. Stephen Lawrence has completed his contribution. Any further points of order may be moot, but I cannot stop the Hon. Wes Fang from making them if he wishes to do so.

**The Hon. Wes Fang:** Point of order: It has been a longstanding practice of the House that abuses of points of order such as the one just made by the honourable member opposite are not only unparliamentary but would normally result in that member being called to order. In this instance it was a rather egregious abuse of the point of order and I ask the member to be called to order.

**The Hon. Mark Buttigieg:** To the point of order: My recollection of the exchange is that my honourable colleague said, "If I made that imputation, I stand by it." Clearly he did not, because he said that the Government does not intend to use discretion, so the point of order is out of order.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** Members are stretching my memory as to the various adverbs that were used. I again make the point that all members should make their contributions within the confines of the provisions of the standing orders. As the member has completed his contribution, any further points of order are probably moot.

**The Hon. Dr SARAH KAINE (16:23):** I make a contribution to debate on the Revenue Legislation Amendment Bill 2023. I am not entirely sure how many times I will provide a disclaimer of being very new to this place but I think I have a little way to go on that. Unlike some of my learned colleagues, particularly the Minister for Finance and the Treasurer, I do not have a long history with the bill or in fact this area of taxation law. I have, like my colleague the Hon. Stephen Lawrence, more recently started to understand and engage with the details of the bill.

The bill does two things: firstly, it amends the Duties Act 1997 to remove the landholder duty concession for acquisitions of public landholders; secondly, it amends the Land Tax Management Act 1956 to permit the Chief Commissioner of State Revenue to extend the period in which unoccupied land may be treated as the principal place of residence. These two amendments were canvassed in the New South Wales budget 2022-23 *Half-Yearly Review* prepared by the Treasurer of the previous Government. The previous Government foreshadowed it would enact these provisions. The Hon. Damien Tudehope made a contribution earlier on the previous Government's approach, which has been recognised by various of my colleagues throughout the afternoon.

Taken together, the changes are expected to improve State revenue by \$195 million over the three years to 2025-26. I have enjoyed understanding better through the debate in the Chamber this afternoon exactly what that \$195 million means in terms of assisting the reparation of what has been discussed as the budget black hole, which was colourfully described by the Hon. Greg Donnelly. I recall the Treasurer saying that \$195 million is equivalent to building three schools. I have spent a lot of time in western Sydney. I lived in Holsworthy for 15 years when Wattle Grove was a new suburb. I have spoken to my colleagues in the other place who represent citizens on the fringes of Sydney who have been crying out for new schools for many years in those areas. That \$195 million and the schools that it could fund are extremely important for a great many people in New South Wales on the outskirts of Sydney.

It is an extremely important revenue measure for the Government to take. These measures are necessary to ensure that the expected revenue published in the pre-election budget is met. If we do not take these measures the budget black hole would only get worse. I am not sure that I am able to contextualise the extent of the budget black hole in any way as interestingly as my colleagues have. The Opposition has left the people of New South Wales with the biggest debt in the State's history, with debt this financial year projected to be \$128.7 billion. In addition, there is the \$7 billion black hole that we keep referring to.

While both of the elements in the bill are equally important—and the revenue raising aspect is extremely important, as I and many other members have mentioned—I focus on the principal place of residence exemption for unoccupied land. The bill amends the Land Tax Management Act 1956 to allow the Chief Commissioner of State Revenue to extend the current four-year time period during which an owner can claim the principal place of residence exemption from land tax for a property that is unoccupied to allow building works or renovations by up

to a further two years in exceptional circumstances. The Minister for Finance was at pains to emphasise that it is in exceptional circumstances.

There are three exceptional circumstances in which the Chief Commissioner of State Revenue can grant the extension. I will go through them and provide some context to those extension options because they are important. An extension can be granted if the owner cannot use and occupy the land because of a delay in the completion of building work, the delay is due primarily to exceptional circumstances beyond the control of the owner, and the delay could not reasonably have been avoided by the owner.

Those exceptions, and the allowance to grant additional time to complete building works, are an acknowledgement of current unforeseen challenges faced by many home owners looking to build or renovate their home. Despite the number of housing construction approvals growing into early 2020, we have seen a decline in the number of completions of constructions since 2019. That was exacerbated by the COVID-19 pandemic and its effects on the construction industry, which have increased construction input costs and have been compounded by shortages of labour and materials.

We are facing a skills crisis in New South Wales and the construction industry is not immune to it. It is contributing to the shortage of labour and creating issues for the completion of building and renovation work. The skills crisis plays out quite differently, and often more acutely, in regional areas. To put the skills crisis in perspective, in 2022 the National Skills Commission listed a number of occupations in shortage in the construction industry, which goes to the point about the time taken to build or renovate. Settle in because it is quite a long list. The occupations include scaffolders, construction riggers, technicians, trades workers, electricians, gasfitters, plumbers, roof tilers, wall and floor tilers, plasterers, painters, carpenters, joiners, cabinetmakers, bricklayers and stonemasons. I am surprised we are getting anything built in New South Wales. It has to be concluded that all those occupations are pretty important to either constructing or renovating a house. The skills crisis is real, it plays out differently across different regions and does so more acutely in more remote regions.

While the COVID-19 pandemic was a contributor to the shortage of workers in the construction industry in particular, other factors that are contributing to the skills shortage should not be overlooked. We have come into government after 12 years of cuts by the former Government to our TAFE system that led to the decline of skills development. Teachers who should be guiding the next generation of construction workers were casualised or cut over the past 10 years, with a 45 per cent decrease in TAFE NSW teachers and a 15 per cent drop in permanent teachers. We listened to the Opposition go on about defending the rights of apprentices. It was rather ironic because we know that since 2011 apprenticeship and traineeship commencements that are vital for those trades have dropped 33 per cent. TAFE completions have dropped 67 per cent.

Looking at those figures, it is not surprising that there is a skills shortage in construction. It is not surprising at all. It is emblematic of a broader skills crisis in New South Wales, but the issue at hand is the contribution of the skills shortage to delays that landowners might be experiencing in completing building and renovations on their land. We are working to restore skills development as a priority to try to cure the labour shortage crisis in the construction industry. We will restore TAFE as the heart of vocational education in New South Wales. We will comprehensively look at the entire vocational education sector to understand the best way to direct resources. Minister Crakanthorp has already begun working on the Government's election commitments in the construction industry. He has been openly engaging with all stakeholders who are important to building that skills set—TAFE teachers, students and staff, and Department of Education staff. He has been working with the relevant Federal Minister, the national Apprenticeship Employment Network and Community Colleges Australia to address the skills shortage in construction, which is one of the drivers for needing to allow people extra time to build or renovate on their land.

While we have taken those first steps, there is still a long way to go to fix the damage that has been done to TAFE by the previous Government. Until we can fix that damage and lift the number of workers in housing construction, the bill will provide reassurance that people will not be penalised if the construction of their house was delayed due to an unavailability of workers. My colleague the Hon. Anthony D'Adam humorously pointed out the similarity in the types of delays that are often experienced by participants on the show *Grand Designs*. It was a humorous take on a very serious issue. People are left to languish when trying to get their houses built or renovated. It is not just the workers in short supply. That can be addressed through longer term investment in TAFE to address the occupation shortages I mentioned earlier. Materials have also been difficult to come by, with the shortage coined "the worst materials shortage in 40 years". During the pandemic wait times for materials ballooned.

**The Hon. Wes Fang:** Point of order: I have listened intently to the contribution of the member. We have gone on quite a long walk from the long title of the bill. There have been rulings on the wide latitude in second reading debates; however, to use the phrase again, we are not within a bull's roar of the long title. I ask that you bring the member back to a contribution that somewhat mirrors something to do with revenue.



**The Hon. Stephen Lawrence:** To the point of order: The Hon. Dr Sarah Kaine is talking about how the Government intends to spend revenue, which cannot be done without contrasting it to the approach of the previous Government. That is why she is delving into the merits of various other expenditure approaches. This bill is about \$196 million and its merits cannot be assessed without traversing the relevant history.

**The Hon. Wes Fang:** Further to the point of order: The issue I have with the point made by the Hon. Stephen Lawrence is that under Standing Order 96 (3) it is not proper to make imputations during a contribution. Comparing and contrasting is one way of making a contribution; however, imputations around what the previous Government may or may not have done is not acknowledged in the standing orders. The original point of order I made was that contributions should be somewhat relevant to the long title of the bill.

**The Hon. Mark Buttigieg:** To the point of order: I am mystified by the point of order taken by the Hon. Wes Fang. If we are not in Parliament to compare and contrast our position and our opponents' position, what on earth are we in Parliament for? That is what my colleague the Hon. Dr Sarah Kaine was doing. Maybe we should not even turn up.

**The Hon. Wes Fang:** Further to the point of order: I agree, the Hon. Mark Buttigieg probably should not turn up.

**The Hon. Stephen Lawrence:** Point of order—

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** Order! If the Hon. Wes Fang wishes to take a point of order, he should take it within the standing orders.

**The Hon. Wes Fang:** In that case, I point the Assistant President to the point of order I took previously during the contribution of the Hon. Stephen Lawrence. He did exactly the same thing during that point of order and that was not ruled out of order. I judge that we are carte blanche on that one. For the benefit of the Hon. Mark Buttigieg, I suggest—

*[An Opposition member interjected.]*

I acknowledge the contribution of my friend and colleague the Hon. Sarah Mitchell, which was that—

*[An Opposition member interjected.]*

It was no more than they are at the moment.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** Order! The Hon. Wes Fang will resume his seat. I have heard enough. I refer to the ruling of the Deputy President earlier in the debate where he said that it is appropriate if a member is considering revenue measures that they consider alternatives as to why and how that revenue would be used and required. Accordingly, I believe the Hon. Sarah Dr Kaine is in order.

**The Hon. Dr SARAH KAINE:** I concede that I possibly digressed slightly. I am wont to do that on occasion. I agree that Labor is comparing and contrasting our measures with those of the former Government. But I also emphasise that the bill is necessary because of the shortages that were caused. The bill is about what we need to do to address those and what we will do differently. The bill is about the skills development that is required. That is a really important issue for the future productivity of New South Wales. As I said, it is possible that I digressed in getting to that point.

Materials have also fallen into shortage, which is the worst shortage in 40 years. All of those constraints and pressures on the construction industry impact on landowners who cannot get their construction or renovations done. That has also been reflected in the construction companies whose profit margins have eroded because of those issues. Insolvency of large residential construction firms has increased, which has meant that the construction times for New South Wales citizens building or renovating their houses might blow out. That speaks to the need for the provisions in the bill. I reiterate that I am proud to be assisting New South Wales households to build their homes.

**The Hon. Wes Fang:** Point of order: The member's time has expired.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I uphold the point of order. The Hon. Mark Buttigieg has the call.

**The Hon. MARK BUTTIGIEG (16:43):** I congratulate you, Mr Assistant President, on your elevation. The Revenue Legislation Amendment Bill 2023 is very important. I congratulate my colleague the Hon. Courtney Houssos, the Minister for Finance, on bringing the bill to the House. The Labor Party will face many challenges in finding revenue sources and savings in order to plug a devastatingly big hole in the budget left by our predecessors. It is a bit rich that members of the Opposition constantly lecture us about the necessity of fiscal rectitude and balanced budgets.

**The Hon. Wes Fang:** Point of order: My point of order is taken under Standing Order 96 (3), which states that any member of the House making imputations of improper motives is considered disorderly. I ask that the member's comments be ruled out of order.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I ask the member to continue to speak in accordance with the standing orders.

**The Hon. MARK BUTTIGIEG:** In that spirit of clawing back revenue that was foregone by the profligacy of the previous Government, the bill will achieve two important revenue measures for the benefit of New South Wales. As has been said in previous contributions by my honourable colleagues, the measures were put forward in the 2022-23 budget and in the half-yearly review by the former Liberal-Nationals Government. The first change will take a duty concession away for the acquisition of public landholders. As has been pointed out, that measure closes an inequitable loophole which would otherwise have allowed people to acquire property for less than the market value and therefore avoid paying their duty as should be required for the benefit of the New South Wales taxpayer.

That means that public landholders will be required to pay full rates of duty rather than only 10 per cent of the regular rate, which is the current loophole. Over the next three financial years, that change is expected to improve New South Wales State revenues by almost \$200 million. That is a very important step in the arduous and rigorous process required to find the revenue necessary to make up for the mess we have been left with. The measure could not be more essential considering the size of that mess, which is a \$7 billion budget black hole left by the former Government.

The Liberals and The Nationals did not leave any funding in the budget for a number of important programs. That context is important. I thank the Opposition for supporting this very important bill. At least it has recognised that Labor in government intends to be responsible, and it has backed this bill in, which is important. The unfunded programs were very important to the people of New South Wales. But the previous Government did not tell the Parliament that it had not funded them. Those programs were raised in this House over the initial weeks of the Fifty-Eighth Parliament. The Active Kids voucher is one of the programs not funded for the current financial year, and we have had several debates over those vouchers. The Opposition has tried to accuse the Government of cutting the voucher. The budget papers will show that the voucher has already been cut. The former Government cut it.

The regional seniors travel card program is not funded after the current financial year and Cyber Security NSW is not funded after the next financial year. Last year during budget estimates hearings several colleagues and I heard NSW Electoral Commissioner Schmidt lament the parlous state of funding for that institution. The idea that the integrity of the voting system could be under threat from cybersecurity attacks because the previous Government not only defunded it but also then in the forward estimates had no money left is unbelievable.

**The Hon. Wes Fang:** Which government are you talking about? This Government or the previous Government?

**The Hon. MARK BUTTIGIEG:** The previous Government—your Government—that has just been booted out. The one that has just been thrown out. So the Active Kids vouchers, the regional seniors travel program and Cyber Security NSW are not funded. There is also no funding for 1,100 nurses after the next financial year. Is it any wonder that the people of New South Wales walked away from the previous Government and, when Labor campaigned on issues like providing more nurses, gravitated to us? Opposition members should think about that the next time they are contemplating taking over the reins of this State. The previous Government's \$100 million per year budget cut for Destination NSW also potentially puts major events in our State at grave risk. There has been a litany of mismanagement and that is why it is so important that the bill is passed.

It is important we debate the bill so that people understand why the Government is introducing it. There is also a shortfall in funding that supports kids living in out-of-home care after this financial year. The lack of funding for those essential programs for the people of our State is no small matter. The former Liberal-Nationals Government did not tell the people of New South Wales that the funding was running out. That has placed significant pressure on the budget, which is why the bill is urgent. We have to ask what was the previous Government's strategy? Did members opposite know they were on a hiding to nothing and therefore try to run the State's finances down to leave us the mess?

**The Hon. Wes Fang:** Point of order: The imputation that the previous Government was somehow seeking to mislead or trick the people of New South Wales is clearly—

**The Hon. Cameron Murphy:** It's true.

**The Hon. Tara Moriarty:** It is not an imputation. It is not unparliamentary to call it out.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** Order! The member will finish his point of order.

**The Hon. Wes Fang:** I would, but the interjections from members opposite are clearly disorderly. Standing Order 96 (3) clearly states that any contribution containing imputations of improper motives is disorderly.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** First, I indicate that, in line with Presiding Officers in this and many other debates, there needs to be robust debate in this House. No Presiding Officer of any political persuasion would cease to allow that. Secondly, earlier in the debate the Deputy President ruled that it was in order to discuss why additional revenue is needed in debate on a revenue bill, so discussing alternatives is perfectly fine. Thirdly, over many decades numerous Presidents have ruled on this. Pages 468 and 469 of *New South Wales Legislative Council Practice* state that imputations and offensive words can be taken as offensive if they are made against individuals, not groups or a collective unit. As that has not occurred, there is no point of order.

**The Hon. MARK BUTTIGIEG:** On the previous theme that I was pursuing about the programs that are unfunded in the forward estimates, it begs the question about whether there may have been a deliberate strategy for those programs to run dry given the electoral trajectory that the previous Government was on. But I digress. The \$7 billion black hole has been well aired in the debate, but it is worth reiterating some of the figures, which are quite sobering. Debt will be \$128.7 billion this year and \$187.5 billion by 2026, which puts a major burden on the New South Wales economy. It is important to note that there is a narrative going a long way back from the conservative side of politics that Labor governments cannot manage the economy and that only the Liberals and The Nationals can.

Considering the figures and the programs that have been cut, anyone listening to this debate or who has the fortune to read *Hansard* will come to the conclusion that maybe the time has come for those on the conservative side of politics to stop running that narrative because it does not wash anymore. They have lost a couple of major elections with the tired old rhetoric that Labor cannot manage the economy as well as the conservatives. But the figures speak for themselves. I suggest they start using a different political tactic if they are going to get into government any time in the next 20 years.

**The Hon. Wes Fang:** Point of order: In the last part of the contribution from the member I could detect not a hint of discussion of revenue or policy from the current Government or the previous Government. I am unsure how it related to the long title of the bill.

**The Hon. Sarah Kaine:** To the point of order: The point that my friend the Hon. Mark Buttigieg was making goes directly to revenue and the framework with which the former Government decided to spend—or not spend—taxpayers' money. The ideological drive is directly related to the subject of revenue and how it is spent. The Hon. Mark Buttigieg was directly comparing and contrasting the Government's philosophical approach to budgeting with the now Opposition's.

**The Hon. Wes Fang:** Further to the point of order: Thank you for proving my point, which was that the contribution was so far from the long title of the bill that it was neither relevant nor within the left and right arcs of the scope of the bill. Discussing how the Liberals and The Nationals will return to government in four years, which is probably what will happen, is not within the remit of the long title of the bill. Therefore, I ask you to rule the contribution and the member out of order.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** This is clearly a complicated matter. As other Presidents have, I would always look at the provisions of the long title of the bill. But I would also assume that the Minister's second reading speech was within the scope of the long title of the bill. The Minister's second reading speech looked directly at the matters that have been canvassed by members during the debate. I ask the member to continue his contribution.

**The Hon. MARK BUTTIGIEG:** I think I said the Coalition may be back in government in 20 years, not four. I digress. There is a debt bomb—\$128.7 billion this year and \$187.5 billion in 2026—which is why this revenue-raising bill is so important in closing those loopholes. We have to ask ourselves what we have to show for that debt. As my colleague the Hon. Dr Sarah Kaine pointed out in her response to the point of order, budgeting is all about priorities. There is a fixed quantum of money and governments have to make decisions about where it is more effective to spend that money, because there are always trade-offs. There will be winners and losers.

The Government has made a decision to prioritise the things it took to the people of New South Wales during the election campaign. What could be more important than funding 1,100 nurses, which those opposite

have not funded? That is why we have to raise revenue—to fund those essential services. What could be more important than funding 600 extra firefighters? What could be more important than making sure teachers have permanent tenure? What could be more important than making sure we have 500 extra paramedics? Those are the things Labor was elected on. What could be more important than providing schools in areas like Leppington and Camden, where people have been waiting for a generation? It is all very relevant to the debate. The philosophy that the former Government took when it was getting the State into this debt—over \$100 billion this year—was an agenda of privatising and outsourcing, with the result of weakened service delivery.

We have heard all the debates. We have all the facts and figures. We did a ton of work in the committee process to expose all of those things. Members on that side of the House were holding down wages and not providing the resources necessary at the front line, where it mattered to the people of New South Wales. They were delivering an unreliable bus system. They privatised and outsourced the bus system so that buses were not turning up and people were missing buses. They sold off the electricity network. Everyone is paying electricity bills that are through the roof because they essentially transferred a public monopoly into private hands. Is it any wonder that prices have gone through the roof?

**The Hon. Wes Fang:** Point of order: The member's time has expired.

**The PRESIDENT:** I am not sure that is a point of order. Nonetheless, the member's time has indeed expired.

**The Hon. Mark Buttigieg:** I lost track of the time. I thank the honourable member for reminding me.

**The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:04):** I speak in support of the Revenue Legislation Amendment Bill 2023. The Government introduced the bill to legislate two revenue measures that were announced by the former Government in the *2022-23 Half-Yearly Review*. Those measures improve fiscal sustainability, provide fairness and accommodate exceptional circumstances. Together the measures are estimated to improve State revenue by \$195 million over the three years to 2025-26. That account was included in the revised estimates for the 2022-23 budget, which was published in the half-yearly review.

I turn to the detail of the bill. The bill removes a concession in the amount of duty payable on the acquisition of a public landholder. In New South Wales, a public landholder is a company listed on a recognised stock exchange or a public unit trust scheme that holds land in New South Wales with a value of \$2 million or more. Recognised stock exchanges include the Australian Securities Exchange, the London Stock Exchange, the New York Stock Exchange, the New Zealand Exchange, a stock exchange that is a member of the World Federation of Exchanges or any other stock exchange that is declared to be a recognised stock exchange by order of the Minister and published in the *Gazette*. Landholder duty becomes payable by a person, including an individual or a company, when they, together with their associates, acquire a 90 per cent or more interest in a public landholder.

Under section 156 of the Duties Act 1997, the acquisition of an interest of 90 per cent or more in a public landholder—which, broadly speaking, would amount to a takeover in the case of a listed company—is currently subject to a landholder duty at the concessional rate of 10 per cent of the duty that would be charged at the general rate of duty on the direct acquisition of the landholder's assets. In practice, that means that a person acquiring a public landholder with landholdings in New South Wales of just over \$2.1 million currently pays a landholder duty of \$10,000 instead of the \$100,000 that would be payable at the full general rate. The bill removes the 10 per cent concessional duty so that, from 1 July 2023, the acquisition of a public landholder in that scenario would be subject to the full duty of \$100,000.

Removing the duty concession on the acquisition of public landholders removes an incentive to hold land in a public landholder to reduce the duty payable when the land is transferred. Charging landholder duty on public landholders at the full general rate is consistent with arrangements across other States and Territories in Australia, including Western Australia and the Northern Territory. It is also consistent with the treatment of acquisitions of interests in private landholders—that is, a company or a unit trust scheme holding \$2 million or more of land in New South Wales which does not qualify as a public landholder. Applying full duty rates to the acquisition of public landholders is estimated to increase State revenue by \$198 million over the next three years to 2025-26. The measure will also improve the longer-term fiscal sustainability of the budget.

I want to explain why that is important. I am sure I will be echoing the fantastic comments of my colleagues, who have spoken at length on the bill. It is very important that we get the budget under control. The measure was placed into the current budget by the former Government, so I am not at all surprised that those opposite are supporting the bill today. Labor is continuing on with its work because it is essential. As we have heard many times over the past couple of days in this House, there is a gigantic black hole in the State budget that was not

communicated to the people of New South Wales prior to the last election. That has now been inherited by the new Government, which is working its way through it so it can maintain government services and meet the expectations of the people of New South Wales.

To give a little more context, in 2011 when the previous Government took office the debt in New South Wales was \$24.7 billion. That is the equivalent of \$3,419 per person. Interest at that time was \$1.8 billion per year. This year the debt will be \$129.5 billion. That is \$15,700 per person. Interest will be \$4.5 billion per year at \$540 per person. By 2026 that debt will grow to \$188.2 billion or the equivalent of \$22,019 per person in New South Wales, with an interest bill of \$7 billion per year. That is a massive gap. Some \$7 billion is scheduled to be paid in interest by taxpayers across New South Wales if we leave things the way they are. That is \$7 billion that will not be spent on schools, hospitals, nurses, teachers and all those things that are important to the people of New South Wales.

The budget black hole means that a ridiculous amount of money will be spent on interest payments. We cannot allow that to stand. As many of my colleagues and I have outlined, the new Government is working its way through the circumstances of a new budget. We are trying to work out how to get it under control while not cutting the services that the people of New South Wales expect. I will continue to speak about what that means for regional New South Wales. The people of regional New South Wales deserve that \$7 billion to be spent on building the schools that we promised them. We will do that so that we can be—

**The Hon. Wes Fang:** Name them. Name the ones you promise to build.

**The Hon. TARA MORIARTY:** Jerrabomberra High School will be built by this Government. I acknowledge the interjection by The Nationals, who were not going to expand Jerrabomberra or build a Googong high school. But we will be doing that. That is why we need to get the interest under control. The previous Government talked a big game about nurses, but it did not allocate the money for the nurses it promised. Some 1,100 nurses will be unfunded from 30 June 2024. That is 1,100 nurses with no funding in the current budget thanks to the previous Government. We have a responsibility to make sure that those 1,100 nurses are funded and have jobs in hospitals and health care across New South Wales, particularly in regional New South Wales. We must find the money to—

**The Hon. Wes Fang:** Point of order: I will try again now that you are in the chair, Mr President. I understand that wide latitude is given to a second reading debate; however, many contributors have been straying from the long title of the bill and are moving outside the normal scope of a second reading debate. I ask you to determine whether the Minister has started to stray from a normal second reading debate contribution.

**The Hon. Penny Sharpe:** To the point of order: We are debating the Revenue Legislation Amendment Bill 2023. The House has always allowed wide latitude in a second reading debate. Speaking about the need for revenue measures as a result of the State budget, specifically about some items resulting from the lack of revenue, is totally within the ambit of the long title of the bill. Mr President, I ask you to rule the point of order out of order.

**The PRESIDENT:** I say three things to that. The first is that the Hon. Wes Fang is quite right that wide latitude is given during second reading debates. The second is that, having served in this House for eight years, I agree with the Leader of the Government that even greater latitude is often given to revenue bills to discuss budgetary impacts and issues. The third is that I made it clear when I took the chair that I would extend wide latitude in a range of different areas until I pull it back if it is abused. I do not believe it is being abused in this case. I do not uphold the point of order. The Minister has the call.

**The Hon. TARA MORIARTY:** The previous Government is probably embarrassed about its financial record now that it is being exposed to the people of New South Wales, but we will keep speaking about it. We will move revenue bills like this one to go towards fixing it and we will fund and deliver the commitments we made. A range of public programs have been left unfunded and are set to finish next month at the end of this financial year. There is no money past next month for a range of programs that the previous Government talked a big game about. It misled the community into believing that they were somehow long-term programs. There is no money in the budget that was handed down by the previous Government. There is no money from the half-yearly review statement from February, I think it was. I am sure the Minister for Finance will correct me. The previous Government is whingeing and complaining about a range of programs that it put no money in the budget to fund. It is a huge black hole.

Some of the programs that have been highlighted by my colleagues today deserve some emphasis. I remind the House and the community about the previous Government's failings because the people of New South Wales expect significant programs to be continued but they cannot be continued because there is no money. There is a \$380 million hole in the forward estimates. That is shocking. There is a \$700 million hole in the forward estimates for kids living in out-of-home care. Some money has been allocated for those kids, but it is certainly not enough.

The Minister has expressed to me that the department needed a review that was not done to make sure that our most vulnerable children have adequate funding to support them at the worst points in their lives.

**The Hon. Wes Fang:** Point of order: Mr President, I direct you to Standing Order 98 (1). These matters have already been canvassed by other members in the debate. I invite you to review the standing order and judge the contribution of the member as tedious and repetitious, which would be ruled out of order.

**The Hon. Penny Sharpe:** To the point of order: That is a complete misinterpretation of the standing order. Every member in this place is allowed to speak on any matter that is before the House. The tedious repetition is coming from an individual member who has spoken on more than one occasion. The Minister is contributing for the first time, as is her right as a member of this Chamber. She is canvassing the issues that she thinks are important in relation to revenue, particularly children in out-of-home care. There is no point of order.

**The PRESIDENT:** The Leader of the Government is quite right. There is no point of order. The Minister has the call.

**The Hon. TARA MORIARTY:** I acknowledge the point of order that was not upheld. The point of order was that my contribution discussing the need for funding for children—the most vulnerable people in our society—and the previous Government not allocating proper money to rectifying the system that those children live within was tedious and repetitious. Honestly, that should give everyone in the community who is paying attention to this debate a clear idea of the previous Government's ridiculous priorities and of why it was booted out of office, and probably will not be back for a very long time. It was a despicable contribution from the Hon. Wes Fang.

**The Hon. Wes Fang:** Point of order: Earlier, the Assistant President made a ruling relating to imputations. Standing Order 96 (3) states that imputations of improper motives are considered disorderly. It was ruled quite rightly, I would say, by the Assistant President that an improper motive could not be drawn against a group—in that case, the former Government. However, the Minister made an imputation of improper motive towards me. Accordingly, Mr President, I ask that you ask the Minister to withdraw her comment, rule it disorderly and call the Minister to order.

**The Hon. Peter Primrose:** To the point of order: Mr President, while of course I support the earlier ruling of the Assistant President, I refer you to the ruling of former President Johnno Johnson, which has been quoted numerous times by many Presidents. President Johnson said—and I am paraphrasing—that debate in this place is robust. Outrageous imputations aside, when participating in that robust debate members must not be wilting flowers, essentially, when it comes to the cut-and-thrust of politics. I ask that you consider that in your ruling.

**The PRESIDENT:** I do look sympathetically on that ruling, and I have obviously considered it. However, I hear the point made by the Deputy Opposition Whip. It would perhaps be helpful to the continuance of the House if the Hon. Tara Moriarty were to withdraw that reference to the Hon. Wes Fang.

**The Hon. TARA MORIARTY:** Mr President, in the interests of respecting your role and using my two remaining minutes, I withdraw the comment. I go back to the things that the previous Government did not put any money towards, because they deserve emphasis. I remind members of this House—no matter how many times it has already been said, we will keep saying it—that the previous Government did not put any money into programs that New South Wales communities expected it to fund. That includes funding for cybersecurity. Cybercrime is a huge threat, which we talked a lot about in the previous parliamentary term. In fact, the first inquiry conducted in the last parliamentary term concerned that issue. Again, the previous Government talked a big game about protecting people across New South Wales after various government departments were affected by cyber breaches but did not put any money towards it. This revenue bill will go some way towards this Government being able to rectify those issues.

Destination NSW is looking at a cut of \$100 million per year from its budget. That puts some pretty iconic events, such as Mardi Gras, under threat. The NRL grand final, which was already under threat from other States, is now under further threat because the previous Government did not put any money towards it in the budget. Tourism in the Snowy Mountains is also at risk because Destination NSW was not given money. The previous Government made a big song and dance about the Active Kids vouchers but did not fund them past the next couple of weeks. One would think it would have allocated money in the budget for things it was serious about. The regional seniors travel card—the National Party's big flagship program—has no money allocated to it after this financial year. As a new Government, we have a lot of work to do to rectify the financial situation we find ourselves in so that we can deliver on the priorities that we promised at the election, and we will do that work.

**The Hon. Wes Fang:** Time's up!

**The PRESIDENT:** Before I call on the next speaker, I make the point that it is not necessary for the member to draw my attention to the clock. As members may or may not have noticed, I am happy to let the Minister finish her sentence, which I think is only due politeness and etiquette. Obviously, if that is abused, I will ensure that that does not happen. For the interest of all members, I am looking directly at the clock, so members do not need to let me know when time has expired.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:24):** After waiting all day, I am excited to speak in debate on the Revenue Legislation Amendment Bill 2023. The first point I make is that these measures were announced in the *2022-23 Half-Yearly Review* released by the former Government on 7 February 2023. It is incredibly curious that the previous Government factored in money that had yet to be legislated. It did that for a couple of programs, which goes to the real problems that the incoming Government has had to confront when trying to work through serious budgetary matters: record debt, record deficit and a half-yearly review that was basically a work of fiction. It was drawn up by the former Treasurer and member for Hornsby, who was trying to paper over not just cracks but gaping holes in the fiscal management of the previous Government.

I have been fascinated by the checks and balances that are supposedly in place in Treasury when trying to cost things. As Opposition members, when we were working extremely hard on costing our policies, we had to work with what the then Government provided and work through the issues through the independent Parliamentary Budget Office. After all the estimates committees and after all the various reviews that were released, it is just extraordinary to me that funding that has not been legislated can be counted on the bottom line. It is quite extraordinary and blatant dodgy-ing up of the real state of the books.

I am extremely pleased that the Minister for Finance is leading the charge on the comprehensive expenditure review. She has a big job ahead of her because of the falsehoods and the confection of financial responsibility; it is simply not there. We must remember that in the last budget the Treasurer announced \$43 billion worth of new spending at a time of record debt and deficit. Members may recall he took 10 days to go public with that because he got caught in the middle of the John Barilaro saga, which broke just before the budget. But I digress. The point is that the entire budget has been built on a house of cards and on falsehoods. This new Government is serious about the challenges that the State faces, which for a long time we have been warned about by all the key agencies. It is extraordinary to me that we are debating this bill now because it should have been done by the previous Government.

I turn to the details of the bill. One change it makes is the removal of a concession in the amount of duty payable on the acquisition of a public landholder. It was described in *The Sydney Morning Herald* by the former Treasurer as "closing a loophole in the legislation". The former Treasurer said at the time, "There's no policy rationale for them, this group, to be treated differently." Removing duty concession on the acquisition of public landholders to charge the full general rate is consistent with the treatment of acquisitions of private landholders and the direct transfer of land. A public landholder is a publicly listed or widely held unit trust scheme or a publicly listed company, listed on a recognised stock exchange, which holds land in New South Wales with an unencumbered value of at least \$2 million.

Applying the full duty rates to the acquisition of public landholders is estimated to increase State revenues by \$198 million over the three years to 2025-26. We are going to need that. The 10 per cent concessional rate for acquisitions of public landholders has existed since landholder provisions were introduced into the Duties Act 1997. Under section 156 of the Act, the acquisition of a 90 per cent interest in a public landholder, which, broadly speaking, would amount to a takeover in the case of a listed company, currently attracts a concessional duty of 10 per cent of the general rate of duty calculated on the direct acquisition of the landholder's real estate property assets and certain other movable property. In practice, this means that a person acquiring a public landholder is subject to the general duty rate. They currently pay \$10,000 on an acquisition of landholdings worth just over \$2.1 million, instead of the \$100,000 that will be payable at the full general rate. The measure amends the Duties Act 1997 to remove the landholder duty concession for acquisitions of public landholders and will commence from 1 July 2023.

The second measure in the amendment bill permits the Chief Commissioner of State Revenue to provide for an extension of up to two tax years to the time during which unoccupied land may be treated as an owner's principal place of residence for land tax purposes if the owner encounters exceptional circumstances. A property owner in exceptional circumstances will now have up to six tax years in total to complete building or renovation work and occupy the property as a principal place of residence before being charged land tax. Providing this benefit is estimated to cost the budget \$2.8 million over the three years to 2025-26.

There is currently no discretion for the Chief Commissioner of State Revenue to extend the time during which unoccupied land may be treated as an owner's principal place of residence in the event of exceptional circumstances. Exceptional circumstances are unforeseen events beyond the owner's control, as determined by the

Chief Commissioner of State Revenue, that have caused the delay to completing building works—for example, trade labour and material shortages associated with the COVID-19 pandemic or a natural disaster such as a flood or bushfire. The Minister can also release guidelines to provide further guidance on exceptional circumstances, which the chief commissioner is obliged to consider when making a decision.

Given the technical nature of those amendments, Revenue NSW can inform external stakeholders, including industry and tax professionals, through the normal engagement channels. Together, the measures are estimated to improve State revenues by around \$195 million over the three years to 2025-26 and are contained in current budget estimates. Applying full duty rates to the acquisition of public landholders is estimated to increase State revenues by \$198 million over three years to 2025-26. The principal place of residence exemption for unoccupied land is expected to reduce revenues by \$2.8 million over the three years, and that is reflected in the estimates. The extension of time for the principal place of residence exemption—the period for which the Chief Commissioner of State Revenue has discretion to extend the four-tax-year period—will be backdated to cover periods ending on or after 31 December 2019. This goes back to before the COVID-19 pandemic was declared and is a modest but important measure to make it a little bit easier for those who have been caught up in this change.

I return to the \$7 billion worth of unfunded programs in the New South Wales budget. I will raise a couple of matters that I believe are extraordinary, and I am quite shocked they have occurred. While some of my colleagues have spoken about these matters, this is not tedious repetition. They are important issues that I want to draw to the attention of the House and explain why they matter. There have been many health inquiries, and the Hon. Greg Donnelly led the charge in the last session of Parliament to get to the bottom of many of those issues, particularly in rural health but also in many other areas. One of the key issues that had been emerging for such a long time was the shortage of nurses, particularly in the bush—about which members of the National Party should be completely ashamed—as well as the need to retain nurses.

During the election campaign there was a lot of discussion about how to fix those problems, and a lot of campaigning went on. I congratulate the Nurses and Midwives' Association on working hard with members on this side of the House to find a way to deliver safe staffing levels in our hospitals and the required number of nurses to do that. We heard a lot of talk from the other side of the House in relation to how many extra nurses we would have, the fact that they were all locked in, that safe staffing levels were not necessary and that it was an outrage for Labor to suggest that we should support nurses in this way—particularly when we know that nurses are leaving the profession they love because they are burnt out and overworked with no end in sight. Members of the former Government had plenty to say. They said, "We are getting all of these extra nurses." But when Labor looked at the books and found out what was going on behind the scenes, we found that those extra 1,200 nurses were unfunded. They said, "We've got 1,200 nurses. It's terrific." But they were completely unfunded. That is one of the most disingenuous acts of the previous Government, which no-one should forget anytime soon. That is incredibly problematic.

I raise another financial cliff that the new Government must deal with. Again, I return to the National Party, the champions of the bush. There is not a hospital that they have not left empty of staff. Landcare is one of the most successful programs that has been in place for decades, which the National Party once championed. Members of The Nationals were there for every picture opportunity as friends of Landcare, as if to say, "We're all ready to go." But let us look at what The Nationals did with Landcare. If not for Labor's win at this election, Landcare would have got zero money. The thousands of volunteers who are doing genuine restoration work in our environment across every corner of this State were about to lose all of their coordinators. Landcare was literally about to be unfunded. It is gobsmacking that a program that is led by farmers and the community, which has provided billions of dollars' worth of restoration work through community-led support, was going to be left to die by members on the other side of the House. It is extraordinary.

Landcare is one of the most important programs we have. I am very pleased to say that the extremely important comprehensive expenditure review is focused on meeting Labor's election commitments, which includes the commitment to double the funding for Landcare so that it can do the work that it wants to do. Landcare will be able to fund full-time coordinators to coordinate the tens of thousands of volunteers who want to get their hands dirty and feet wet. Those volunteers do river repair, dune care and bushcare. They work with farmers all over the place, running a range of programs, including planting feed trees for koalas, linking and building new wildlife corridors and doing other outstanding work around invasive species. They are also working more and more with First Nations organisations and people on the ground who want to care for country. There is much to be learned from First Nations people in relation to that, and Landcare is doing that work. The National Party went to the election with not a single dollar for Landcare.

**The Hon. Greg Donnelly:** Shame!



**The Hon. PENNY SHARPE:** Yes, I am still shocked about it. When we were campaigning I wondered, "What is going on? Surely there will be an announcement about Landcare." All we heard about Landcare was that there was no money. But how could there be no money for Landcare when money had been sprayed out to other programs? We now know that most of those commitments were a fiction. Most of the money the former Government said it would spend was not in the budget, which would have left hospitals without nurses and the environment without thousands of Landcare workers.

**The Hon. Wes Fang:** Point of order: I have listened to the Leader of the Government intently, and I am interested to hear your view, Mr President. "Wide latitude" is subjective, but the contribution from the Leader of the Government has strayed much more widely and is less about the long title of the bill—or anything to do with the bill, for that matter—than I would see as appropriate. I ask you to draw the Leader of the Government back to making a contribution that is relevant to the bill.

**The Hon. PENNY SHARPE:** To the point of order: I make similar points to those I made earlier about wide latitude and the framework within which the budget is constructed. Referring to the need for revenue measures as a result of that is definitely in order, and giving specific examples of where there are troubles in the budget is absolutely within the leave of the bill.

**The PRESIDENT:** I agree with the Leader of the Government but I also have significant sympathy with the Deputy Opposition Whip on this occasion. I am not sure that spending over two minutes talking about the absence of a National Party campaign promise goes to the long title of the bill. Perhaps the Minister might pull it back to the broad range of issues that I have made clear are in the gamut of the bill.

**The Hon. PENNY SHARPE:** I am happy to move on from the failure to fund Landcare. The final point I make is one that Minister Moriarty made. As a former shadow Minister for Family and Community Services and foster carer, I have had an interest in the State's care of our most vulnerable young people and children for a very long period. No member of this House should turn away from the financial cliff and the financial mismanagement relating to children in out-of-home care. We have more kids in hotels than we have ever had before and we have fewer foster carers than we need. Some of our most traumatised young people are in hotels living 24 hours a day where they have rostered social workers come in and care for them. That is not a life for these children and young people. It is horrific that we hold them in those arrangements.

So little has been done to get those kids into safe places where they can move beyond the trauma they have experienced because there has been so little of the investment needed. Record numbers of children and young people are being reported as at risk of significant harm but fewer child protection workers—as fantastic as they are—are actually sighting a young person or child who has been reported at risk of serious harm. So it is pretty hard to get into out-of-home care; it is hard to reach the benchmark of an intervention. If it is so serious that the child needs to be moved into out-of-home care, it is a very serious matter. Every child in out-of-home care needs better care by the State, not this sub-care that frankly traumatises them more than what they have experienced.

The bill is great and I am glad that we support it. But we have had to introduce it because of a fiction provided by the former Government, which counted money before it even had it. I am glad the bill will be passed now. Record debt and deficit and \$7 billion worth of unfunded promises is not the way to put together a budget—and definitely not the way to spend money on behalf of the taxpayers of New South Wales.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (17:42):** In reply: I begin by thanking the many and learned members who made contributions to debate on the Revenue Legislation Amendment Bill 2023, including the Leader of the Opposition, the Hon. Wes Fang, Ms Abigail Boyd, the Hon. Mark Banasiak and a long list of my colleagues: the Hon. Anthony D'Adam, the Treasurer—I am delighted to hear that landholder duty is his favourite tax and I look forward to revisiting that with him—the Hon. Greg Donnelly, the Hon. Stephen Lawrence, the Hon. Dr Sarah Kaine, the Hon. Mark Buttigieg, the Hon. Peter Primrose, the Hon. Tara Moriarty and the Hon. Penny Sharpe, all of whom showed their passion for landholder duty.

This is an important bill for the people of New South Wales because it relates to additional revenue that the Government will be seeking through landholder duty. The Leader of the Opposition raised some points that I will clarify. He specifically raised the concerns of the Property Council of Australia regarding the commencement date. As I outlined in my second reading speech, the commencement date will be 1 July 2023, in accordance with the announcement in the half-yearly review and the pre-election budget update on this policy. That is why it is passing through the Houses so rapidly. Another point raised by the Leader of the Opposition was the quality of the advice received from the staff at Revenue NSW. I place on record my utmost respect for and thanks to those incredibly able staff led by Chief Commissioner of State Revenue Scott Johnston, Commissioner

of State Revenue Cullen Smythe, who was in the Chamber earlier today, and Matthew Nowell for their excellent advice—on this matter and others—not only to me but also to my predecessor the former Minister for Finance.

The bill amends the Land Tax Management Act 1956 to enable the Chief Commissioner of State Revenue to provide for an extension of up to two tax years to the time during which unoccupied land may be treated as an owner's principal place of residence. As such, they will not be liable for land tax if building or renovation work is delayed by genuinely exceptional circumstances. A property owner in exceptional circumstances will now have up to six tax years in total to complete building or renovation work and occupy the property as a principal place of residence before being charged land tax. As discussed today, currently under the Land Tax Management Act 1956 property owners are only allowed four years to complete those works. Allowing the chief commissioner to grant additional time to complete building works is an acknowledgement of the unforeseen challenges that may be faced by home owners looking to build or renovate their home, as shown by recent data.

As the Leader of the Opposition noted, there is currently a lack of discretion for the chief commissioner to take those exceptional circumstances into account, particularly given the pressures in recent years through the COVID-19 pandemic as well as fires and floods. It is anticipated that there may be other exceptional circumstances in the future. I reiterate that those exceptional circumstances are unforeseen events beyond the home owner's control that cause a delay to complete building works, as determined by the chief commissioner. In addition, the chief commissioner must be satisfied that the delay could not have been avoided by the home owner. The Minister may also release guidelines to provide further guidance on exceptional circumstances that the chief commissioner would follow. Assistance for those home owners is estimated to cost the budget \$2.8 million over the three years to 2025-26. The Government is proud to assist New South Wales people to build their homes with certainty and accommodate genuinely exceptional circumstances.

Dealing briefly with the removal of the landholder duty concession, the bill amends section 156 of the Duties Act 1997 to remove the 90 per cent concession on the amount of duty payable on the acquisition of a public landholder. Effectively, under the current policy when a person buys a house they pay a duty of up to 5.5 per cent. When a person buys an unlisted company that owns a house they pay a duty of up to 5.5 per cent but when a person buys a listed company that owns a house they pay a maximum duty rate of up to 0.55 per cent. That means that after removing the concession, a public company will pay the same general duty rate as a private company if they were to acquire the same landholding. Landholder duty becomes payable by an individual or a business when they acquire a 90 per cent or more stake of the issued equity of a publicly listed company that owns land in New South Wales. With those remarks, I thank the many members who contributed to debate on the bill this afternoon. I thank members for their support of the bill, and I commend my first bill as Minister for Finance to the House.

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

**Motion agreed to.**

### Third Reading

**The Hon. COURTNEY HOUSSOS:** On behalf of the Hon. Penny Sharpe: I move:

That this bill be now read a third time.

**Motion agreed to.**

*Governor*

### ADDRESS-IN-REPLY

**Debate resumed from 10 May 2023.**

**The Hon. GREG DONNELLY (17:49):** I continue my contribution to the address-in-reply to the Lieutenant-Governor's Speech. I express sincere thanks and appreciation to four individuals who were candidates for the Australian Labor Party at the State election. They campaigned in difficult electorates and pursued matters of policy and priority found within not just the *Fresh Start Plan*, which covered six key areas, but also the electorates the candidates were running in. The Labor Party set those six key areas as priorities, and they are now our priorities in government as outlined in the Lieutenant-Governor's Speech. When we spoke to the candidates, they came to the same priorities without even being shown what priorities Labor had discerned from various work, research and an examination of the priorities of the people of New South Wales.

I spent a fair bit of time on Sydney's wonderful northern beaches during the election campaign starting late last year. It is a beautiful part of the city. We worked hard in the period leading up to Christmas and then continued the enthusiasm right through to 25 March. The State electorates of Manly, Wakehurst and Pittwater were considered so blue that one needed to put glasses on—they were bright blue. Some seismic activity had occurred

over the past few Federal elections, with existing Liberal Party members replaced by Teal members. But at the State level, the sense was that the Liberal Party had a stranglehold on those seats, which they always have had, and would continue to have in the future.

We found it quite different, though, when our candidates—Mr Jasper Thatcher for Manly, Ms Sue Wright for Wakehurst and Mr Jeffrey Quinn for Pittwater—started to engage with communities around our priority issues. We did that in a rather systematic way. We put together a very simple analysis that flowed from speaking to people across the peninsula, sometimes unfairly referred to as the "insular peninsula" by people on the other side of the harbour. It is anything but insular. The priority issues were education, health, affordable and reliable transport, sustainable housing, the end of privatisation and a focus on small business.

Through their work visiting P&C meetings, all three candidates acknowledged that the Coalition Government had clearly neglected a number of the public schools on the northern beaches, in some cases manifestly neglected them. The Coalition has not explained why they neglected those schools. Maybe they will want to reflect on that, although the Wakehurst electorate has now been lost to an Independent member, perhaps for a long time. The candidates asked to have a look at the amenities around the schools when meeting with the P&Cs. I find it painful to repeat the issues those candidates found when they went for a walk around the schools.

The benchmark for our schools are the basic amenities like the toilets. One would think that, at the base level, the toilet amenities at our schools would be in a more than reasonable condition and be clean. But the state of some of the toilets was causing very serious problems. There were doors off cubicles, desks were pushed up against urinals to prevent them from being used and taps were dripping. That is basic stuff which was prosecuted by Labor's shadow Minister for Education and Early Learning, the Hon. Prue Car, who was represented in this House by the Hon. Courtney Houssos. The issue of a lack of maintenance in schools was a very serious problem across the State.

I move to public transport. The Coalition continues to not understand the issue with privatisation. The privatisation of bus services on the northern beaches meant that the first thing the new large contractor did was pull out bus stops and extend the distance between the remaining stops, making fewer stops on the routes. People did not have the ready access to bus stops they ordinarily had. Having bus stops at regular intervals is convenient for people with a disability and the elderly. The company pulled out the bus stops and left the remaining stops as the only ones operating. They then changed the timetable and reduced the number of services.

Then they have a system where they say, "We'll let people know if a service can't run, whether it's because of insufficient drivers or whatever the case may be." They say they will let people know but then they do not. The services just stop and no-one is told. The candidates and I heard examples on the northern beaches of young people wanting to get to school, elderly people and people with disabilities waiting for buses and finding that there is no bus. They wait five minutes, 10 minutes, half an hour, an hour, but no bus comes and no reason is given. The forensic examination of the so-called virtues and values of the privatisation of bus services and other forms of public transport needs to be looked at in a lot of detail.

I need to comment on the problems with the Generation 2 Emerald-class ferries. Labor's candidate for Manly, Jasper Thatcher, who is a great young bloke of about 23 years of age, works on a ferry. He told us of an incident where, through the grace of God—which was the only way he could describe it—he was told by a gentleman working on a ferry that had he not moved away from a particular part of the engine room which exploded, he would have lost his life. Engine rooms in ferries built overseas are exploding, almost resulting in fatalities.

I could go on because there are so many points I could raise. I thank the candidates for their grassroots work. I do not want to miss mentioning them. Perhaps the Hon. Stephen Lawrence will mention our great candidate in Dubbo, Josh Black—a teacher of 20 years. He campaigned tirelessly on the council to fix the problem of neglected public schools in Dubbo.

**The PRESIDENT:** Before I call the next speaker, I welcome into the President's gallery this evening the family and friends of the Hon. Jeremy Buckingham, in particular his wife, Crystal, and former members of the Legislative Council Dawn Walker and Justin Field, who are much missed. I also acknowledge former member of the Legislative Council Jan Barham, who is watching online.

**The Hon. JEREMY BUCKINGHAM (18:00):** I start by acknowledging the Gadigal people, the traditional custodians of the lands upon which we are meeting today. I pay my respects to all Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and thank the Gumbaynggirr people, on whose land I make my home on the New South Wales North Coast. I also acknowledge and pay my respects to Aboriginal and Torres Strait Islander people joining us today—giinagay. Mr President, I again congratulate you on your election. To all

new and returning members, I also offer my congratulations on your election and ongoing role in this new Parliament. After four years in the political and literal wilderness, where I learnt so much, it is an incredible honour and privilege to have the opportunity to again serve the people of New South Wales in this place.

I will begin by making some observations on the upcoming bicentenary of this House, the New South Wales Legislative Council. Firstly, after 200 years of self-government on this continent, I believe it is now time for Australia to become a republic. The absurdity of our independent, multicultural, proudly democratic nation being tied to a redundant hereditary monarchy and prejudicial colonial past was never writ larger than during the recent coronation of King Charles III. What we witnessed from half a world away was the strange spectacle of a dysfunctional familial soap opera cloaked in self-aggrandising pomp and ceremony, and the stolen bling and baubles of a despotic and disappeared empire. It is time to move on. It is time for an Australian head of State. Secondly, it is time for a mature and just nation to support the Uluru Statement from the Heart and its process of voice, treaty and truth. I will support, and urge others to support, the referendum question recognising our First Nations in the Constitution, thus ensuring a permanent forum for their representation. I believe we must tell the truth about our past.

We must also tell the truth about another shameful bicentenary, for 2023 marks the 200-year anniversary of the commencement of the genocidal wars waged upon the Aboriginal people of then Van Diemen's Land and the vast Wiradjuri nation of the State's Central West—both tragic events were begun and administered by the colonial Government of New South Wales and, in part, this House. I welcome the announcement from the Australian War Memorial Governing Council that it is moving towards a much broader, deeper depiction and presentation of frontier violence and the Black War. Today, as part of the process of truth-telling, I call on the New South Wales Government to likewise commit to establishing public memorials that acknowledge, educate and commemorate the reality of the Black War—the invasion, massacres, colonisation and dispossession—and the incredible suffering, injustices and resistance of First Nations peoples. The names and deeds of this nation's heroic warriors—Pemulwuy, Windradyne and Mannalargenna, amongst others—must be recorded, displayed, celebrated and remembered in perpetuity, lest we forget.

This year marks another anniversary of significant change in this country. Fast-forward 150 years from 1823 to 1973, 50 years ago. It was a dynamic and dark time. The Cold War raged. The United States, defeated in Vietnam, signed the Paris Peace Accords and withdrew after 1.5 million war-related deaths, including 500 Australians. In Chile, President Salvador Allende was assassinated and the murderous tyrant General Pinochet seized power in a CIA-backed coup d'état. The Yom Kippur War precipitated the Organization of the Petroleum Exporting Countries oil embargoes and inflation shocks that spiralled the global economy into a decade-long recession.

Ireland and London were wracked by The Troubles and murderous bombings. Nixon was impeached. In Durban, striking textile workers became unionised and began the long march to freedom, dismantling the abhorrent apartheid regime. In Australia, the Aboriginal Tent Embassy started. Gough Whitlam made university education free and, after 100 years, abolished the racist White Australia policy. The United Tasmania Group was formed and became the world's first environmental political party. We signed the Treaty on the Non-Proliferation of Nuclear Weapons in protest at the madness of atmospheric nuclear tests by the French on Moruroa atoll.

Political turbulence manifested itself in the cultural and artistic zeitgeist too. Ziggy Stardust retired; Pink Floyd released *The Dark Side of the Moon*; Bob Marley "shoots the sheriff"; DJ Kool Herc hosted the first hip-hop gig in New York City; Paul McCartney went solo and was busted growing pot; Patrick White won the Nobel prize for literature; and two great icons of Australian art and creative excellence emerged on the international stage, both within earshot of each other—the Sydney Opera House opened and the boys from Burwood, AC/DC, performed their first gig at Chequers nightclub on Goulburn Street. Let there be rock! It was obviously all happening in 1973.

It is also 50 years since Australia's counterculture revolution began with our very own Woodstock, just up the Pacific Highway, with the birth of the Australian hippie movement at the Aquarius Festival, held in Nimbin in the beautiful rainbow country of northern New South Wales. It was a gathering celebrating spiritual and ecological awakenings and the shared values of sustainability, peace, freedom and tolerance. The event is credited with being the first that sought permission to use land from traditional owners and saw Australia's first welcome to country ceremony. Aquarius was part of a potent global social movement sceptical of authority that, since the 1960s, had grown in opposition to patriarchy, war, capitalism, consumerism, theocracy, imperialism and prohibition.

It was a social movement fuelled by the energy of a generation of young adventurers and students who turned their backs on suburban humdrum and explored a world without maps, but looked with curiosity at the myriad ways humans experience and perceive the world and themselves. They yearned to be free in body and mind, guided by philosophers and writers such as Bertrand Russell and Jean-Paul Sartre while listening to the beat

generation of poets, thinkers and musicians. They experimented with cannabis and drugs. They turned on, tuned in and dropped out. As Jack Kerouac said, "I felt free and therefore I was free."

Herbalism and the history of plants as curatives and medicines, a history stretching back millennia, was rediscovered. They learnt that in the *Atharva-Veda*, one of the four sacred texts of Hinduism, cannabis is named as one of the five most sacred plants on earth and referred to as a source of happiness and a liberator. Dangerous, esoteric and revolutionary ideas and skills such as growing your own pot, yoga, composting and candle-making percolated and spread. Information and seeds were shared, along with the awareness that you could treat your pain and trauma—or that adults, in the pursuit of happiness, could lighten the load and trials of a sometimes-difficult world for just a while—with one of the most incredible and useful plants humans have ever domesticated and farmed: cannabis sativa.

The Aquarius Festival was like so many around the world at the time. They were celebrations of peace, love and equality, but were a reaction and brave protest in the face of often violent political and cultural repression inflicted by hegemonies that were getting tough on drugs as part of cracking down on dissent from blacks, gays, civil libertarians, unions, environmentalists and feminists. Aquarius was an "up yours" to the man. It was the place where the movement to end prohibition and legalise cannabis began and remains anchored today.

Into the milieu of the social, political and cultural upheavals of 1973 I was born—generation X. My parents, Daniel and Rowena, had moved to lutruwita—Tasmania—attracted by the pristine environment, country lifestyle, Gothic romance and nascent bohemian cohort. Dad was from south Sydney and Mum was from Nigeria, via London. They were working-class hippies—the resourceful, recycler, renovator type. My dad was and remains as spiritual and New Age as a brick. They fixed up old furniture and cars and lived by the maxim, mend and make do. They lived in old farmhouses with no power and little plumbing, kerosene lamps, candles and open fires. I remember simple rituals of connection like picking and preserving fruit, bonfires with friends and guitars, sawing and splitting firewood and gardening. My parents would share dad's home brew and a spliff on the verandah with friends. Cannabis was a part of the scene but just a fragment of the patchwork.

Later, living in Hobart, I went to the Hobart College—better known as THC. There was a lot of pot. Farmers' sons from the backblocks of Cygnet and Geeveston would turn up with duffle bags full of the stuff. It was coming out of our ears, and I inhaled. It seemed like everybody was—the middle class, the poor, skaters, straights and gays, the surfers, footy heads, metalheads, a Premier or two, and goths. If you liked it, you did it. If you didn't, you didn't—freedom of choice. Who here is going to put their hand up and say they did not indulge at least once or twice in their misspent youth? No-one. Excellent. It was here in the 1990s that I came across the *High Times* magazine's National Organization for the Reform of Marijuana Laws, or NORML, and the massive cannabis cultures of the United States and Europe. I read Jack Herer's *The Emperor Wears No Clothes* on the history of cannabis and hemp, and I was convinced.

At this juncture I could read off a thousand facts on the incredible benefits, industry and use of cannabis but, suffice to say, it was clear to me that we have utilised cannabis for medicine, recreation, food, fibre, construction and thousands of other uses for thousands of years, and we should do so again. I was amazed by the incredible, hidden history of one of humanity's most useful resources and how it could be the solution to some of our most intractable problems. I was not alone. The Hemp for Paper Consortium run by Democrat MLA Patsy Harmsen was arguing and campaigning for hemp as an alternative to native forest logging and paper production derived from woodchip and the destruction of the environment. It was an inspirational triple-bottom-line solution. I got involved, printed pamphlets, blundered through my first media interview on the ABC, set up an information stall at Salamanca market and proselytised.

Later at university, studying ecological agriculture, I gained a deeper understanding of hemp as an incredibly valuable and productive plant with untapped potential in crop rotations, disease control, water efficiency and carbon sequestration. But, again and again, I saw that its uptake would have to overcome the ridiculous regulatory brick wall of prohibitions on cannabis despite the fact it effectively contained no drug in the form of psychoactive Tetrahydrocannabinol. What was in the way? Prohibition. As a student and as an MP, I had to study and grapple with the impacts of prohibition on our capacity to establish a hemp industry and a legal medicinal cannabis regime, and on social policy generally. As an MP, I launched a campaign to overcome ideological opposition to hemp seeds as food and was successful in having them legalised. I thank the former member and Minister, the Hon. Niall Blair, for his collaboration and successful efforts on that issue.

But prohibition is easy to say and easy to sloganeer around: Just say no. Zero tolerance. Prohibition, at its heart, is a victory of feelings over facts, a victory of panic over reason, a victory of simplicity over complexity and a victory for anecdote over evidence. But the truth is, measured in treasure and unnecessary human suffering, prohibition would rate as one of the most tragic, costly and counterproductive social policies in human history. Humans have always used and will always use drugs as medicine and to enliven consciousness and arouse creativity. They can have a mild or powerful effect, be delightful or dangerous, and they can be used and abused.

But they can and ultimately will be regulated and made safer. As responsible adults, we do it, and governments do it with thousands of substances and medicines that save our lives, manage pain or improve the quality of our lives, like alcohol, ibuprofen, paracetamol, antihistamines, nicotine, opioids, benzodiazepines, Viagra and caffeine.

I note that his Excellency the Hon. Andrew Bell, the Lieutenant-Governor of New South Wales, in his address to this House encouraged us to take the most ubiquitous and useful of drugs, caffeine, when he said:

Political life is not easy. It demands the highest standards of integrity. It calls daily for discernment and courage—and (on occasion) not a small amount of caffeine.

I would like to remind His Excellency and this House that, throughout history, some leaders have tried to prohibit coffee, amongst other drugs, and failed. King Charles II thought that coffee houses were such dens of revolutionary subversion that he tried to destroy them. You need only investigate the seditious corners of Cafe Quorum to know he was right, but that his attempt at prohibiting cappuccinos was doomed to failure—King Charles III be warned! But I digress.

Drug use is a complex issue that intersects biology, psychology, behaviour, culture and politics. It therefore demands a complex and nuanced public policy response. Prohibition is a blunt tool that has never worked, and it was never really meant to. Prohibition is a cunning perfidy. It is a fear-coloured lens used by the powerful to view an issue, build a narrative of intolerance and sow moral panic to position themselves as the solution. Theocracies, democracies, monarchies and totalitarian dictatorships and their agencies all do it. It is a policy designed to maintain power, suppress disenfranchised and restless parts of society, but it is never about good public health. The war on drugs is really a war on ideas and reason.

But where did it come from? The modern iteration came from the US, of course. The Federal Bureau of Narcotics, formed to oversee the prohibition on alcohol in the 1920s, seamlessly rolled into enforcement of a new prohibition on cannabis when the alcohol ban was lifted in the 1930s. The bureau chief, Harry J. Anslinger, cleverly used a complicit media and fabricated hysterical anecdotes laced with overt racism to build moral panic, political pressure and his own gargantuan anti-drug empire. He served for 30 years in the role and constructed a labyrinth of legal and institutional obstacles to inhibit research and prevent the therapeutic use of the herb. He used his position and the United States' enormous international influence to put pressure on other countries to follow their lead and sign anti-cannabis agreements and pass prohibition laws. Australia fell into line in 1938, not based on evidence but on the ideological and corrupt interests of a nepotistic US agency.

And who won? The villains did, because the war on drugs has become the war for drugs. The market remains and where there is demand there is supply. Prohibition has handed commercial supply and quality control over to the worst scumbags ever to walk the earth—the mafia, the Central and South American cartels, Pablo Escobar, Chapo Guzman and, here at home, Roger Rogerson or the outlaw motorcycle gangs. There are state-based actors too. The North Korean regime and Myanmar's military junta are complicit in the vast exportation of illicit drugs. They are the ones that have made and continue to make billions of dollars from illicit drug supply. And what do they do with their cash? They do bad things. Arms dealing, slavery, extreme violence, murder and corruption are all funded by a business model handed to them by us.

Who else won from the war for drugs? Big pharma won—multinational pharmaceutical corporations that flooded society with extremely addictive and damaging opioids. According to the Australian Institute of Criminology, the opioid crisis in North America has resulted in increasing overdose death rates in both the United States and Canada and contributed to a decline in average US life expectancy. In 2017 there were 48,000 opioid-related overdose deaths and not a single one from cannabis. Despite stating that it has adopted an evidence-based approach, the current National Drug Strategy neither mentions prohibition, provides evidence that prohibition is working, nor provides a defence of our dependence on deadly opioids. The strategy is based on the simplistic premise that prohibition, through law enforcement and border control activities, will diminish use and supply so the market price of illicit drugs will increase making them harder to procure.

Under the Drug Misuse and Trafficking Act 1985, the penalty for simply possessing any cannabis in New South Wales is a maximum two-year jail sentence and a \$5,500 fine. Despite this, tens of thousands of mostly young or, more commonly, black people are being charged with possession every year. Importantly, for so many people, it is the first step they take into the gears of the criminal justice system and the path to incarceration.

But draconian laws, helicopter raids and strike forces are not making a dint. Just look at the evidence. In New South Wales and Australia, cannabis remains a cheap, working-class drug. Sixty-five per cent of people who use it share and sell it between a network of friends. In 2016, 10.4 per cent of Australians over the age of 14 had used cannabis in the past 12 months and 34.8 per cent had used cannabis in their lifetime. The social cost of cannabis use was estimated to be \$4.5 billion in 2015-16. More than half of that cost—54 per cent, or

\$2.4 billion—was related to the criminal justice system, including imprisonment and administering community supervision orders. And those numbers are going up

It is madness to continue in this way when there is an alternative. The standard against which we should judge any law is whether another set of laws would produce the same or better outcomes at a lower financial and social cost. And it would. The majority of Australians support legalisation because they do not want their taxes wasted or their friends and family criminalised, and they are looking to superior models in other jurisdictions. Gallingly, 31 US States, including California, New York, Nevada, Colorado and conservative Missouri, have legalised or decriminalised cannabis, with another 18 set to follow. Estimates are that the market for medicinal, therapeutic and recreational cannabis sales in the US will soon be \$50 billion per annum. Canada has legalised cannabis. In Ontario, a province with a population the size of New South Wales and Victoria combined, legalised cannabis sales are at \$3 billion and capital expenditure in the industry is running at \$10 billion per annum.

Germany, Spain, South Africa, Thailand and Mexico have all legalised cannabis, with scores more moving towards decriminalisation. And what is the evidence from these jurisdictions? There is no significant increase in cannabis use, no psychosis epidemic, no mental health crisis, no crime wave and no epidemic of cannabis-related motor accidents. The ACT—and now Queensland—is decriminalising all personal possession of illicit drugs. Medicinal cannabis was legalised across Australia in 2016. Hundreds of thousands of Australians have been prescribed and safely use an effective medicine that improves their lives every day. Who is benefiting most from the use of medicinal cannabis? It is older women, such as the late, great Olivia Newton-John, a passionate advocate for cannabis. It is sports stars, too; Lauren Jackson and Andrew Johns credit it with transforming their lives.

Cannabis prohibition is coming to an end. Legalisation makes sense and Australians know it; that is why they voted for us. It is not a matter of if but when and, most importantly, how. That is why I and my colleagues in the Legalise Cannabis Party in Western Australia and Victoria have been elected with almost no budget, no advertising and no how-to-vote cards—simply passionate advocates for good ideas that need singular, specialist attention. We need to bring about the change that is 50 years overdue, to fix the broken roadside drug testing system and ensure that medicinal cannabis users on the roads, in the workplace and in the community are not discriminated against. We need to make sure people can grow a few plants for adult use and share them without facing the threat of jail. We are a grassroots movement that has grown steadily, patiently and collaboratively, and that is the approach we will adopt in this place to build trust, understanding and consensus.

We will look for solutions to a lot of issues. We will put the health of the community and our planet first. Stopping coal seam gas in our food bowl, acting on climate change and finding alternatives to cotton and the abuse of the Darling-Baaka River will be a priority. The future of the Murray-Darling Basin hangs in the balance. A decade of Nationals water Ministers in New South Wales and Canberra has left the rivers and the Basin Plan on the brink, and that is an issue for the Legalise Cannabis Party. We know climate change will dramatically reduce inflows across basin catchments. Business as usual and water politics as usual will leave the rivers and river communities more vulnerable than ever. It is time to deliver for the rivers. I will be making the basin a core element of my work in this place, and I look forward to working with the water Minister, the Hon. Rose Jackson, and Premier Minns who, as a former shadow water Minister, knows the issues well. Charles Bukowski said:

Censorship is the tool of those who have the need to hide actualities from themselves and from others.

The Legalise Cannabis Party will not self-censor. It will tell the difficult truth based on the evidence and viewing all issues through the prism of improving public health, social justice, civil liberty and environmental sustainability. The point of power is maintaining the illusion that there is something at the centre of it. If it is not freedom and compassion, then what is it? The people at the margins, the unemployed and underemployed, the vulnerable, the outsiders, the disabled and their carers, the sick and the dying—I commit to ensuring they will be at the centre of our thoughts and decision-making.

Before I conclude, it is incumbent on me to acknowledge some of the relentless campaigners and activists who are the heart and soul of the legalise cannabis movement and drug law reform. I acknowledge Gail Hester. What a champion. She is a retired registered nurse and a patient advocate who began reading the studies, news articles and success stories from patients in the US, where people were using cannabis to treat all kinds of medical conditions, from depression, anxiety and pain to cancer. After losing her 21-year-old daughter Sarah to bowel cancer in 2008, she became angry that her family had not been able to utilise cannabis. Gail contacted the Hemp Party and set up Facebook groups in every State, and a national group which she called the Medical Cannabis Users Association of Australia, the MCCA, which grew organically to 20,000 members and is the foundation of our party.

I acknowledge the ever-affable Michael Balderstone, whose sage advice and tireless pursuit of cannabis law reform as a candidate for the Hemp Party and as the unofficial mayor of Nimbin is an inspiration. I acknowledge David Heilburn, the Dean of Law at Southern Cross University, a former crusading magistrate and

an astute voice on drug law reform. To the organisations and individuals who have worked in this space for decades like Gino Vumbaca, Will Tregoning, Alex Wodak, the Penington Institute, members of the Labor Party and the Lambert Initiative for Cannabinoid Therapeutics—amongst so many others—I hope to be a useful ally. I acknowledge Lucy Haslam, whose passionate advocacy has changed attitudes, laws and the country. I acknowledge Craig Ellis, the Legalise Cannabis Party chairman, whose incredible energy and organisational skill got the party registered and got our ship in order.

I particularly thank my former colleagues and comrades in The Greens Cate Faehrmann and David Shoebridge for their recent campaigns to legalise cannabis, which did so much to raise the issue, boost our membership and get me elected. Thanks, Dave. Your efforts will not be forgotten. I acknowledge my friends and supporters: David Quince, Rob McBride, Nick and Sandra Fairfax, Alex Turnbull, Rob Keldoulis, Sue and John McKinnon, Bob Brown and Paul Thomas, Dawn Walker, Jan Barham, Max Phillips, Sandra Heilpurn, Jack and Em, Captain Justin Field and Louise Callaway. Thanks for being there. Finally, I thank my family: Tam, for lifting me up; Mum and Paul; Dan, Horrie and Rose; my brave and darling wife, Crystal, who has been there through thick and thin; and our beautiful children, who I am so very proud of, Sienna, Coco, James and Eden. I love you all so much. Thank you.

*Members and officers of the House stood and applauded.*

**Debate adjourned.**

*Adjournment Debate*

## ADJOURNMENT

**The Hon. PENNY SHARPE:** I move:

That this House do now adjourn.

## MIGRATION POLICY

**The Hon. ROD ROBERTS (18:29):** I bring to the attention of the House a topic that likely does not impact anybody in this room but almost certainly impacts the lives and living standards of those closest to us—our children, grandchildren, nephews, nieces and neighbours and, in short, the young people of New South Wales.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I understand the importance of the Hon. Jeremy Buckingham's speech, but we have now commenced the adjournment debate. I ask members in the President's gallery to move their conversations outside the Chamber. The Hon. Rod Roberts has the call.

**The Hon. ROD ROBERTS:** Thank you, Mr Assistant President. In October 2022 I stood in this very spot and warned that if the Government planned on bringing in hundreds of thousands of migrants to New South Wales every year without planning for necessary infrastructure and housing, there would be serious consequences. Indeed, nearly a year later it seems my fears have been realised. Rental vacancy rates have dropped to a low of about 1.5 per cent in Sydney, with a similar trend seen across regional New South Wales. Of course, the consequence of this is that rental prices have skyrocketed, jumping 13.1 per cent in Sydney and nearly 4 per cent across regional New South Wales. Report after report has shown that immigration is driving this massive price rise, yet there is hardly a word from Labor, the Liberals, the Nats or The Greens. I believe this is a most important issue facing our State right now.

A rental crisis does not simply mean spending a few more dollars every week. For a young person, it means delaying the chance to save for a deposit and enter the housing market. It means being forced to live in low-quality accommodation and reduces the high standard of living that older generations once had. It means delaying family formation. To my mind, there is nothing more heartbreaking or tragic than forcing young couples to delay the incredible joy of having children and starting a family due to economic reasons. This is not a hallmark of a healthy, natural or productive society.

Consider this in the context of the current economic climate. Not only are rental costs rising; Reserve Bank of Australia data shows that real wages are dropping. Not only is it now harder to find a rental; it is also harder to buy a house. Young people today are being pincered from all sides. They are competing with more people for wages, rentals and housing, and with less purchasing power than their parents had. Is it any wonder that Australian Bureau of Statistics data shows that 129,000 people fled New South Wales for other States last year? The exodus is on.

This is not an attack on migrants. I do not blame, have not blamed and will never blame someone for wanting to move to our country and our State. This argument is not about migrants; it is about migration. It is not about the people; it is about the policy. This is a wake-up call. Ours is a system that is fundamentally failing our young. It is failing single mothers, domestic violence victims, students, workers and the average everyday



Australian. We cannot call our State great if we force people to live in tents. I agree with the sentiment shared by Freelancer chairman and CEO Matt Barrie, who spoke recently at the Sydney 2050 Summit. He said:

Skilled migration programs can be very beneficial, but they are supposed to strike a balance between meeting labour market needs and ensuring the wellbeing of both local and immigrant populations.

Our current migration program cannot benefit just a select lucky few in our State; it has to be for the benefit of all. Yes, businesses need workers, but do people not deserve places to live? Yes, our State needs skills—so why do we not teach our people the skills? Migration has to be for the many, not the few. Our current Premier, Chris Minns, has suggested one solution to the current housing and rental crisis is to simply build upwards, meaning more high rise, more development and more apartments. This is certainly one solution. But as former Australian Treasury economist Leith van Onselen says, we will never be able to build fast enough to keep up with current demand.

The other solution—the better solution—is for us to simply hit pause: work with the Federal Government and other State governments to say no more migration into New South Wales until our housing and rental supply catches up, no more migration until our infrastructure and public services can improve, and no more migration until housing and rental prices drop and we make our State the highly liveable, fantastic place it once was. For the sake of young people, I ask for more debate on this important issue.

### MULTICULTURAL EVENTS

**The Hon. MARK BUTTIGIEG (18:35):** Since I was announced as Parliamentary Secretary for Multiculturalism this month by Premier Chris Minns, I have been honoured to have the opportunity to represent the Minister for Multiculturalism, Stephen Kamper, at several special events. On 7 May I represented the Premier and the Minister for Multiculturalism at the Sydney Chithirai Festival—a Tamil community festival held at Blacktown Leisure Centre and hosted by the great Tamil Arts and Culture Association.

The festival celebrates the Tamil New Year in the month of Chithirai—an occasion where Tamil communities celebrate fresh starts with family, friends and loved ones. The festival included an excellent musical performance by Senthil Ganesh and Rajalakshmi, as well as stalls with food, craft, cultural clothing and other items from small businesses. According to the 2021 Australian Bureau of Statistics data, 29.3 per cent of people living in New South Wales were born overseas and 50.3 per cent of people living in New South Wales have one or two parents born overseas. It is incredibly important to foster cultural exchange through events like the Sydney Chithirai Festival so we can celebrate and better understand different cultures. By doing this, we can create a stronger sense of harmony in our State. I extend my best wishes to all those who celebrated Chithirai.

On Monday 22 May I gave opening remarks at the 2023 Taiwan Trade Mission to Sydney. The Taiwan Trade Mission to Sydney is an important event fostering trade and economic connections between Taiwan and Australia. Hosting the event was Ms Tiffany Chen, deputy executive director of the market development department at the Taiwan External Trade Council, and Ms Sherry Tsai, director of the Taiwan Trade Centre. The trading relationship between Taiwan and Australia is longstanding and important. In 2021-22 there was \$32.6 billion in trade between Taiwan and Australia. Taiwan is in the top seven of Australia's two-way merchandise trading partners. Of all Australia's merchandise export markets, Taiwan's is the fifth highest, worth \$23.1 billion.

Examples of items exported to Taiwan from Australia include natural resources, agriculture and forestry products, and food and drinks. Australia imports technology, motorbikes, bikes and refined petroleum from Taiwan. Events like the Taiwan Trade Mission to Sydney are important to build connections between Australia and Taiwan and further foster our great trading relationship. They are also an important opportunity to create a better understanding and appreciation of Taiwan's culture and society.

I also had the pleasure of attending the NSW Premier's Literary Awards on 22 May, representing Minister Steve Kamper. Premier Chris Minns hosted the awards. Also in attendance were Dr John Vallance, FAHA, State Librarian; the Hon. George Souris, AM, President of the Library Council of NSW; and my colleague the Hon. John Graham, MLC, Minister for the Arts. I congratulate Gudanji and Wakaja author and scholar Debra Dank for receiving a record four awards at the ceremony, including Book of the Year, for her debut work *We Come With This Place*. I also acknowledge the winners of two awards sponsored by Multicultural NSW: the Multicultural NSW Award and the NSW Premier's Translation Prize.

Writer and independent funeral director Jackie Bailey was awarded the Multicultural NSW Award for her moving debut autofiction novel *The Eulogy*. The NSW Premier's Translation Prize was awarded to the translator and writer Tiffany Tsao for the translation of Budi Darma's anthology of short stories *People from Bloomington* from Indonesian to English. It was great to celebrate the exceptional talent of our multicultural community at the awards ceremony. I thank the State Library of New South Wales for administering the important event and

congratulate the winners of all award categories. Multiculturalism makes our State stronger. I am proud to represent a State with such cultural diversity, and I look forward to continuing to work with my colleague Minister Stephen Kamper in supporting our multicultural communities.

### GOULBURN ELECTORATE

**The Hon. NATASHA MACLAREN-JONES (18:40):** The New South Wales Liberal Party has demonstrated remarkable dedication and commitment throughout the 2023 State election and the battle for the highly contested electorate of Goulburn with the re-election of Wendy Tuckerman. I am proud to acknowledge the exceptional efforts of our members, both in the professional wing led by outgoing State Director Chris Stone and our passionate volunteers, whose combined endeavours played a pivotal role in securing a significant victory for the Coalition. It is the individuals who possess the qualities of hard work, determination, commitment and passion that contribute to the strength and prosperity of our State. Our volunteers embodied these qualities as they dedicated countless hours to campaigning in the most marginal of electorates, working tirelessly to ensure that Goulburn and New South Wales continue to receive good governance.

I had the privilege of campaigning alongside the Goulburn campaign team, and I witnessed firsthand the unwavering dedication of our supporters and members. Their tireless efforts ensured that Goulburn remained in Liberal hands, with the election of Wendy Tuckerman as their local representative. Their invaluable contribution cannot be overstated. Without their support, this achievement would not have been possible. While Goulburn derives its name from its largest town, it encompasses a vast and diverse electorate stretching from Robertson and Moss Vale in the Southern Highlands to Bigga and Yass on the southern edges. Throughout that expansive region, our Liberal Party branches played a pivotal role in our success. I extend my gratitude to the campaign team: Grant Pearce, Jarvis Hayman and Jim Picker. Their support and guidance was instrumental throughout the campaign.

I also acknowledge Irene Picker, Lorraine and Richard Davison, Sam Zilinskas, Pru Gordon, Julia McKay, Val Henderson, Paula and Richard Clegg and Juliet Arkright, along with all our branch members and volunteers. A special mention should also go to the Young Liberals, who travelled long distances to participate in street stalls, market days and country shows and provided invaluable support to our campaign. I thank Aron Mola, Mitch Levick, Jen Colman, Jackson Newell, Sarah Kennon, Zac O'Farrell and Molly McDonald. Their dedication and enthusiasm were truly commendable. I also acknowledge members of the Canberra Liberals who again crossed the border to assist in our campaign.

The Liberal Party can rightfully take pride in the efforts of all its volunteers, who sacrificed countless hours and travelled thousands of kilometres across metropolitan and country areas throughout the State. It is their hard work and commitment that will ensure strong and stable representation for the people of Goulburn and build on the delivery of vital infrastructure secured by Wendy Tuckerman to transform the electorate into a vibrant region. Some of the initiatives are the stage one delivery of a new water treatment plant in Yass, \$100 million to commence the construction of the Barton Highway duplication, delivery of the new Murrumbateman Primary School, delivery of a new school hall at Yass High School, delivery of the new Goulburn Aquatic Centre and \$165 million to deliver the redevelopment of Goulburn Base Hospital. That is not to mention a further \$2.5 million for Crookwell Hospital upgrades, along with funding for the Collector Memorial Hall, upgrades to Crookwell Showground, a hall for Grabben Gullen, the Gunning Inclusive Playspace and mobile phone towers in Gunning, Collector and Murrumbateman along with the new visitor information and community centre at Crookwell.

There are also further upgrades to the Goulburn Ambulance Station along with the Goulburn Courthouse and extensive upgrades and support to the local schools, including Laggan Public School, Crookwell Public School, Bigga Public School, Goulburn East Public School, Bradfordville Public School, Goulburn High School, Robertson Public School, Moss Vale High School, Sutton Public School, Berrima Public School, Avoca Public School and Kangaloon Public School. I extend my heartfelt gratitude to every volunteer for their service, passion and unwavering commitment to the Liberal Party and its candidates. I thank outgoing State Director Chris Stone, who I have worked with for many years, and his team at campaign headquarters whose professionalism and successful execution of the campaign effectively communicated our positive vision for New South Wales.

### ABORIGINAL AND TORRES STRAIT ISLANDER VOICE

**The Hon. STEPHEN LAWRENCE (18:44):** I say a few quick things about the proposed Aboriginal and Torres Strait Islander Voice to Parliament. There will be a referendum later this year in which I will be voting yes. It will be interesting to watch the progress of the campaign and the ultimate outcome. There is a Voice consultation on 2 June from 10.00 a.m. to 2.00 p.m. at the Dubbo RSL Club, and I am looking forward to being a part of that. I comment on the myths and scare campaigns being put out about the Voice. One is the suggestion often seen in the media that if the Voice is passed by the Australian people, it will be there forever. It will never be able to be abolished and will somehow take on a Frankenstein-like life of its own. That is truly a misrepresentation of the proposed amendment to the Australian Constitution.

The amendment that is proposed would insert a new section 129 that would simply provide "There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice" and prescribe what its functions would be in a very brief way. Subparagraph (3) of the proposed new section says:

The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.

It will be entirely a matter for the Parliament how the Voice operates, the scope of its powers, the way that members are appointed to it and the way that it operates. The simple fact of a constitutional amendment providing that something shall exist does not mean that it always has to exist, and it will be a matter for the Parliament as to the continuation of the Voice and the scope and extent of its powers.

It is relevant to point to section 101 of the Australian Constitution, which provides "There shall be an Inter-State Trade Commission". That was a body that the founding fathers thought fit to put into the Australian Constitution to deal with perceived barriers that might exist in relation to trade between the States. It existed for some time after Federation, was disbanded at one point, came back into existence at one point and then was ultimately absorbed into the Industry Commission. That is a direct example of a body that the Constitution said shall exist, but it was ultimately a matter for the Parliament and the Government of Australia as to whether it continued. The myth being put about that the referendum will somehow create a Frankenstein's monster that will be embedded there forever is simply a scare campaign.

The next matter is not so much a scare campaign but is worthy of addressing. It is being said that there is no need for the Voice because there are Aboriginal and Torres Strait Islander people elected to various parliaments, particularly in the Federal Parliament. It is worth reflecting on the role of parliamentarians in the party system. It is true that they are an important voice and play an important role, but they do not fulfil the same role as the proposed Voice. It is important to consider their existing role and not get confused about the future role of the Voice. It is my view that the Voice will play a vital role.

I draw upon my experiences in the Dubbo region where there has been a long-running community campaign for justice reinvestment, for an end to the over-incarceration of Aboriginal people and for the establishment of a drug rehabilitation centre and a drug court in Dubbo. That has been in part a successful campaign, but it has taken almost a decade. To my mind it is precisely the sort of matter about which the Aboriginal Torres Strait Islander Voice to Parliament, had it existed, might well have spoken clearly to the Federal Parliament and Government—the need for Federal funding for those sorts of things. Parliamentarians play an important role, but it is not analogous to the proposed role of the Voice.

## STATE ELECTION

**The Hon. WES FANG (18:49):** I contribute to the adjournment debate by acknowledging the recent election results. While it is disappointing that the Nats are now on the opposition side of the Chamber, it is important and appropriate to point out that, for the Nats, it was quite a strong result. It was a strong result because we had good local candidates who ran local campaigns. We retained many of the electorates we held going into the election. However, as is often the case with elections, there are winners and there are people who do not win. The Nats had some strong local candidates who, unfortunately, were not elected this time. I acknowledge all the candidates for The Nationals, who put themselves forward to represent their, and our, values and vision for the regions.

Josh Booyens was the amazing candidate for Ballina. He has so much energy and passion for his area and he did an amazing job during the campaign. One day, I trust, he will make a fantastic member for Ballina. The same goes for Annette Turner, who represented the Nats so well in Barwon. Barwon is a big electorate and a hard area to traverse, but Annette Turner is no stranger to the area. She put 100 per cent into her effort and she should be congratulated. Alex Rubin proudly flew the flag in Lismore. He supported his community in what was a difficult time for them in the lead-up to the election. I am sure that he will continue to play a strong part in the Lismore community for years to come.

I spoke yesterday about Peta Betts in Murray and Andrianna Benjamin in Wagga. Both were fantastic candidates in my duty electorates and I would have dearly loved to see them elected to the other place, but it was not to be. Tony Mileto ran a strong campaign in Orange. Having served on council, he knows the area and its issues and was a strong representative for his community. He should be congratulated for his fantastic campaign. Peta Pinson in Port Macquarie is a local mayor who knows her community well, advocates for what is important to them, and provided a real choice for the community. She will be a strong representative for The Nationals in the future.

I turn to The Nationals' candidates for the Legislative Council. Ben Niland and Steve Coxhead, although in positions further down the ticket, played an important role in ensuring we had coverage across the State. Being

rural and regional members, we had distance to cover. I must mention Nichole Overall, who was the member for Monaro, and the Hon. Scott Barrett, who was a member of this place. They were not returned at the election, but both were fantastic representatives for their areas. I am pleased to say that they were elected to central council at the 7.1.1 (f) election for The Nationals, which shows how strong they were for the party. In closing, I note the passing, during the election campaign, of Steve Bromhead, former member for Myall Lakes. It was fitting that Tanya Thompson was returned to represent the electorate in his place. Vale, Steve.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 18:54 until Tuesday 30 May 2023 at 12:30.**