



**New South Wales**

# **Legislative Council**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Eighth Parliament  
First Session**

**Tuesday 30 May 2023**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE COUNCIL

**Tuesday 30 May 2023**

**The PRESIDENT (The Hon. Benjamin Cameron Franklin)** took the chair at 12:30.

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

*Governor*

## ADMINISTRATION OF THE GOVERNMENT

**The PRESIDENT:** I report receipt of a message regarding the administration of the Government.

*Announcements*

### DEATH OF THE HON. MARGARET ALAYNE ELIZABETH DAVIS, FORMER MEMBER OF THE LEGISLATIVE COUNCIL

**The PRESIDENT (12:32):** I announce the death on 7 December 2022 of the Hon. Margaret Alayne Elizabeth Davis, aged 89 years, a member of this House from 1967 to 1978. On behalf of the House, I will shortly write to her family to extend the deep sympathy of the Legislative Council in the loss sustained.

*Members and officers of the House stood as a mark of respect.*

*Business of the House*

## CONDUCT OF BUSINESS

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

That, notwithstanding anything to the contrary in the standing and sessional orders, on Tuesday 30 May 2023:

- (a) debate on committee reports and Government responses take precedence at 5.00 p.m.; and
- (b) proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. Emily Suvaal, MLC, to give her first speech without any question before the Chair.

**Motion agreed to.**

*Documents*

## NSW OMBUDSMAN

### Reports

**The PRESIDENT:** According to the Ombudsman Act 1974, I table a special report of the NSW Ombudsman entitled *More than shelter - outstanding actions to improve the response to children presenting alone to homelessness services*, dated 29 May 2023, received out of session and authorised to be published on 29 May 2023.

*Committees*

## SELECTION OF BILLS COMMITTEE

### Reports

**The Hon. BOB NANVA:** I table report No. 2 of the Selection of Bills Committee, dated 30 May 2023.

**The Hon. BOB NANVA (12:34):** According to standing order, I move:

- (1) That:
  - (a) the provisions of the Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Bill 2023 (not yet accompanied by a statement of public interest) be referred to Portfolio Committee No. 7 - Planning and Environment for inquiry and report;
  - (b) the bill stand referred to the committee on receipt of the message from the Legislative Assembly forwarding the bill, the bill being read a first time and the statement of public interest being tabled; and
  - (c) the committee report by 31 July 2023.

- (2) That the following bills not be referred to a standing committee for inquiry and report, this day:
- (a) First Home Buyer Legislation Amendment Bill 2023 (not yet accompanied by a statement of public interest);
  - (b) Law Enforcement (Powers and Responsibilities) Amendment (Digital Evidence Access Orders) Bill 2023 (not yet accompanied by a statement of public interest); and
  - (c) Statute Law (Miscellaneous Provisions) Bill 2023 (accompanied by a statement of public interest).

**Ms SUE HIGGINSON (12:35):** I move:

That the question be amended by omitting paragraph (1) (c) and inserting instead:

- (c) the committee report by 27 June 2023.

**The PRESIDENT:** The Hon. Bob Nanva has moved a motion, to which Ms Sue Higginson has moved an amendment. The question is that the amendment be agreed to.

**Amendment agreed to.**

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

**Motion as amended agreed to.**

## PROCEDURE COMMITTEE

### Membership

**The PRESIDENT:** I inform the House that the Clerk has received the following nominations from crossbench members for membership of the Procedure Committee:

The Greens:	Ms Abigail Boyd
Shooters, Fishers and Farmers Party:	The Hon. Robert Borsak

## REGULATION COMMITTEE

### Membership

**The PRESIDENT:** I inform the House that the Clerk has received the following nomination from crossbench members for membership of the Regulation Committee:

Pauline Hanson's One Nation:	The Hon. Tania Mihailuk
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## PROCEDURE COMMITTEE

### Membership

**The PRESIDENT:** I further inform the House that the full membership of the Procedure Committee is as follows:

The President as Chair	
The Deputy President	
The Assistant President	
The Leader of the Government	
The Deputy Leader of the Government	
The Leader of the Opposition	
The Deputy Leader of the Opposition	
The Government Whip	
The Opposition Whip	
Crossbench:	The Hon. Robert Borsak
	Ms Abigail Boyd
	The Hon. Jeremy Buckingham
	The Hon. Emma Hurst
	The Hon. John Ruddick

## REGULATION COMMITTEE

### Membership

**The PRESIDENT:** I further inform the House that the full membership of the Regulation Committee is as follows:

Government:	The Hon. Greg Donnelly The Hon. Dr Sarah Kaine The Hon. Cameron Murphy The Hon. Dr Bob Nanva
Opposition:	The Hon. Susan Carter The Hon. Taylor Martin
Crossbench:	Ms Abigail Boyd The Hon. Tania Mihailuk

### STANDING COMMITTEE ON LAW AND JUSTICE

### PUBLIC ACCOUNTABILITY COMMITTEE

### STANDING COMMITTEE ON STATE DEVELOPMENT

### Government Response: Noncompliance with Standing Order

**The PRESIDENT (13:24):** In accordance with Standing Order 240, I inform the House that Government responses have not been received within the three-month deadline for the following four committee reports:

- (1) Report No. 82 of the Standing Committee on Law and Justice entitled *2022 Review of the Compulsory Third Party Insurance Scheme*, dated February 2023;
- (2) Report No. 83 of the Standing Committee on Law and Justice entitled *2022 Review of the Lifetime Care and Support scheme*, dated February 2023;
- (3) Report No. 16 of the Public Accountability Committee entitled *Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas: Final Report*, dated February 2023; and
- (4) Report No. 49 of the Standing Committee on State Development entitled *Allegations of impropriety against agents of the City of Canterbury Bankstown Council*, dated February 2023.

In accordance with Standing Order 240, I call on the Leader of the Government to immediately explain the reason for noncompliance.

### Attendance of Leader of the Government in Her Place

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:26):** A similar motion was before the House last week, and I understand that another report will fall due in this bundle of reports left over from the previous Parliament. I refer members to my previous answer. There is a difference in view between the Executive and the Legislative Council, but I note that the Government has agreed to voluntarily provide responses to these reports. I understand that the Leader of the Opposition has foreshadowed a motion that we will deal with in due course.

### *Business of the House*

### CONDUCT OF BUSINESS

**The Hon. BOB NANVA:** By leave: I move:

That, notwithstanding anything to the contrary in the standing and sessional orders, on Tuesday 30 May 2023 the order of committee reports and Government responses be as follows:

- (1) Portfolio Committee No. 3 - Education: Report No. 50 entitled *Teacher shortages and education outcomes in New South Wales*, dated February 2023;
- (2) Public Accountability Committee: Report No. 15 entitled *Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas: Interim report*, dated February 2023;
- (3) Select Committee on Barangaroo Sight Lines: Report No. 1 entitled *Barangaroo sight lines*, dated February 2023;
- (4) Privileges Committee: Report No. 91 entitled *Special Report from the Public Accountability Committee concerning an unauthorised disclosure of in camera evidence*, dated March 2023;
- (5) Privileges Committee: Report No. 92 entitled *Execution of search warrants by the Australian Federal Police No. 4*, dated March 2023;
- (6) Public Accountability Committee: Report No. 16 entitled *Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas: Final report*, dated February 2023;
- (7) Portfolio Committee No. 2 - Health: Report No. 62 entitled *COVID-19 classification of the Minister for Health*, dated December 2022;
- (8) Standing Committee on Law and Justice:
  - (a) Report No. 82 entitled *2022 Review of the Compulsory Third Party insurance scheme*, dated February 2023;
  - (b) Report No. 83 entitled *2022 Review of the Lifetime Care and Support scheme*, dated February 2023.

- (9) Standing Committee on State Development: Report No. 49 entitled *Allegations of impropriety against agents of the City of Canterbury Bankstown Council*, dated February 2023; and
- (10) Portfolio Committee No. 7 - Planning and Environment: Report No. 18 entitled *Allegations of impropriety against agents of the Hills Shire Council and property developers in the region*, dated March 2023.

**Motion agreed to.**

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

*Rulings*

**POINTS OF ORDER**

**The PRESIDENT (13:29):** I remind members of the need to maintain a level of decorum in the House at all times, including question time. For the past two sitting weeks the level of interjections and the taking of frivolous, insubstantial and repetitive points of order have interfered with the proper conduct of question time. I have been approached by members from all sides of this Chamber, who have expressed concern about the way frivolous and often spurious points of order have disrupted question time and prevented the asking of questions.

In fact, this year we have had an average of fewer than 17 questions and supplementary questions each sitting day, compared with an average of over 20 in the first two sitting weeks following the last election and the first two sitting weeks following the last change-of-government election in 2011, and an average of nearly 22 questions for the first two sitting weeks of last year. That is, the number of questions has reduced by almost one-quarter compared to the same period last year. Substantive points of order are always welcomed and important for the good running of the House, but I want to make clear that I will not tolerate members taking frivolous points of order that unnecessarily interrupt question time or, in fact, the business of the House more broadly. Any members who persist in that practice will find themselves placed on calls to order and, ultimately, removed from the Chamber.

*Questions Without Notice*

**PUBLIC SECTOR WAGES**

**The Hon. DAMIEN TUDEHOPE (13:31):** I direct my question to the Treasurer. Did the 4 per cent wage rise that the Treasurer offered recently to public sector workers include the 0.5 per cent increase in superannuation due for 2023-24?

**The Hon. DANIEL MOOKHEY (Treasurer) (13:31):** I thank the shadow Treasurer for his fortnightly question to me. It is good to get one.

**The Hon. Sarah Mitchell:** Your suit's a bit plain today.

**The Hon. DANIEL MOOKHEY:** My suit is spectacular. Going back to the question, in respect of the particular conversations the Government is having with the trade union movement, which represents many of our essential workers, of course I will not traverse the options that have been discussed in various forums because that is disrespectful to the people with whom we are talking. But nor will I apologise for talking to our essential workers. That has not happened in New South Wales for 12 years. Members do not need to believe me on that; they should listen to the workers.

I cannot help but note that during dialogue with the Minister for Industrial Relations and me, various representatives and leaders of our essential workers have spoken about how terrific it is to sit down with a government that is prepared to listen. That is the feedback we are getting across the board. Regardless of which side of the House Labor sits on, it has made the point that the New South Wales Government is always better off when it shows respect to essential workers, sits down and talks to them, listens to them and works through any differences constructively. That is what adult governments do; that is what this Government is doing.

I am blown away by how many constructive suggestions our essential workers have about how they can deliver better services for the people of New South Wales in a manner that honours and respects the workforce that provides those services. That is crucial at this point in time because, as we as a Government work through a \$7 billion black hole, the one thing this Government will not do is force its essential workers to pay the price for the incompetence of members opposite. We will work constructively with our essential workers to deliver better public services. We cannot solve the teacher shortage that is hitting classrooms across the State without a respectful dialogue with the Teachers Federation. We cannot make sure that we have enough healthcare workers, from cleaners and paramedics to orderlies and nurses, without dialogue—

**The Hon. Damien Tudehope:** Point of order: Bearing in mind the President's admonition to the House, I take a point of order in relation to the answer being directly relevant to the question. The Treasurer was asked a pretty straightforward question: Did the 4 per cent pay rise that was offered to the public sector workforce by the

Government, which was widely reported on in the media, include the 0.5 per cent superannuation levy? The Treasurer should not avoid answering the question by going on with that palaver. He makes it up as he goes along.

**The PRESIDENT:** I remind the Leader of the Opposition to not add pejorative imputations at the end of points of order. Nonetheless, I said also in my admonition that I understood the importance and relevance of points of order when they are in fact important and relevant, as this point of order was. I encourage the Treasurer to be directly relevant to the question.

**The Hon. DANIEL MOOKHEY:** As I said at the outset, of course I will not traverse the detail of conversations that I had with our essential workers because that is disrespectful to them. That is what responsible governments do. But the people of New South Wales want to know that when their kids turn up at school there are teachers in front of them. They want to know that if they turn up at an emergency department there are workers at the hospital. We will work with our essential workers to make sure they get a fair deal so that we can deliver better services for the people of New South Wales.

#### ASSET PRIVATISATION

**The Hon. EMILY SUVAAL (13:35):** I address my question to the Treasurer. Will the Treasurer update the House on the impacts of privatisation on the New South Wales budget, and are there any alternative policies?

**The Hon. DANIEL MOOKHEY (Treasurer) (13:35):** I thank the honourable member for her question. I look forward to hearing her first speech in this place this week. I can indeed update the House on the impact of privatisation on the New South Wales budget. I am sure the member would like to know that in New South Wales for the past 12 years tens of billions of dollars worth of public assets have been sold. Once they are gone, they are gone forever. As Treasurer, of course I have made inquiries into whether or not we got value from those deals. I can update the House on some of the greatest hits I have come across. My favourite, so far, is Vales Point Power Station, which was sold by the previous Government for \$1 million. Last year it was resold for \$200 million. Kerry Packer famously said, "You only get one Alan Bond in your life." Last year the buyers of Vales Point Power Station must have said, "You only get one Damien Tudehope in your life." And that deal is just the start.

Every member who has engaged with the debate that has taken place in the Hunter would know how angry the Hunter community is with the poor privatisation deal that members opposite signed up to. It was described by the Australian Competition and Consumer Commission as the worst deal it ever saw. Anyone who converts members of the ACCC to card-carrying members of *Green Left Weekly* knows they have stuffed up. Then there is the poles and wires sale. Right now, amid the cost-of-living crisis in New South Wales, families are having to put their hands deeper into their pockets to pay the super profits of the private companies that own those assets. Unlike Queensland, which kept its assets and is sending big dividend cheques to its Treasury to fund the delivery of schools and hospitals, New South Wales is missing that money.

I was asked whether or not there are alternative policies. During the election campaign members opposite had a road-to-Damascus conversion into anti-privatisation zealots. They went from holding privatisation as the golden key—it was declared over and over again—to the opposite position. That lasted two weeks, I think. Now we do not know the Opposition's position on privatisation. First it was for it and then it was against it during the election campaign. The Opposition will sell off more assets if it ever gets back on this side of the Chamber.

#### PUBLIC SECTOR WAGES

**The Hon. SARAH MITCHELL (13:38):** My question is directed to the Minister for Finance. Given that public sector wages account for about 40 per cent of expenditure in the New South Wales budget, was the offer of a 4 per cent wage rise made to unions recently by the Treasurer and the Minister for Industrial Relations subject to the Minister's approval as part of the comprehensive expenditure review that she is leading?

[*An Opposition member interjected.*]

**The Hon. Damien Tudehope:** I never take a step without asking him first.

**The Hon. Penny Sharpe:** That's pretty condescending.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (13:39):** I acknowledge that interjection.

**The Hon. Stephen Lawrence:** He doesn't know Courtney very well.

**The Hon. COURTNEY HOUSSOS:** I acknowledge that interjection as well. I welcome the question from the Deputy Leader of the Opposition about the policy that we took to the election that we would ensure our valuable public service workers would for the first time be able to sit down with the Government—in the same way that every other worker does—and engage in a genuine conversation about how we can improve wages,

conditions and productivity That was something we proudly took to the election. This is an election commitment we take seriously. Given the Minister's previous responsibilities as the Minister for Education and Early Learning and her appreciation of the importance of the role of teachers, and given the understanding the former Minister would have of the difficulty in recruiting and retaining teachers in New South Wales—

**The Hon. Sarah Mitchell:** Point of order: Taking into account the Minister's earlier statement, I asked a very specific question about whether or not the offer that was made was subject to her approval as part of the expenditure review that she is leading. It was very specific; it was not about teachers or about anything that I did when I was the Minister for Education and Early Learning. It was specifically about what she is doing as the Minister. That is what I would like an answer to.

**The PRESIDENT:** I am listening very closely to the answer. The Minister is being directly relevant at the moment but I take the point made by the Deputy Leader of the Opposition and encourage the Minister to consider the very narrow scope of the question.

**The Hon. COURTNEY HOUSSOS:** I say this very seriously: Our comprehensive expenditure review is being done in close consideration of the mandate with which we were elected to govern; that is, to improve our essential services. When three-quarters of our public servants, teachers, healthcare workers and vital public service workers are considering moving because of the wages cap, we take this seriously and we will engage with them.

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

**The Hon. COURTNEY HOUSSOS:** I make this assurance to the House: We will be undertaking our comprehensive expenditure review to ensure that our essential public services are improved, because after 12 years of neglect, disrepair and rampant spending by those opposite we take the responsibility of government seriously. We will engage in a constructive way with our teachers, healthcare workers and police as their industrial agreements expire.

**The Hon. SARAH MITCHELL (13:43):** I ask a supplementary question. If the Minister cannot assure the House that any proposed public sector wage rises are subject to her comprehensive expenditure review, why is she calling it a comprehensive expenditure review when around 40 per cent of expenditure will not be subject to the review?

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (13:43):** I find interesting the supplementary question from the Deputy Leader of the Opposition. She is asking about the scope of the comprehensive review. Let me be very clear: We are taking a close look at every dollar that is being spent by the Government because we take the responsibility seriously. This Government has a laser focus on driving efficiency, on repairing the budget and on clearing the waste. I note that those opposite, as they did last week, are gleefully shouting "cut, cut, cut". We take no joy in this. We take no joy in the cuts that we are being required to make because of the laziness and the lack of discipline. For 12 long years those opposite refused to make a decision—

**The Hon. Greg Donnelly:** A rabble.

**The PRESIDENT:** Order! The Minister will resume her seat. On this one occasion I agree with the Hon. Greg Donnelly. Question time did for a moment turn into a rabble. For the benefit of Hansard, if members could keep the rabble down to a quiet murmur, that would be much appreciated. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** Let me be clear about why we are undertaking this comprehensive expenditure review. The former Government, under its figures, had us headed to \$187.5 billion worth of public sector debt—debt that was slated in well before we heard about coronavirus, well before we heard about Wuhan and well before any of these recent economic challenges. The decisions those opposite took when sitting on the Treasury benches led us to this position. Their laziness and their lack of discipline has led us to this point. We will be careful. We will be cautious. We have a laser-like approach to the efficiencies and we will be disciplined about how we spend taxpayer funding. We understand the challenges that governments are facing. Those opposite refused to take those decisions and we will clean up their mess.

**The PRESIDENT:** Let me make this very clear to the Chamber: While that was fun, I am now going to start naming members. It is up to members. I call the Hon. Mark Latham.

#### ENERGY PRICES

**The Hon. MARK LATHAM (13:46):** Have you named me?

**The PRESIDENT:** Not yet.

**The Hon. MARK LATHAM:** I direct my question to the Leader of the Government in her capacity as Minister for Energy. Given that electricity prices are now rising consistently by 20 per cent or 30 per cent per annum, that the Australian Energy Market Operator has forecast blackouts in New South Wales, that the Government's renewable energy zones, plus Snowy 2.0 and the Kurri Kurri gas peaking plant are over time and over budget, with no private investment in pumped hydro in the State, and that New South Wales has solar and wind farms sitting idle because they cannot get a connection into the transmission grid, will the Minister slow down the remaking of the New South Wales electricity system, phasing in the changes over 20 years or 30 years, instead of 10 years? Given that everything that can go wrong in electricity reform is going wrong, why has the Minister announced that she wants to speed up this faulty process instead of slowing it down and getting the Government's transition policy right?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:47):** I thank the honourable member for his question. There is a lot in that question. I will try to cover off all of the issues that have been raised. We know that prices are spiking in a way that is putting households severely under pressure. Nobody thinks that is a good thing; in fact, governments have made major interventions into both the coal and gas market, and in releasing money for rebates to assist households on the way through. Some of those things are controllable and some are not. We talk about this a lot but it is part of the picture we are being challenged with here. The impact of the war in Ukraine and the cutting off of oil to Europe has had a significant impact on prices and that continues to be felt. The other issues are supply chain and workforce, and no doubt there are issues relating to prices. That is why the Government has taken serious action to provide rebates to deal with this. When it comes to Kurri Kurri and the delays on some of those projects, I advise the House that the Kurri Kurri project is delayed by only one month. We believe it will be in place by the end of 2024.

The member is correct in relation to pumped hydro. Pumped hydro has shown itself to be a challenge to getting it working. That is why the New South Wales Government established and will be seed funding a publicly owned energy security corporation. The whole point of that is to work in those areas that are challenged by the market, and to work with private investment to get those projects running. Pumped hydro will be important but costs have risen and we have to work with that quickly. Regarding the connections work the member has a notice of motion—I think a Standing Order 52 request—relating to the most recent energy Ministers' meeting. We have just provided funding through the Australia Energy Market Operator to look at the connections process so that people have faster access to the grid. We are doing that as quickly as possible.

The member asks whether we are going to remake the strategy, and the short answer is no. The longer answer, though—and I announced this last week—is that we are doing a check-up of all of the energy policies. We have to be confident that we can get renewable energy into the ground and replace the energy generation, storage and firming that we need as coal-fired power plants come offline. I know that the member does not like coal-fired power plants coming offline, but the Government did not make that choice. That was made in the private sector, and we have to respond to it if we are serious about keeping the lights on. So the short answer is that, no, we are not going to stop speeding up this project. We are doing all this work as quickly as possible, and I look forward to the Opposition supporting us on that because it was also part of the work that the last Parliament did when it put the energy road map through this House.

#### SCHOOL INFRASTRUCTURE

**The Hon. MARK BUTTIGIEG (13:50):** My question is addressed to the Minister for Finance, and Minister for Natural Resources, representing the Deputy Premier, Minister for Education and Early Learning and Minister for Western Sydney. Will the Minister update the House on the Government's efforts to build new schools to support growing communities around Sydney, including Gregory Hills?

**The Hon. Sarah Mitchell:** In eight weeks you have built schools. Wow. That is taking credit for other people's work. You literally did zero, and you know it.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (13:50):** I thank the honourable member for his question and longstanding advocacy on behalf of the people of Gregory Hills and the people in Camden. I hear the cries of the Deputy Leader of the Opposition and the former education Minister saying that we did zero towards Gregory Hills. I begin my answer representing the Deputy Premier, Minister for Education and Early Learning, and Minister for Western Sydney by congratulating her on her incredible and outstanding start as the Minister for Education and Early Learning. On Friday the Premier, the Deputy Premier and the new local Labor member turned the sod on the new Gregory Hills Public School.

**The Hon. Sarah Mitchell:** Can't you do a dixer in your own portfolio? Have you got anything to talk about in your own portfolio?

**The Hon. COURTNEY HOUSSOS:** I've plenty to talk about in my portfolio, but I want to talk about this one today.

**The PRESIDENT:** Order! I understand the Deputy Leader of the Opposition has deep personal interest in this matter, but I ask her to refrain from interjecting. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** I am delighted to inform the House that the reason why the fantastic new Labor member for Camden, Sally Quinnell, was at the turning of the sod was that, off the back of the important work that she did with the parents and families in Gregory Hills, Gledswood Hills, Spring Farm and Camden, she achieved a 10.3 per cent swing to Labor. Let us take a closer look. At the Gregory Hills Community Centre, Labor had a 13.2 per cent swing towards it. Gledswood Hills is just over the hill from there. For context, members might remember Gledswood Hills Primary School being talked about in this place many times. It had 13 demountables in its second year of operation. Those families sure sent a message to the former Government when they swung 21.2 per cent against the Liberals and The Nationals.

**The Hon. Dr Sarah Kaine:** How much?

**The Hon. COURTNEY HOUSSOS:** It was a 21.2 per cent swing in Gledswood Hills to the new Labor member. I especially congratulate and thank the families who fought so hard for this public school.

**The PRESIDENT:** Order! I call the Deputy Leader of the Opposition to order for the first time. I call the Hon. Mark Buttigieg to order for the first time. The Hon. Bronnie Taylor is very close to being called to order, but she gets away with it just this once. The Minister has the call.

**The Hon. COURTNEY HOUSSOS:** In my remaining time, I thank the efforts of Hanna Valenzuela and Kate Laney, who appeared before the upper House inquiry and explained that their kids had been shunted from school to school. I thank them and congratulate them. We will deliver for the people of New South Wales. [*Time expired.*]

#### DRUG LAWS

**The Hon. TANIA MIHAILUK (13:54):** My question is directed to the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast. According to the Australian Institute of Health and Welfare, in 2021-22 a total of 6,152 people in New South Wales who accessed specialist homelessness support aged 10 and over reported problematic alcohol and/or drug use. Yet, at a conference in Melbourne in April, the Minister egged on her Labor caucus colleagues to join the movement on weakening the strong drug laws in New South Wales. Will the Minister advise the House which colleagues she has had discussions with on that issue? Does the Minister still stand by the statement she made in Melbourne in favour of drug legalisation?

**The Hon. Anthony D'Adam:** Point of order: The question clearly contained argument. The member referred to the Minister "egging on", which is clearly an argumentative reference. The question should be ruled out of order.

**The Hon. Mark Latham:** To the point of order: There is no argument in the question. It is a description of what happened asking for the Minister's response, which is the very purpose of question time.

**The PRESIDENT:** I understand. I am happy to rule the words "egging on" out of the question. The rest of the question stands and can be answered.

**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) (13:56):** I thank the honourable member for the question. I will not give the House running commentary on conversations I have had with my Cabinet and parliamentary colleagues, as I am sure the member understands. But I am more than happy to talk about the dire state faced by young people in New South Wales who are at risk of and experiencing homelessness. It is certainly true that we have a real crisis when it comes to youth homelessness in New South Wales.

Just yesterday the Ombudsman released a report into the issue, which has been tabled today, entitled "More than shelter" which talks specifically about the experiences of young people who are trying to access homelessness services. It does not paint a very good picture about the support that those young people have been receiving. The first report of the Ombudsman into the issue was in 2018. It did an updated report in 2020, and has done a third updated report. All those reports demonstrate that up until this point, the response from the New South Wales Government to the increasing number of 12- to 15-year-olds who are presenting alone and unaccompanied at crisis homelessness services are not receiving the support they need. If an unaccompanied young person aged 12 to 15 potentially with substance abuse issues is turning up at a crisis accommodation service, we need to wrap

our arms around them and provide them with the support that they need. That is not happening. Half of those who require accommodation—a basic shelter over their head—are being turned away. We are not even able to provide them accommodation, let alone wraparound services at this point. That is how significant the challenges are.

Unsurprisingly, I have asked for an urgent meeting with the Ombudsman and the secretary of the department to address the issue. It simply is not good enough that thousands of unaccompanied young people are turning up to youth homelessness services with a range of issues, including substance abuse, mental health and trauma, and as victims of violence, and we are unable to provide them with the most basic support services. That is my job as Minister for Homelessness, and I am focused on that. I am doing that in a comprehensive way. That is taking up all of my time, energy and effort.

### PUBLIC SECTOR WAGES

**The Hon. BRONNIE TAYLOR (13:58):** My question is directed to the Treasurer. What would be the total cost of a 6 per cent pay rise plus a 0.5 per cent increase to superannuation for 2023-24 for the State's public health and ambulance workers, as requested by the Health Services Union? Has the Treasurer identified the productivity gains sufficient to offset the costs that exceed the current public sector wages cap being identified? If so, what are those productivity gains and how much will each contribute to offsetting the claimed wage rise?

**The Hon. DANIEL MOOKHEY (Treasurer) (13:59):** Does the Hon. Bronnie Taylor mind if I have a copy of the question?

**The Hon. Bronnie Taylor:** I don't know, Treasurer.

**The Hon. DANIEL MOOKHEY:** It is okay if you do not want to give it to me; I can do it from memory.

**The Hon. Bronnie Taylor:** Can you not remember? Do you want me to ask it again?

**The Hon. DANIEL MOOKHEY:** No, I can remember. Let me go through it part by part. Part one: What is the additional cost of a particular claim? I simply say, in that respect, I am sure Opposition members can work it out themselves. It is not that hard. When I was in opposition I had to do it. I was doing it all the time. In fact, when I was in opposition I was volunteering to do it for the Government.

**The Hon. Bronnie Taylor:** Point of order: Mr President, I do not want to interfere with your earlier ruling but I have very respectfully asked the Treasurer a question about what the total cost would be. The Treasurer should not try to mock the question and instead perhaps just answer it.

**The Hon. DANIEL MOOKHEY:** To the point of order: I was not mocking the question at all; I was answering it directly in the order it was asked.

**The PRESIDENT:** The Treasurer was being directly relevant. Unfortunately, I do not have the power to direct how the Treasurer answers the question, just that he is being directly relevant to the question, which he was.

**The Hon. DANIEL MOOKHEY:** I can assist any member with the arithmetic, if that is what is required. I am more than happy to run tutorials. The second part of the first part of the question was to do with the New South Wales health workforce, which is an important distinction. I am glad the member asked me that part of it because it is remarkable to understand how many people are in the New South Wales healthcare workforce, given that it is suffering from quite the shortage because we are struggling to retain people as a result of 12 years of wage suppression. I will happily continue on with my inquiries to get to the bottom of the scale and extent of the retention crisis in the New South Wales healthcare workforce.

There is a particular area that I am focused on, which is to find out precisely how many of the 10,000 healthcare workers who were promised in last year's budget have actually been recruited, because it is relevant to reaching the calculation that I have been asked. I am equally eager to understand the implications of 1,100 nurses losing all their funding from next year because they were not included in the budget by the previous Government, which is a serious problem. If someone happened to be in an emergency ward that depends upon one of those nurses, they would want to know—

**The Hon. Bronnie Taylor:** Point of order: I do not want to do this, but I have very specifically asked three parts to the question. The Opposition has given the Treasurer great latitude. He has 50 seconds to go in his answer. Let us have a costing. Has he identified the productivity gains sufficient to offset the costs? What are they and how much will each contribute? The Treasurer is a very highly intelligent man; I am sure he can answer the question.

**The Hon. John Graham:** To the point of order: The former Government's cuts that the Treasurer is referring to are directly relevant to the calculation he is being asked to do by the member.

**The PRESIDENT:** The Treasurer is being directly relevant.

**The Hon. DANIEL MOOKHEY:** As I was saying, of those 10,000 workers, it turns out 1,100 were funded on a temporary basis, and it also turns out that funding disappears. That is something I am pretty eager to get to the bottom of. I respect the fact that the former Minister had quite a good legacy, in mental health especially. But I would have thought it was something that we would not have to spend our first period of time in government trying to investigate and get to the bottom of, why those 1,100 nurses were only funded on a 12-month basis. In respect to the other aspects of the question, I am finding productivity savings right now. We have already identified some of them.

**The Hon. Bronnie Taylor:** What are they?

**The Hon. DANIEL MOOKHEY:** I can tell you what they are.

**The Hon. Bronnie Taylor:** Great.

**The Hon. DANIEL MOOKHEY:** I imagine that I will get the opportunity for additional time to be able to set out that part of the question. I am looking forward to, in perhaps two seconds, saying more.

**The Hon. Penny Sharpe:** No supplementary?

**The PRESIDENT:** Is there a supplementary question?

**The Hon. Penny Sharpe:** After all that, no supplementary.

### CHILD PROTECTION

**The Hon. PETER PRIMROSE (14:04):** My question without notice is addressed to the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, representing the Minister for Families and Communities. Will the Minister update House on the current state of the child protection system of New South Wales?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:04):** I thank the honourable member for his question. As a long-time-ago social worker, I thank him for his ongoing interest in what is going on for vulnerable children and young people in this State. I have to say that the news is not good. Members have talked about this in the House many times, but the truth of the matter is that on this side of the House, as the Government is working through the challenges of \$7 billion worth of unfunded budget line items and record debt and deficit, children and vulnerable young people are in one of the most difficult situations as a result of this neglect. Every year more than 100,000 young children are reported at risk of significant harm to the Department of Communities and Justice. There are 15,000 children in care right now. Every single one of those children and young people have a right to be safe and supported, but we simply do not have enough foster carers in New South Wales to ensure that vulnerable kids have a safe place to call home.

I remember the previous Government used to skite about the number of kids it had got out of hotels. But, as a result of the loss of foster carers over time, more kids are now in hotels with 24-hour care from a social worker living in a motel rather than being safe and secure in foster care with well supported foster carers. Over 12 years the former Government cycled through seven different Ministers. It hid reports and ignored recommendations, outsourced everything in the system it could, underfunded the out-of-home care system—and we are just getting to grips with this—to the tune of around \$800 million, and it is left to the Government to clean up this mess.

Every single stakeholder who has spoken to the new Minister, and who has been speaking to us for years and years when they could not get in on the previous Government's watch—the carers, caseworkers, parents or service providers—knows that the child protection system is broken and people cannot look after the children they desperately want to. This will not be fixed overnight, but the Government is committed to reforming a system that is broken so that vulnerable young people and their families get the support they need to live safe, healthy and connected lives. We cannot keep spending more and more money to achieve worse and worse outcomes. We have to do better at keeping families safely together and we have to do better at supporting vulnerable kids when they cannot be at home.

After 12 years of neglect and indifference, this Government will not waste a single day. We went to the election promising repair of our healthcare system, fully funding our education system and building more public and affordable housing, and the people of New South Wales voted to endorse this Government. Members opposite left \$7 billion worth of unfunded promises which make that harder. On their watch we will be spending more on interest than we do on the Police Force, and every vulnerable child is affected as a result of their bad decisions. *[Time expired.]*

## RENEWABLE ENERGY

**The Hon. ROD ROBERTS (14:08):** My question is directed to the Leader of the Government in her capacity as the Minister for Energy. Over the past decade, renewables have gone from roughly 15 per cent to 30 per cent of our power supply. With that in mind, will the Minister explain why, if renewables are supposed to be cheaper, our energy bills are now rising up to 25 per cent, according to the Australian Energy Regulator?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:08):** I thank the honourable member for his question. There is a lot in that question, but I will endeavour to provide as much information to the House as I can. There is no doubt that renewable energy is the cheapest form of energy, but we are in a process where we are transforming the electricity system as quickly as we can, where we have to build new infrastructure and do the planning and all the work to get the investment into renewables.

So, yes, it is the case that it is cheaper, but it is also the case that prices are rising. As I said to the honourable member earlier in question time, there are a number of reasons for that. None of them make anyone happy. None of them are something that we want to support. But we are trying to work through the transformation that we need to make to our energy system as quickly as possible, and we are doing that because four coal-fired power stations are due to come offline in the next 10 to 15 years. If we do not replace the energy they produce, we are going to find that our energy security is in serious trouble, and that is not something that anyone in this place wants to see. Houses, businesses and industry all need energy; in fact, we need it to run the entire economy.

The issue about replacement is that even if we wanted to replace the aging coal-fired power stations—members on that side of the House used to believe this but I am not sure where they are at now, given their current positions—we would be talking about billions and billions of dollars. The cheapest and easiest way forward is to follow the infrastructure roadmap that we have started and that I am testing very hard at the moment through the independent check-up being done by Cameron O'Reilly. The quickest way is to get as many renewables into the system as we can, with enough firming and storage, as quickly as possible. That is what will bring prices down over time, and that is what the Government is continuing to do.

## SOCIAL HOUSING

**The Hon. SCOTT FARLOW (14:10):** My question is directed to the Minister for Housing. Does the freeze on the sale of social housing apply to social housing tenants purchasing the home they are currently living in?

**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) (14:11):** I thank the honourable member for his question. The answer is yes. In the letter that the Minister for Lands and Property wrote to me indicating that he would like me, as has been requested of all Ministers, to action the pause that he announced on the sale of government land, there was a list of circumstances in which the pause did not apply. They were where contracts had been exchanged; where advanced negotiations had commenced in relation to a property sale; and sales of properties to tenants by the Land and Housing Corporation and the Aboriginal Housing Office. Yes is the answer to the question.

I replied to Minister Kamper indicating that, of course, all of my agencies would apply the freeze on the sale of government land, in accordance with his instructions—instructions I wholeheartedly support—with the exemptions that I outlined. I requested two additional exemptions. One relates to partnerships with community housing providers and another to sales required through the historic reserve fund regulations. That is the current status of the freeze. It applies to all public housing, except in relation to those exemptions I have outlined, and I think it is great that some properties—

**The Hon. Damien Tudehope:** So the answer is no.

**The Hon. Sarah Mitchell:** So if you live in social housing and you want to buy that house, you can still buy it; you are exempt.

**The Hon. ROSE JACKSON:** There is an exemption in relation to sales of public housing.

**The Hon. Sarah Mitchell:** So the answer is no. You said the answer is yes.

**The Hon. ROSE JACKSON:** Sorry, I did not listen to the way the member phrased the question. I am actually trying to give an honest answer, and members opposite cannot control themselves for five minutes.

**The Hon. Penny Sharpe:** Point of order—

**The Hon. ROSE JACKSON:** This is unbelievable.

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

**The Hon. Penny Sharpe:** The Minister is being directly relevant, but she cannot finish her answer because of the screeching from the other side of the House trying to interrupt her. Interjections are disorderly at all times.

**The Hon. Damien Tudehope:** To the point of order: The interjection was a clarification of the Minister's answer. It was not intended to be disorderly. It was to assist the Minister to correct her misleading material.

**The Hon. Penny Sharpe:** Further to the point of order: The member does not get to explain it. Interjections are disorderly at all times.

**The PRESIDENT:** That is true and is exactly what I was going to say. The Leader of the Opposition is correct that the Deputy Leader of the Opposition was seeking to ensure that the Minister was answering the question in the way she intended, which was to say the answer was "no" rather than "yes". The Deputy Leader of the Opposition was trying to assist, which is the point the Leader of the Opposition was making. However, the Leader of the Government also made the correct point that interjections are disorderly at all times. I uphold both points of order. The Minister has the call.

**The Hon. ROSE JACKSON:** I do not need the help of those opposite to outline the clear action that the Government has taken. If they cannot write their questions in the right way and then understand the answer that I am giving—is there an exemption for sales to tenants? Yes, there is. It is pretty obvious what I am saying. If they are incapable of understanding it, then I am sorry. But the reality is that we have given clear directions to all of our agencies to stop the haemorrhaging of public housing that we saw under the previous Government. There was \$3.6 billion of public housing sold. It is not just that; the Minister for Lands and Property's freeze of the sale of government lands and assets is much broader than that. But in relation to my portfolios, we will stop the haemorrhaging. It is great that a small number of properties are sold to tenants. We support that and we have included exemptions in relation to that. But the principle here is the important thing. Billions of dollars of public housing was sold under the previous Government, and we have taken decisive action to put an end to it. I cannot be any clearer than that.

#### MOBILE SPEED CAMERA WARNING SIGNS

**The Hon. GREG DONNELLY (14:15):** My question without notice is addressed to the Minister for Roads. Will the Minister inform the House of the status of mobile speed camera warning signs?

**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) (14:15):** I thank the honourable member for the question. As members know, NSW Labor made an election commitment to reverse the former Government's decision to remove mobile speed camera warning signs. I am happy to report to the House that the job is now done and our election commitment has been delivered. Some members may not recall the history. In November 2020, with no consultation, former Ministers Constance and Toole announced that they were scrapping warning signs. Safety is important, but receiving a fine six weeks later is not the safest way to remind people to slow down.

Rather than a large change in driver behaviour, what we saw was a large increase in fines. There was a 22-fold increase in fines for drivers falling in the "10 kilometres or under" category in 2021-22 as compared with 2019-20. It was an increase from \$2.3 million in one financial year to \$50.7 million the following financial year. The charges generated more from low-range speeding fines in one month than they did in the whole prior year. That was the role of the former Government. In August 2021 it announced its first backdown; it had introduced 1,000 general warning signs across New South Wales. Then, when that did not settle things, in December 2021 another partial backflip introduced fixed warning signs on the top of vehicles. There was a long delay to retrofit those cars with signs. Finally, on 10 October 2022, the decision was reversed. Warning signs were returned. The old settlement that the community accepted was back—warning signs before and after those vehicles.

NSW Labor campaigned on that at the time, and now it has delivered in government. While warning signs have been in place since 1 January, vehicles have been modified on a rolling basis over the past five months. All mobile speed cameras in New South Wales are now equipped to carry portable warning signs. I can report that, unlike at the election, all those vehicles are now back on the road. The commitment has been delivered, despite the fact that the former Government made the mistake that the old warning signs were simply too big for the small cars. It took three policy backflips before we finally got to the same view as the community, the same view as the Opposition and the same view that the Hon. Wes Fang put on the streets of Wagga Wagga—and I commend him for it. Mobile speed camera warning signs are out across the State. The commitment has been delivered and the job has been done.

**The Hon. John Ruddick:** Mr President—

**The Hon. Robert Borsak:** Point of order—

**The PRESIDENT:** Order! A point of order has been taken by the Hon. Robert Borsak.

**The Hon. Robert Borsak:** That was not a second supplementary question; it was a first supplementary question.

**The Hon. Sarah Mitchell:** There wasn't a supplementary. It was a dixer.

**The PRESIDENT:** It was not a supplementary question.

**The Hon. Robert Borsak:** I want to put a first supplementary question.

**The PRESIDENT:** The first supplementary question needs to be put by the person who asked the original question. The second supplementary question can then be put by a member of a different party, but not the Government. The Hon. John Ruddick has the call.

### ENERGY PRICES

**The Hon. JOHN RUDDICK (14:19):** My question is directed to the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage. Given that Australia has a significant competitive advantage in producing cheap and reliable energy, does she agree that we should reasonably expect to have some of the cheapest electricity prices in the world?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:19):** I thank the Hon. John Ruddick for his question. The question contains argument and the member asked for an opinion which he is not allowed to do. I will answer the question but the member will have to rephrase his questions in future. I have already dealt with many of these issues today. In Australia, and particularly in New South Wales, we have some of the best opportunities of anywhere in the world for renewable energy in both wind and solar. It is part of the reason why the renewable energy zones were established in the places they were, and why we are attracting billions of dollars' worth of investment as people want to come here. They know that once all the infrastructure is put in place over the next 20 years, the renewable energy resource will be ready to go.

Yes, we should have cheap energy and no, we are struggling with that at the moment for a range of reasons I have outlined previously. It will continue to be a problem. One of the key reasons we are making the transition to renewables is the agreement and the necessary commitment to get us to net zero by 2050. Part of the work occurring there is a result of that problem of energy prices. Members on this side of the House are committed to ensuring we make the transition that we have to make. We need to get the cheapest energy as quickly as possible. There is no doubt that the cheapest energy for the future of New South Wales comes from renewables, which is why the Government is quickly working through things like the renewable energy zones in New England, Central-West Orana, the Illawarra, the Hunter, and South West. I will continue to report to the House about how we are doing that.

I emphasise again that the Government understands households and businesses are finding this difficult. The member was not here in the last Parliament, but members were called back in December last year to make the necessary interventions between the Federal and State governments in relation to coal caps and gas intervention so we could get prices down. All the advice tells us that has made a big impact. In the last 20 seconds of my answer, I make the point that many millions of dollars of rebates are available. Households really need to see whether these are available to them because so far there has been only an 80 per cent take-up. We want every eligible household and small business to access these rebates.

### PILL TESTING

**The Hon. AILEEN MacDONALD (14:22):** My question without notice is directed to the Minister for Youth. In April this year at the Harm Reduction International conference the Minister called for the legalisation of pill testing at music festivals. Does she stand by her comments and, if so, what actions is she taking as a Minister in the Minns Labor Government to implement this policy?

**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) (14:23):** I thank the Hon. Aileen MacDonald for her question. The Premier has outlined the Government's response in relation to all of those matters, which is to hold a comprehensive drug summit. I support the Premier.

## SOCIAL HOUSING

**The Hon. ANTHONY D'ADAM (14:23):** My question without notice is addressed to the Minister for Housing. Will the Minister provide an update on what she is doing to improve the lives of people struggling to find stable and secure housing?

**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) (14:24):** I thank the Hon. Anthony D'Adam for his question. Since becoming the Minister for Housing and Minister for Homelessness my priority has been to return transparency, decency and honesty to those portfolios. We have frozen the sale of public housing, with exemptions for people who are in a position to buy their own homes, whether they live in properties owned by the Land and Housing Corporation or the Aboriginal Housing Office.

We are hopeful that pause on the sale will provide us with a real opportunity to do one of the major things this Government knows it has to do—that is, to increase the number of social and affordable housing properties in New South Wales. That is the core piece of work to deliver stability for people who are struggling with stable housing. We have paused the sale and we are doing an audit of government land to identify opportunities to implement another of our key policies: the mandatory minimum 30 per cent social and affordable housing on all redevelopments of government land. We have already put in place the steps we need to take to do that core piece of work.

It is not just that piece of work that I have been pleased to be able to do since becoming a Minister. Yesterday I extended the funding contracts for specialist homelessness services by two years. Those services are now in their third year, so with a two-year extension they will have five-year contracts. That is the first step to implementing our policy of ongoing, rolling, stable, five-year funding contracts. That is an important part of the service provision in this space. Yes, it is about a roof over people's heads—that is essential—but it is also about those services and that support. Specialist homelessness services are the ones on the front line running that crisis accommodation. With that two-year extension, we will be able to negotiate better outcomes with these services with regard to staff retention, service provision and what we can do to better interconnect their service provision with the work the Government is doing to support people in crisis.

The other thing I announced yesterday, which I was really proud of, was the suspension of the rental seeker diary for people in temporary accommodation. This is an issue that not everyone would know about. I assume no members here have ever accessed temporary accommodation. Under the previous Government, when a person became homeless and went into temporary accommodation, they were forced into a cruel and punitive policy of proving they had attempted to resolve their housing issues in the private rental market. A person cannot get a private rental if they have a job, let alone if they are living in a motel because they are a woman who had just fled violence or an older person who had been subject to a no-grounds eviction. We were forcing those people into unnecessary box-ticking in completing these rental seeker diaries. I have suspended that. We need to support people in crisis, not put unnecessary rules on them.

## GREAT KOALA NATIONAL PARK

**The Hon. MARK BANASIAK (14:27):** My question without notice is directed to the Minister for the Environment. Given the landform data that superimposes all land tenures shows that 76.5 per cent of the mid North Coast area is already protected and not available for timber supply, has the Minister's department advised her of the fact that the stated objective of the Great Koala National Park to provide wildlife corridors already exists within that 76.5 per cent of land and has done so for the past 30 years? If it has not advised her, will she seek a briefing to understand why it has hidden this fact from her?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:27):** I thank the Hon. Mark Banasiak for his question. The short answer is that we are looking at all aspects of the creation of the Great Koala National Park, which would include the kind of information the member is referring to. I make a couple of points. The situation for koalas in New South Wales is dire. We know they are on track for extinction in the wild by 2050, which is not something this Government is prepared to allow to happen. We took to the election a comprehensive strategy of how we are going to deal with that. Part of that is about redoing the NSW Koala Strategy. Members opposite had two koala strategies. When they came to government, koalas were not even listed as threatened. There were two upgrades in the 12 years those opposite were in government. We will work closely to protect koala habitat in a whole range of places, including south-west and southern Sydney. Obviously Heathcote is a key area.

To be directly relevant to the member's question, the way in which we will develop the Great Koala National Park is exactly as we said we would at the election. Currently around 315,000 hectares of land could be included in the Great Koala National Park. Already 140,000 hectares are protected under national parks. I accept

that areas within the park relating to forestry are already protected within the forestry estate. We said that we would liaise carefully with the community to work through a process of what would and would not go into the Great Koala National Park. We will undertake that process. We will also do a proper economic assessment of the impact of any changes to logging and forestry within that area. We will also respond to the timber inquiry and some of its recommendations on the carbon value of timber. All of these issues are part of the way we are going to do this. The information that the member has pointed to will be included as part of the assessment.

**The Hon. MARK BANASIAK (14:30):** I ask a supplementary question. The Minister spoke about doing an economic assessment. Will she guarantee that that economic assessment will look at all jobs within the timber industry, unlike the previous economic assessments by the University of Newcastle that cherry-picked and selectively chose jobs?

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:30):** I thank the honourable member for his question. The answer to that is yes. Given that the member has talked about the reports, I will make two points in relation to them and the assessments. I refer to a report by the University of Newcastle, which I thought was too narrow and did not look at all of the issues. Other reports have suggested that there would be an immediate shutdown of the entire forestry logging process; they have not looked at the Great Koala National Park. They too were outside the parameters. That is why we are going to do this work.

Labor is committed to creating a Great Koala National Park and to caring for and looking after the communities that are impacted by any of the decisions that we make in relation to it. We have made a clear commitment about the way we will do that. We are probably at the point where we have to do our own work in relation to those reports, because that is what we are serious about. We want to be open and transparent about the way they go. While I have been the Minister for a short time, I have paid close attention to this issue over many years. An issue that I would reflect upon is that we have very few agreed facts in relation to all of this. Everything is contested. We want to work through this in a methodical, grown-up government way to make sure that the communities are well looked after and that koalas are safe from extinction in the wild in New South Wales.

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

#### ENERGY PRICES

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:32):** Further to the question that was asked by the Hon. Mark Latham, I give an update in relation to Kurri Kurri. It is delayed by one year—December 2024. I got the date right, but I called it Tallawarra. I want to correct the record.

#### *Supplementary Questions for Written Answers*

#### PUBLIC SECTOR WAGES

**The Hon. DAMIEN TUDEHOPE (14:32):** My supplementary question for written answer is directed to the Treasurer. Will the Treasurer provide details of any offsetting productivity savings to preserve budget neutrality? Did the Treasurer identify any of these before making an offer of 4 per cent as set out as a requirement in the Labor Party costings requests to the Parliamentary Budget Office dated 14 March 2023?

#### *Visitors*

#### VISITORS

**The PRESIDENT:** Before I call on the next speaker, I welcome to the public gallery Sophia Bakopanos and Carolyn Wood, who are the partner and mother of Riley Campbell, who works in the office of the Hon. Courtney Houssos. They are both very welcome.

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

#### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. CHRIS RATH:** I move:

That the House take note of answers to questions.

#### ASSET PRIVATISATION

#### PUBLIC SECTOR WAGES

**The Hon. CHRIS RATH (14:33):** I take note of the answers regarding privatisation and the wages cap. It is important that when members opposite demonise privatisation we call it out for what it truly is. When we

were in government for 12 years we preferred the term "asset recycling", not simply because of marketing, but because money that was released from assets was reinvested into assets. Without asset recycling, we would not have WestConnex, NorthConnex, WestInvest, Central Railway or the Sydney Metro. All of these things were made possible because of asset recycling. Asset recycling built this city and this State. It released billions of dollars into productive infrastructure. Members opposite claim we were selling off the farm, but the balance sheet shows that the number of assets held by the New South Wales Government today is almost double what it was before we came into power 12 years ago. It is because of asset recycling that we have built all of these amazing things like WestConnex, NorthConnex and Sydney Metro.

Those opposite should look carefully at their language when they say that privatisation has been bad for this State. I think it has been a very good thing in terms of the assets that have been invested in. Let us look at the electricity network. If claims about privatisation being so bad for electricity prices were true, why is it that, in Victoria, where they have a fully privatised electricity network, electricity is cheaper than in New South Wales, where it is only 49 per cent leased? If privatisation was so bad, the electricity price in Victoria, with a fully privatised network, would be far higher. But it is not. Jeff Kennett did a great thing when he privatised the electricity network in Victoria, which led to lower prices in comparison to other States. I think it is also hypocritical that members opposite talk about privatisation, but it does not relate to land. [*Time expired.*]

### RENEWABLE ENERGY

**The Hon. ROD ROBERTS (14:36):** I take note of the answer to my question by the Minister for Energy. It seems to me quite a big coincidence that the more renewables we have in the system, the further prices have gone up. No doubt, many will jump through all sorts of hoops and win gold medals in mental gymnastics to explain this, but the simple fact remains: More renewables have, so far, meant higher power bills. Scarier still, I expect the Government's only solution to this problem will be even more renewables. It reminds me of that quote from the Vietnam War:

It became necessary to destroy the town to save it.

Except now, to cut high energy costs caused by renewables, we need more expensive renewables. This green experiment has, so far, been a dismal failure, and it is hurting the people of New South Wales. Renewables are both unreliable and expensive. They are inescapably intermittent, meaning that they rely on coal and gas when they are not working. They are costing taxpayers billions of dollars to connect to the energy grid, are having no meaningful effect on global surface temperature and are clearly not lowering power bills. The solution is clear: Let's get more supply into the market by way of coal and gas and let's get our energy prices down again. This will not only ease the cost-of-living pressures faced by families across New South Wales, but it will also sustain and drive the manufacturing sector and the employment it provides. If the shift to renewables means future blackouts and higher energy bills, let's save our standard of living and turn back towards coal and gas and facilitate a smooth and reliable transition.

### SOCIAL HOUSING

**The Hon. SCOTT FARLOW (14:38):** I take note of the answer provided by the Minister for Housing with respect to my question—an answer in which yes meant no. But that is fine because I have had good luck in the Chamber, so far. I had a direct answer from the Hon. Courtney Houssos last week and a direct answer from the Hon. Rose Jackson today. I am glad to hear that people who currently reside in social housing but aspire to own their own social housing property and to purchase that from the Land and Housing Corporation or the Aboriginal Housing office will be able to do that under the Government's freeze on the sale of public housing.

As has already been discussed in the House, a freeze currently exists on the sale of public housing, but public housing was sold for good reason. Often a premises is not suitable for continued public housing because often it is in a state of disrepair and requires extensive maintenance work. Therefore, it is cheaper for the Land and Housing Corporation or the Aboriginal Housing Office to purchase new properties. In this instance, the property was sold because the person living in it wished to buy it and they were in a position to do so. Our aspiration for people living in social housing is that they are provided with safe and continued tenure. We also have an aspiration that people can leave social housing and live in a home that they own or rent. I am glad that the aspiration for home ownership is still available to those who live in social housing, thanks to the temporary freeze that the Government has put on housing sales in New South Wales. I thank the Minister for her answer today.

### SOCIAL HOUSING

### ASSET PRIVATISATION

**The Hon. MARK LATHAM (14:40):** I take note of the answer given by the housing Minister. I strongly urge her to create an extra exemption on the no-sale policy to complete the Airs and Claymore public housing

renewal projects in south-west Sydney, which I have mentioned many times in this Chamber. It is hard to believe that project started 20 years ago when I was the member for Werriwa. I convinced Craig Knowles that we needed to knock down the ghetto standard housing in Claymore and Airds, which were a complete disgrace, and begin a renewal project to bring in private developers to upgrade the stock so people could live in normal conditions in which to raise their children and the housing stock could be leased back to social housing tenants so they could keep a roof over their heads.

Disgracefully, when Barry O'Farrell got into government in 2011, he described the project of fixing up public housing in Campbelltown as a Labor Party pork barrel and froze it. Years later it got moving again. It is still only half completed, despite some capital injection that I urged upon then Treasurer Dominic Perrottet. All these years later, those projects still need to be completed. But they cannot be completed unless there is a willingness to sell the public land upon which that dreadful housing sat and then redevelop it with an appropriate supply of social housing that can be leased back to the tenants. That is just common sense.

In the exemptions that were read out in the confusing answer given by the Minister, there was nothing mentioned about completing a project that the former Labor Government started. Surely the Labor Government wants to complete the work it undertook when it was last in government. It was hopelessly delayed by the former Coalition Government. I hope she can fix that. I know she is acting on the directive of Steve Kamper. It has got to be said that he is a lovely guy, but with the way he is going in the Legislative Assembly at question time, is that if Steve said to go in one direction I would head in the other one. I would provide at least a new exemption to finish those much-needed projects at Airds and Claymore.

I move now to the debate about fiscal policy. I congratulate the Minister for Finance and the Treasurer for engaging in a comprehensive expenditure review. As an objective and somewhat independent member of the crossbench, I can say that this place now resembles the *Seinfeld* episode on opposites day. The parties formerly of small government hate cuts, fiscal discipline and spending restraint. Even the godson of Milton Friedman urges extra expenditure. But Labor, normally associated with profligate out-of-control expenditure, is now finally doing the right thing on an intergenerational basis. If it wants to do something for young people, do not lumber them with \$180 billion of debt that they and their children will have to pay off in the future.

### SCHOOL INFRASTRUCTURE

**The Hon. MARK BUTTIGIEG (14:43):** I take note of a comprehensive answer given by the Minister for Finance, who is representing the Minister for Education and Early Learning in the other place, to a question that I asked about the delivery of schools in Gregory Hills. The interjections and protests from members in the Chamber when that answer was being given were illustrative of how the Opposition is going to face the next four years—by doubling down on failure and undelivered promises. Somehow members opposite think that is their way back. If there was an emblem of the last election campaign, or if we boiled it down into a microcosm of what brought that election home for the Labor Party, it is a lack of delivery of basic frontline services like schools, hospitals and public transport. Gregory Hills public school was concentrated into a growth area. I quote some figures that are quite stunning, even to me and the Minister, who has been familiar with this for a long time:

Gregory Hills has grown from 38 people in 2011 to 14300 in 2021. The Camden LGA is growing from a population of 107,908 in 2021 to 197,735 in 2041 – an increase of 83%.

Time and again, the Minister and I, and others, would come into this Chamber when we were in opposition and we constantly asked the former Government when it was going to deliver that school. Gregory Hills public school was officially promised in 2018. For those poor people who moved to those blocks of land years ago, the reality is that developers were telling them, "There's a school coming around the corner. The Government has told us it's going to happen." It finally materialised after we put pressure on them in opposition, but in the form of demountables.

Those opposite were critical of us for being self-flattering, but the reality is that we should be judged on what we are delivering. In six to eight weeks, the member for Camden and the Minister have managed to deliver a school that is being built now. A high school site is now needed. We are actively looking and hunting for land to build a high school because all those kids have grown up and primary school has passed them by. Members opposite need to understand that one of their key failures was not delivering frontline services. As a government, we should be judged on how quickly and efficiently we deliver those services based on the same criteria. Hopefully we will be in government for a long time because based on current performances, we are delivering. [*Time expired.*]

### CHILD PROTECTION

**The Hon. NATASHA MACLAREN-JONES (14:46):** I take note of the question that was asked to the Leader of the Government about out-of-home care. I place on record that when we came into government in 2011,

spending under the previous Labor Government was sitting at around \$1.7 billion annually. After 10 years under a Liberal-National government, our investment in out-of-home care grew to over \$3.1 billion. That is because our government knew that we had to focus on prevention and providing long-term support as well as ongoing support to young people after they left care.

Our government invested significantly in prevention and early intervention through family conferencing and new programs like the Kids Early Years Network. That piloted program in Parramatta is potentially under threat with this review. Last year we extended the program into the Nepean Blue Mountains area. It works with families at risk of having children or young people removed. It works directly with families as well as Education, Health and the Department of Communities and Justice to ensure that they have wraparound support so that a child is not removed.

We also invested significantly in supporting foster carers and also looked at a nimble and flexible system that met the needs of young people in out-of-home care. We know that young people who enter care are quite often complex; therefore, the system must be adaptable to their needs. We initiated funding and programs for professional care to be provided for the individual needs of young people. I hope that this Government does not intend to cut those programs or restructure the system that is designed to work with young people.

We also invested in support for young people leaving care. That was one of our big initiatives last year. We invested \$100 million in Your Choice, Your Future, ensuring that young people were supported up to the age of 21 once they had left out-of-home care. Our State invested above and beyond other jurisdictions. Not only is the young person supported to live with their foster carer if they choose to do so or are able to do so, but they are also supported to live independently, study and work. We understood that out-of-home care is about preventing young people from entering the system, and supporting families and young people if they are in the system. More importantly, it is about supporting them as they leave the system.

#### ASSET PRIVATISATION

#### PUBLIC SECTOR WAGES

**The Hon. STEPHEN LAWRENCE (14:49):** I take note of the references to privatisation in question time. I note the stirring encouragement from the Hon. Chris Rath for Ministers of the Crown to adopt the language of "asset recycling". Unfortunately for the Hon. Chris Rath, that is unlikely to occur. It is interesting. I have been working diligently looking at the Opposition's amendments to the Sydney Water bill, and a foreshadowed amendment appears to expand the protection, so to speak, to local government authorities and so forth. I wonder what the motivation of members opposite could be when the Hon. Chris Rath stands up in the take-note debate and issues a passionate defence of privatisation. I wonder whether in due course he will speak on those amendments and perhaps seemingly have a completely contrary view. Unfortunately for him, I do not think his offer of changed language will be taken up. The community understands the meaning of privatisation and soundly rejected it at the election.

I also take note of the answer about the Government's ongoing negotiations in relation to the pay freeze. A specific question was asked—and, of course, answered—about whether or not a particular offer that was said to have been made included superannuation. I again wonder what the motivation of those opposite could be in asking that question. Are they saying that the supposed offer of 4 per cent is not enough? Have they decided in their tactics committee that they will be advocates for higher wages for public servants? Or is their motivation that this hypothetical or supposed offer of 4 per cent plus super is perhaps too generous? I am just wondering. On balance, they seem to be seeking to interfere in what self-evidently would be a proper and confidential process by inviting Ministers of the Crown to start delving into the intricacies of pay negotiations. It is ridiculous, and it was certainly good to hear the Minister soundly reject that tactic.

I also take note of something that did not occur today: No questions were asked of the Hon. Tara Moriarty. That made me remember the Hon. Mark Latham's contribution last week. He speculated that perhaps in their tactics meeting members opposite thought they could target the Minister for Agriculture. That clearly failed because there were no questions today at all. Those opposite rather chose to test the Hon. Courtney Houssos. She passed with flying colours, didn't she? [*Time expired.*]

#### PUBLIC SECTOR WAGES

**The Hon. TAYLOR MARTIN (14:52):** I take note of answers given to the Opposition's questions regarding the public sector wages cap. For the past 12 years in opposition, Government members railed against the then Government's public sector wages cap, promising over and over again to remove the cap once they were in government. Yet, when the time came, the Government failed to include the true cost of removing the cap in its pre-election budget costings. That failure undermined the role of the Parliamentary Budget Office [PBO], and those opposite ought to be ashamed of themselves.

Prior to the election, the PBO considered the case where wages would increase by one percentage point more than the previous Government's wage growth targets—that is, 4 per cent next year. The PBO found that remuneration costs would increase by a cumulative \$2.6 billion over three years. Before the election, Labor made promises to unions of large pay rises for public servants. Now in government, it has to pay the piper. An article in *The Australian Financial Review* recently stated that the Treasurer and the industrial relations Minister "met with a slew of union officials at Parliament on Friday to discuss wages policy". It continued:

Sources inside the meeting told AFR *Weekend* the two frontbenchers flagged a willingness to give the public sector a 4 per cent wage increase, including super ...

The same article highlighted that the unions, which put those opposite in their positions, are now getting twitchy and that the Health Services Union "is pushing for a 6.5 per cent increase in wages and has not ruled out more industrial action". That is why the Government is having its comprehensive expenditure review. That is why the Government is cutting the Active Kids voucher and First Lap learn to swim voucher. It is why last week the Government refused to rule out cuts to programs that provide support to victims of domestic and sexual violence.

In her answer today, the Minister for Finance admitted that they will make cuts as a result of the comprehensive expenditure review. However, despite public sector wages making up 40 per cent of our State's entire budget, the Minister would not say how the comprehensive expenditure review would affect public sector wages. Government members can come into this Chamber and say that the former Government is to blame for their budgetary woes, but we know that the emperor has no clothes. The Parliamentary Budget Office has already said that a 4 per cent pay rise will cost the State budget \$2.5 billion over the forward three years. That is a black hole of Labor's own doing. It is why the Government will make the cuts it is about to make. The Opposition expects the Government to be up-front with the people of New South Wales about how much its secret promises to unionists—whether they were made before the election or in Parliament last week—will cost taxpayers and what other cuts will be made. We expect the Government to put on record what so-called productivity gains have been identified to offset those wage increases—or does that simply not factor in when the unions say, "Pay up, Minns"?

#### PILL TESTING

**The Hon. AILEEN MacDONALD (14:55):** I take note of an answer provided to one of my questions. As members would know, in April the Minister for Youth told an international conference that New South Wales was lagging behind other States on the issue of drug reform. The Minister broke ranks with her Labor colleagues, calling on them to join a nationwide movement to trial pill testing. That comment was different to her answer today, where she did not provide an answer on what action she was taking to implement the policy. There was a sense of urgency in the Minister's call to action in April. When asked today what action she was taking to implement the policy, the Minister referred me to the Premier and a comprehensive drug summit that will occur next year. It would appear that the Minister is now one of Minns' minions.

#### MOBILE SPEED CAMERA WARNING SIGNS

**The Hon. WES FANG (14:57):** I take note of answers given today.

**The Hon. Stephen Lawrence:** You're back.

**The Hon. WES FANG:** I am back; I will always be back. I take note of the answer given by the Hon. John Graham about my policy of speed cameras. Members would know that changes were made to the speed camera regime, and it was the previous Government that implemented those changes. It was good to hear from the Minister that the speed camera signs are all out—a policy delivered by the previous Government. I initially raised the issue, along with the Hon. Lou Amato, who chaired the "Staysafe" committee, which looked at the issue in detail. I note that members opposite were silent on the issue in the first instance, and it was only after the Hon. Lou Amato and I raised the issue that those opposite jumped on board with my position. I thank them for adopting my position, and I acknowledge the Hon. John Graham. However, despite the answer given by the Hon. John Graham, yesterday in Wagga a mobile speed camera was parked on a footpath, blocking pedestrians.

**The Hon. Courtney Houssos:** Wow, that never would have happened when you were in government.

**The Hon. Stephen Lawrence:** That would never have happened.

**The Hon. Courtney Houssos:** Never.

**The PRESIDENT:** Order! The member has the call.

**The Hon. WES FANG:** Members opposite do not like to hear about their failings. They were vocal about the change in policy, yet here we see a car—

[*Government members interjected.*]

**The PRESIDENT:** Order! The member has the call.

**The Hon. WES FANG:** I was waiting for silence. Members opposite need to own the fact that they are now in government. When a car is parked on the footpath and disrupting pedestrians, mothers with prams, kids going to school or any community members who are trying to go safely about their business, those opposite should acknowledge that. [*Time expired.*]

#### TAKE NOTE OF ANSWERS TO QUESTIONS

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (15:00):** I thank the many contributors to the take-note debate today. In particular I thank—

**The Hon. Taylor Martin:** Name them.

**The Hon. COURTNEY HOUSSOS:** There are just too many to name. I accept that opposition is hard; I was there for eight years. There were some interesting contributions in the take-note debate. There was an invitation to change our phrase from "privatisation" to "asset recycling". We heard an interesting contribution from the Hon. Wes Fang. The questions we asked today were about the record of the former Government and the opportunity it had to make decisions and make changes for the people of New South Wales. The result of their time in government was a \$7 billion black hole that we have been left to clean up. While mothers were appealing to the former Minister directly and coming to us in opposition, the previous Government had to be dragged kicking and screaming to build schools.

We had to run long inquiries. The education committee visited the block of land, sitting vacant since 2012, that poor parents drove past every day to take their children to school in the next suburb. In its second year of operation that school—Gledswood Hills Public School—had 13 demountable classrooms on its valuable playground space. That is the record of the previous Government. That is the record that we were pursuing in question time today. It is an important issue for the community because we are the ones left to clean up the mess. We are the ones who have to undertake a comprehensive expenditure review because the previous Government was not honest with the community about the \$7 billion black hole. We are the ones who are left trying to build schools to catch up with population growth.

It was not a secret that Gregory Hills was going to grow—from 38 people to 14,500 in 2021—but the previous Government and the previous education Minister failed to build the school that the community needed. We are the ones who are left cleaning up the mess. The community voted, and it swung hard against the former Liberal member who failed to deliver. We are proud to open the new public school at Gregory Hills. It takes a particular level of being out of touch to say, as the former education Minister said, "I am concerned that only a few months into government, Labor is already short-changing the community when it comes to school infrastructure." I commend the motion to the House.

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

**Motion agreed to.**

#### *Deferred Answers*

#### STATE INFRASTRUCTURE

In reply to **The Hon. CHRIS RATH** (10 May 2023).

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources)—**The Minister provided the following response:

The Comprehensive Expenditure Review will help relieve pressure on the budget by identifying budget savings and policy reform proposals. This review will support achieving a sustainable operation and debt position, while providing capacity for the delivery of this Government's priorities.

The Government has announced an independent review of the State's infrastructure program, the Strategic Infrastructure Review, led by Ken Kanofski, with support from Infrastructure NSW and NSW Treasury. This review will examine all projects with an estimated total cost over \$50 million currently in development, procurement, and delivery.

To answer on specific projects would pre-empt the work of the review.

#### ABORTION ACCESS

In reply to **Dr AMANDA COHN** (11 May 2023).

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources)—**The Minister provided the following response:

I am advised by the Minister for Health and Minister for Regional Health that the New South Wales Government remains committed to improving safe and clear access to abortion services. This includes reviewing current services and assessing and considering activities in other jurisdictions.

Affordable and timely access to abortion in New South Wales is a whole of sector response shared by the public health system, private providers, primary care, and accredited non-government organisations. The availability of abortion services offered by public hospitals and service pathways is determined by local health districts.

The NSW Health website provides links to information on the NSW Pregnancy Choices Helpline and website which assist New South Wales residents to find out about abortion service providers that meet their specific needs. Information is also provided on the SEARCH project [Sustainable and Equitable Access to Reproductive Choices] pilot model to improve equitable access to reproductive health services in regional New South Wales for women who experience barriers to safe and affordable health services. The SEARCH project has a focus on Aboriginal and Torres Strait Islander women and women experiencing socioeconomic disadvantage.

### *Written Answers to Supplementary Questions*

#### **REGIONAL MAYORS**

In reply to **the Hon. SAM FARRAWAY** (25 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:

The Country Mayors Association Inc of New South Wales have corresponded with my office and asked if I would be available to attend a meeting of mayors.

I was provided three dates for the remaining meetings of 2023.

I am scheduled to attend the Country Mayors Association Inc of New South Wales at their August meeting, held in the Theatre, NSW Parliament House.

I look forward to this event of country mayors, and meeting with them individually as I travel across regional New South Wales.

**The PRESIDENT:** I shall now leave the chair. The House will resume at 4.00 p.m.

### *Business of the House*

#### **POSTPONEMENT OF BUSINESS**

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

That Government business orders of the day Nos 1 and 2 be postponed until a later hour of the sitting.

**Motion agreed to.**

### *Senate*

#### **SENATE VACANCY**

**Consideration of the Legislative Assembly message dated 9 May 2023.**

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

- (1) That the House agrees to meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Andrew James "Jim" Molan, AO, DSC, in the Legislative Council Chamber on Wednesday 31 May 2023 at 3.30 p.m.
- (2) That a message be sent to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

**Motion agreed to.**

### *Bills*

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

#### **Second Reading Debate**

**Debate resumed from 25 May 2023.**

**The Hon. DAMIEN TUDEHOPE (16:04):** My contribution to debate on the Statute Law (Miscellaneous Provisions) Bill 2023 will not be nearly as long as the Minister's second reading speech. It was astonishing that the Hon. John Graham was able to speak at such length on the bill. The Opposition will not be opposing the bill. Statute law miscellaneous provisions bills have generally been introduced annually as an effective method for making minor legislative changes that do not raise substantive matters of policy. These bills are a useful tool in maintaining the consistency and quality of New South Wales statutes and regulations by removing typographical errors, updating cross-references and repealing redundant provisions.

Provisions in these bills also contain policy changes of a minor and non-controversial nature or changes that are too inconsequential to warrant the introduction of a separate amending bill. After carefully reviewing the dozens of detailed provisions of the bill, the Opposition found four items that potentially required further consideration and were not suitable for inclusion in a bill of this kind. I acknowledge and appreciate the Government for agreeing to remove those items by means of Government amendments, as has become the practice of the House for such bills. On that basis, the Opposition does not oppose the bill.

**The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:05):** The Statute Law (Miscellaneous Provisions) Bill implements the whole-of-government statute law revision program, which, as members would know, is run by the Department of Premier and Cabinet each parliamentary session to facilitate minor, non-controversial legislative amendments. The bill deals with a range of legislation, and there are a few in particular that relate to my portfolios: the Plastic Reduction and Circular Economy Act 2021, the Protection of the Environment Operations Act 1997, the Pesticides Act 1999 and the Contaminated Land Management Act 1994. The bill also amends the Subordinate Legislation Act 1989 to ensure the Radiation Control Regulation 2013 remains in force.

The bill proposes changes to improve the operation of the Plastic Reduction and Circular Economy Act 2021, or the PRCE Act. Last year the New South Wales Government began to tackle unnecessary and problematic plastics by banning the supply of certain predominantly single-use plastic items through the PRCE Act. Those bans are estimated to stop approximately 2.7 billion items of plastic litter from entering our natural environment and waterways over 20 years. We know the community wants the Government to take urgent action, focusing on solutions to plastic pollution. In response to a discussion paper from 2020 on developing a comprehensive plan to address plastics, more than 16,000 submissions were received and some 98 per cent of those respondents supported the phase-out of single-use plastics.

Recently the Federal Minister attended an international plastics forum overseas, where there is a greater commitment to taking action on single-use plastics. Currently New South Wales generates more than 800,000 tonnes of plastics every year, of which only 10 per cent is recycled. While some plastic bans came into effect last year, more must be done to reduce the reliance on problematic or unnecessary plastics, particularly at the beginning of the journey, rather than at the end. Plastic packaging and other single-use plastic accounts for 60 per cent of all litter in New South Wales. I acknowledge also the issues relating to REDcycle and the failure of voluntary packaging targets. As members would be aware, there was a great deal of excitement that we could recycle soft plastics, which Woolworths and Coles planned to collect. My mother-in-law had us spend a great deal of time collecting soft plastics so that she could take it to Coles for recycling. She was the first person to ring me when she found out that all of that work had been for naught. She is representative of the community at large. People want to recycle. They feel it is one of the things that they can do to have an impact on the environment, something that they are in control of.

The collapse of REDcycle with tons of soft plastics being stored dangerously all over the State and the country is very problematic. The NSW Environment Protection Authority [EPA] has had to issue clean-up notices to manage the lawful removal of stockpiled soft plastics across New South Wales. At the end of this month there should be a solution for that. The Government is considering broader conversations with the people of New South Wales, industry, retailers and others about what else we can do about plastics. The *NSW Plastics Action Plan*, developed in 2021, proposed a review of further items that could be included. We would like to take that forward in future. I have been given a very detailed speech on the bill and I am trying to get through it.

**The Hon. Wes Fang:** You didn't write it?

**The Hon. PENNY SHARPE:** The Hon. Wes Fang would be pleased to know I wrote some of it. As he knows, I write most of my own material—but not all of it, I have to admit. I get good support from the public servants who are keen about this issue, and I thank them for their work. The member would be aware that we all require support for the material in this place. Working through the Plastic Reduction and Circular Economy Act, it has become apparent that we need to make some clarifications of definitions of prohibited plastic items. Stakeholders raised the need for that clarity, and it is dealt with in the bill. The bill will make important changes to improve the ability of the EPA to enforce the legislation to provide greater clarity on how items can be banned by a regulation in the future.

The bill proposes to amend the definition of a prohibited plastic item in section 7 of the Act to clarify the way items become prohibited plastic items. Importantly, the change addresses issues raised by stakeholders. The change makes clear that the first way in which items can be prohibited plastic items is if they are listed in part 1 of schedule 1 to the Act, including lightweight plastic bags; single-use plastic straws, stirrers, cutlery, cotton buds, bowls and plates; and expanded polystyrene food service items. Those problematic plastic items were banned from the day the relevant provisions of the Act came into force. They have already proven to be problematic and unnecessary. Significant work and research went into listing each of those items.

The second way items will become prohibited plastic items is when the Minister forms the opinion that the item is unnecessary or problematic for environmental, human health or economic reasons, and the item is then proscribed by regulation. No items are currently banned under that method. Where bans are proposed, the community will be consulted. After many years of trying to introduce a ban on single-use plastic bags, the Government noticed that one of the issues was a lack of flexibility for small businesses—having worked closely with them—to deal with their stockpiles. The approach that I would like to take in the future as we try to tackle plastic pollution and plastic reduction is to work cooperatively to get more take-up quicker and in a way that works for people.

The bill before the House clarifies two methods of banning items by removing from doubt that items banned by schedule 1 to the Act do not also have to be unnecessary or problematic. Legal advice indicates that this will make it easier to inform the important bans in place on those items, like lightweight plastic bags. I reiterate to the House that the EPA is primarily focused on education to help businesses to understand the new requirements. The Government is considering other compliance options, and is looking forward to working more closely with retailers and others to deliver that change.

The bill also includes a proposal to amend the Subordinate Legislation Act 1989, which I know members are very interested in. Basically it defers the automatic repeal of the Radiation Control Regulation 2013. The deferral is appropriate to provide time to consider the changes proposed to the Radiation Control Act 1990 that were recommended by the Act review tabled in Parliament in 2021. That review noted that some of the recommendations could be appropriately addressed as part of the remake of the Radiation Control Regulation. Deferring automatic repeal of the regulation will provide further time to first implement the Act amendments recommended by the review before making required related regulation changes.

The Radiation Control Regulation does important work supporting the administration of the Act in regulating the sale, use, disposal, transport and clean-up of radioactive substances and radiation apparatus in New South Wales. That includes detailing security measures for radioactive sources, ensuring radiation safety in the workplace and setting standards for safe transport and disposal of radioactive substances. It cannot be allowed to lapse until the other parts of the review have been picked up and that is why it is included in the bill.

The bill amends three sections of the Protection of the Environment Operations Act 1997. Firstly, a minor change removes reference to the Marine Parks Authority, which no longer exists. This is an outdated reference that is currently in a note in section 6, which is about appropriate regulatory authorities under the Act. Removing the reference will minimise confusion for the community. Secondly, it amends section 167A of the Act to make an editorial change so the language used in the section is internally consistent. That section is about the offence of supplying false and misleading information to the EPA, which I highly recommend people do not do. The section currently refers to someone giving information to the EPA; however, the term "supply information" is defined in the section. The bill will ensure consistency in the terms used in that section.

Thirdly, minor amendments to the Act clarify when the 21-day appeal period starts for a person to lodge an appeal against the refusal of the environment protection licence application. Currently, there is an ambiguity about the timing within which a person may appeal a decision about a licence application following deemed refusal of that application. The Act provides that for all decisions the time a person may appeal is within 21 days from the person being given notice of the decision. However, for a deemed refusal a person is not given notice of the decision. The bill proposes clarifying amendments to that section so it is clear that the 21 days within which a person may appeal a decision regarding a licence application commence after being given notice of the decision, or in the case of deemed refusals, once that refusal takes place, which is set out under the section itself. That change provides greater certainty for people wishing to exercise their important statutory appeal rights.

The bill makes minor changes to the Contaminated Land Management Act 1997 and the Pesticides Act 1999. They are essentially housekeeping changes but I will give the House a quick summary. Firstly, the bill amends the Contaminated Land Management Act to remove a reference to the 1995 sampling design guidelines, which were repealed in 2022 by revised guidelines. This is clearly a tidy up. The current reference to the 1995 sampling design guidelines is unnecessary because they have been revoked; therefore, it makes no sense to have them in the legislation. Secondly, the bill proposes minor amendments to section 33 of the Pesticides Act to update the reference to the current national pesticides regulator, which was renamed in 2004—it has taken this long to get this amazing change—to the Australian Pesticides and Veterinary Medicines Authority. The bill makes that simple change. With that information I have been able to provide, I commend the bill to the House.

**The Hon. EMMA HURST (16:17):** I contribute to debate on the Statute Law (Miscellaneous Provisions) Bill 2023. I note at the outset that the Animal Justice Party does not oppose the bill. However, I place on record my serious concern and frustration that the bill will defer the review and remaking of the Prevention of Cruelty to Animals Regulation 2012 for the seventh time. That regulation was due to expire in 2017, but each year since then the former Government sought to defer remaking the regulation on the basis that some major review of animal

protection laws was just around the corner. But here we are in 2023 and nothing has changed. We still have a Prevention of Cruelty to Animals Act that was written in 1979 and some outdated regulations to go with it.

In its last year of government the Coalition finally got around to introducing a draft animal welfare bill for consultation; however, it is fair to say that it was a total disaster, universally criticised by stakeholders from industry to animal protection organisations. Rather than modernising animal protection law, the draft bill largely replicated the existing legislation from the 1970s without having regard to modern community expectations and advances in animal welfare science. It also sought to move huge quantities of the former legislation into regulation, and yet the new proposed regulations have never been drafted or made public.

I appreciate the New South Wales Labor Government has only just come into power and has been put in a difficult position given the impending repeal of the Prevention of Cruelty to Animals Regulation. However, I implore the Labor Government to not have the same debate in 2024. It has an opportunity to show the Coalition how animal protection is done and to pick up the pieces of sorely neglected legislation that is now incredibly out of date, having been left in the hands of the National Party for so long. We need to get on with the very urgent task of fixing New South Wales' animal protection laws, consistent with election promises. Every day that the outdated laws and regulations remain in place, animals in New South Wales will be left in outdated welfare conditions from the seventies.

**The Hon. GREG DONNELLY (16:20):** I contribute to the debate on the important Statute Law (Miscellaneous Provisions) Bill 2023. I remember when I commenced in the Parliament some time ago, I was taken under the wing of the then Government Whip, the Hon. Peter Primrose. He explained to me what a statute law revision bill was all about. He said to me, rather wisely, that those bills come before the Parliament on a regular basis—maybe once or twice a year—and that people tend to ignore them and waive them through as bills that are not even worth a read. He said, "I put to you that is not the case at all. It's a piece of legislation. It's produced through the normal detailed and thorough processes of the production of legislation. Nonetheless, even with all that care and careful consideration, sometimes a bill includes things that perhaps ought not have been or perhaps ought to have been subject to further consideration and discussion." That may be for any reason; he was not opining that any malfeasance or carry-on was happening but rather that some slippage had occurred and that further examination should have been made before proposals went into the bill. I took that as very good advice.

Hand on heart, I cannot say I have read from cover to cover every statute law revision bill that has come before the Parliament, but the legislation produced by whoever is in government ought not simply be taken as something perfunctory and procedural and be waived through. The bill deserves some careful study. As the honourable Minister has explained, Labor has continued the previous Government's routine that if a member wants to discuss matters of concern arising from a bill, they will be considered, and that if agreement can be reached, they will be removed from the schedule. I cannot think of an instance when that has not happened to accommodate matters that have been raised. I do not intend to go through all aspects of the bill, but I will deal with some that came to my attention.

I turn to the Mental Health and Cognitive Impairment Forensic Provisions Act 2020. The Minister for Health has proposed to amend section 96 (3) of that Act, which sets out the circumstances in which the health secretary can allow a forensic patient or correctional patient to be absent from a mental health facility in emergencies or in other special circumstances. New section 96 (3) provides that the health secretary cannot allow a patient to be absent if, for a forensic patient, the tribunal or, for a correctional patient, the Commissioner of Corrective Services has refused to make 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 an order itself. The amendment clarifies that the tribunal or commissioner would refuse to make an order, rather than refusing an order itself. The amendment will align with the wording of the former equivalent provision, which was section 50 (3) of the Mental Health (Forensic Provisions) Act 1990.

I turn to the Pesticides Act 1999, specifically section 38 (2) (b) and (6). The bill proposes to amend that section to remove an outdated reference to the national registration authority and replace it with a reference to the Australian Pesticides and Veterinary Medicines Authority. The authority was renamed in 2004. Interestingly, the name was changed in 2004 and yet we are only finally catching up and making a small change to update the name in 2023. That is how long it has taken to pick that change up, for whatever reason. Part 4 of the Pesticides Act provides for the making of pesticide control orders. Under section 38, a pesticide control order may be made to implement a decision or policy of the relevant pesticide regulator.

Currently section 38 (2) (b) and (6) refer to the National Registration Authority for Agricultural and Veterinary Chemicals. However, under section 6 of the Agricultural and Veterinary Chemicals (Administration) Act 1992, which is a Commonwealth piece of legislation, the body known immediately before the commencement of that section as the National Registration Authority for Agricultural and Veterinary Chemicals continues in

existence with the new name, the Australian Pesticides and Veterinary Medicines Authority. The proposed amendment in the bill reflects that change.

I turn to the very important Human Tissue Act 1983. I will not describe the Act in full but will focus specifically on section 34 (1) (b5), (4) and (5), which the Minister for Health proposes to repeal in the bill. 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 those provisions ceased to have effect on a date specified in the gazette when the Minister for Health is 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 was Brad Hazzard, who will be deeply missed, particularly during budget estimates. I always enjoyed chairing Portfolio Committee No. 2 – Health during budget estimates, and I enjoyed the various exchanges we had. Last year the Hon. Mark Latham had some particularly interesting exchanges with former Minister Hazzard. 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 accordingly the Minister for Health proposes the repeal of section 34 (1) (b5), (4) and (5).

I turn to the Victims Rights and Support Act 2013, which continues to attract interest, support and ongoing examination because of its significance in its application to individuals who find themselves in quite invidious situations. The bill proposes to amend section 113 of the Victims Rights and Support Act 2013 to clarify that all references to "applicant" are references to an applicant for victims support under the Victims Rights and Support Act 2013 or the Victims Support and Rehabilitation Act 1996. Section 113 of the Victims Rights and Support Act 2013 makes provisions for the inadmissibility and use of certain evidence in subsequent legal proceedings where the documents relate to an application for victims support under the Victims Rights and Support Act or an application for statutory compensation or payment for approved counselling services under the Victims Support and Rehabilitation Act. The amendment will avoid potential confusion with any other person who may be referred to as an applicant in the context of court proceedings. On the face of it this is a small change, and some might ask why it is being proposed, but one can see from the explanation given the importance of clarifying specifically what the term "applicant" refers to.

The bill proposes to amend section 51 (3) of the District Court Act 1973 to add new section 51 (3) (c) to provide that the jurisdictional limit of the court for an action commenced on or after 18 July 1997 but before 16 December 2022 is taken to be \$750,000. On 16 December 2022 the District Court Amendment Act 2022 increased the jurisdictional limit of the District Court from \$750,000 to \$1.25 million. Section 51 of the District Court 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. I have not made this reference in every one of my specific comments on proposed amendments, but it is important to note that this applies to them all, in one way or another. The amendment is proposed by the Policy, Reform and Legislation branch of the Department of Communities and Justice.

I put on the record—and I know this has been done before—the thanks and gratitude that we, particularly members of Parliament, in this State have for the very important work done by the professional public servants who work in the departments across the spectrum of policy areas. I have to say, once upon a time—and hopefully this is behind us now—the work of public servants was treated in a derisory way. We could not be any further from that today, where more and more people appreciate the most valuable work done by our public servants and the way in which they provide frank and fearless advice to their respective Ministers to enable them to make the best decisions they can when looking at a particular matter. A public servant simply bowling up to a Minister a small amendment to a piece of legislation might appear to be small beer. But, whether it is a small tidy-up exercise, which some of these amendments are, or the detailed policy advice provided by our excellent public servants and State sector employees to our Ministers to enable them and the government of the day to carry out decision-making in the best interests of all citizens of the State, no matter where they live, we can all be very grateful for the very professional work done by those individuals.

The bill proposes to amend section 103 of the Fisheries Management Act 1994 by omitting redundant section 103 (2) (b). Section 103 sets out who may hold a commercial fishing licence—a matter that comes up in debate in Parliament on a not irregular basis, given the size and the significance of the fishing industry in New South Wales and, particularly, its importance to the local economies along the coast, from Tweed Heads all the way down to the Victorian border. 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 of the Act

may hold a licence. This was a transitional provision following the repeal of the Fisheries and Oyster Farms Act and the commencement of the Fisheries Management Act in 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 eligible to hold a licence under either subparagraph (a) or (c) of section 103 (2). 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 fisheries endorsements. Section 103 (2) (b) has not been needed for a long time and can be omitted. There will be no impact on the operation of the Act or on stakeholders.

The bill proposes to amend section 76AE (5) (a) of the Law Enforcement (Powers and Responsibilities) Act 2002 to remove the reference to subsection (5) to instead refer to section 76AE (4) (b) (ii). In 2022 section 76AE was inserted into the Act to provide for applications of digital evidence access orders by telephone. The provision commenced on 1 February 2023. Section 76AE (5) (a) states:

... the applicant must complete a form of digital evidence access order 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 deals with the terms of a telephone order.

The proposed amendment corrects an incorrect cross-reference. Once again, I note that the amendment, which I presume will receive the support of the House, is being proposed by the NSW Police Force and the Policy Reform and Legislation branch of the Department of Communities and Justice. I greatly appreciate that members of Parliament are provided with outstanding support by State sector employees, particularly in working through the minutiae of existing legislation where changes need to be made to ensure that whenever someone refers to a New South Wales Act on the government website, they find that it is up to date and fit for purpose. I commend the bill to the House.

**Ms ABIGAIL BOYD (16:40):** I speak in support of the Statute Law (Miscellaneous Provisions) Bill 2023. I will touch on two aspects of the bill. Schedule 1.23 relates to the Victims Rights and Support Act 2013. For four years, people in forced labour and modern slavery conditions could not access Victims Services compensation. Financial constraints are often the largest obstacle to leaving violence, and the systemic underfunding and delays mean that thousands of people cannot leave violent situations. The Victims Services compensation system is not fit for purpose. The Modern Slavery Act was passed in 2018. It took four years to take effect. Thousands of people in New South Wales experiencing forced labour and coerced employment were entitled to nothing, locked in abusive and dangerous circumstances. Even with access, there is a minimum six-month wait for immediate support payments for victims of modern slavery and those fleeing violence.

The statewide standardised response to Victims Services financial assistance claims is 90 days. In 2021-22 it took Victims Services a median of 753 days to finalise compensation for those fleeing violence. That is over two years since a person in direct and immediate need of help requested assistance—two years that someone may have been forced to continue enduring abuse. Victims Services was created with the purpose of accessibility in mind, to end the practice of intense financial and documentary expense to survivors in need of immediate compensation and to ensure that our own institutions did not continue to inflict and reinforce the very same trauma that survivors had fled from. It is clear that it does not live up to this promise. In 2021-22, a total of 51 per cent of all claims for financial assistance were rejected. That is people who did not receive the critical support they needed that may have been relied upon to finally leave abuse. Each of those rejections represents a person in immediate danger whose abuse continued after the New South Wales Government refused to provide the "accessible" assistance that was promised. Under no circumstance does "accessibility" mean access for less than half of those in need.

Less than 30 per cent of claims for First Nations people were approved. Again, the system is not fit for purpose. Counselling claims were approved 98 per cent of the time, but counselling is not the crucial care needed to enable someone to leave violence. It does not feed someone, provide a home or guarantee their safety. The promise of a new government means urgent and duly needed reform. It means that no-one, not a single person, should be forced to wait 753 days or longer for help. It means adequate access to all services, primarily the one that matters most: timely compensation. We see that theme repeated across a number of State-run compensation schemes. Over the next four years my office is particularly interested in looking at the various compensation schemes that the State is running to see whether we can do a lot better than we are currently. I suspect we can.

The other aspect of the bill that I will reflect on is schedule 1.22 [2], new clause 3 (e), which seeks to postpone the repeal of the Prevention of Cruelty to Animals [POCTA] Regulation 2012 by a further year, until 1 September 2024. This is the sixth time that the remaking of the POCTA regulation has been delayed due to the

extraordinary delay to the much-needed and overdue wholesale review and overhaul of animal welfare laws in our State. I have placed on record my serious concerns about the animal welfare review process and its delays many times now. In June last year I spoke specifically about the postponement of the regulation's remaking to September 2023 and here we are, almost a year later, extending it once again. The previous Government's commitment to the review was seriously lacking, and it is as a direct consequence of that lack of commitment to animal welfare that the further postponement is occurring. Last year I said:

I have serious doubts we will see the regulatory overhaul that we have been promised before the conclusion of the term of this Parliament.

Lo and behold, we did not. The Greens recognise that this postponement is practicably necessary, as failure to do so would result in there being no codes of practice in effect come September, so we do not oppose the clause. However, we must not do so without understanding the ongoing cruelty to which we continue to expose countless animals as a result of the extraordinarily out-of-date standards in this regulation and its codes of practice. If the former Government had managed to get its act together and bring to the House the updated legislation that it promised in 2018, so many animals would be living under improved standards of care.

I take a moment to reflect on select aspects of the Prevention of Cruelty to Animals Regulation 2012 and the codes of practice that sit underneath it, because subjecting the animals in this State to those standards should not be done lightly. Today Parliament will extend the life of a number of grossly out-of-date animal welfare regulations and codes of practice, including the rules governing the size of battery cages, cruelty exemptions for rodeos, dog and cat breeding rules, and minimum standards for sow stalls and farrowing crates. Many of those codes of practice were brought into effect in the 1990s and have seen no meaningful update since then.

Under those regulations, a hen in the caged egg industry can have less than an A4 piece of paper's worth of space for her entire life, never having enough space to stretch or flap her wings, or the personal space to escape aggression of other hens. The cage she is confined to is stacked high in an enormous shed with up to 100,000 other birds, all of whom will never see sunlight, scratch in the grass and dirt or build a nest. No other egg production housing system has the same rate of chronic foot lesions, musculoskeletal weakness, disuse osteoporosis, bone fractures, psychological stress or cannibalism.

Rodeos are the height of animal cruelty posing as entertainment, torturing sentient beings with the express purpose of making them respond to fear and pain, and then making a show out of trying to dominate the terrified animal. In addition to the extraordinary pain and stress inflicted on them, animals frequently sustain serious injuries during the event which, if not fatal, will often lead to them being killed or discarded at slaughterhouses. But under the regulations the House is extending today, people participating in rodeos are exempt from Prevention of Cruelty to Animals Act prohibitions on bullfighting and calf roping which, outside of a rodeo, could see a person imprisoned for up to six months. The consequences of failing to update this regulation go on and animals suffer as a result. We have a new government. We hopefully have a government with the courage and conviction to finally update our animal welfare Acts, regulations and codes of practice. With those brief comments, I commend the bill to the House.

**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) (16:48):** In reply: I thank all members who have contributed to debate on the bill, particularly the Leader of the Opposition and the Leader of the Government. I thank the Hon. Emma Hurst. I will speak specifically to the points she raised about the prevention of cruelty to animals legislation. She made strong points about the seventh time that the regulations have been deferred, the 1979 Act and her hopes that we will not have the same debate again in 2024. It was for exactly those reasons that the Government made commitments during the course of the election. I assure the House that the Government intends to carry out the commitments it made in the lead-up to the election on this legislation. I hope that will deal with the issues members raised in the course of debate today.

The Hon. Greg Donnelly gave a sterling speech. He encouraged us to apply scrutiny to all bills and applied his characteristic scrutiny to this one. I thank him for it. I thank Ms Abigail Boyd for her observations, including the policy observations she made about a range of matters before members. As a result of discussions with a number of members, there will be six Government amendments to this legislation. Those will remove provisions from the bill in the Committee stage that members have drawn attention to during the course of the debate. I thank members for raising those matters. We have been happy to work with members on those. It has been a very cooperative process from the Government's point of view and I place on the record our thanks for that.

I thank a number of agency officials who have been crucial to corralling the many matters we have dealt with here today. I thank Sarah Roebuck, Katherine Frank, Peta Jacobsen and Jason Emmett, and also Amanda Rose from my team. Thank you to all those officials who have assisted the Parliament in dealing with these matters. With that, I conclude the second reading debate.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The question is that this bill be now read a second time.

**Motion agreed to.**

#### **In Committee**

**The CHAIR (The Hon. Rod Roberts):** There being no objection, the Committee will deal with the bill as a whole. I have three sets of amendments, those being Government amendments on sheets c2023-021A, c2023-031 and c2023-030B.

**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) (16:52):** I move Government amendment No. 1 on sheet c2023-021A:

No. 1      **Conditions of aquaculture permits**

Page 5, Schedule 1.8[3], lines 8-15. Omit all words on the lines.

This amendment removes from schedule 1.8 to the bill the provisions amending section 152 of the Fisheries Management Act 1994. Ms Cate Faehrmann on behalf of The Greens raised concerns with the Government about this provision. I thank the member for raising those matters. We have been happy to deal with them in the way that was suggested, which means these provisions will be removed from the bill. With your indulgence, Chair, I indicate that I will not be moving Government amendments on sheet c2023-029A, originally proposed by the Shooters, Fishers and Farmers Party in the course of this Committee debate, as that matter has now been resolved to the satisfaction of those members.

**The Hon. WES FANG (16:53):** The Opposition does not oppose the Government's amendment.

**The CHAIR (The Hon. Rod Roberts):** The question is that Government amendment No. 1 on sheet c2023-021A be agreed to.

**Amendment agreed to.**

**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) (16:54):** I move Government amendment No. 1 on sheet c2023-031:

No. 1      **Game and Feral Animal Control Act 2002**

Page 5, Schedule 1.9, lines 16-20. Omit all words on the lines.

This amendment deals with schedule 1 to the bill, which amends section 26 of the Game and Feral Animal Control Act 2002. The Shooters, Fishers and Farmers Party raised concerns with the Government about this provision of the bill. 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. The intention of the amendment is to reinstate a provision that was previously included in the Game and Feral Animal Control Regulation 2012 that enabled the regulatory authority to waive or refund game hunting licence fees. For example, the provision allowed the refund of licence fees on the death of a licence holder and the waiver of fees for certain Aboriginal hunters.

The provision was not included in the Game and Federal Animal Control Regulation 2022. The amendment is of a minor nature and is suitable for inclusion in a statute law revision bill. However, given the concerns raised by the Shooters, Fishers and Farmers Party—and the longstanding practice that if any member objects to any proposal in the bill, the proposal is omitted from the bill—the Government is willing to withdraw the provision from the bill so as not to delay its passage. I commend this amendment to the Committee.

**The Hon. WES FANG (16:55):** The Opposition supports the Government amendment.

**The CHAIR (The Hon. Rod Roberts):** The question is that Government amendment No. 1 on sheet c2023-031 be agreed to.

**Amendment agreed to.**

**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) (16:56):** By leave: I move Government amendments Nos 1 to 4 on sheet c2023-030B in globo:

No. 1      **Public Works and Procurement Act 1912**

Page 10, Schedule 1.21, lines 3-9. Omit all words on the lines.

No. 2      **Drug Supply Prohibition Order Pilot Scheme Act 2020**

Page 15, Schedule 2.23, lines 13-15. Omit all words on the lines.

No. 3        **Surveillance Devices Act 2007**

Page 18, Schedule 2.49, lines 29-31. Omit all words on the lines.

No. 4        **Voluntary Assisted Dying Act 2022**

Page 19, Schedule 2.52[1], lines 14 and 15. Omit all words on the lines.

Amendment No. 1 omits from schedule 1 to the bill a provision amending section 177 of the Public Works and Procurement Act 1912. Amendments Nos 2, 3 and 4 omit from schedule 2 to the bill provisions amending section 15 of the Drug Supply Prohibition Order Pilot Scheme Act 2020, section 51A of the Surveillance Devices Act 2007 and section 144 of the Voluntary Assisted Dying Act 2022. I thank the Leader of the Opposition for raising these matters. He did so in his contribution to the second reading debate but also with the Government beforehand. I thank him for the manner in which these matters were dealt with, which is why members are able to deal with them smoothly before the Committee today.

In relation to amendment No. 1, the Opposition has raised concerns about a provision in the bill to amend section 177 of the Public Works and Procurement Act 1912. Currently section 177 of that Act allows a government agency or a government agency head to delegate to a member of staff of the agency certain functions prescribed under section 177. Those functions are the terms and conditions of the agency's accreditation by the board, any board direction or policy, or any provision of division 5 or regulations made for the purposes of section 178 (1A) (a). The intention of the amendment was clearly to authorise the delegation of an additional administrative function, being the power to issue a public interest certificate under section 176G of the Public Works and Procurement Act 1912. Section 176G enables a government agency head to issue a public interest certificate, stating it is not in the public interest for a specified procurement to be suspended while a complaint under division 5 of the Act is being investigated, or an application for an injunction under section 176D is being considered.

In relation to amendments Nos 2, 3 and 4, the Opposition has raised concerns about provisions in schedule 2 to the bill, which contains pure law amendments proposed by Parliamentary Counsel. Again I thank the Leader of the Opposition for the manner in which this was done. One of those amendments is to section 15 of the Drug Supply Prohibition Order Pilot Scheme Act 2020. The other amendments make changes to the Surveillance Devices Act 2007 and the Voluntary Assisted Dying Act 2022.

**The Hon. DAMIEN TUDEHOPE (16:59):** I thank the Government for accepting the convention relating to amendments to statute law bills. They are not frivolous amendments; there is substance to them. They are better placed in a substantive bill than this bill. The Opposition does not oppose the amendments as drafted.

**The CHAIR (The Hon. Rod Roberts):** The Hon. John Graham has moved Government amendments Nos 1 to 4 on sheet c2023-030B. The question is that the amendments be agreed to.

**Amendments agreed to.**

**The CHAIR (The Hon. Rod Roberts):** The question is that the bill as amended be agreed to.

**Motion agreed to.**

**The Hon. JOHN GRAHAM:** I move:

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

**Motion agreed to.**

### **Adoption of Report**

**The Hon. JOHN GRAHAM:** I move:

That the report be adopted.

**Motion agreed to.**

### **Third Reading**

**The Hon. JOHN GRAHAM:** I move:

That this bill be now read a third time.

**Motion agreed to.**

*Committees***PORTFOLIO COMMITTEE NO. 3 - EDUCATION****Reports****Debate resumed from 10 May 2023.**

**The Hon. ANTHONY D'ADAM (17:03):** I contribute to the take-note debate on report No. 50 of Portfolio Committee No. 3 - Education entitled *Teacher shortages and education outcomes in New South Wales*. This was ostensibly a follow-up inquiry on the earlier work of Portfolio Committee No. 3 - Education into the question of teacher shortages and educational outcomes. The issue of teacher shortages is and remains a pressing issue for New South Wales. The state of our education system depends strongly on being able to meet a very basic objective of having a qualified teacher sitting in front of every class on every school day. This inquiry and the previous inquiry heard that New South Wales is failing that very basic test. As a consequence, students in the State are suffering the detrimental impact of not having a teacher sitting in their class every day.

The inquiry heard evidence about collapsed classes, split classes and minimal supervision as routine occurrences every day in the public education system. That is a sad indictment on the stewardship of our education system by the previous Government. I turn to the comment contained in paragraph 2.15 of the committee report. A key factor contributing to teacher shortages is teachers' disillusionment with the nature and substance of their role and remuneration. Paragraph 2.15 highlights the causes of that disillusionment, including unsustainable workloads, administrative and accreditation burdens, uncompetitive salaries, the systematic disempowerment of teacher voice and disregard for professional judgement, and the precariousness of casual and temporary contracts.

We know that our public education workforce under the previous Government was dramatically casualised. Around one-third of all teachers in the State were in some form of uncertain employment arrangement, be that casual or temporary teaching contracts. There is no doubt that that precariousness has had an impact on our capacity to retain teachers in the system and that that has compounded the question of teachers being available when we need them in every classroom every day. If workers cannot get a secure job and certainty, they will look for that certainty in other areas of employment. The inquiry found that for the first time ever resignations exceeded retirements in the system. More teachers are up and leaving rather than reaching retirement, which is a major source of the outflow of teaching expertise from the system.

The committee observed the trend of systematic disempowerment of teacher voice and disregard for professional judgement. That is a running narrative in debate on education. It flows from a valid assumption that the most important school impact on educational outcomes is the capability of the teacher. But that has led to a highly developed form of excessive scrutiny and interference in the way teachers do their jobs. There is a level of interference in the day-to-day decisions that teachers make about how they deliver the curriculum in the classroom that is infringing on their professional judgement. Ultimately, when the professional judgement of teachers, who have spent a long time getting higher education qualifications in order to teach in the classroom, is challenged and undermined every day, it will lead to a state of disempowerment and a state of disillusionment with the job of teaching.

Teachers who appeared before Portfolio Committee No. 3 have told the inquiry that is their experience—that they feel very disempowered and alienated from the job, and that they feel like the profession is devalued. That is leading teachers to reconsider their position about continuing in the teaching profession, which is a sad indictment on the state of the system. The question of salaries is an obvious one. The former Government did not value our public services. It did not value our essential workers and insisted on putting in place a statutory wages cap so that it could shift funds into other priorities, such as its infrastructure spend. What it really did was run down the human capital of the New South Wales public service, and that has left a substantial capacity gap that the new Labor Government will have to rectify during its term in office.

The final point that I make concerns the question around unsustainable workloads. This factor relates to the question around increasing scrutiny and increasingly questioning teachers' professional judgement. A range of administrative imposts are placed on teachers. One example is the system of PDPs, or personal development plans—a process that is founded in possibly a good idea but, as it has been applied in the teaching service and in the public sector, it has returned to being a box-ticking exercise that absorbs the limited non-face-to-face time available to teachers. The limited relief from face-to-face teaching is a crucial and valuable time for teachers, and it should not be wasted on meaningless and useless exercises.

If the Minister wants to look at an easy intervention that would not in any way impact on the quality of our teaching service, it would be having a close look at the utility of the personal development planning process. It is not a personalised process; it is not delivering the types of improvements as intended. It is certainly not a pathway to enhancing teacher professional development. Often the PDPs are not even related to or they are not supported

by the follow-through in training support that would be necessary to make that a meaningful process. It has become a completely degraded system. I strongly suggest that the Government could look at dispensing with that if it is looking for administrative efficiencies in the education system. This report is an important piece in our ongoing examination of what we must do to return our education system to an acceptable standard that delivers quality education and equity and fairness to the children and citizens of New South Wales. I thank the House for the opportunity to speak in debate on this report.

**The Hon. WES FANG (17:13):** I speak briefly in debate on the report of Portfolio Committee No. 3 entitled *Teachers shortages and education outcomes in New South Wales*, on which I served as deputy chair. The short, sharp inquiry was held at the start of the year during the campaigning period before the election. Cynically, I might say, it was an attempt to use the committee process in order to prosecute some of the Labor attacks upon us. However, it backfired spectacularly on those opposite.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** Order! The member will be heard in silence.

**The Hon. WES FANG:** Those opposite could practise the decorum that the President spoke of earlier. Interestingly, on the second day of the hearings, the Labor hand-picked expert appeared before the committee to talk about the mobile phone ban that was proposed by—

**The Hon. Courtney Houssos:** Point of order: The member is casting aspersions on the witness called by the committee to appear before the inquiry as some kind of Labor-appointed—

**The Hon. Wes Fang:** Hand-picked expert, I said.

**The Hon. Courtney Houssos:** Sorry, Labor hand-picked expert—I thank the member opposite for his assistance. It is an unfair characterisation of the expert involved. She has long and considered expertise, and that is why the committee took the decision to call her. It was not some kind of identification or a Labor hand-picked person. I ask that the member withdraw that accusation.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** In relation to reflections on members of the public, I refer members to a number of precedents. On the basis of those precedents, I will not insist that the member withdraws his comment. However, I would ask that when he continues his contribution to the debate he considers the fact that the witness does not have a right within this Chamber to respond.

**The Hon. WES FANG:** I am happy to acknowledge that Jocelyn Brewer was the expert cited by the Labor Party in much of its promotion of the mobile phone ban. However, when Ms Brewer was questioned by me and Ms Abigail Boyd, it turned out that she was not a fan or supporter of Labor's mobile phone ban policy. It was extraordinarily embarrassing for those opposite that the one expert they cited when promoting the mobile phone ban told the committee that she did not support Labor's position on the policy. I point members to the first finding of the report—and I will pull up the exact wording so that it is clear:

#### **Finding 1**

The banning of mobile phones in schools is not supported by evidence and could lead to unintended consequences.

What was supposed to be a hit job on the then Government turned out to be quite an embarrassing issue for the Labor Party because the very report it was going to use during the election campaign did not support its signature education policy. With those short remarks, I end my contribution by saying it was pretty much a failure of a hit job by those opposite when the first finding of the report did not support their signature policy.

**The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (17:19):** I speak on the education committee report entitled *Teacher shortages and education outcomes in New South Wales* that was tabled during the parliamentary break. I commend the report to the House and acknowledge the work of the education committee over the past four years. There was certainly a diversity of views on the committee, but we did some really important work covering the key issues across education and the previous Government's neglect of education outcomes. We now know that New South Wales has the fastest falling education outcomes in the world. The committee held a big inquiry into the tertiary education sector, which was particularly pertinent during the COVID pandemic. We also held an inquiry into teacher shortages and the disastrous way that school infrastructure had been planned and executed. Despite warnings from the Auditor-General and despite repeated increases in enrolment caps—

**The Hon. Wes Fang:** Point of order: The member should confine her comments to the report that is before us. Whilst possibly interesting to the member herself, a precis of the collection of reports that the education committee did during the previous term of Parliament is not exactly what we should be discussing.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** I have heard enough. I urge all members to bear in mind the purpose of the debate on committee reports. I refer to the ruling of Deputy President Griffin in 2005. She said:

Although traditionally a degree of latitude is extended to members contributing to debate on committee reports they should nevertheless confine their remarks to the report being debated.

The Minister will proceed.

**The Hon. COURTNEY HOUSSOS:** I note that the inquiry into teacher shortages and education outcomes was specifically established to conclude the work that the education committee had completed over four years. I speak to the teacher shortages part of the inquiry. I do not agree with the characterisation of the previous member about the important work that the committee undertook. It was valuable for the committee to check in with key stakeholders and with the department about the progress on teacher shortages. Mr Assistant President, you would remember that we asked the education Minister many questions about teacher shortages in this House and in budget estimates. We spoke about it during parliamentary debates.

For years the previous Government refused to even acknowledge that there was a problem. Using the powers of this House, we uncovered that the Minister had been advised by her own department prior to the COVID-19 pandemic—which did cause additional pressures; there is no doubt about that—that these shortages were coming. Chronic teacher shortages are now plaguing our schools. That it took us years to get the previous education Minister to even acknowledge that there was a problem meant that we were so much further behind in finding a solution.

The important thing that we uncovered through this particular inquiry was in relation to temporary teachers. Teaching was traditionally a job that could provide support for a family. It was seen as a stable and secure role and one that was respected within our communities. I pay tribute to the Hon. Anthony D'Adam for his work in exposing this. Through the budget estimates process and through questions on notice he uncovered the true nature of temporary employment in the teaching profession in New South Wales. We saw exponential growth of temporary teaching contracts under the previous Government. Whether it be in the community or in the inquiry, we heard consistently that teachers could not plan their lives. They could not take out mortgages. They could not plan to have families. They could not plan the rest of their lives if they were operating on 12-monthly rolling contracts. That is completely at odds with the way that we think of teaching as a profession that provides people with an opportunity to put down roots and plan the rest of their lives.

I pay tribute to the now Premier and the now Deputy Premier, who is also the Minister for Education and Early Learning, for announcing at the Labor NSW State Conference that we would transfer 10,000 temporary teachers to permanent positions. We thought that was an important step forward. Despite us talking about that for months, the then education Minister turned around and announced it overnight. That announcement occurred in October. In February we found out that not a single teacher had been transferred from temporary to permanent employment. In that five-month period the education Minister sat on her hands and left those poor teachers hanging in temporary and insecure employment. I am delighted to report to the House that in just 65 days we have already had hundreds of offers go to temporary teachers. We are making a real difference for those teachers by guaranteeing them secure, permanent positions. That is the kind of thing we are getting on with. When they were in government, members opposite made big promises and refused to deliver. We are serious about fixing those problems.

We made a series of findings in our inquiry. The first was about mobile phones, which the previous speaker addressed. The second finding was about the fact that, for the first time, teacher resignations have outstripped teacher retirements. That goes to the level of exhaustion and exasperation that is forcing even permanent teachers to leave their positions. We know we have issues in terms of age and the demographic make-up of our teaching profession but, for the first time, teacher resignations have outstripped teacher retirements. Teachers were just getting up and leaving. That is why it is so important to end the public sector wage cap and why this Government is committed to it. If we do not pay our teachers in a fair way, understand the administrative workload that they are under and try to find genuine productivity gains, then we will continue to lose our teachers. In question time today I said that three-quarters of our teachers, nurses and other public servants are looking to leave New South Wales because of the public sector wage cap. That is why we are committed to addressing it, and we saw the very real consequences of it in the inquiry.

Finally, our third finding was that teacher shortages are widespread and affect the education outcomes of students across the State, particularly those with special needs. The single biggest factor in a student's success is the quality of the teacher in front of them. I pay tribute to and thank the tens of thousands of dedicated teachers across New South Wales who work each and every day to make a difference for the students in front of them. If we do not have permanent teachers in classrooms, then we are simply leaving our kids to flounder. We see the

results of that. We know that 13 per cent of year 9 boys who were at school under the former Government could not reach the national minimum reading standard. That is the legacy of members opposite, and that is the legacy that we are firmly committed to fixing. I was delighted to see the election result of 25 March. It is an enormous privilege to be a Minister of the Crown and member of this place. I am quite sad to be departing the education committee. We did incredibly important work over the past four years. I commend the report to the House.

**The Hon. MARK BUTTIGIEG (17:29):** I contribute to debate on the report of Portfolio Committee No. 3 – Education entitled *Teacher shortages and education outcomes in New South Wales*. I start by thanking my colleagues the Hon. Courtney Houssos and the Hon. Anthony D'Adam on their proactive participation in the committee process. I also acknowledge committee members from the Opposition and crossbench. I think Ms Cate Faehrmann was on the committee.

**Ms Cate Faehrmann:** Abigail.

**The Hon. MARK BUTTIGIEG:** Sorry, Ms Abigail Boyd. When Labor was in Opposition I observed how debate on committee reports was used rigorously to prosecute the deficiencies in the former Government's treatment of our education system. It is very important to debate this committee report because it goes to the philosophy and priorities of the previous Government. It says much when a government does not value one of the most important inputs into a healthy, productive, well-educated society. We must recognise the valuable contribution our teachers make to the future of our country. They provide intellectual and educational capital to our kids. Indeed, they are the foundation of the progress and prosperity of Australia. Can one imagine anything more important—other than, perhaps, one's health?

We did not need a committee report to tell us the problems with the system. We could talk to people in society. Everyone would have come across a teacher in their social circle who volunteered why the profession is not as attractive as they believed it to be when they signed up. Teachers enter the profession—similar to nurses, fireys and a range of other essential workers—because they want to contribute to society. They want face-to-face time with kids to impart knowledge and education and to build the society we spoke about. But teachers are not recognised for the contribution they make to our society. Many do not even have permanent contracts. Imagine the message that is sent to teachers when they enter a profession that does not have the security of permanent tenure. Imagine the message that is sent to those teachers about how much the government values their contribution.

We have a situation in which 10,000 teachers are on temporary contracts. As I said, if one speaks to a teacher in one's social circle, they would happily say that the profession is very insecure and people are questioning whether or not they can remain. How on earth can one get a loan and plan one's life if one's income is insecure and on rolling 12-month contracts? That is why the committee process was so important when Labor was in Opposition. It informed us about what the electorate was feeling and suffering from as well as what we needed to do to fix the problem. And the problem extends beyond teachers. The parents who send their kids to school see those teachers under stress. They are overworked with paperwork, do not have enough face-to-face time with students and do not think the profession is as great as they thought due to insecure employment and rolling contracts. On top of that, the former Government told teachers that they did not deserve a wage rise despite inflation running at 6 per cent.

It is no wonder the electorate was willing to grab Labor with both hands. We offered a concrete solution. This morning I moved a notice of motion relating to essential workers. While I do not want to sound as though members spend their weeks in Parliament boasting about their great achievements, I do want to tell the people of New South Wales that we are delivering on our election platform to achieve A, B, C, D and E. However, if we do not deliver on those promises, the people should kick us out in four years for leading them down the garden path. But, unlike members opposite, our intention is to make good on our promises and our philosophy by respecting our teachers.

We want a society in which our children can go to a public school and get a high-quality education, and security of employment for teachers can directly influence that. That is why Labor expects to transfer approximately 10,000 temporary teachers and 6,000 temporary support staff to permanent positions by the start of term 1, 2024. That is not too far into the future. Let us not forget that support staff are just as important as teachers because it is a cohesive whole. As with the teaching profession, the hospital system has nurses, pathologists, anaesthetists—the whole supply chain influences the delivery of those services. Those teachers and support staff will be transferred to permanent employment in roughly seven or eight months. Already, over 1,000 temporary teachers and support staff have been provided offers of permanent employment. Labor is making good on the policy it took to the election, which was informed by the education committee and the committee process.

My colleagues the Hon. Anthony D'Adam and the Hon. Courtney Houssos did excellent work on the education committee. It does not bode well for the Opposition that its members have doubled down on their failures. They were aware that these were big issues in the community. Former Government members are still trying to defend their legacy but, quite frankly, the electorate has rejected it. The sooner Opposition members move on and recognise their abject policy failures, the sooner they will be competitive again. From Labor's point of view, we hope they continue to double down on their failures because we would like to be in government for as long as possible. We think we can do a better job.

This committee report was extremely important in highlighting the defects in our education system, including in resourcing, and in highlighting the importance of a Labor Government getting its priorities right. Let me tell you, Mr Assistant President, Labor will prioritise education. We will prioritise the retention of teachers and the value of those teachers because of the valuable input they provide to our kids and the future of our country. Similarly, we will prioritise frontline workers like nurses, fireys and paramedics. That is why we have campaigned so hard to give teachers permanent tenure, secure employment and sufficient face-to-face teaching time, which is needed to give our kids a quality education. It is also why Labor has campaigned so hard to lift the unfair wage cap, which has artificially suppressed wages. We are in a situation in which teachers want to leave the profession because they have not had a pay rise.

The committee process is very important for the Parliament. It is particularly important for an Opposition because it informs policy when it is bidding for government. Those opposite should start using the committee process to maybe develop some real policy so that when they are ready for government one day far into the future, they might have something to offer.

**The ASSISTANT PRESIDENT (The Hon. Peter Primrose):** The question is that the House take note of the report.

**Motion agreed to.**

## **PUBLIC ACCOUNTABILITY COMMITTEE**

### **Reports**

**Ms CATE FAEHRMANN (17:40):** I take note of report No. 15 of the Public Accountability Committee entitled *Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas - Interim report*. The inquiry expanded quite significantly during the Committee's time as it delved deeper into the many very interesting and problematic circumstances surrounding Mr Barilaro's appointment. The terms of reference for the inquiry were self-referred by the committee on 23 June 2022. The committee held 12 public hearings. The inquiry forensically examined the recruitment processes surrounding all of the Senior Trade and Investment Commissioner [STIC] positions. There was nothing to see in four of them but it was the position given to the former Deputy Premier, Mr John Barilaro, that the inquiry first looked at and that is the interim report that we are taking note of today.

All members are aware that this issue became one of significant public interest. The Public Accountability Committee, particularly the members of the then Opposition, now Government, forensically examined many aspects of the appointment through the ability of the House to order the production of documents pertaining to the appointment process. It was a treasure trove. The boxes and boxes of documents that were released revealed extraordinary processes—in fact not really proper processes—that were undertaken in the appointment. Although nobody really needs a reminder, I will recall that the inquiry first looked at the New York role, which interestingly the media and everybody started talking about as a "plum" trade commissioner job. That was the adjective that was used. Every media outlet was saying that the New South Wales Government offered a plum trade commissioner job in New York, firstly to a senior female public servant with an outstanding resume, only to later say, "Whoops, hang on; we're changing our mind". The then Government then rescinded the offer and, through a second recruitment process that everybody in the country knows about, appointed the former Deputy Premier, John Barilaro, to that \$500,000-a-year role.

I will take a quick step back. When John Barilaro was Minister for Trade, he announced the creation of five trade commissioners and one agent-general, the latter of whom would be based in London. At the time the Government said it would spend over \$112 million appointing commissioners to Tokyo, Mumbai, Singapore, Shanghai and, of course, New York, and the agent-general in London. New South Wales Treasury engaged an executive search company, NGS Global, to assist with the search to fill the position. The committee called NGS Global managing partner Dr Marianne Broadbent several times as a witness. She was the lead consultant for the STIC positions. At the outset I thank Dr Broadbent for her participation in the inquiry and her professionalism at all times. She was an excellent witness.

Ms Jenny West, who applied for the position, also presented before the inquiry. Before she applied, Ms West began her role as Deputy Secretary, Trade and International, NSW Treasury, and led the initial appointment process for the STIC position. Time does not allow me to go through every stage. I am sure the Hon. Daniel Mookhey can go through the time line if he has time in his 10 minutes. The committee received an abundance of evidence which confirmed that Ms West was the preferred candidate following an open and transparent recruitment process. That included copies of the selection panel report ranking Ms West as the preferred candidate and a briefing note titled, "A successful candidate for the role of STIC to the Americas has been identified." This came from Ms Amy Brown, who also presented to the inquiry multiple times. The briefing note was made to the then Premier Gladys Berejiklian, the then Deputy Premier John Barilaro, the then Treasurer Dominic Perrottet and the then Minister Stuart Ayres. All Ministers also signed off on the briefing note, except for the Treasurer's office, which noted the contents in a return email.

Similarly, emails and text messages between Ms West and Investment NSW staff regarding salary negotiations about the role also confirmed that indeed she had it. In evidence to the inquiry, Ms Brown acknowledged that Ms West was verbally offered the position of the STIC to the Americas but she asserted that no contract or written offer was made to her. I do not think any of us can forget the text message Ms Brown sent to congratulate Ms West on her appointment. I do not think anybody needs much more to think that they had gone through a fair and transparent process, been offered this role and were on their way to New York. Worse still, ultimately when Ms Brown was instructed by the then Deputy Premier to cease the recruitment process, Ms West was told by Ms Brown that funding for her current position of Deputy Secretary with Investment NSW had been reallocated and that there was no position for her there either. It was absolutely extraordinary what the committee inquiry and the call for papers uncovered. We have to wonder in some ways what else is out there.

We know that John Barilaro resigned from politics on 3 October 2021. A second recruitment process was started to find a trade commissioner for New York. Before that, Mr Barilaro commenced discussions with his ministerial staff about the legislative requirements for changing the way in which the STIC roles were appointed, changing them from public sector appointments into ministerial appointments. It is noted in the committee report that the former chief of staff to the Deputy Premier, who also appeared before the committee, told the committee:

I remember a conversation—and it's a vague recollection—in June prior to the lockdowns ... it was general in nature—about how these appointments are made, what the process looks like and by what other means they could be appointed.

Just after Mr Barilaro stepped down from politics the Hon. Stuart Ayres became Minister for Jobs, Investment, Tourism and Western Sydney, and Minister for Trade and Industry. Jenny West told the committee that, in a Teams meeting with Amy Brown on 14 October 2021, Ms Brown told her that she would not be getting the Senior Trade and Investment Commissioner to the Americas role and that it was going to be filled through a second, different process. Ms Brown told Ms West that the position "will be a present for someone" and added, "You are an extraordinary performer and I am upset that this has happened."

The media reported intensely what was playing out in the inquiry and a lot of people were riveted. Almost every day we listened to updates from journalists interviewed on various radio programs and it seemed to be the lead story on the TV news every single night for a number of weeks, if not longer. Some of the findings of the inquiry were that there was a second selection process through which John Barilaro was ultimately offered the role. The second selection process was extraordinary in that the selection panel report was signed off on by the people on the panel, which included the Public Service Commissioner, after John Barilaro was offered the job and after he had signed the contract. That was when the people on the second selection panel looked at the report and said, "Yes, it looks pretty good to me." When the Public Service Commissioner, Kathrina Lo, presented as a witness to the inquiry, we found out that she was absolutely flabbergasted and distressed that she had signed off on a selection panel report that did not correlate with the initial feedback from the interviews.

**The Hon. Wes Fang:** That's not right.

**Ms CATE FAEHRMANN:** You'll get your turn. An important outcome of the inquiry was the Graeme Head review, which would not have happened if the upper House inquiry was not formed and if the initial incredible detective work undertaken by the now Government members, particularly the Hon. Daniel Mookhey, had not occurred. The media focus and the results of the forensic work meant that the Government had no other choice but to look into it. They appointed respected individual Graeme Head, who interviewed Amy Brown and many others in the public service, to review and report on what had happened. Graeme Head came back with a report that recommended changes that have been implemented or are in the process of being implemented. The changes will make a real difference to the way in which senior positions are appointed.

There have been significant changes as a result of the inquiry but I have to say that it is extraordinary that they were needed. It is extraordinary that the Government Sector Employment Act 2013 should be amended to include a specific provision to say that a secretary or agency head is not subject to the direction of a Minister in

respect of any of their employer functions. There was a recommendation that Ministers not be permitted to take particular jobs in areas related to their portfolio within 18 months of leaving their employment as Minister. It is good that these recommendations exist and these changes have been made, but it is extraordinary that they were not already taken into consideration in the ministerial code of conduct.

The inquiry also found that the former trade Minister, Stuart Ayres, had many conversations with Amy Brown, the CEO of Investment NSW, about the second recruitment process that were inappropriate and should not have taken place. As a result, he stepped down from his position. Ultimately this was, pure and simple, boys securing jobs for the boys—that is what the inquiry uncovered. We cannot put it any more simply than that but we got to a good place—we uncovered it. I thank the committee staff, the committee secretariat and all members of the committee for working hard to come up with some good changes to the public service. I commend the report to the House.

**The Hon. DANIEL MOOKHEY (Treasurer) (17:55):** Four years ago this House formed the Public Accountability Committee as part of key reforms that were inaugurated in the Fifty-Seventh Parliament to up the ability of this House to hold executives to account. Through the course of the past four years the Public Accountability Committee did a lot in the name of public accountability. That includes the work that was undertaken to expose the sorting of grants programs, the work to expose a lot of the wrongdoing and financial engineering that was associated with the formation of the Transport Asset Holding Entity and the work to shed light on how former Deputy Premier John Barilaro ended up as the New York trade commissioner.

I played a role in at least two of those three inquiries. The report entitled *Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas- Interim report* was very important and it demonstrated how this House, by combining its powers to seek government information and establishing a forum in which to ask questions of public officials, can investigate effectively the actions, both positive and negative, of the Executive.

The inquiry was particularly high profile and particularly interesting. Tribute should be paid to the chair for the manner in which she conducted it. Tribute should also be paid to the many public servants, including those who were held to some pretty tough questioning, for cooperating with the inquiry. Tribute should be paid to the hardworking committee secretariat for its two reports, as well as to the many people who assisted this House in obtaining thousands of pages of government documents. I pay tribute to the members of the labour movement and the then Opposition who assisted me—the Hon. Penny Sharpe, the Hon. John Graham and the Hon. Courtney Houssos—and members of the crossbench. We painstakingly reviewed 30,000 to 40,000 pages—although the Leader of the Government may correct me on that. It was quite a bit of work.

The story that was told was amazing by any standard. Why did the previous Government, with the best of intentions, establish Global NSW in the 2019 budget to up our footprint in various places around the world? I recall sitting in estimates hearings with the Hon. Walt Secord and asking the Treasury and the then Treasurer, Mr Perrottet, about what his intentions were and, fundamentally, how it would be different to the strategy that was in place in 1992 which, as some people would remember, led to the infamous scandal involving Ted Pickering as the Agent General. Those roles were abolished because the manner in which people were chosen by that Government is best described as curious and in the early nineties similarly resulted in prominent people in the Liberal Party being appointed to very prestigious, highly paid roles. We were assured there was adequate governance to prevent such a scandal from taking place. I recall asking the same questions at budget estimates in 2021 and 2022.

I also recall moving a motion for production of documents under Standing Order 52 at the end of 2021, working in partnership with the now Minister for Industry and Trade as we sought information about the initial appointments to the positions in Japan and the UK. I had no idea how important those documents would be when they were returned to the House. Their importance only became crystal clear in June last year on the eve of the budget on a Friday at 4.00 p.m. when, shock-horror, the then Deputy Premier was appointed to the New York trade position in the evening when no-one was meant to notice. I recall being with the now Premier at Kogarah where he was accosted by people on the street saying, "This is pretty shocking." I recall him saying to me at that time, "We need to get onto this." I remember calling the now Leader of the Government that Saturday and saying, "We really need to establish an inquiry into this." We had that inquiry up and running the next Tuesday with the support of this House.

**The PRESIDENT:** For the benefit of the member, I will not interrupt him. He is free to finish his contribution if he wishes.

**The Hon. DANIEL MOOKHEY:** Given the circumstances, I might resume my remarks at a later hour of the sitting.

**Debate adjourned.**

**The PRESIDENT:** Pursuant to the resolution of the House earlier this day, it being 6.00 p.m. proceedings are interrupted to allow the Hon. Emily Suvaal to make her inaugural speech.

*Members***INAUGURAL SPEECHES**

**The PRESIDENT:** I welcome into the President's gallery the family and friends of the Hon. Emily Suvaal, including esteemed former President of the Legislative Council the Hon. Amanda Fazio and former Leader of the Opposition in this place the Hon. Adam Searle.

**The Hon. EMILY SUVAAL (18:01):** What an honour to be elected to this place. For me, like many before me, it has been both a hard-fought and beautiful journey to be here today, a journey based on the need to fight for change based on my experiences and the people I connected with along the way. When I was 11, my family remembers a fateful day we all went on a bushwalk. I was a fit and sporty 11-year-old, but a couple of hundred metres in I demanded we return as I was thirsty and quite upset. That confirmed to my mother something was wrong. I had been more tired than usual, I had lost weight and I had been drinking abnormally large amounts of water.

I was taken to my GP. I had a blood test and within 48 hours I was being seen at the old Camperdown Children's Hospital emergency department. I was diagnosed with type 1 diabetes, and I spent 10 days in hospital on the Sailing League Ward. I was taught how to count carbohydrates, draw up insulin and inject myself, test my blood sugar level, and eat a low-sugar, reduced-fat diet. That was the start of what became an unhealthy relationship with food and numbers. At the age of 14, I was diagnosed with anorexia nervosa. In the care of the adolescent medicine unit at The Children's Hospital at Westmead, I was looked after by a team of multidisciplinary healthcare professionals: specialist paediatricians, psychologists, psychiatrists, dietitians, physiotherapists, occupational therapists, pharmacists, play therapists, social workers and clinical nurse consultants, along with the endocrine team. I was admitted approximately—and I say approximately because my memory of this time is very vague—10 times to the children's hospital in the two years after I was diagnosed.

I completed year 10 at high school but significantly deteriorated shortly after and would never be well enough to return. My last recollection of school was sitting in front of a piece of paper for hours agonising over a sentence I could not perfect. My alma mater, the wonderful James Ruse Agricultural High School, has been the top-performing high school in this State for many years, as it was when I attended. It was, and is, a fantastic public school with teachers and students of the highest calibre. It was quite unheard of to not finish high school there, so I was hard on myself about that for many years. However, I can attest that the HSC is not the be-all and end-all, and, in fact, you do not need an ATAR of 99, or even an ATAR at all, to do great things.

At the age of 16, children currently face being transitioned across to the adult health system. They can also discharge themselves from hospital against medical advice. When I turned 16, I was appointed a legal guardian under a guardianship order, basically so that I could not sign myself out. It also meant that my treating health professionals did not need my consent for changes to my treatment, or to initiate treatment; that was my guardian's role. That felt very disempowering and, in some ways, counterproductive as it fuelled my determination to undermine treatment even more. Where there was a will, there was an anorexic way, as Mum always said.

I was very reluctant to head across to the adult system at Westmead Hospital and had made little progress, so my mum sought out a private psychiatrist who specialised in eating disorders. I was looked after by Professor Peter Beumont and treated in private inpatient mental health facilities for some time, until I became too medically unwell. Then I was treated at the Missenden Mental Health Unit at Royal Prince Alfred Hospital. It is a place that no longer exists but is etched into my brain. It was a terrifying experience for a vulnerable 16-year-old girl to be in a general adult psychiatric unit. I recall everything about that place. As I said before, my memory of that time is very vague, but I remember everything about that place.

I recall the lino floor; the smell; and the bare room with a single metal-frame bed, tatty carpets and a tall skinny cupboard for all your worldly possessions. I recall the locked ward; the shared bathrooms with a hole in the door where the lock had been removed; the 12-foot-high metal fence that I once attempted to climb in a desperate bid to escape; and the seclusion room with padded walls. I am eternally grateful to the health professionals who worked there, and who I fought so hard in their efforts to treat me, because they kept me alive. Over the course of my illness, I had hundreds of hospital admissions ranging from a few weeks to a year in length. I was treated in public and private mental health units and medical wards, and had the occasional stay in an intensive care unit when I was severely unwell. Our public health system looked after me when I was at my worst.

I was admitted mostly as an involuntary patient under the Mental Health Act. Being appointed a guardian felt disempowering but being scheduled under the Mental Health Act was devastating every time. I recall monthly mental health tribunal meetings, being trotted up to the first level meeting room in the Missenden unit. It was often the only time I had been anywhere but the ward, or its concrete courtyard where the smokers gathered, in that entire month. It always felt a futile exercise as my admission status invariably never changed from involuntary patient to voluntary patient until immediately before I was discharged. Almost a decade on from my diagnosis, and in my early twenties, I had spent several months, again, as an inpatient in the Missenden unit with no improvement. Medically stable, but still extremely compromised and underweight, I had severe osteoporosis and heart issues. I faced being discharged to a women's refuge.

A social worker at the Missenden unit at the time Diana Priest, one of the many health professionals to whom I am eternally grateful, advocated for me to access supported accommodation as an alternative. After some initial reluctance from the provider, who had never accepted someone with an eating disorder before, I had a temporary home in the inner west with a case manager. Having stable, affordable accommodation that had links to public transport and was close to my healthcare team was crucial in those early stages of my recovery. It enabled me to recover to an extent that I could re-enter the workforce—something that put structure and purpose back into my life. I commenced work in a local retail store, initially for a few hours a couple of days a week as lunch cover. I caught the bus there and back. It was not a lot, but it gave me a reason to get out of bed and ensure I was fit to turn up, and it gave me a responsibility to someone other than myself.

Several remarkable health professionals played important roles in my reintegration into the world in the years that followed. My GP at the time, Dr Aline Smith, is someone I particularly want to thank today. Aline saw me sometimes twice a week during my recovery years. I attribute a large part of my success to her treatment, care and availability. Aline was with me as I navigated the years I had missed and the many stress fractures I endured along the way. Quality, accessible and timely primary care is the cornerstone of our health system in New South Wales. The outpatient care I received from the team at Royal Prince Alfred Hospital was also an example of how important good wraparound community health care is in recovery from mental illness. Elizabeth Frig, the dietitian whom I saw regularly, and Narelle Spinks, my psychologist, played important roles in my recovery. So too did my psychiatrist, Dr Margaret Sheridan. The magnitude and cost of my healthcare treatment is something that has never been lost on me. I am so fortunate to have received the care I did from the wonderful healthcare workers looking after me because it kept me alive.

Fewer than 50 per cent of people with anorexia nervosa recover, and it has the highest mortality rate of any mental illness. Almost 550 Australians die every year because of anorexia nervosa. I have never lost the drive to give back to those who gave me so much. In my recovery years I went on to participate as a consumer representative with lived experience of anorexia nervosa in many forums. I was proud to play a small part in the steering committee setting up the Peter Beumont inpatient unit in the Professor Marie Bashir Centre at Royal Prince Alfred Hospital. The Peter Beumont unit is a nine-bed inpatient ward dedicated to the treatment of eating disorders. It means a lot to me that that place is safer and more supportive, and different to my experience of adult inpatient mental health units as a 16-year-old girl. It is a far more appropriate place to treat young people with eating disorders. The Missenden unit is now just a memory, having been demolished. Pleasingly, the Charles Perkins Centre stands proudly in its place and houses Australia's national institute for eating disorders, the InsideOut Institute.

In the final stages of my recovery, I decided to give tertiary education a shot. I started out with a bachelor's in medical science, where I rediscovered my love of chemistry and maths. There were few things more satisfying than having a question, completing pages of equations and working systematically down to a final answer, and for that final answer to be correct. Science is awesome. I changed my degree to a bachelor's in forensic science and applied chemistry so I could learn more about chemistry, which I really enjoyed. However, halfway through the degree I changed my mind again because I decided I really wanted to work with and help people. My older sister had recently completed her nursing degree and I was inspired and encouraged by the work I saw her do, along with my experience of the many nurses who had looked after me. After six years at university, I finally completed a bachelor's in nursing, one of my proudest achievements. I had started and not finished many things in my life previously.

After graduating, I worked as a registered nurse at The Children's Hospital at Westmead, where I had the privilege of caring for children and families on the cardiac and day surgery wards. I will never forget them. Taking home a newborn baby from hospital is a terrifying and exciting time, anyone will tell you. But, imagine, a couple of days after you take your baby home, they turn blue, stop breathing, are rushed back to hospital and have a postnatal diagnosis of cardiac illness. They then require emergency open-heart surgery and must stay in intensive care and on cardiac wards for weeks, or months, before eventually going home again. Some may even have to return for follow-up surgeries in the time ahead. That was the reality for the families I looked after, and their resilience in the face of adversity is something I will never forget. The health professionals I worked with in my

time at The Children's Hospital at Westmead were also something I will never forget. They were extraordinarily skilled, and I have no doubt they will provide an exemplary heart transplant service to the children of New South Wales.

I joined our great Australian Labor Party [ALP] halfway through my first year of working as a registered nurse. It was clear to me that change was needed to ensure I could do my job safely, effectively and to the standard I expected of myself. I wanted to become involved, to advocate, and to change policy and legislation at a higher level—the level of government. I had no idea what I was getting myself in for. I thank the former member for Macquarie Fields in the other place, Dr Andrew McDonald, for encouraging me to join the party and become active in my local branch. When I joined the party I was in the Baulkham Hills branch of the ALP. There I met, and gained profound respect for, the Hon. Peter Primrose, MLC, who was a member of my local branch. The honourable member is someone much respected across the political spectrum, and I am privileged now to be working with him in this capacity all these years later.

Having been involved in the party for a while, and wanting to truly change the world, I took some time away from nursing to do something a little different and work on an election campaign for NSW Labor. There I formed a great appreciation for the dedication, commitment and work of our party officers. I acknowledge the work of Dominic Ofner, now general secretary of the New South Wales branch of the Australian Labor Party; Alex Costello; Liam Rankine; David Dobson; Pat Garcia; Kaila Murnain; and the many others I worked with in my time at head office, many of whom are now also working in this place. I then worked briefly for Dr Mike Freeland, MP, the Federal member for Macarthur. Dr Mike is a highly regarded paediatrician who epitomises everything I admire in both a healthcare professional and a person: He is humble, generous, and compassionate. He is also good at giving well-intended and completely unsolicited life advice. I thank Dr Mike sincerely for the opportunity to work for him, and for all the unsolicited life advice that was, in fact, quite useful in the end.

Most recently I had the privilege of working for the NSW Nurses and Midwives' Association as an organiser and registered nurse. A steadfast trade unionist, I organised nurses and midwives in the Hunter New England Local Health District, private hospitals and residential aged-care facilities. With the assistance of my colleagues, and in spite of the unfair industrial laws we faced—which must be addressed by this place—we had a few much-savoured wins. They were hard fought and frustrating battles, but the nurses and midwives I worked with were unwavering in their advocacy for patients.

Like me when I joined the party, they just wanted to do their job safely, effectively and to the standard they expected of themselves. I will always remember fondly the Belmont nursing hours-per-patient-day dispute with my colleague Christopher Blair; the members of the John Hunter Hospital branch executive, who taught me so much; the midwives of K2; and the Gloucester Soldiers Memorial Hospital aged-care nurses. Aged-care workers are pillars of our society. I am thrilled to see our Federal Government take steps to pay them what they are worth, although there is much work to do. I look forward to being part of a Labor Government in this place that will address the many wrongs inflicted on workers, especially our essential workers, over the past 12 years.

I acknowledge all the union secretaries in New South Wales who have fought and advocated tirelessly for the rights of workers, particularly through the COVID pandemic. I thank the secretaries of the three unions of which I am a member: Gerard Hayes, secretary of the Health Services Union; Graeme Kelly, general secretary of the United Services Union; and Shaye Candish, general secretary of the NSW Nurses and Midwives' Association. I also mention former NSW Nurses and Midwives' Association General Secretary Brett Holmes, who was general secretary for much of the time I worked at the association, and Rail, Tram, and Bus Union Secretary Alex Claassens, who I had the honour of meeting the same night I met my now husband, Jay. I thank all the union secretaries and their members affiliated with our great peak body, Unions NSW, and its secretary, Mark Morey. I cannot tell members how much I am looking forward to getting rid of the unfair public sector wages cap in this place.

Along with my commitment to advocate for workers in New South Wales, I note my commitment specifically to the people of the place I now proudly call home: the beautiful Hunter Valley. Our region is one of significant importance to this State and country. The people who live and work in the Hunter deserve a State government that will represent them and the best interests of their region and all of rural and regional New South Wales. I intend to do just that. I also commit to work in this place to further destigmatise mental illness, particularly eating disorders. Eating disorders are serious mental health illnesses that impact between 4 per cent and 9 per cent of our population. There are, sadly, still many inaccurate assumptions about eating disorders that impact the treatment people receive. Eating disorders are not a diet gone wrong, they are not attention seeking and they are certainly not a phase. No-one wakes up and chooses to develop an eating disorder, just like no-one wakes up and chooses to become depressed or get type 1 diabetes—or any other illness, for that matter.

While the rates of other mental illnesses have stabilised since the height of the COVID pandemic and are returning to baseline, eating disorders do not seem to be following the same trend. The gaps and confusion around

hospital-based care for adolescents between the ages of 16 and 18 still exist, as it did when I was unwell more than 20 years ago.

There is an urgent need to transform our health system from a late-stage to an early-stage intervention focus. It was only nine years ago that New South Wales began its long road to rectifying the exclusion of treatment of eating disorders from our health system. That may seem like an exaggeration, but only nine years ago the vast majority of people with an eating disorder needing treatment in this State did not receive it. In late 2013 the then New South Wales Minister for Health announced the first policy directive for this illness group, stating it was core business for our health system. Since then, progress has been made, but we are not there yet—nowhere near it. It is far less common today to be turned away from an emergency department in New South Wales when you have an eating disorder and are critically ill, but it still happens.

It is far less common to be denied an admission to hospital for urgent medical care and nutritional rehabilitation, but it still happens. It is less common to be discharged from hospital with no plans for treatment in the community, but sadly that still happens often. And unfortunately, in this State and in others all around the country, it is very common to be unable to find good, effective treatment for eating disorders in the community. It is very common for families to search for months to years for health professionals that are skilled and can help. It is also very common to find those health professionals only in private practice and have to pay large, out-of-pocket gaps when Medicare rebates cover only a fraction. That means discrimination is built into the system and only the wealthy receive care. But eating disorders are curable. For most, there is a relatively brief, evidence-based, community care treatment package that works. But it is still the case that most Australians will not receive it, and we must change that.

Significant investment in community care teams is needed; coordination of care pathways, so that people are not searching the system in vain; training of our workforce to deliver effective treatment; and the development of tools and methods to make sure evidence is translated into high-quality care. My heartfelt thanks go to those that are still working tirelessly in the field of eating disorders. The same specialists that were there and looked after me all those years ago are still there now. I know we urgently need more of you, and the contributions you have made to the treatment and the lives of so many over the years, including me, is immeasurable. Thank you Dr Margaret Sheridan, Associate Professor Sarah Maguire, OAM, Professor Janice Russell, Professor Stephen Touyz and Peta Marks who, on rough estimates, have a combined experience of over 160 years in the field of eating disorders. And there are many more. I want you to know that, just as you fought for me, I will fight for you and the work you do for the 400,000-odd people living with an eating disorder in this State.

I do not know of anyone else with type 1 diabetes who has served in this House. Living with type 1 has profoundly impacted the person that I am today. People with type 1 make, on average, 180 additional decisions per day. They have a reduced life expectancy by an average of 12 years. They are four-and-a-half times more likely to die young. They have a 10 times higher risk of cardiovascular disease and have a higher risk of complications in pregnancy. On average, 95 per cent will develop eye damage, 50 per cent will develop nervous system damage, 40 per cent will develop kidney disease and 25 per cent will develop another autoimmune condition. One in four will also have some form of mental illness. Growing up, I lived in fear I would lose my sight or my feet. Fortunately, neither has happened yet—touch wood.

Continuous glucose monitoring and hybrid closed loop insulin pump systems, like the one I use, have reduced the mental burden and complication rates associated with type 1 diabetes. However, we have much work to do in ensuring this technology is accessible and affordable to all who would benefit from it. This technology enabled me to do shift work as a nurse. It also enabled me to have two beautiful healthy children that I thought I never would. But I can only access an insulin pump through private health insurance or by paying \$7,000 to \$10,000 outright, meaning that again inequality is built into the system. Everyone deserves access to this technology. It is life changing. I want to say to that terrified 11-year-old who has just been told they have type 1 diabetes, to the 14-year-old with anorexia nervosa who feels their illness will never get better, and to the health professional who, for years, has gone above and beyond for their patients: There is hope. This Government cares about you, and I will fight every single day in this place for you.

A few more final words of thanks before I finish. I acknowledge the late Professor Peter Beumont—"Prof", as he was known to many—who was my psychiatrist for many years until his death. Prof was one of the founding authorities in the field of eating disorders. A tireless advocate and devoted clinician, he went above and beyond for his patients. Prof insisted, much to my frustration, that I would recover. He would say to me in his South African accent—and I can still hear him say it—"Emily, you are not a chronic anorexic. You will recover, and you will go on and do great things with your life." Every time I saw him, he would remind me of this. He would also remind me that if I channelled the determination that I was throwing into anorexia and destroying myself into something good, I would be unstoppable. His words have stayed with me and are a source of encouragement that

I draw on in times of doubt. I am so grateful to Prof, to his wife, Daphne, and to his family for all they did for me. I do hope to do great things in this place for the good of all.

I thank my father for the sacrifices he made for our family. Dad juggled two jobs as the principal pianist in the Sydney Symphony Orchestra by day, and sometimes night, and teaching at the Conservatorium of Music when we were young. I am grateful for growing up in an environment where concertos and symphonies were practised endlessly and became like white noise. Often I will tune into ABC Classic FM and hear a familiar piece that dad practised at home when I was a child, although I have no idea what it is. Dad had a psycho-traumatic event when I was eight years old and spent much time in hospital. I am also grateful he is here today.

To my mother: Thank you for everything. Mum was the youngest of four children and the only one to complete her schooling and a tertiary qualification of teaching, thanks to Gough Whitlam. She gave us so much and still does—discipline, kindness, Christian values. Mum brought us all up when dad worked two jobs. She went back to work when we all hit a rough patch. She looked after us all, four kids under 10 including a newborn—and Dad, when he became unwell. She went back to university and studied a masters, somehow, in all that. Mum worked as the breadwinner when Dad could not. She has been a constant in my life and is without a doubt the most selfless and kind person I know. My siblings, Ingrid, Jennifer, and Warwick. We are a family of caring individuals. There are two registered nurses, a physiotherapist, who has completed a PhD, and a vet science graduate. Thank you. I cannot imagine what I was like to grow up with. I am so grateful to have you all in my life today.

My husband, Jay. Jay and I met at a highly memorable Labor Party fundraiser in Mount Druitt in 2015. Some of you here were there on that auspicious occasion; I am looking at you, Alex Claassens. Making the decision to recover was obviously a good one, but Jay is the best decision I have ever made in my life. Jay, thank you for accepting and loving me for all that I am. I know that is sometimes quite a lot. You are the peace and calm to my high-functioning, detailed brain, and my safe place. Lastly, my two darling boys, Ethan and Caleb. I hope I can make this world a fairer and kinder place for you. I love you both more than I knew I could love anyone or anything. You bring me so much joy. I will do the best I can for you every day. You have my word. I hope to make you proud. Without you, this all counts for naught. To you, Mr President, and to the House, I come humbly, with hope and optimism for what lies ahead. I will do my best. Thank you.

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

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

*Governor*

#### **ADDRESS-IN-REPLY**

**Debate resumed from 25 May 2023.**

**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) (20:02):** I am delighted to contribute to the address-in-reply to the speech given by the Lieutenant-Governor. As members would know, the address-in-reply is an opportunity for members of the House to respond to the agenda that has been laid out by the Lieutenant-Governor—an agenda that has been shaped, assessed and provided by the Government to outline its priorities. The Government is focused on building reliable roads, connecting the regions, fostering vibrant local communities, supporting a tremendous creative sector, bringing back music venues and supercharging our visitor economy. Those are the building blocks of any successful city or State. They connect people physically and socially. They allow our urban, regional and rural communities to tell their stories, conduct trade and access services.

Of course, all of that requires a transparent government with the right checks and balances in place to deliver for the community. As all members know, that is especially important at a time when faith in public institutions around the world is low. When citizens do not have trust in public institutions, in government, they turn elsewhere. Often that can be very dangerous for democracy. We are so lucky to live in a peaceful, democratic jurisdiction where our civil infrastructure is set up to decentralise power. We must protect that. As elected representatives, I want to enhance our accountability to the people of New South Wales. In each of the portfolios I am lucky to serve in—Roads, Arts, Music and the Night-time Economy, Jobs, Tourism and as Special Minister of State—I am proud of the commitments the New South Wales Government has made. More than that, I am proud to be bringing them together as part of what I see as a city-building and State-building exercise.

Immediately I find myself diverted, though, by what we found as we opened the cupboard on the State's books and those portfolios for which I am responsible. Ministers of this incoming Government were very disappointed by the economic circumstances in which they found themselves. We had very high hopes and

aspirations for the State and the public, but when we opened the cupboard doors we discovered just how bare the fiscal circumstances were. We knew some of that leading into the campaign and election. We knew we were heading for over \$180 billion in debt in New South Wales. That was a real caution to us. That is one of the reasons why, during the course of the campaign, the Labor Opposition was quite modest in what it promised.

We were concerned about that growing debt mountain. We knew we were on track potentially for an \$11 billion deficit, the largest in the State's history. Since then we have found out, through the very good work of my colleagues in this place the Minister for Finance and the Treasurer, just how much more hard work there might be to go. Some \$7 billion is the early estimate of the cost of the depressing decisions and fiscal gaps that have been left by the former Government. If one thinks about the sunlit uplands that the previous Government lived in for 12 years—the low rates of interest and high rates of growth—it is honestly a very upsetting moment to come into this Government as a new Minister with high hopes.

It has not been this difficult for an incoming government since the early days of the Carr-Egan Government. The circumstances that Egan found himself in as Treasurer mirror the circumstances that the Treasurer and Minister for Finance must grapple with: much higher interest rates than we are used to and rising costs of finance, not just for householders—and we know how much pain that is causing people—but also of course for State governments. When interest rates are low, it is not an irrational decision to borrow money to invest in infrastructure for growth. But it was a mistake to squander \$42 billion of new budget initiatives at the last June budget, led by then Treasurer Matt Kean, at a time when the State was heading towards record debt. That is what we saw. That has led to the circumstances we find ourselves in.

The Government must deal with an era similar to that of Carr and Egan, with rising interest rates, a rising interest bill and pressure on the State's economy and finances. The last fiscal act of the former Government in that key budget moment was to spend \$42 billion of new money. Looking back on that moment, the motive could only be described as a government that, at its most senior levels, did not expect to win the election. Senior Ministers might have hoped to win the election, but one can only look back at that pattern of expenditure, that final budget from Matt Kean, and think that the Government leadership really did not ever expect to win the election. From June until now, the fiscal trail of destruction that has been left behind really does leave one thinking that the former Government might have hoped to be returned to power but, in the end, did not expect to win. I cannot explain that expenditure any other way.

However, Labor is pleased to be in government. Members of the House know I am not critical of all of the decisions of the former Government. I have tried to be fair when good things have been done. Over the past 12 years good things have been done for which the former Government should be proud, such as the cultural and roads infrastructure that has been built. But, in weighing up the costs, I am concerned about the state in which the State's finances have been left. That is a burden for not just the incoming Government; it will be a burden for generations to come. However, the line has been drawn. Labor is happy to be in government. We are happy to deal with those challenges from the Government benches. I do not think any member on this side of the House would argue with that. We will deal with those challenges in a straightforward way. We will try to be up-front with the public about those challenges and we will set out how we deal with each of them in a methodical way. I thank the Minister for Finance and the Treasurer as they set the scene for dealing with this, first in a June economic statement and then in a September budget.

I am disappointed that those on the other side of the Chamber have not followed that straightforward, necessary fiscal approach. Knowing what we know now, I do not think anyone would argue it is not necessary. We are still seeing what I would describe as an incredibly reckless approach. When it comes to the argument over land tax or stamp duty changes, it appears that the Opposition's answer in the other place is to have both—to have every package. They are back to saying we can have it all, like in that shocking moment where gravity was cast aside and former Premier Gladys Berejiklian declared, "You can have it all." That was never true then and it is certainly not true now in the current economic circumstances. The Opposition in the other place is saying we can have stamp duty assistance and land tax assistance, costing \$700 million each. That is wildly reckless. It shows how little has been learnt.

In the straitened fiscal circumstances in which we find ourselves after the \$42 billion wrecking ball that Matt Kean ran through the economy last June, the Opposition in the other place is calling for the Active Kids program to roll on in its original form, which would require \$800 million to go on the credit card because the former Government chose not to fund it—a breathtaking decision. In the areas I am responsible for administering, I opened up the major events cupboard hoping to back in some vibrant major events that I know all members are keen on. I found a secret \$100 million budget cut that was never announced or squared with the public. It was not even in the bottom drawer; it was so big a cut that it took up all four of the drawers. That \$100 million was included in the State Significant Event Fund, which was announced with a whole lot of fanfare but then taken out

the back door in the dark of night with no fanfare whatsoever. In the major events space, the money that was originally talked about is simply not there.

I object to the position the State was left in as we hit the election. Given how tight the State's finances are, it is unbelievable that last June's \$42 billion was not enough and that the now Opposition's reckless approach is rolling on past the election. It raises a question about what the modern Liberal Party is up to. If it cannot at this point apply the brakes and say enough is enough but still say we can have it all, I find that jaw dropping. It raises a question about what the modern New South Wales Liberal Party is doing and who in the party will put up their hand, raise the attention of the guard and say, "Will someone apply the emergency brake?" That is what should happen, rather than continued reckless spending.

From the Opposition, Matt Kean and company are hurling large imaginary sacks of money at the public. But at the core of the modern Labor Party and this Labor Government is a new-found respect for a principle that we fought the election on and the public is heavily aligned with, which is that privatisation of public assets has gone too far. We believe it is time to draw a line. During the campaign we found some unlikely allies, one of whom was the former Premier, a man who built his entire career on the idea of privatisation. Weeks away from judgement day, weeks away from the election, the former Premier did apply the emergency brake to that principle—which I would say had defined his involvement in politics up to that point—and said that privatisation and the privatisation approach of the former Government was over. That declaration reached its logical conclusion at the election.

The former Premier served with distinction in many ways and no more so than on the night when he gave his election speech, which I thought was a tribute to the way he conducted the election and the role he has played in public life. He should be given credit for that. One thing he should not be given credit for, though, is putting what I regarded as a fake view that he had turned a page, turned over a new leaf on privatisation.

**The Hon. Wes Fang:** Point of order: The Deputy Leader of the Government in this place should well know that if he wants to cast aspersions on a member of the other place he should do so by way of substantive motion.

**The PRESIDENT:** The point has some validity but on this occasion the Deputy Leader of the Government did not cross the line and cast an aspersion. I draw his attention to the point that the Hon. Wes Fang makes and ask him to keep within those bounds.

**The Hon. JOHN GRAHAM:** That is excellent guidance from the member and the President. I will turn immediately to my bigger concern, which is the behaviour of the modern Liberal Party in the other place, parading around adding things to the Constitution that it wants to protect from privatisation. Who would have thought that would define modern political debate in New South Wales? The modern New South Wales Liberal Party is coming at the Labor Party, coming at the Hon. Rose Jackson from the left, saying that the Constitution should be amended to stamp its newly minted anti-privatisation credentials. What is going on? I have never seen anything like it. The Liberal Party is not only throwing bags of cash off the train at the public but also trying to change the State's Constitution to protect the very thing it fought for most of its life. It raises the question of who is in charge, what is going on and what has produced this situation. If members opposite do not know what they stand for in public life, how on earth will the public ever catch on and understand what they are for? That is my caution to the modern Liberal Party. I am hesitant to say it in some ways because I know how this movie ends.

**The Hon. Natalie Ward:** Point of order: Bearing in mind the President's ruling from earlier today, I hope to keep within the confines of it. I have listened carefully to the honourable member's contribution and I draw his attention to a couple of factual matters before the House. Firstly, he is making reflections on members in the other place. Secondly, we are in fact a Coalition; we are not a modern Liberal Party only in the other place. I ask that he confine his comments to the matters before this House, which is the reply to the budget speech. Given the Government has no other legislation to deal with, it is clearly filibustering. It would be helpful to the House if the member could do that within the confines of some form of relevance. I ask that he be drawn back to the matter before the House.

**The PRESIDENT:** I do not need to hear any more on the point of order. Firstly, it is not the budget address-in-reply; it is in fact the address-in-reply to the Lieutenant-Governor's address. Secondly, in order to be offensive to individuals, the comments have to be directed to individuals rather than a group. That has been a longstanding view of Presiding Officers in this place. Thirdly, there is wide latitude given to the address-in-reply, and that latitude will continue to be given on this occasion. The Minister has the call.

**The Hon. JOHN GRAHAM:** I have raised those matters by way of some introductory remarks—a brief commentary on this moment in which we find ourselves. I was disoriented because the modern Liberal Party was coming at Rose Jackson from the left—something I have found reasonably difficult to do in my time in public

life, although I have managed it on one or two occasions, and she is unlikely to forgive me. I turn to a matter closer to the heart of the Deputy Leader of the Liberal Party, and I congratulate her again on her ascension to that role. I have found her a worryingly diligent Minister and an equally diligent shadow Minister. I have been very upset that she was not allocated to some other portfolio in her travels through the Chamber. I turn to the matter of roads—which my team has drawn to my attention—and indicate that the incoming Government's priority is its commitment to some of the smaller projects on the roads in our suburbs and regions and not simply to the mega-projects that the former Government was addicted to.

That is not just the view that we took to the election. It is not just the view that has been put to us by the public and the communities. It is also the view of the Government's own infrastructure adviser, Infrastructure NSW. That is what tipped the balance for us taking that view. A range of other people put that view seriously. The Grattan Institute, in its research, argued the case well about the inability of governments of that particular time to be able to plan and execute some of those mega-projects in the way they had hoped. It put the case clearly. Infrastructure Australia had raised concerns about the public benefit of some of these projects. However, Infrastructure NSW, in its 20-year update, put a very strong and clear view that is even more beneficial now as we look back. It blew the whistle very early on in the State Infrastructure Strategy 2022-2042, recommending that the New South Wales Government reconsider the timing and the need for some of those mega-projects.

They were some of the reasons why we are not proceeding with the proposed Beaches Link project and we are deferring funding for the Great Western Highway upgrade tunnelling project for two years. That project of the former Deputy Premier's—to tunnel from the Greater Sydney Basin straight to his electorate—is a bold nation-building project in the way that he has pitched it. We are taking an approach that we regard as fiscally responsible, balancing some of the industry constraints at the moment—budget constraints we have been left with, on the one hand, and industry workforce constraints, on the other hand—to ensure that we deliver on the projects that actually make a real difference to people's lives.

We are working with the Federal Government. The Opposition has asked fair questions about that relationship given the Federal Government review. We are working through those issues carefully with the Federal Government to make sure that the projects that are being delivered in New South Wales are the right ones. It is important for both governments to have a pipeline of work which delivers on those priorities, which is able to be delivered over time in a way which is sustainable for the budget and for the workforce. We will continue to work through that. The issue of tolling has come up once or twice in the Chamber. We are committed to providing toll relief and a fairer and simpler way of tolling for motorists. I am pleased to have been in a position to accept the help of Professor Allan Fels and of David Cousins.

**The Hon. Wes Fang:** You need it.

**The Hon. JOHN GRAHAM:** We do need it. I acknowledge that interjection because we do need it. This will not be an easy problem to solve. The former Government indicated that it would tackle some of this difficult issue. It asked Treasury and transport to conduct some very serious work but found it difficult to solve. This will not be easy, so we will need the help of Professor Allan Fels. We will need the help of this tough customer who has looked at some of these hard reform questions in the past and has looked at driving a good deal for customers and drivers. We will need that help, but I hope and expect that it will mean that we can deliver on the election commitment to look at long-term reform of the toll network. That could address congestion and cost-of-living pressures.

We are particularly focused on regular commuters like the people who live in Sydney's outer suburbs who do not have public transport alternatives. These are people who, in theory, might have access to an Opal cap but do not have access to public transport and were denied access to a toll cap. We are going to put a toll cap in place. It is a matter of fairness in some of those places where people simply do not have a way to get to work using public transport. For those people, it is a matter of fairness to have a helping hand and some relief on the way.

That is why we have brought in Fels and Cousins to supervise the good work commissioned by the former Government and led by Treasury and transport—the work of public servants balancing the public interest—to look at what can be done given the moment that we find ourselves in, heading towards 15 toll roads ringing the city. It is the right moment to look at that as a State and as a city to see if there is a better way to organise this. Is there a way that is fairer, particularly at this moment where people are struggling with the cost-of-living crisis?

That review work is ongoing. I assure members that we will be able to provide public updates shortly. We have taken seriously the commitment to be more public about what is going to go on in the tolling space and to bring people into the discussion. It is important. The harder the problem is, the more important it is to have the public invited into some of the complexities of the discussion. That is the view the incoming Government will take. We expect to release a public discussion paper—hopefully midyear—and we also expect there will be public

hearings, led by Professor Allan Fels, as part of the toll discussion. I think that will be an important opportunity to have a mature discussion with some of the facts on the table. It is my hope and expectation.

It is not just a matter of tackling that reform question and seeing how far we can get in that difficult challenge, but we will deal with relief. We will introduce a \$60 per week toll cap for motorists, as we promised, from the start of next year. We will also introduce a reduction on the truck toll multiplier on the M5 East and the M8. That is to tackle the problem where, despite spending \$4.3 billion of public money building infrastructure, incredibly, there are more trucks on suburban streets. This is the opposite of what was promised. We are hopeful that that reduction on the truck toll multiplier might get many of those trucks back in the tunnels—those incredible bits of infrastructure—where they belong. Billions of dollars have been spent to get these amazing bits of infrastructure. Let's get the trucks in the tunnels. Let's strike a price at the right rate. This trial will give us a clue as to whether or not that makes the difference here and whether we can save suburban businesses and long-suffering residents who have had trucks running right through the middle of their suburbs and their main streets.

Those things, as was clear during the course of the campaign, will be on top of the existing toll relief rebate scheme which allows eligible drivers to claim a 40 per cent rebate up to a cap. That will be an important part of the work of the new Government over the next period. We will also make sure we deliver on our commitment to release key details of the tolling contracts which have been entered into over recent years, including WestConnex and NorthConnex. It is important, if we are going to have a serious public discussion, that some of those facts are on the table. That is the view we took to the election when in opposition; it is the view we will take into government. Those discussions are ongoing.

I will refer to a small number of specific projects. One of those is the Beaches Link. As I stated before, we are looking to focus on local roads, not toll roads. That includes putting a stop to the controversial Northern Beaches Link. The evidence from this Chamber's work through the Public Accountability and Works Committee was clear. The benefits compared with the cost of the Beaches Link project had not been adequately explained to the New South Wales community. One of the committee's recommendations was that the Government should not proceed at that time with the project. We committed to people that we will not proceed with the Beaches Link project. We tried to be up-front with the community about the projects we would not proceed with.

As a government, we want to keep building. There were not many projects where we said, "We're going to stop this; we urge the Government to stop this." But the Beaches Link project was one of those. I inform the House that new property acquisition and development have ceased. That has meant that people in the Beaches Link corridor now have certainty. Transport for NSW has begun the important process of reaching out to impacted families and will continue to discuss next steps in good faith with those communities.

**The Hon. Natalie Ward:** We told them that last year. It's on hold for two years. That was not new. We did that already. Take credit for what you're going to do.

**The Hon. JOHN GRAHAM:** I acknowledge some of the interjections. It is not enough to cut the funding in the budget to the project and still talk enthusiastically about the fact it may proceed. We have halted the Beaches Link project, as we promised we would. I updated the House earlier today on the issue of mobile speed cameras, an issue which I have been encouraged, almost goaded, into talking about. I have heard members calling out for an update about the Government's mobile speed camera program.

**The Hon. Mark Latham:** In this one, they're all faulty. The cameras detecting mobile phones are faulty.

**The Hon. JOHN GRAHAM:** Having already updated the House on the issue of mobile speed cameras, I will not be drawn by those interjections. I will not subject members to my thoughts on that matter. Instead, I turn to one of my other interests and one of my other portfolios: arts, music and the night-time economy.

**The Hon. Mark Latham:** What about the concert limit? Has that been lifted?

**The Hon. JOHN GRAHAM:** We have lifted the cap. The cap on concerts is on the way to being lifted. There is a planning approval that appropriately has to be gone through, and people have the chance to have their say, but in my mind the Premier has been very clear about where this is heading. We are bringing music back to the stadiums. We are bringing entertainment back to the Entertainment Quarter.

**The Hon. Mark Latham:** What about the Chamber?

**The Hon. JOHN GRAHAM:** I acknowledge that interjection, and I apologise to the House for the lack of entertainment on a Thursday in the answers to questions from the Government. I cannot sing; that is something I have been clear about. I cannot sing and I do not want to trouble members with any attempt to do so. I recognise the role that the now Leader of the Opposition in his former role as Leader of the Government has played in entertaining members in a deeply entertaining but also open-hearted way, and I thank him for that.

I return to the matter at hand. The role I have been asked to fulfil and the brief I have been given by the Premier is to bring vibrancy back to the city and the State. The signs were good, but we all know Sydney has so much potential. For all the good things that are happening—and a lot of good things are happening—the sneaking feeling is that after a decade of lockouts and lockdowns, it could be better. The goal is to reach that potential. Sydney and the State should be a vibrant, thriving cultural capital. We are so close to doing that, but the potential is so massive that it needs to be a key focus for the Government. That is part of the change that we are trying to drive.

I have been happy to acknowledge the former Government's focus on infrastructure. They should be very proud of some of the things they have built. New South Wales should be very proud of them, but it is time to turn the focus to people. It is time to turn the focus from infrastructure to human capital. It is time to look at how tough the past couple of years have been and to invest as a State in our people. That is so important, particularly in the arts, music and night-time economy space. I have argued the case that culture is a human right. This year marks the seventy-fifth anniversary of the United Nations Universal Declaration of Human Rights. Article 27 of the declaration states:

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

We believe that human right should be extended to every citizen of New South Wales. That is why one of the first things I have done as arts Minister is to launch the process of heading towards the State's first arts, culture and creative industries policy, hoping to align with the important work of the National Cultural Policy. I commend the Federal Government, specifically Minister Tony Burke, for driving that policy early in its term. As a result, that policy will have a very big impact on the direction of that Government. Previous Federal Labor governments have turned to that cultural policy question but often too late. I am thinking of Prime Minister Keating, Prime Minister Gillard, and the enthusiastic arts Minister Simon Crean who drove much of the vision but too late in his Government's term to make a difference.

The intervention from the Prime Minister and the arts Minister will drive a change early in the Federal Government's term, which is fantastic. The New South Wales Government is determined to align with them. We are very keen to have in place a culture and creative industries policy and an arts policy as soon as possible so that we can make the most of the two common views where arts and culture is celebrated by the Federal and State governments. Our creative practitioners are respected for the contribution they make to our daily lives.

One of the changes I want to drive through that discussion is the move from the traditional arts, as important as they are. We have to defend art for art's sake where we find it, but the modern discussion is often about creative industries. That is the discussion I want New South Wales to have. That will be a bigger version of the discussion that New South Wales has often had. New South Wales has not had a written-down arts policy in many ways for much of its time. We will write down an arts, culture and creative industries policy. That will drive a focus and change from the traditional arts, supporting them but reaching out to the creative industries. That is the change that other jurisdictions, such as the UK and Victoria, have looked at. I endorse that change so we can have a bigger creative sector, a bigger cultural sector and a bigger arts sector.

The key to growth is reaching out to where creative work happens across a number of sectors of the economy. In Greater Sydney, that is 9 per cent of the workforce. When the traditional cultural institutions, and the traditional arts, music, screen, architecture, design and fashion sectors are all added together, they total 9 per cent of the workforce in Greater Sydney. That does not properly take into account creatives working in the tech sector, which I think has to be driven towards a creative focus. That does not include some of the people in what I regard as one of Sydney's creative sectors: the food and beverage sector. What is a more creative part of Sydney or New South Wales than some of our food and beverage culture?

They will not be counted in that 9 per cent. That is the bigger argument I would like to have in this area as we move towards what will be the first arts, culture and creative industries policy for New South Wales. It matters in Sydney; it matters in regional communities; it matters across Greater Western Sydney. The bigger creative industries story matters in Western Sydney, where many of the industries and workers are, and places like Wagga Wagga, Orange and Bathurst—right across the State—as well as in the very important cultural institutions on the harbour fringe.

In the course of pursuing that view, the Government has been happy to support a range of commitments made by the former Government to some fit-for-purpose facilities. Mr President, I know some of those are close to your heart. Everyone deserves access to spaces to create and showcase their art. Some of the announcements made during the election campaign, which were matched by the then Opposition, about theatres and cultural centres for Western Sydney will be really important to the next generation of performance, arts and culture in Western Sydney.

The Government has happily backed those commitments which, I acknowledge, were made by the former Government and the former Minister. We have also committed to developing a business case for permanent outdoor festival and concert infrastructure. We are looking at four locations not just in the centre of Sydney, although there is a desperate need for one there, but also in Parramatta and Western Sydney. We should be looking at a range of places in regional New South Wales, including the festival capital of the country: the North Coast. This Government is trying to shift the dial on questions about permanent outdoor spaces and concert infrastructure in the State.

As has already been observed, one of those questions was the concert cap, which the Premier in particular has already expressed a very strong view on. As members know, I have been an enthusiastic supporter of the music sector. Sadly, when the Government tallied up the numbers and did the maths, it was found that New South Wales has lost more than half its music venues over the past decade. A decade of lockouts and lockdowns took its toll and smashed grassroots venues across the State. That also happened in other cities around the world, but they have often been able to mitigate the impact by supporting venues, which is what the Government seeks to do.

As we announced during the election campaign, we will invest \$103 million to support the live and contemporary music industries in New South Wales. That will involve delivering a contemporary music office, Sound NSW—which will be, in my mind, very similar to Screen NSW—to support the contemporary music industry. In the same way as there has been a sophisticated State and Federal intervention to support the screen industry and the way it tells stories on screens around the world, we should have that same support for the contemporary music industry and the stories it tells through songs around the world. That is where the Federal Government is moving, and the New South Wales Government will also move rapidly in that direction. I am very excited that that is the case.

Sound NSW will lead the charge in addressing some of the challenges faced by the contemporary music industry. The Government is hoping the body will create new opportunities, including its first jobs of delivering important research, including the first live music census; and upgrading venues through the \$8 million Vivid Venues fund. One of the fund's first priorities will be to get straight down to work delivering on assisting with the cost of soundproofing for some of our best venues. I still hear from four or five of the best venues in the State—the tough nuts, the tough operators that survived the decade of lockouts and lockdowns and which made it through a period where having music performed in a venue was increasingly tough, and almost illegal in some cases—that, even now, have a single neighbour regularly on the phone to the seven regulatory authorities that regulate noise or sound, putting them at risk.

It is an urgent task to apply the Vivid Venues to help them pay for soundproofing. Let us get in there and fix the problem practically at its source for that handful of venues that have survived this tough decade. It is better for the neighbours, better for the venues and better for the artists. They are some of our best operators. I will not name them in *Hansard*, but a number of them have gone through very public issues. The Government really wants to help, and the Vivid Venues fund will be crucial in doing that.

Sound NSW will lead the development of a 10-year contemporary music strategy to talk about opportunities for artists, including First Nations artists, as we rebuild the skill base of the industry across the board—for managers, producers, and technical and production workers. The introduction of a new contemporary music office and the development of a strategy has the goal of making it easier for venues to operate and create more opportunities for artists and audiences to enjoy and participate in this valuable industry. There are many challenges in the regulatory space that impact on the music industry, from complex sound regulations and liquor licensing and planning controls to industry-specific legislation, such as the Entertainment Industry Act 2013 and the Music Festivals Act 2019.

That complex regulatory environment has stifled the industry, which is why the Government is committed to streamlining regulations. I recognise that harmonising liquor and planning approvals to make it easier to open new venues was commenced by the former Government, but I hope it will be driven and landed successfully by this Government. We also want to look at the issue of new incentives, including floor space and density bonuses, for developments that include new music venues. As members with even a passing interest in this area will know, it will take significant work across portfolios, agencies and bits of government to unravel the complex regulatory arrangements that are in place.

I thank members of both Houses for their support for this agenda that, in recent years, all sides of politics have recognised and wanted to drive. One reason I think progress has been slower than it should have been, despite the high hopes of members, is that it is such a complex cross-portfolio, cross-agency agenda. Despite a common view from all sides of politics, change has not happened. Despite the discussion having changed—and that is a very welcome thing that has really given hope to people—the change at a street level, at a venue level, in the real

world for our citizens has not happened. The complex regulatory work is yet to be done, but I assure members that it will be a key focus of the incoming Government.

The Government's commitments do not end at delivering a vibrant arts, culture and creative industries sector. One of the key things we will look to do is expand the role of the 24-hour Economy Commissioner to cover the six cities while also raising the standing of the role by making it a statutory appointment. That will require a new strategy.

**The Hon. Mark Latham:** You've done so much. And freezing your own pay—don't you deserve a pay increase for all this stuff?

**The Hon. JOHN GRAHAM:** No. I will not be distracted by the Hon. Mark Latham, although I will look gently to the—

**The Hon. Penny Sharpe:** He's a bad influence.

**The Hon. Mark Latham:** You're singing your own praises. They should double your salary.

**The Hon. JOHN GRAHAM:** Refreshing the 24-hour economy strategy is a 24-hour job. We need to look at the good work that has already been done by this unit, driven by the former Government. It needs to reach out to the six cities and it needs a new strategy if the Government is really going to drive this. That was made clear earlier this month when the night tsars from some of the most amazing cities in the world, London, New York and Montreal, came to Sydney to see what had been going on—how Sydney, this incredible global city, had struck such trouble but now, in good news, was on the rebound.

Although there was more to go, they were fascinated to see where we had got to. In talking to them about their struggles in their own cities, one conclusion was that an asset of ours is the determination to have a citywide discussion about where we head to from here. All sides of politics are engaged on this issue and determined to drive change. The night tsars, those people in charge of their own economies, are part of an international movement. Places like London, New York—

**The Hon. Mark Latham:** London came here to study us?

**The Hon. JOHN GRAHAM:** They did. Some outstanding individuals from London, New York, Montreal and Paris came and saw the political support across the spectrum. The assured me the fact that the incoming Government had established a Minister for Music and the Night-Time Economy was the first such appointment that they were aware of in this international policy discussion. This is a remarkable moment in human history where cities around the world are competing to reach their potential in a global discussion about how best to tackle the revelatory challenges. We were frank with them about some of the challenges here, like the policing of mirror balls and the fact that this Parliament had to make it clear in the law of the land that to hang a mirror ball is not a crime. In fact, it is legal and not a matter that should be regulated.

**The Hon. Penny Sharpe:** It could lead to dancing!

**The Hon. JOHN GRAHAM:** That is now the law of the land in New South Wales. We found that Liquor and Gaming NSW was policing venues over concerns that, as the Leader of the Government said, mirror balls might lead to dancing. The international visitors looked at where we were as a city and the potential of all sides of politics in backing the changes, and they saw bright days ahead for the city and the State. It was a genuinely interesting discussion and I welcome their views.

I turn to jobs and tourism. We are committed to bringing vibrancy back to Sydney and regional New South Wales by developing a world-class events calendar to drive visitor growth across the State. The first thing that has to happen is a shift in the way we talk about tourism, from destination tourism to experience tourism. I say that partly thinking about the strengths of the State and partly as a result of seeing that other leading jurisdictions are making that change. I love the Harbour Bridge and the Opera House—I have administrative responsibility for both. But when it comes to advertising ourselves to the world, I would prefer to tell not only the story of those two landmarks but also the story of the people who walk or run across the bridge and why they do that. I would prefer to tell the stories of the performers who are on the stages of the Opera House and stories about what they perform there.

Those types of experiences are some of the great things about living in this city and this State, but they are stories we do not tell the rest of the country or the world. But we should. They are the real stories about why this is such a compelling place to live. A change from destination tourism to experience tourism means a focus on arts and culture, a focus on Indigenous experiences, a focus on outdoor and adventure activities and a focus on food and beverage culture—all things that our citizens love. A Western Sydney story is a story about incredible and diverse cultures and the food, the religions and the cultural practices that they bring. A regional story is a story

about regional food and beverage and the outdoors. Experience tourism tells the story of our First Nations people and also our diverse and multicultural communities. It is an exciting change that the Government will look to drive over time.

Vivid Sydney, the biggest festival in the Southern Hemisphere, is a great example of that sort of change. Last Friday the lights turned on to mark the beginning of Vivid Sydney 2023. It is the thirteenth Vivid and 14 years since Premier Nathan Rees kicked it off. I thank the former Premier Nathan Rees for kicking off Vivid and thank the former Government for stewarding and growing it. Only 225,000 people came to the first Vivid to see what it was all about—music, lights and ideas. That grew to 2.5 million people last year. In the early nights this year, attendance is up even over last year—remembering that last year was just out of COVID and had a record attendance. The early nights of Vivid this year are up 4 per cent. Hundreds of thousands of people are coming from the suburbs and outside Sydney for this remarkable festival. I thank the former Government for stewarding the festival and helping it grow and change over time. It is amazing to see what it has become.

This year I was excited to see the addition of an extra pillar, Vivid Food. It will go gangbusters. It is a central part of our State's and our city's story. It is not the view of the other jurisdictions that have gone down the creative industries path, but I regard our food and beverage culture as a core part of the creative industries. Vivid Food is an amazing endorsement of that, and I look forward to seeing how it unfolds. I am sure it will be very popular. A commitment that we made during the election campaign was to back Great Southern Nights, another program of the former Government, for the next four years. I have been critical of the former Government for its support for contemporary music at times, but that program was a good commitment. It was a pro-venue commitment that puts public support not just behind the industry but behind the venues that drive the industry. That is why we support it.

Great Southern Nights in 2020 and 2022 were a success under COVID, but we see the potential of a program different from its existing form going forward as a way to light up some of the precincts around the city, like Parramatta, which has been a venue desert. The redevelopment of Parramatta has incredible potential and Great Southern Nights is an opportunity to light up venues there all at once so that people know to head there to experience music. Great Southern Nights has previously been a bit overwhelming. As a music fan, you simply did not know where to turn some of the time.

We would like to see an experience that moves precinct by precinct through the State and lights up particular places so that music fans know where to go to find other music fans, new venues and remarkable performances around the State. That is one of the changes we will look to drive, working with the industry and Destination NSW. This could be part of the catalyst to drive the sort of regulatory change that we need to see: the State Government and local governments working together to bring our precincts to life. Great Southern Nights could light the flame—

**The Hon. Penny Sharpe:** The bells we can hear are for the final division on the bill in the other place. It won't be long. The Nats have split on the vote, though. I'm just updating everyone. Keep going.

**The Hon. JOHN GRAHAM:** I acknowledge that interjection. I had some things to say about the modern Liberal Party tonight, but the modern National Party is not a subject I will turn to at this point.

**The Hon. Penny Sharpe:** We need to move a motion.

**The Hon. JOHN GRAHAM:** I may be required to, if that news is correct. There are high hopes for Parramatta as the Great Southern Nights commitment rolls out, and I look forward to seeing what it produces. Those are all matters close to my heart, which is why I raise them, as is this one: enhancing integrity across a range of the activities of government. I was pleased to see support right across the Chamber and the other place for enhancing integrity in grants administration. I think it is very fitting that the first bill passed by the incoming Government was the grants bill, and I say that not to give credit to the Government but to give credit to this Chamber. I regard it as a collective endeavour by members from the former Government, the crossbench especially and the incoming Government to acknowledge that the systems need strengthening. The standards need lifting. We are at risk of losing public trust, and we have to act in the grants and public administration space.

I am pleased that it was one of the first bills passed by this place and by the Legislative Assembly. It was passed—and I thank members for this—without amendment. That means there is still more work to do. The commitment of the Government is to continue to pay attention to this area, but acting immediately was important. It was important to send a signal not just to the public but also to the agencies administering those grants. It is important that they know that this Parliament thinks it should be one of the first things dealt with. Do not underestimate the message that sends when it comes to the practice of administering those programs and sending grants out the door. Though I am tempted by the page in front of me, I will not recap the measures in the grants bill—although I am going to fold the page and hold it for later, in case it is required.

The Government has already turned to other matters, including dealing with the Electoral Funding Amendment (Registered Clubs) Bill that happily sailed through this House and will be debated elsewhere. I thank members here and in the other place for their assistance in dealing with that. It is the first step we have to take to have the bigger discussion around gaming that the public is already having, that clubs are already having and that we will have as a Parliament. The Government will be happy to lead that discussion over time. I thank members for their assistance in dealing with those matters. I note the matter which is being debated in the other place—I think I can happily refer to it at the moment—about the privatisation of certain matters and whether that should be contained in the Constitution. We see that as an integrity matter. I will leave my comments on that question there.

Another crucial part of the integrity agenda of the incoming Government will be access to information and some sort of transparency about the activities of government. There was a strong feeling from members from all sides of politics that the former Government got to the point, late in its life, where the shutters had come down. It did not matter how one sought information; it was impossible to find. It did not matter if we went through the Government Information (Public Access) [GIPA] Act. It did not matter if members put questions on notice. It did not matter if a member approached a Minister personally or was able to seek a briefing from an agency. The shutters had rolled down and that process of engagement, which I know members find so crucial, had come to a halt. That is something we want to change. We are exploring new ways of working with the House to expand the amount of information that is available to members.

That is a discussion I look forward to having with all members over time. Some of the ways that could happen involve being more open with briefings. We have already had Ministers, such as the Treasurer and the Minister for Energy, publicly briefing the media in far more detail than one might have seen historically in New South Wales. That is a welcome development. It has led to a more informed public discussion. It is an early direction of the Government, but I think it is one that we will see more of. Members know that deepening the level of debate is very important to making sure that happens. We will look at the operation of the GIPA Act. That is something that should be considered. When it was brought in, the GIPA Act was designed to move towards a proactive disclosure regime. It was designed to be a way to break through some of the old issues that were being experienced with the Freedom of Information Act.

That promise, that hope, has not been fulfilled. That was the experience of members on all sides of politics and all sides of this Chamber in the last term of Parliament, and it is something cultural that we have to look at as a State. It will be one of the questions the Government asks. We look forward to hearing members' views when it comes to the operation of that. I have touched on some of those integrity matters. Some are already underway. Some have already passed through the Parliament. Some are awaiting debate in the other place and some are under debate in the other place. One wonders what they are up to over there. It is seldom that they take this long on a debate, but I encourage them to take all the time they need to debate the issues properly. Some of those matters are yet to come before the House or to be acted on by the Government, but all of those integrity measures boil down to this issue: public trust in the activities we undertake. We need to maintain it, and in order to maintain it we are going to have to strengthen what we do. That will be a focus of the Government.

Before concluding, I turn back to one of the points I was making as I commenced this contribution, and that is how similar this moment is to the moment when the first Carr Government came to power. Think about what a remarkable economic time the world has lived through this past 12 years—this era of low interest rates and governments being able to borrow and invest into infrastructure at rates that we had not seen in the modern economy since World War II. It has been a remarkable period. It is coming to an end; that is hard to argue against. Inflation is up around the world. We have been lucky in New South Wales and Australia to be saved from some of the inflation rates we have seen in overseas jurisdictions. That is confronting, though, for State governments, which are often at the whims of their revenue flows and of the national economy. After the incredible period of the past 12 years, we are casting back to those early days of Carr and Egan. I remind members of the circumstances as that Government came to power. I quote:

The Carr Labor government came to power against an economic backdrop of unemployment and sizeable government debt. Unemployment had only just fallen from 10 per cent in 1993, and debt as a proportion of GSP was also 10 per cent (Clune and Smith 2021, p.113). Interest rates had fallen, but the memory of 17 per cent mortgage rates had not faded. Of course, I am referring to this Australian Fabians pamphlet I hold in my hands, entitled *A new vision for NSW: Ideas for the next NSW Labor Government*. Well, here we are! I thank the Fabians for its timely work on this pamphlet. I did not expect—

**The Hon. Mark Latham:** Who had the idea?

**The Hon. JOHN GRAHAM:** I am not going to name the author—

**The Hon. Mark Latham:** Who's the author? Just say.

**The Hon. JOHN GRAHAM:** —but he will be familiar to you.

**The Hon. Mark Latham:** It's you!

**The Hon. JOHN GRAHAM:** I'm not revealing. Go and buy the book!

**The Hon. Mark Latham:** You definitely deserve a pay rise.

**The Hon. JOHN GRAHAM:** I did not hope, so early in the term of this Labor Government, to be leaning so heavily on this Fabians pamphlet, but I happily am.

**The Hon. Mark Latham:** You're into transparency. Who wrote it?

**The Hon. JOHN GRAHAM:** This is chapter 1, "A new State Labor agenda". I wrote that chapter, on this occasion. But this was a collective—

**The Hon. Mark Latham:** Mate, it's the ultimate filibuster when you start quoting yourself.

**The Hon. JOHN GRAHAM:** I must say, I am not the first member of this place to quote themselves. I have been combing the standing orders waiting for a question from the Opposition all question time, and I tell members it is not in the standing orders that a member cannot quote themselves. But it was not just me writing in this pamphlet; it was a collective effort from the Fabians. Penny Sharpe was there with her chapter, entitled "Green spaces: Not just nice to have, essential for Sydney's future", setting out ideas for a future Labor agenda in this important document. Charishma Kaliyanda, now elected to Parliament, wrote "Brain drain: A casualty of the housing affordability crisis?" What a contribution to make at this moment for an incoming member—one of the new hopes, I have to be honest, for the Labor team—for the electorate of Liverpool.

**The Hon. Wes Fang:** It's good you've got one.

**The Hon. JOHN GRAHAM:** We do not just have one. Let me refer to the work of Jim Stanford, who, along with the Hon. Dr Sarah Kaine, wrote "The future of work is what we make it".

**The Hon. Mark Latham:** Why didn't Jim get a seat? What did Jim do wrong?

**The Hon. JOHN GRAHAM:** We're working through the process. Of course, Ryan Park was there in one of the early chapters. A chapter entitled "A NSW Labor agenda on jobs" set out the ideas of outstanding Federal Senator Tim Ayres. There were many other contributors to this collective work, which we hope to lean on. I commend it to all members. I have copies upstairs and grabbed one as I ran down to the Chamber to participate in this debate.

**The Hon. Wes Fang:** How many roubles does it cost?

**The Hon. Mark Latham:** "How many roubles does it cost"!

**The Hon. Wes Fang:** Acknowledge that interjection, would you?

**The Hon. JOHN GRAHAM:** Perhaps in conclusion. It is an exciting moment for a new government coming in—new Ministers with all the challenges. There are challenges. It is a tough moment to realise the fiscal constraints we have been left with, but the team is very excited. We will take seriously the job we have been given. Members know that we will also try to work collaboratively across the Chamber on these challenges. The great strength of this place is that it is a powerful engine to drive discussion of the more complex issues the State faces. I do not know if that has always been the case, and I feel it has been strengthened over the recent terms, particularly that last term of Parliament, where there was a real balance of power here. That meant there had to be a collective discussion across the Chamber.

But this Government comes in with a range of fresh members, too. It is quite an unprecedented change in the number of members; we have not seen a change of this many members for quite some terms. It is an exciting moment to use this Chamber to harness this moment. That is not because it is a Labor Government coming in—I would say that, but not every member has to agree with that—but any new government coming in offers a moment to reassess old ideas, habits or processes of government that have become too set, and ideas that have been cast aside by agencies as too hard. It is a chance for all of us to revisit those ideas. Certainly this is the view across the Government, but I really welcome the views of new members of the Government, crossbench and Opposition who want to contribute, particularly through the committee system of this Chamber but also through debates and private discussion. If members want to put ideas to this Government, we are all ears. We are happy to hear from them.

If members want to extend even further and perhaps stretch into a new edition of *A new vision for NSW*, perhaps they want to contact the Fabians and offer to be a part of the next collective effort. I encourage members to reach out. I will be reading this copy, but I look forward even more to reading the next edition of ideas for the New South Wales Labor Government. I thank members for their indulgence.

**Debate adjourned.**

*Bills*

**CONSTITUTION AMENDMENT (SYDNEY WATER AND HUNTER WATER) BILL 2023**

**First Reading**

**Bill received from the Legislative Assembly, read a first time and ordered to be published on motion by the Hon. Rose Jackson, on behalf of the Hon. Penny Sharpe.**

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

**Statement of public interest tabled.**

**The Hon. ROSE JACKSON:** I move:

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

**Motion agreed to.**

**Second Reading Speech**

**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) (21:16):** On behalf of the Hon. Penny Sharpe: I move:

That this bill be now read a second time.

Today is a good day. The New South Wales Labor Government is delivering on a commitment we made to the people of New South Wales in March this year to protect Sydney Water and Hunter Water in our State's Constitution from sell-offs and privatisation. Delivering on commitments is an important part of our democratic process. It rebuilds trust in politics. One of the reasons that the community is often, sadly, so distrustful of politicians and our political process is the corrosive influence of saying one thing in a public arena before an election and then doing another when you are in here in the Parliament.

New South Wales Labor said we would protect Sydney Water and Hunter Water in the New South Wales Constitution—so now we are doing it. This is an important commitment. It draws a line in the sand. After 12 years of privatisation, enough is enough. We know the impact privatisation has had on our community. It has left us worse off. We have seen poorer quality services. We have seen higher prices. It would be a disaster if what has happened to our electricity assets, road assets or port assets were to happen to our precious water assets if Sydney Water and Hunter Water were ever sold.

I start by thanking the community who engaged in this effort to campaign against privatisation and the protection of our water utilities. The Australian Services Union was very active in ensuring that Sydney Water and Hunter Water would not be privatised. It knows firsthand the impact that would have. Its members work on the front line of our water utilities, and I am very grateful for their efforts to ensure that we are able to enshrine Sydney Water and Hunter Water as utilities protected in our Constitution. Today, after 12 years of failed ideological, economic, reckless privatisation, the experiment ends. The community clearly said that enough is enough. They have seen the consequences of privatisation and they want a new direction for New South Wales. There was a clear choice at the recent election, and the community chose to end privatisation. Labor takes seriously its responsibility to deliver on that mandate. Labor was elected on the platform of saving Sydney Water and Hunter Water from privatisation and it is delivering on that promise.

In the final weeks of the 2023 campaign, it was revealed in documents uncovered by an order of this House that Sydney Water and Hunter Water were at risk of being privatised. The former Government actively considered putting these precious water utilities up for sale. The preference of the shareholding Ministers at that time—Minister Tudehope and Premier Perrottet—for asset recycling was clearly stated in black and white in those documents for consideration by Sydney Water as a basis for future decisions about asset delivery and ownership. It was clear that if given another term on the government benches the only way that they would be able to deliver on their commitments would be to continue the privatisation bonanza. They had identified Sydney Water and Hunter Water as next on the chopping block. That is why we clearly articulated our opposition during the campaign, and why we are taking this step today. We are saving Sydney Water and Hunter Water to protect them from being sold off by governments for generations to come.

Sydney Water and Hunter Water are wonderful public institutions that have served our communities for over 130 years. They provide critical drinking water and infrastructure for our communities. They direct the profits of those enterprises back into the New South Wales Government. It is basic common sense to keep them in public

ownership. They were created on behalf of the people of New South Wales, and the bill will ensure that they continue to operate in the best interests of the people of New South Wales into the future. Sydney Water provides safe, reliable drinking water to over five million people in Greater Sydney, the Blue Mountains and the Illawarra. It is responsible for supplying water, sewerage services, stormwater drain systems and disposing of waste water. Hunter Water provides safe and reliable drinking water and sewerage and drainage services for the lower Hunter and greater Newcastle regions. It provides water services to nearly six million people across the State.

Section 20Y of the State Owned Corporations Act states that the main undertakings of Sydney Water and Hunter Water, including the main undertakings of any subsidiaries, may not be sold or disposed of without the prior written approval of the voting shareholders—the Treasurer and the finance Minister. The bill amends the Constitution Act so that the main undertakings of Sydney Water and Hunter Water cannot be sold without prior approval. The bill amends the Constitution Act to provide that they cannot be sold or disposed of. That statement in our foundational statute of the State is a clear indication of the importance of public ownership of essential water services.

The bill amends the Constitution Act to provide that none of the main undertakings of Sydney Water or Hunter Water or their subsidiaries may be sold or disposed of. The bill is not intended to limit or constrain Sydney Water and Hunter Water in conducting their main day-to-day operations. For example, the bill would not prevent the disposal of surplus land holdings or other plant, property or equipment that are obsolete or redundant. The bill will not limit the procurement activities of Sydney Water or Hunter Water. A water corporation would be permitted to procure the goods and services necessary to enable the corporations to carry out their statutory functions. Further, the bill will not prevent Sydney Water or Hunter Water from outsourcing certain functions that deliver value for money or improve customer or service outcomes—for example, operational tasks such as plumbing contractors, which are used to supplement the in-house civil works team of Sydney Water.

In addition, the bill will not prevent the continued use of private contractors to operate water and wastewater treatment assets. The delivery of major capital works with the existence of external providers will not be prohibited by the bill. The bill will give the people of New South Wales the right to have safe, high-quality, reliable water delivered by government-owned entities because the Government is best placed to provide that essential service. The bill safeguards public ownership of Sydney Water and Hunter Water to ensure public accountability and high-quality service delivery. Privatisation has ripped the heart out of communities in New South Wales. We have seen skyrocketing tolls, skyrocketing power bills and slashed bus services, all while corporate entities such as private toll operators make super profits. We have seen the slow and steady erosion of the basis of our public entities and public estate over the past 12 years. Now is the time to rebuild our trust and faith in public services. With a cost-of-living crisis, it makes no sense to privatise our water. Families, individuals and pensioners could not bear the brunt of the massive increases in water bills.

Based on its track record of privatising assets over the previous 12 years, it is not unfair to say that a future Liberal-Nationals government would look at what State-owned entities it could put on the chopping block. It has already shown a willingness to privatise water assets, for example, the sale of the Sydney Desalination Plant in 2012, which has now made it more difficult than it should be to expand that plant to assist in the augmentation of Sydney's drinking water supply. It privatised Port Botany, Port Kembla, Orana Energy, Mt Piper Power Station, the Port of Newcastle, Green State Power, Bayswater Power Station, Liddell Power Station, the M7 rental payments, Vales Point Power Station, Transgrid, Brown Mountain Power Station, Cochrane Dam, Ausgrid, the Land and Property Information office, Endeavour Energy, WestConnex, parts of the bus network, Lotteries and TAFE campuses. Once those assets are gone, they are gone for good. We have seen the impact of privatisation on those services; they are more expensive, less frequent and more difficult for the government to regulate and control.

The amendments to the Constitution Act in the bill will bind current and, critically, future governments. The current Labor Government has absolutely no interest in privatising Sydney Water, Hunter Water or any of our essential assets; however, we must pass these provisions to provide protections of public ownership into the future. We must do that because before the 2019 election former Premier Gladys Berejiklian proudly said, "There will be no further privatisations under this Government." That is also what the Opposition said about Sydney Water and Hunter Water prior to the election. It was pleasing to see members of the Liberal Party voting with the Government moments ago in the Legislative Assembly to enshrine Sydney Water and Hunter Water in the Constitution.

Opposition members have said that they do not support privatisation, but the lesson from history is that they cannot be trusted. Before the 2019 election they said, "There will be no further privatisations under this Government." But what did we see? Local buses were sold and WestConnex was sold. Only in the dying days of the election campaign did we suddenly see an abrupt about-face by the former Government when it abandoned a commitment to a core ideological principle of privatisation—and only then because the former Premier and the

former Treasurer got themselves into a bizarre and twisted war of words as to whether or not they supported privatisation. The writing was on the wall. The community was fed up. The whole thing was jettisoned five minutes to midnight before the election.

Privatisation, which is a commitment to small government and stripping governments of their services, is a core pillar described as the golden key by the Opposition and conservatives. We must not take them for their word. It is not good enough. It would be good enough, maybe, if recent history did not show us that those words cannot be trusted and that they will say one thing and do another. Labor said that it would put these entities in the Constitution, and that is what it is doing. A report from the Australia Institute's Centre for Future Work found that if Sydney Water was privatised, our bills could increase by \$264 per year. It also found that thousands of jobs would be lost and the environmental conditions of our beaches and waterways would be put at risk. The combined loss of annual dividends and notional tax revenue from privatisation would be \$870 million a year. That is a significant amount of money. We cannot put all of that at risk.

I give a special shout-out to some of the people working right now on the front line at Sydney Water and Hunter Water: Pat Walsh, Matt Dries, Haley Bambridge, Ferda Hasanoglu, Bec Garland, Ross Mansfield and Gavin Kentwell. These are all frontline Sydney Water and Hunter Water project managers, civil engineers, network technicians and water treatment specialists. Working in water is often not glamorous. Sometimes I compare it with the portfolios of my colleagues. They get to cuddle koalas and go to cool events, and I get to talk about wastewater treatment. But I am proud to be the Minister for Water and to meet with the people on the front line who do things like gear up in the full scuba to dive down and fix our wastewater treatment facilities.

It is not a glamorous job, but it is so important that we have quality public servants on the front line who are not cutting corners, not driven by a profit motive and just interested in, "Is our wastewater treatment working properly? Are our pipes fixed? Is our drinking water of the highest quality and being delivered reliably and affordably?" It is so important when meeting those public servants who are doing that work on the front line to know the importance of them being public servants and not being subject to a profit motive or to a corner-cutting or time-saving motive. I thank those Sydney Water and Hunter Water staff for talking with me about how important it is that they have that protection into the future.

We also know from examples around the world where water has been privatised of the disastrous consequences of that decision. The most significant and best-known example is probably England, where water is now owned by private entities. By 2020, customer water bills had increased 40 per cent above the rate of inflation. Water users have had to pay for upgrades to the network, while shareholders and executives of the private water utilities have walked away with large bonuses. Raw sewage is also pumped repeatedly off the coast of England as privatised water utilities sought to save money and cut costs.

Chile privatised its water. The 1980 Constitution enshrined the private ownership of water. A new poll suggested, as a consequence of living under that regime, that 74 per cent of Chileans support a return to public ownership of water. France has also privatised some of its water utilities. They are primarily run by two monopoly firms. Again, we have seen the negative consequences of water privatisation in that country. This is not a theoretical question. We have these case studies. The New South Wales Labor Government is keen to ensure that in our Constitution, our foundational document, we enshrine public ownership.

I will briefly comment on some of the issues that have been raised in relation to regional water utilities, but I am happy to go into more detail in Committee of the Whole if the bill reaches that stage of consideration. Regional water utilities operate fundamentally differently to Sydney Water and Hunter Water. Sydney Water and Hunter Water are State-owned corporations that provide the retail arm of the drinking network in New South Wales. Regional water utilities are run sometimes by local government, sometimes by county councils like Rous or Riverina Water, or by organisations like Essential Water in Broken Hill. Ninety-three local water utilities are scattered across regional New South Wales.

There are a range of reasons that it would be foolish in the extreme to include those entities in an ill-conceived and ham-fisted way in this constitutional amendment—apart from the fact that NSW Labor is delivering on its clear mandate and commitment made before the election to enshrine Sydney Water and Hunter Water in the Constitution; apart from the fact that constitutional amendment is a serious, big deal. We wanted to be clear before the election that we were doing this; no surprises. We told the community this is what we will do. We had the mandate, and we are doing it.

When it comes to constitutional amendment, it should be that way. It should be a serious undertaking, with clear notice to the community. It should not be five-minutes-to-midnight amendments, with no time for proper consideration. What a disrespectful way to treat our Constitution. This is a big deal, but we have a clear mandate for it. Cynical and opportunistic amendments to our Constitution should be treated with the seriousness with which

they are put forward. I take those amendments very seriously. We are talking about our Constitution. It is outrageous, reckless and dangerous to propose amendments to our foundational document in that way.

It is also extremely disrespectful to those local water utilities. They have not been consulted about this; they have not been asked. I gave a clear commitment to the Country Mayors Association and Local Government NSW when I said to them directly, "If you want to have a conversation with me about constitutional protection, I'm all ears. But I would never presume to make decisions in relation to the way your entities are run without talking to you about it, without asking you, 'Do you want this?' and without considering the consequences of those decisions."

It is for those reasons—the disrespect to our constitutional foundation and constitutional document, the disrespect to the local water utilities to cynically propose amendments without any actual consultation with them, the misunderstanding of the difference between the Walgett Shire Council and its operation as a local water utility and Sydney Water, and not understanding the fundamentally different size, scale and operation of those entities and to try to bolt them on to a clear path that we have articulated before the election, with plenty of notice and an electoral mandate—that I think it is reckless, dangerous and disingenuous.

I am open to conversations with local water utilities in our regions about the type of governance arrangements and protections that they have had. A number of members have raised those issues with me, in good faith—members in the Legislative Assembly like Joe McGirr and others, and members in this place like the Hon. Mark Banasiak and the Hon. Robert Borsak—who have rightfully said, "This is an important area that you have to look at." The Government gives that commitment. But this approach is disrespectful, dangerous and reckless. We will not be supporting amendments to our Constitution that have been proposed with no consultation, no legal basis and no foundation in a clear mandate of delivery. If those amendments are moved, we will discuss them in more detail, but they will not be supported.

The passage of the bill is to ensure that our precious water utilities responsible for providing safe and reliable drinking water to Greater Sydney, the Blue Mountains, the Illawarra, the Lower Hunter and Greater Newcastle regions of New South Wales will remain in public ownership. Our essential services, including precious water assets, should be protected from privatisation. Today we take an important step in undoing the wrongs of over a decade of sell-offs and privatisation. We stand firm in our commitment to keeping essential public assets in public hands so that the community benefit is what is prioritised, not private interest. I encourage all members of the House to support the bill and listen to the voices of the community who overwhelmingly backed in this proposition just over eight weeks ago. I commend the bill to the House.

### Second Reading Debate

**The Hon. DAMIEN TUDEHOPE (21:38):** The Constitution Amendment (Sydney Water and Hunter Water) Bill 2023 is a serious bill. It is the Constitution of New South Wales. This amendment should not be in this document. I start by saying that the disingenuousness rests there, because what we have to say is that the legislation that we are considering tonight was predicated on a lie, is moved on a lie and, in fact, has been marketed to this place on the basis of a lie.

The previous Government never proposed to privatise Sydney Water or Hunter Water. Labor members knew that, yet they marketed it as a proposal during the election campaign, which they based on a spurious memo relating to a proposal to establish and manage a recycling plant. That is exactly what the Minister envisaged would be core business activity at Sydney Water as a component of the bill. To suggest that the former Premier, in his capacity as Treasurer, or I ever considered that is a lie, and the Minister knows it is a lie because we never considered it. It was an internal memo at Sydney Water, which the Minister knows.

**The Hon. Penny Sharpe:** Point of order: The Leader of the Opposition knows he cannot make imputations against another member. He must withdraw those very serious imputations against the Minister.

**The Hon. DAMIEN TUDEHOPE:** To the point of order: The Minister said that the former Premier, in his previous role as Treasurer, and I were considering that proposal, which is just not true.

**The Hon. Penny Sharpe:** To the point of order: I do not want to repeat the words of the Leader of the Opposition, but he referred directly to the Minister and accused her of being a liar and a number of other—

**The Hon. DAMIEN TUDEHOPE:** I did not accuse her of that.

**The Hon. Penny Sharpe:** You did, and it is out of order.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Members cannot make imputations about other members. The Hon. Damien Tudehope must refrain from doing so.

**The Hon. DAMIEN TUDEHOPE:** The Minister knows that no proposal was ever considered by the former Premier, in his capacity as Treasurer and shareholding Minister, or myself, as finance Minister and shareholding Minister, to go down the path of privatising Sydney Water or Hunter Water. Tonight she perpetuated the suggestion that we did consider that.

**The Hon. Rose Jackson:** Point of order: I did not do that and I ask the Leader of the Opposition to withdraw his remarks. I suggested that the memo referred to the policy preferences of the former finance Minister and former Treasurer for asset recycling. I never suggested that they considered it. My language was very clear.

**The Hon. Wes Fang:** To the point of order: In her second reading speech the Minister clearly presented the former Minister and former Treasurer as adopters of that policy. Therefore there is no need for the Leader of the Opposition to withdraw his comments.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The member has the right to rebut comments made by the Minister in her second reading speech, and the Minister may respond to those rebuttals in her right of reply.

**The Hon. DAMIEN TUDEHOPE:** I welcome her reply.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Hon. Damien Tudehope has the call.

**The Hon. DAMIEN TUDEHOPE:** Again, in a flagrant abuse of the understanding of the Constitution, the Minister had the temerity to say in this place, "This most important document is so fundamental to the way the State operates that the privatisation must be included in the Constitution." On the basis of the vote on the bill that occurred in the other place, it will be agreed to in this place, and members will be happy to do so. But the fact that she will not include another State-owned corporation in this protection to ensure that drinking water is never privatised undermines the argument about the seriousness with which the Minister treats the Constitution. That flies in the face of this as a serious proposal.

One must start with this premise: What is the urgency to pass the bill tonight? Government members must hope that they will be in power for four years. Hopefully they have no proposal to privatise Sydney Water or Hunter Water in the next four years. I would have thought that they would get the legislation right, because this is a serious bill. Putting this protection in the Constitution is serious, and the Minister told us it is serious. But the Minister has undermined that argument by implying that the Government does not take the protection of drinking water in this State seriously because she only seeks to protect—

**The Hon. Penny Sharpe:** Let's talk about Walgett.

**The Hon. DAMIEN TUDEHOPE:** Are you going to allow that?

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** As a matter of fact I am. I was very open and liberal in my approach to interjections during the Minister's second reading speech. I allowed numerous interjections from Opposition members in the free flow of debate. I will afford the same latitude to Government members. The moment those interjections step over the line I will make a ruling. What is good for one is good for the other.

**The Hon. DAMIEN TUDEHOPE:** You did not hear me interject.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I beg your pardon?

**The Hon. DAMIEN TUDEHOPE:** I allowed the Minister to speak.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** I was not talking about you. Please do not cavil with my ruling.

**The Hon. DAMIEN TUDEHOPE:** If the Minister respected the process, she would make sure that the amendment to the Constitution was treated respectfully and she would ensure that all drinking water was protected. When regional communities come to the Minister she should open the door to them and say, "Talk to me about making sure that regional drinking water will be properly protected," in the same way that she should deal with Sydney Water and Hunter Water. That is fundamental to getting the legislation right. But has the Minister consulted the Opposition spokesperson on the issue? Has she made availability for her in order to ensure that Sydney Water and Hunter Water are protected?

If the Minister was serious about making sure that she properly protected this fundamental asset in the Constitution—and she has been at pains to tell us about the seriousness with which she takes this, as if to say, "This is the Constitution; we do not want anyone interfering with this in the future"—then she would take her time to ensure that everything necessary is done to properly protect valuable drinking water and water assets. But Government members come to this place knowing that they have got the legislation wrong. They come to the

House tonight and say in a pig-headed way, "We are going to ram this through and make sure that regional New South Wales is not properly protected."

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order!

**The Hon. DAMIEN TUDEHOPE:** Government members made the spurious argument that unintended consequences may flow from the consideration of the ownership of regional assets. Then let us have an inquiry to get the legislation right and to make sure that all the unintended consequences are covered off. That is the proper process for the Government to bring a proper piece of legislation that amends the Constitution, especially when members opposite come to this place and speak at such length about the pre-eminence which they give to the Constitution for making sure that these assets will be protected going forward.

If the Government does not undertake a proper inquiry to make sure that all drinking water assets are properly protected, it undermines everything the Minister has said tonight about the seriousness with which the Government is taking this step. The Government cannot just say to the 1.3 million people in regional New South Wales that they do not matter and that they are not worthy of constitutional protection—there is only that group of ideologues that sit on the other side of the Chamber who are worthy of protection under the Constitution.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order! I call the Hon. Sam Faraway to order for the first time.

**The Hon. DAMIEN TUDEHOPE:** All the rhetoric we have heard from the Minister tonight about making sure that we protect those two assets from privatisation is undermined at the commencement. It is undermined because of an intransigence that exists not to make sure that all water assets are the subject of this constitutional amendment. Of course, the Opposition will support the inclusion of those two corporations in the Constitution—I know there was some difference in the other place—but we reject entirely the rhetoric engaged in by the water Minister in seeking to justify the inclusion of two assets and rejecting the inclusion of those assets that affect 1.3 million other residents of New South Wales. That is the disingenuous part of the manner in which the Minister has brought the bill to the House tonight.

The other place agreed to a concession of an inquiry to make sure that those assets were properly protected. Government members should ask themselves why, if they concede to an inquiry to make sure that we properly protect those other assets, we do not have that inquiry, include them in the bill and then return it to the House? Why would we not do that? It shows that we do not care about those 1.3 million people, that we do not care about proper processes and that we have introduced bills into this place that are badly thought through. How did we proceed with the rental reform? The proper process for consideration and consultation of the bill was not done to make sure we got it right, and the Government is doing the same thing again. It had the opportunity to have an inquiry, make sure all the assets were in the bill, and give comfort to all the regional members that they would also be protected. But, no, in the headstrong, ideological approach to get this bill through, the Government would rather get it wrong and make sure the bill passes tonight.

The Premier made a great deal of saying how precious and appropriate the protection of drinking water was, yet at the very first hurdle he stops and says, "No, I will not make sure that I protect the drinking water assets for regional New South Wales." How can members believe any Government rhetoric surrounding the bill? Members cannot believe it because the Government has ignored and moved on from protecting those people in regional New South Wales. That is the problem with proceeding with this process in the way in which the Minister has tonight. In fact, no doubt she will go home and make sure that the speech she delivered in the Chamber is posted on the appropriate social media site.

When the Minister engages in rhetoric like that she exposes the mediocrity of the legislation that she has brought to the House. The bill demands further consideration but those opposite were hell-bent on ensuring the bill proceeded tonight because they have no proper legislative agenda to deliver to the House. One would think that in the early days of a government it would be excited about getting legislation right. This legislation is not fit for purpose in terms of the Premier's stated wish of making sure that the drinking water assets of all of the people of this State are properly protected. Why is this protection being included in the Constitution Act? In fact, it struck me as again part of a poorly conceived stunt that we do in fact—

**The Hon. Stephen Lawrence:** Aren't you voting for it?

**The Hon. DAMIEN TUDEHOPE:** I will vote for it, but it is a stunt. Let us look at the Constitution Act. Some members opposite know better. If they looked at the Constitution, they would know that it is not the place for the inclusion of this sort of protection. They know it. What does the Constitution of New South Wales do? It recognises Aboriginal people; it sets out the powers of the legislature; it sets out the powers of the Governor; it sets out the powers of the Legislative Assembly and the Legislative Council—and I am pleased to know that the Legislative Council cannot be abolished without a referendum, which some members in this place would be

pleased about; and it sets out the powers of the Executive, the Consolidated Fund, the public offices the public service, administrative arrangements, local government and the judiciary. The bill seeks to add a new part 10 to the Constitution, titled "Public Ownership of Sydney Water Corporation and Hunter Water Corporation". It reminds me—

**The Hon. Penny Sharpe:** Two minutes, then you guys can work yourselves out in a couple of weeks when you sort out what you are doing with this bill.

**The Hon. DAMIEN TUDEHOPE:** I note the interjection. The Deputy President potentially warned me against responding, but I am being asked to go away and see if I can sort myself out. That is the admonition the member should have made to the Minister—go away and think about this and get it right. Do not come into this place with a half-baked bill. When I saw the bill I was reminded of *Sesame Street*. That is the level of confidence that I put in the bill before the House. It is like *Sesame Street*: One of those things is not like the others. Which one of those 10 parts of the Constitution Act does not fit? We just know, don't we? It is the bit that we are now being asked to vote on here. One of things that is not like the others is that the Government has singled out two of the eight State-owned corporations for inclusion in the Constitution Act. That shows a breathtaking lack of understanding of the purpose of the Constitution. I ask the lawyers over there, why?

**The Hon. Cameron Murphy:** They're the only ones left.

**The Hon. DAMIEN TUDEHOPE:** No, it is not. The provision would have been more appropriately added to the State Owned Corporations Act. That is where a legislative provision would be put to prevent the sale of Sydney Water and Hunter Water. It would not be included in the Constitution. The Constitution Act is not designed to include privatisation. It would have been included in the State Owned Corporations Act, and the Government probably would have included Water NSW, which does happen to be a State-owned corporation, and a State-owned corporation is what we are seeking to protect—a water asset. We may have had a better outcome if all water assets had been thought about.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** According to standing order, it being 10.00 p.m. proceedings are interrupted.

*Adjournment Debate*

#### ADJOURNMENT

**According to standing order, members made the following statements.**

#### VOLUNTARY ASSISTED DYING

**The Hon. GREG DONNELLY (22:00):** Honourable members may recall that in my contribution to debate on the third reading of the proposed physician-assisted suicide and euthanasia legislation on 19 May 2022, I referred to the dire situation playing out in Canada. On 20 October last year I provided a further update to the House on the growing and ever-expanding scheme that is Canada's medical assistance in dying regime, known as MAiD. I again report on that insatiable malignancy that continues to spread without any signs of slowing down. Honourable members may be aware that since MAiD legally commenced in Canada in 2016, three official government reports have been released regarding its operation. The first report was released in July 2020, the second in June 2021 and the most recent in July 2022.

I will not attempt to summarise the detailed content of the three reports, but I will cite the headline statistics. In 2019, some 5,631 cases of MAiD were reported, accounting for 2 per cent of all deaths. The number of cases of MAiD in 2019 represented an increase of 26.1 per cent over 2018. In 2020, some 7,595 cases of MAiD were reported, accounting for 2.5 per cent of all deaths. The number of cases of MAiD in 2020 represented a growth rate of 34.2 per cent over 2019. In 2021, some 10,064 cases of MAiD were reported, accounting for 3.3 per cent of all deaths. The number of cases of MAiD in 2021 represented a growth rate of 32.4 per cent over 2020. All provinces are experiencing year-on-year growth. The total number of MAiD deaths reported in Canada since the federal legislation was enacted that allows eligible Canadian adults to request MAiD is 31,664.

What has played out in Canada, and continues to play out, reflects exactly what those who oppose physician-assisted suicide and euthanasia predicted. The legislation that passed in 2016 known as Bill C-14 enabled physician-assisted suicide and euthanasia on request for any adult who has a serious and incurable illness, disease or disability; who is in an advanced state of irreversible decline in capability; and whose natural death has become reasonably foreseeable, taking into account all of their medical circumstances, without a prognosis necessarily having been made as to the specific length of time that they have remaining.

In February 2020 the Canadian Government introduced Bill C-7 to give statutory effect to a September 2019 decision of the Superior Court of Quebec. The bill passed with some amendments and became law in March

2021. As a result of the legislation, there is no longer a requirement that death be reasonably foreseeable. As I mentioned, from the very beginning of legalising physician-assisted suicide and euthanasia in Canada there has been an appetite to expand both its application and scope.

I draw honourable members' attention to the Canadian Government report entitled *Final Report of the Expert Panel on MAiD and Mental Illness*, dated May 2022. It is what I describe as a typical political fit-up report that opens the door wide to enable those with mental illness to access MAiD. A recommendation of the report was that Canadians whose only medical condition is a mental illness, and who otherwise meet all eligibility criteria, should become eligible for MAiD from 17 March 2023.

I am pleased to report to the House that because of the strong and vigorous pushback across the country against that terrible proposal, its implementation, while not completely taken off the table, has been kicked down the road. Not having their physician-assisted suicide and euthanasia appetite sated by seeking to implement legalising procedures for those with mental illness, the proponents continue to press for further boundary changes. I draw honourable members' attention to the report entitled *Medical Assistance in Dying in Canada: Choices for Canadians, Report of the Special Joint Committee on Medical Assistance in Dying*, dated February 2023. It is one of the most chilling parliamentary reports I have ever read. It is 122 pages in length, but at its dark heart it is proposing that the country's physician-assisted suicide and euthanasia laws have their application extended to cover what are referred to as "mature minors", which are children.

Every member who voted for the Voluntary Assisted Dying Bill 2021 in this Parliament will stridently reject that New South Wales has now placed itself on a trajectory to where the Canadians now find themselves. The inconvenient truth—and it is a major inconvenience—is that all the arguments used in New South Wales to coax, nudge and cajole members of Parliament over the line to back the proposed law are almost word-for-word identical to the exact same arguments used to advance the legislation in Canada.

#### ACTIVE KIDS PROGRAM

**The Hon. SUSAN CARTER (22:06):** It is easy for members to focus on the big-picture program and the overall budget and lose sight of the effect of programs on families and the impact on individual budgets. The individual effect of the Active Kids program and the Creative Kids vouchers, and their effect on individual family budgets, was underlined for me by recent conversations with those in regional New South Wales in the south of the State. One family with four school-aged children, who are facing the rising cost-of-living pressures, acknowledges that they simply could not afford to have their children play soccer in the winter and have swimming lessons in the summer without the support of Active Kids vouchers. The piano lessons for the two eldest children would be a pipedream without Creative Kids vouchers. Those are big picture projects which have an important and direct impact on the lives of our families and children.

The other message the conversations reinforced was the flow-on benefit of the vouchers to the wider community. In a larger town, or a city, distances are small and transport is relatively easy. If a couple of soccer players drop out because their parents can no longer afford the cost and one suburb cannot field a team, then remaining players can start training with the team in the next suburb. However, in regional communities that is not usually the case. Distances are too large to allow for regular competition with surrounding towns, so most of the competitions are internal, with teams playing against each other every week, and the sporting clubs focusing on skills development, building physical and mental health in the players, and good sportsmanship. In regional communities, if a couple of players drop out, then there is no team. No team means no competition, and the whole community loses. Active Kids vouchers do not just support individual families and their children. They support the maintenance of sporting competitions in regional communities and opportunities for all kids to continue playing sport and developing lifelong healthy habits.

Without the vouchers, it might be possible to support regional sporting competitions by targeted grants, but the other great benefit of Active Kids vouchers is their low overhead costs. They support participation without creating administrative burden for local sporting bodies. We have all been at sporting clubs where the parents are the coaches, the managers, the scorers, the equipment managers and the administrators. That is even more pronounced in regional communities. One of the great underacknowledged benefits of the Active Kids vouchers is that they support participation without creating the administrative overhead of grants.

Centralised grants to clubs require an application process, documentation and reporting—as they should. But, for a small amateur parent-run sporting club, they also create a lot of work. Active Kids vouchers help families and help build and maintain community social capital without a heavy administrative burden. They were, and remain, a great initiative to support our children and families. They promote exactly the type of active, healthy life we want for all members of our community, especially when accompanied by the First Lap vouchers. I commend those vouchers and the Active Kids program to the House.

## ENERGY PRICES

**The Hon. ROBERT BORSAK (22:09):** I draw the attention of the House to a pressing concern that affects us all: the rising price of electricity. The extremist Greens have already demonstrated they do not care, but we simply cannot overlook the impact of these price hikes on the affordability of energy for families and businesses in New South Wales. The recent predictions of the Australian Energy Regulator [AER] indicate that electricity prices will increase by up to a quarter in some States, starting this July. While government intervention has mitigated the extent of those increases, we must acknowledge the significant impact they will have on households and businesses alike. The AER's decision on the default market offers, which set the baseline for retailers, reveals that prices will rise between 19.6 per cent and 24.9 per cent for residents in New South Wales, South Australia, and south-east Queensland. Those figures align closely with the draft levels announced in March, painting a concerning picture of the financial burden that awaits families battling price hikes in all areas. Price hikes of this magnitude for electricity are simply unacceptable.

Residential customers in New South Wales without controlled load can expect price increases ranging from 20.8 per cent to 21.4 per cent, surpassing the forecasted inflation rate by a staggering 15.1 percentage points. For those with controlled load, the price hikes will range from 19.6 per cent to 24.9 per cent. These increases place an additional strain on households already grappling with the rising costs of living. It is worth noting that in the run-up to the last Federal election, Mr Albanese and the current Commonwealth Labor Government promised repeatedly to reduce household power prices by an average of \$275 by 2025. However, the AER's forecast last year indicated a potential increase of 40 per cent to 50 per cent in tariffs, painting a starkly different reality. That discrepancy between promises and the trajectory of electricity prices calls for immediate attention and action. When considering the State's energy strategy, we must not only address the concerns surrounding cost blowouts in the rewiring of New South Wales but also incorporate the pressing issue of rising electricity prices. It is imperative that we adopt a comprehensive approach that tackles both the challenges of cost overruns and the burden of increasing energy expenses on our people.

Embracing nuclear power presents a potential solution to those intertwined concerns. While there are up-front costs involved in establishing nuclear power plants, the long-term benefits far outweigh them. Nuclear power provides a reliable and stable source of energy, offering a consistent supply that is not reliant on weather conditions. By diversifying the State's energy mix, we can mitigate the impacts of rising electricity prices and ensure a stable baseload power supply for our growing energy demands. Moreover, nuclear power has a proven track record of providing cost-effective electricity generation over its lifespan. While the initial investment may be higher compared with renewable energy projects, the long-term operational costs are significantly lower.

That can lead to more stable and predictable energy prices, alleviating the financial burden on consumers and providing a measure of relief to struggling families who are already facing economic challenges. We must recognise and address the concerns surrounding the rising price of electricity in conjunction with the cost blowouts of the rewiring of New South Wales. By taking a holistic approach that encompasses both of those issues, we can pave the way for a sustainable and affordable energy future. It is time to have the vision and courage to embrace nuclear power as part of our energy strategy, reducing our carbon emissions, ensuring a reliable supply and striving for economic growth. The Government cannot continue to hide the true costs of the current rollouts with subsidies forever. Reality will catch up with the public purse.

## NATIONAL RECONCILIATION WEEK

### ABORIGINAL AND TORRES STRAIT ISLANDER VOICE

**The Hon. ANTHONY D'ADAM (22:13):** This Parliament meets on the land of the Gadigal people of the Eora nation. Sovereignty was never ceded. This always was and always will be Aboriginal land. This week is National Reconciliation Week, a reminder that all of us have a role to play in Australia's reconciliation journey. Indigenous Australians have lived on this continent for over 60,000 years. Before European colonisation began in 1788, Aboriginal and Torres Strait Islanders had developed their own laws, culture, languages and systems of trade. As a result of centuries of colonisation, massacres, stolen children, assimilation policies and discrimination, there exists a vast divide between Indigenous and non-Indigenous Australians—from higher infant mortality and incarceration rates to lower life expectancy and education outcomes. This inequality is unacceptable.

After her 2017 visit to Australia, the United Nations Special Rapporteur on the Rights of Indigenous Peoples found that Australian government policies "do not duly respect the rights to self-determination and to full and effective participation" of Indigenous people. We cannot ignore this call to action any longer. The Government must work hand in hand with Indigenous community groups to foster mutual respect and collaboration. We have done it before and we can do it again. Labor governments of the past delivered progressive policies. No-one can forget the Whitlam Government's enormous contributions to the advancement of First Nations people's rights.

It established the Aboriginal Land Rights Commission in the Northern Territory, passed the Racial Discrimination Act and returned ownership of the land of the Gurindji people to its Indigenous Elders. In the 1967 referendum more than 90 per cent of Australians voted in support of Aboriginal and Torres Strait Islanders. This was a moment of broad national consensus and a recognition of the need to address the unjust treatment of our First Nations people. In the half-century since the referendum, various reforms and improvements were made. However, the failure of recognition has not been remedied. In the words of Noel Pearson during his Boyer lectures last year, "The Australian Constitution simply moved from negative exclusion to neutral silence."

Our work remains incomplete. This week's theme for National Reconciliation Week is "Be a Voice for Generations," which encourages all Australians to be a voice for reconciliation in tangible ways. I support the Voice to Parliament and I greatly look forward to campaigning for it this year. For decades we have failed our First Nations brothers and sisters. Enshrining a Voice to Parliament in our Constitution is a massive step for meaningful change. It recognises First Nations people's basic human right to self-determination, giving them a means to shape policy and legal decisions that impact their lives. Greater participation is the way forward. No other public policy question in Australia has been subject to as much consultation or research. Two public inquiries were undertaken by Federal parliamentary joint select committees established by the Rudd and Gillard governments, which included members of the Opposition and minor parties. Twelve regional dialogues were held, culminating in the Uluru Statement from the Heart in 2017, which states:

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution.

Placing a Voice in the Constitution will provide stability and long-term thinking that previous advisory bodies have not enjoyed. Aboriginal and Torres Strait Islander people will be recognised in the way that they have asked to be—in a way that empowers communities to improve outcomes on the ground. The status quo is not working to close the gap, but we can do better by bringing community advice to Canberra. Evidence shows that when First Nations people get to have a say over their lives, the results improve. According to the Yes23 campaign, 83 per cent of Aboriginal and Torres Strait Islander people support constitutional recognition through a Voice. Eight out of 11 Aboriginal and Torres Strait Islander Federal leaders are in full support.

Canada, New Zealand, Sweden, Finland and Norway all provide constitutional recognition of Indigenous people. Why is Australia falling behind? It is a great shame that the Liberal-Nationals Coalition does not officially support the Voice, making a pathway to success much more difficult. I commend the members of the Federal Opposition who have come forward in support. While no government is capable of legislating regret or empathy, a path towards empowerment and full recognition of Indigenous human rights is something that only a government can provide. I strongly encourage everyone to get involved in grassroots field campaigns and get doorknocking and phone-banking to have conversations with community members. Recognition is not a project of identity politics but the longstanding and unresolved project for justice, unity and inclusion. All of us as Australians are diminished while First Nations people are denied their rightful place in this nation. Now is the time for us to courageously acknowledge our history and accept the invitation from Aboriginal and Torres Strait Islander people to walk together with them towards a better future.

### REGIONAL APPRENTICE AND STUDENT TRAVEL CARD

**The Hon. SAM FARRAWAY (22:18):** I express my deep concern and disappointment regarding the Labor Government's refusal to rule out cutting the regional apprentice and university student travel card in the upcoming September budget. This \$250 travel card, introduced by the former Liberal-Nationals Government, has been a massive help to over 5,000 regional apprentices and students in managing the cost of travel associated with their studies, their apprenticeships and their traineeships. The impacts of such a decision cannot be overstated. This \$250 travel card has provided invaluable support to individuals like Luke Prentice, a mature-aged apprentice electrician from Dubbo. With a young family to support, he saw the card as a welcome boost to his family's budget and a small relief for families like his dealing with cost-of-living pressures. Many others across regional New South Wales share Luke's sentiments and have relied on the card to access essential items such as fuel to get to work and training.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The Leader of the Government will refrain from interjecting.

**The Hon. SAM FARRAWAY:** It is disheartening to see Labor's lack of concern for those residing outside of NSW—Newcastle, Sydney and Wollongong. Labor's failure to support this card sends a clear message that regional residents are not a priority for this Government. People of regional New South Wales deserve better. They should be on the same playing field as people in metropolitan centres. During question time last week the Minister for Regional Transport and Roads, the Hon. Jenny Aitchison, was asked a simple yes or no question regarding the future of the program. Astonishingly, she spent seven minutes avoiding a direct answer.

**The Hon. Penny Sharpe:** Point of order: It is not okay—

**The Hon. SAM FARRAWAY:** It's a bit rich.

**The Hon. Penny Sharpe:** Do you want to sit down?

**The Hon. SAM FARRAWAY:** That's the Deputy President in the chair, not you.

**The Hon. Penny Sharpe:** Yes, but you have to sit down when I'm taking a point of order.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** Order! The Hon. Sam Farraway will resume his seat. I will hear the Minister on a point of order.

**The Hon. Penny Sharpe:** If the shadow Minister wishes to make imputations and comments about a member of the other place, he needs to do so by way of substantive motion and not in adjournment debate.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** There is no point of order. I did not hear any imputations against the Minister. He spoke about the Minister being averse to answering a question for over seven minutes. The Hon. Sam Farraway will continue but be mindful of what he has to say.

**The Hon. SAM FARRAWAY:** This evasiveness only raises more doubts about Labor's commitment to regional communities and their wellbeing. The people of New South Wales deserve transparency and honesty from their government—as touted by the now Government many times—especially when it comes to crucial and critical cost-of-living measures like the regional apprentice and university student travel card. As the shadow Minister for Regional Transport and Roads, I am deeply disappointed by the lack of commitment shown by the Minns Labor Government. The positive impact of the card on regional New South Wales cannot be denied. It improved accessibility to education and training, reduced financial strain on apprentices and students, and fostered economic growth in our regional communities.

The card is based on the highly successful regional seniors travel card. That has been a massive success with over one million cards issued in just three years and over 300,000 cards applied for in the first quarter of this year. Yet Labor seems intent on undermining these achievements and disregarding the needs of regional residents. The Liberal-Nationals remain committed to advocating for regional apprentices and university students. We recognise the challenges they face with large distances to travel for study and training. It is important to support them during these unprecedented times of soaring costs of living. I will continue to pressure the Labor Government and urge it to reconsider any cuts to this vital cost-of-living program and any future cuts to regional households.

The regions deserve better. We cannot allow young people in regional communities to have their aspirations and job opportunities overshadowed by the cost of travel. We need young people to pursue opportunities so we can keep the State moving forward. The new Government must recognise that regional New South Wales is the backbone of our State. It is the food bowl that feeds us and the engine room of our economy. It is essential that every individual in this great State, regardless of their postcode, has access to the opportunities they need to thrive. Now is not the time for complacency and neglect of the bush. We cannot afford for regional New South Wales to stall. Premier Minns must come clean and tell the truth to regional apprentices and university students because they deserve nothing less.

## CLIMATE 200

**The Hon. MARK LATHAM (22:23):** The New South Wales electoral laws need to change to stop the public fraud of Independents—the so-called teals—running when they are, in fact, representing a de facto political party like Climate 200. At the recent election, Climate 200 ran 10 candidates. All of them ran on identical policy platforms. All of them were teal. All of them were funded by a front group of rent-seeking rich boys of Mike Cannon-Brookes, Simon Holmes à Court and Alex Turnbull, among others. The rent-seekers cartel, while advancing their own financial interests through the manipulation of energy policy, have tried to trick the electorate into thinking that their candidates are independent of each other. Clearly, that is not the case.

For a party group that preaches integrity, it is a strange and hypocritical practice to set out to deceive the electorate by masquerading as Independents. Clearly, the reason for the deception is to hide from public view the big money interests seeking to manipulate our democracy. Look at Cannon-Brookes, who covertly funds a range of think tanks and lobby groups, many associated with the New South Wales Liberal Party, to advance his own financial interests. As sure as night follows day, if it has a sweet-sounding climate change name and public presence, Cannon-Brookes is shovelling big money into it. He is the everywhere man lurking in the shadows of undisclosed political funding for personal gain. Cannon-Brookes has invested big in China, where they make the wind turbines, solar panels and electric vehicles, while he himself works overtime in Australia to destroy jobs in our energy and resource sectors—a complete betrayal of the Australian national interest. This traitor to our country

hides behind a range of front groups, including Climate 200, to fill his own billionaire pockets at the expense of working people and their jobs.

It is incomprehensible how Labor ever got caught up in this agenda of a direct transfer of wealth and employment from working-class Australians to China and its elite Cranbrook-educated, hyphenated benefactors. But this is not the only nefarious activity Climate 200 is engaged in. Most people would think there is no link between defamation action and climate change, but not for Climate 200. As a de facto political party, it ranges across all issues at all times. They are funding the member for Sydney's lawfare action against me in the Federal Court. That is much more than a legal matter; it is an attempted political hit job aimed at me because of my defence of coal jobs, my critique of renewable energy policy and the type of comments I have made in telling the truth about the Climate 200 party this evening and on other occasions. It is one political party, Climate 200, using lawfare in the courts to attack another political party, One Nation. But only one of those parties is properly registered and transparent in its activities. It is climate change rent-seekers who are trying to silence voices defending resource sector jobs and investment in Australia while they themselves are cleaning up financially in China.

The electoral laws must be changed to place Climate 200 on the same legal footing as the parties represented in this Parliament. No-one should be allowed to run as an Independent when they are sponsored and funded by well-established political organisations. Equally, the think tanks and lobby groups seeking to influence New South Wales public policy should be subject to a registration system with full transparency about their funding from self-serving influence peddlers like Cannon-Brookes, the Turnbills and Holmes à Court. The fraud on the voters of New South Wales must end. Electoral reform is urgently needed to bring the teals and Climate 200 to account.

**The DEPUTY PRESIDENT (The Hon. Rod Roberts):** The House now stands adjourned.

**The House adjourned at 22:27 until Tuesday 31 May at 10:00.**