



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Eighth Parliament
First Session**

Wednesday 31 May 2023

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Wednesday 31 May 2023

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

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

Business of the House

INAUGURAL SPEECHES

The Hon. PENNY SHARPE: I move:

That on Wednesday 31 May 2023:

- (a) proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable Dr Amanda Cohn, MLC, to give her first speech without any question before the Chair; and
- (b) proceedings be interrupted at approximately 8.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. Jacqui Munro, MLC, to give her first speech without any question before the Chair.

Motion agreed to.

Motions

GENDERED VIOLENCE WORKFORCE

Ms ABIGAIL BOYD (10:03): I move:

- (1) That this House notes that workers in the specialist sexual, domestic and family violence sector:
 - (a) carry out essential work providing care, support and advocacy for people impacted by and at risk of gendered violence;
 - (b) are at significant risk of burnout, compassion fatigue and vicarious trauma; and
 - (c) are employed in an overwhelmingly feminised workforce which, alongside the wider community and social services sector, is characterised by high rates of part-time and casual employment and a higher than average workforce age that means that approximately half of the workers will be at retirement age by 2027.
- (2) That this House further notes that, as outlined in the NSW Women's Alliance Action to End Gendered Violence 2023 State election platform:
 - (a) the former New South Wales Government's 2016 report *NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children* began the work of assessing the workforce development needs of the domestic and family violence sector but did not finalise a workforce strategy;
 - (b) there has been no formal assessment of the workforce development needs of the sexual violence sector; and
 - (c) one of the NSW Women's Alliance's seven calls to action to end gendered violence is to develop and implement a workforce development plan for the specialist sexual, domestic and family violence sector.
- (3) That this House calls on the New South Wales Government to recognise the crucial role of the specialist sexual, domestic and family violence sectors and workers and the urgency of the sectors' workforce issues by developing and implementing a workforce development strategy in close consultation with the sector that focuses on recruitment, retention, skills development and ongoing worker support, particularly among workers with lived experience, First Nations workers, and workers in regional areas, and prevention of vicarious trauma, compassion fatigue and burnout.

Motion agreed to.

CARROLL PUBLIC SCHOOL SEQUINS AND SNEAKERS BALL

The Hon. CHRIS RATH (10:03): On behalf of the Hon. Sarah Mitchell: I move:

- (1) That this House notes that:
 - (a) Carroll Public School Parents and Citizens Committee hosted a black tie "Sequins and Sneakers" Ball in Carroll on Saturday 20 May 2023;
 - (b) the Sequins and Sneakers Ball was a resounding success, with 300 guests from across the region in attendance, including parents, teachers and community members; and
 - (c) the Sequins and Sneakers Ball raised tens of thousands of dollars to support the construction of a covered outdoor learning area for the children at Carroll Public School.

- (2) That this House recognises the invaluable contributions made by the committee members, event organisers, sponsors and all individuals who worked diligently to make the Sequins and Sneakers Ball a memorable and successful event.
- (3) That this House congratulates the staff and parents for their continued commitment to the students at Carroll Public School.

Motion agreed to.

GUNNEDAH EISTEDDFOD

The Hon. CHRIS RATH (10:04): On behalf of the Hon. Sarah Mitchell: I move:

- (1) That this House notes that:
 - (a) the Gunnedah Eisteddfod was held from Monday 15 May 2023 to Saturday 27 May 2023;
 - (b) eisteddfods have become an integral part of the artistic and cultural landscape in regional New South Wales;
 - (c) local eisteddfods provide a platform for aspiring artists, musicians, dancers, and performers of all ages to showcase their talent, foster their passion, and gain valuable experience; and
 - (d) many schools and early childhood education services also participate in local eisteddfods, giving students a great opportunity to be involved in the performing arts.
- (2) That this House congratulates all participants in the Gunnedah Eisteddfod in 2023.
- (3) That this House acknowledges the incredible efforts of the Gunnedah Eisteddfod committee and convenors, including Meryl Hennessy, Marg Amos, Leonie Harley, Margaret Kersley, Lyn Pengilly, Lizzy Bell, Tahlia Morrissey, Trish Studdy and Judy McGowan, and all of the volunteers and sponsors who generously give their time and support to ensure the success of this wonderful event.

Motion agreed to.

TAFE NSW EXCELLENCE AWARDS

The Hon. EMILY SUVAAL (10:05): I move:

- (1) That this House acknowledges that TAFE NSW is an incredibly valuable asset and an important part of the fabric of communities right across New South Wales.
- (2) That this House acknowledges the significant contributions TAFE NSW students make in their communities, providing important skills that are vital for their local economy.
- (3) That this House congratulates the finalists and award winners of the TAFE NSW Excellence Awards held on 22 May at their Ryde campus, and notes the incredible contributions of all students there in organising and hosting the event.
- (4) That this House congratulates Leila de Young, winner of the TAFE NSW Region Student of the Year Award.

Motion agreed to.

TRIBUTE TO DR JUDY MESSER

Ms CATE FAEHRMANN (10:05): I move:

- (1) That this House notes with sadness the passing, on 12 May 2023, of prolific environmentalist and sociologist, Dr Judy Messer.
- (2) That this House acknowledges the outstanding contribution that Dr Messer made to the protection of the environment, including:
 - (a) co-founding the Lane Cove Bushland and Conservation Society in 1970 in response to the threat of a large area of Lane Cove bushland being cleared for development;
 - (b) her involvement in many other environmental campaigns for the protection of the New South Wales environment including the Jervis Bay Coalition, the Coalition for Urban Transport Sanity, and convincing Bob Carr, when he was planning Minister, to create the then State Environmental Planning Policy No. 19 Bushland in Urban Areas in 1986;
 - (c) being chairperson of the Nature Conservation Council of New South Wales from 1984-2000, during which time the NCC helped provoke a change in community and political attitudes to issues such as logging, the protection of wilderness areas and urban bushland;
 - (d) her role as the sole environmental voice on the board of Sydney Water, as a non-executive director from 1988-2002 and her many other advisory roles on committees including the Murray-Darling Basin Ministerial Council Community Advisory Committee, NSW State Wetland Action Group, Menindee Lakes Advisory Committee, Barwon-Darling River Management Committee, the Kangaroo Management Advisory Committee, Rural Fire Service Advisory Council, and the Aboriginal ownership legislation working group; and
 - (e) her active participation at international meetings of the International Union for the Conservation of Nature, the World Parks Congress and many other international forums focused on conservation.
- (3) That this House conveys its deepest condolences to Dr Judy Messer's husband, Michael; sister, Wendy; children Jane, David and Jacob; and all her family, friends and colleagues.

Motion agreed to.**INTERNATIONAL DAY OF MOURNING****The Hon. MARK BUTTIGIEG (10:06):** I move:

- (1) That this House notes that:
 - (a) 28 April 2023 was the International Day of Mourning;
 - (b) Unions NSW and SafeWork NSW held an International Day of Mourning service at Reflection Park in Darling Harbour; and
 - (c) the International Day of Mourning remembers those who lost their lives due to workplace incidents or work-related conditions.
- (2) That this House commits to:
 - (a) improving workplace health and safety in New South Wales; and
 - (b) eliminating the number of people losing their lives and reducing the number of people being injured due to workplace incidents or work-related conditions.
- (3) That this House gives its condolences to those impacted by workplace incidents, injuries or work-related conditions.

Motion agreed to.**TRIBUTE TO DAVID JACKSON, AM, KC****The Hon. SUSAN CARTER (10:06):** I move:

- (1) That this House notes with sadness that:
 - (a) David Jackson, AM, KC, passed away on 14 May 2023;
 - (b) he was a much admired and deeply respected elder statesman of the Australian bar, and a founding member of New Chambers; and
 - (c) he served as the National President of the Order of Malta from 1984 to 1987.
- (2) That this House notes that:
 - (a) the Chief Justice described Mr Jackson as "a giant of the Australian bar ... hugely respected for his consummate professionalism, integrity and legal acumen", and also observed that David Jackson was not only a great advocate, he was generous with his time, helping younger members of the bar, and on many occasions appeared pro bono or gave advice pro bono; and
 - (b) he is survived by his wife, Monica, his three daughters and four grandchildren.
- (3) That this House notes the great contribution to the law made by David Jackson and expresses its sympathy to his family and friends.

Motion agreed to.*Bills***FIRST HOME BUYER LEGISLATION AMENDMENT BILL 2023****First Reading**

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

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

Statement of public interest tabled.

The Hon. DANIEL MOOKHEY: I move:

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

Motion agreed to.

The Hon. DANIEL MOOKHEY: I move:

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

Motion agreed to.

*Documents***INDEPENDENT COMPLAINTS OFFICER****Reports**

The Hon. STEPHEN LAWRENCE: According to the resolution of the House of 22 March 2022, as amended on 8 June 2022, I table the following reports:

- (1) Report of the Independent Complaints Officer of the New South Wales Parliament to the Legislative Council Privileges Committee and Legislative Assembly Parliamentary Privileges and Ethics Committee, for the period 1 September 2022 to 30 November 2022.
- (2) Report of the Independent Complaints Officer of the New South Wales Parliament to the Legislative Council Privileges Committee and Legislative Assembly Parliamentary Privileges and Ethics Committee, for the period 1 December 2022 to 28 February 2023.

*Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: HARD ADJOURNMENT**

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:15): I move:

That Standing Order 34 relating to the hard adjournment at 10.00 p.m. be suspended for Thursday 1 June 2023 only.

The Government is seeking to lift the hard adjournment in order to finalise the First Home Buyer Legislation Amendment Bill 2023 in this House tomorrow. It is not something that we intend to do very often, but I seek the support of the House on this occasion.

The Hon. DAMIEN TUDEHOPE (10:16): This is an astonishing admission of a failure to have a legislative agenda. Three weeks into this new Government, we have had a filibuster from the Government in debate on a statute law revision bill and a revenue bill, and an hour-and-a-half contribution to debate on the address-in-reply to the Lieutenant-Governor's speech. Three weeks in, the Government comes to this House to lift the hard adjournment because it cannot handle its legislative agenda. The hard adjournment is an agreement between all members in this Chamber to ensure that a proper work health and safety environment is in place for people who work in Parliament. The Government cannot organise its agenda so as to make sure that it can be covered in the sitting hours as prescribed by this House.

There was no suggestion of any filibuster in the other place, which passed the bill last night after three hours of debate. In those circumstances, the indication would be that this bill would proceed just as normally as any other bill. For the Government to say that it must lift the hard adjournment because it wants to pass this piece of legislation in this place tomorrow underpins the argument that it has lost control, or has no control, of its legislative agenda. It has lost control of its legislative agenda. There is no indication from the Opposition that there is anything untoward in respect of the manner in which debate on the bill will be conducted in this House.

The last two occasions when we moved to suspend the hard adjournment were in relation to the abortion law reform bill, moved after four days of debate, and the electricity reform bill. Members would remember there was significant debate, and the former Government had been informed that the best part of over 100 amendments were to be moved. The Government seeks to remove the hard adjournment even though there are no reams of amendments to be moved and despite the fact that there were three hours of debate in the other place. It has said, "We must get rid of the hard adjournment." It is not as though there are to be long and protracted speaking times in debate on the bill. It was conducted in the normal process in the other place. The Government has offered no possible reason as to why the hard adjournment should be suspended on this occasion. It has not said, "This bill will not be debated within the ordinary procedures of this House."

In fact, similar to the manner in which the Government is treating members of this House, in the other House last night an unprecedented situation occurred and Opposition members were gagged from contributing to debate on a bill. The last time that occurred in either House was when a motion was moved that the Hon. Adam Searle no longer be heard in this place in debate on a workers compensation bill. If the Government is serious about suspending the hard adjournment, it must do better than to say, "We just want to get it passed." It must explain why we need to get rid of the hard adjournment. It cannot be suspended simply because the Government wants to get the bill passed by a particular day. That is not good enough. Government members should explain that there has been an abuse of process or some other reason that demands the removal of the hard adjournment. The standing orders of this House were amended because of the absolute priority we gave to the work health and safety of the people working in this environment.

The Hon. Robert Borsak: Oh bullshit. You were forced to do it by the crossbench.

The Hon. DAMIEN TUDEHOPE: In those circumstances, I am sure the crossbench would not support removing the hard adjournment. But members in this place fought hard to make that amendment to the standing orders. Because of the manner in which that standing order was adopted, we ought to be very loath to suspend the hard adjournment in circumstances where there is no proper rationale. Quite frankly, Government members are arrogant to come to this place and say that they just want the hard adjournment to be removed. In fact, they were arrogant just this morning in moving a motion without notice or discussion with members on this side of the House that proposed that the House sit this Friday. No Government member came and asked whether that would be an issue for members of the House. They just came to the House and said, "We are going to sit on Friday," and moved a motion to that effect. The arrogance of a government to act like that is breathtaking.

Generally, courtesy is shown in the way we conduct the affairs of this House. That courtesy appears to have gone out the window. It demonstrates how Labor members will act in government. They will behave arrogantly. They do not have a legislative agenda and they do not know how to handle the bills they bring to this House. Government members ought to get their act together for the purposes of making sure that they conduct their affairs in a manner that complies with the standing orders. I ask all members to reject this arrogant motion to remove the hard adjournment for tomorrow evening.

The Hon. MARK LATHAM (10:24): One Nation opposes the motion, although not with the same political partisanship and harshness of the Leader of the Opposition. We recognise that there is a new Government. It is fair to say there are many more quality people on the frontbench of the Government in this Chamber than in the other place. No member in this place is going quite as poorly as Mr Stephen Kamper in question time in the other place—one could not. But for all the quality people here, and that includes four or five Ministers, none has ministerial experience. There have been hiccups in the management of Government business. The fair approach is to cut them some slack and give the new team a chance to sort that out. It is true that as a Government they have many more reviews than legislation, probably on a ratio of 20:1, but that is still no excuse.

The fact is that in the past two days three items of Government business have been debated for the purpose of filibustering. I thought the filibuster last night from the Hon. John Graham, having dabbled in that fine art myself some time ago, was absolutely outstanding. When he got onto Fabian it served the dual purpose of covering a Labor think tank and his Music portfolio. He showed amazing skills in what was a very entertaining filibuster, but that is where it ends. As much as I love Wes and Greg, we have reached our quota on their filibusters in this place. It is the parliamentary equivalent of going to the dentist or watching Statler and Waldorf on the Muppets, but not as funny. We have had enough of that.

Three filibusters in just two Government business days tells the tale. It could have been managed better and more effectively. One of the problems with getting rid of the hard adjournment is that it flies in the face of the Labor Party rhetoric about family-friendly hours in this place, which was a feature in the last term of Parliament. We have the hard adjournment at 10.00 p.m. for family-friendly reasons. Of course, the other problem is that there was no assessment or briefing for the crossbench on when we may finish. The Nationals are geared up for their amendments to the water bill. That will take a lot of time tomorrow. Then we will get onto the pet subject of the very fine Treasurer: Getting rid of consumer choice in New South Wales and imposing his own approach. That will be a big debate. I am sure the Coalition members who love the old Perrottet legislation will be lining up to defend that.

So will we finish at 2 o'clock, 3 o'clock or 4 o'clock on Friday morning? These debates can be open-ended. My friend and old mate the Leader of the Opposition, who lectured us about work health and safety, was the architect of the all-night sitting on the energy bills. A very senior Government member was heard to say of me and the Hon. Rod Roberts at about 4.30 a.m., "Perhaps they'll just drop dead on the floor of Parliament and that will be the end of the debate." At various times we felt like doing that. It would have been a mercy for you in particular, Mr President, but not for the rest of us. But to hear a lecture from the Leader of the Opposition about work health and safety is a bit rich. The would-be assassin has turned into nurse and doctor. The poacher has become the gamekeeper with all of these rules.

On balance, it is better to adhere to our rules about the hard adjournment. If the Government has a problem in scheduling its legislation, perhaps its members can learn from the mistakes of the past couple of days. I do not see the point of getting rid of a rule that has been embraced around the Chamber. At a minimum, if the motion were to pass, it would be helpful for the Government to provide a cut-off time. Will we finish at midnight, in recognition of family-friendly hours, or will debate drag on into the early hours of the morning—in which case we will all be rushing to the hospital next door?

The PRESIDENT: I remind members that the appropriate way to seek the call in this Chamber is to stand in one's place and say in a loud and stentorian voice, "Mr President." That will allow members to be heard.

The Hon. DANIEL MOOKHEY (Treasurer) (10:28): I respect the contributions to debate from the Leader of the Opposition and the leader of One Nation. I welcome the undertaking that was given by the Leader of the Opposition. There was no intention to play funny business. To be fair to him, when the bill was debated in the previous session of Parliament members did behave with a manner of decorum that allowed the previous Government to have its legislation treated fairly, on its merit and without any filibustering from the Opposition. It is pleasing that the Opposition will engage in the same spirit during tomorrow's likely debate. That is helpful.

With regard to the First Home Buyer Legislation Amendment Bill 2023, the Government wants to make sure that every member has adequate time to express their view on the bill, which is their right. Members also have to be mindful that the legislation is an important change for hundreds of thousands of first home buyers and potential first home buyers. The point of allowing the Parliament to deliberate in favour or against the bill tomorrow is so that hundreds of thousands of people know the rules and can make informed decisions over the next three, six, nine or 12 months. That is a serious matter, particularly because so many people participating in the first home buyer market are having conversations with their financiers and lenders right now, deciding what is possible for them to bid, when they want to bid or whether they can bid. Giving them as much time as possible for the transition to take place is important. That is why when the Government says it would like the Parliament to come to its view on the bill this week, that is to provide that base level of understanding for people to make decisions.

When it comes to the actual transitions, should the Parliament reject the bill, it is important that we respect Revenue NSW's role in the matter and allow them to adapt. Should the Parliament consent to the bill, then we should also do that. When I was the shadow Treasurer in the previous Parliament, I was very mindful to the previous Government's required implementation time around market transition and public service transition to a new system. To be fair to the Government at the time, we facilitated a good debate. It was respectful to both sides. Both sides were able to express their views, but the Executive Government knew that Parliament would make a decision and they could act. Labor is seeking much the same this week.

In respect of some of the commentary around whether Labor is according to parliamentary norms or breaching them, I point out the Government is following standard parliamentary procedure in both places on this bill. It introduced the bill in the other place last week; second read it; left it on the table for five days, which is the convention; allowed the shadow Cabinet to do its deliberation and reach a view; and allowed them to go to their party room, much the same as we did with the crossbench and the Government so that all parties could take a genuine view on the issue and allow all party processes. The Government did not declare urgency on the bill to facilitate that respect to all sides. The five-day period came to an end yesterday. The bill was introduced to the other place. The other place deliberated on it. The bill was passed and is now in this House for our decision. There is no breach in that respect.

As for removing tomorrow night's hard adjournment—I take the point of the Leader of One Nation about our intention—the Government submits itself to the will of the House. The House can debate the bill for as long as it wants. Our view is that every member who wishes to speak in the debate should have the right to speak. The Government will facilitate as much time as possible for that in the second reading stage and Committee stage. That is sensible. We are not suggesting that we would want to traverse anyone's right to speak on the bill. Therefore, we think the balance is right in simply allowing the House to have as much time as possible to deliberate. The alternative is that we may well need to be sitting on Friday, but to be fair, that motion may or may not be moved tomorrow. In terms of how long we sit, I welcome the opportunity to have dialogue with all sides of the House so we can facilitate that and be mindful of it.

In conclusion, I have made attempts to contact the Opposition and request an opportunity to have dialogue with them about what their intentions are. There is no compulsion on the Opposition to participate in that dialogue with the Government. That is fine; I am not offended. We remain open. I will contact the shadow Treasurer and Leader of the Opposition in this place to see if he wishes to work out precisely how the debate will take place tomorrow. The Government's intention is to get the debate done in a manner respectful to every member's right to have their say but also respectful to the hundreds of thousands of first home buyers who would like to know the outcome of the Parliament's deliberations. I look forward to having conversations with the Leader of the Opposition. I am sure between the two of us we can work out an arrangement that makes sure every member has comfort about how long the House will sit tomorrow. On behalf of the Government, I undertake that it will facilitate time to respect family-friendly hours as best as possible.

We take workplace health and safety requirements of staff very seriously when it comes to our hard working. We honour and respect them. The motion is before the House because we understand that if the House decides to break the hard adjournment, it should do so actively, after deliberation and after a debate like the one we are having now. With that, I welcome the undertaking from the Opposition to have this debate in good spirit. I am happy to have further conversations, but I think it is important that the House resolve to continue to sit so we

can acquit the matter either way: for or against the legislation. We should reach a decision this week so that first home buyers know the outcome of the decision and can plan accordingly. The Opposition will argue forcefully for their position, as is their right, and we want to make sure they have the time to do it. We also think it is important the market has reasonable time and notice to either adapt to a change or not.

Ms ABIGAIL BOYD (10:36): I contribute briefly to the debate on the motion, which The Greens support. I reflect on the reasons for that. Removing the hard adjournment is not something we do lightly. We agree with the hard adjournment whenever we can. I am pleased to hear that the reason for the motion is to pass an important bill which if delayed would leave insufficient time for the market to understand the change or for Revenue to get up to speed with the change. In the circumstances where we know the bill is going to pass because we have the numbers to pass it—

The Hon. Damien Tudehope: We?

Ms ABIGAIL BOYD: We, the people in favour of the bill, have the numbers to pass the bill.

The Hon. Natalie Ward: We, the Greens-Labor coalition.

Ms ABIGAIL BOYD: You really love the idea of there being a Greens-Labor coalition. The Greens have no interest in a Greens-Labor coalition. We are voting in favour of what—

The Hon. Mark Latham: Table the agreement.

Ms ABIGAIL BOYD: Table your agreement.

The PRESIDENT: Order! The member will be heard in silence.

Ms ABIGAIL BOYD: We are in support of the motion because we believe the people of New South Wales need the certainty around what is going to happen in the property market. That is why we support it, but I am pleased to hear that it is not going to be a problem anyway because the Opposition, the Coalition-One Nation coalition, is telling us that they are not going to filibuster. Finally, I note the Leader of the Opposition noted the very long abortion reform debate we had, which took five days. We ran some statistics at the time and found that 320,000 words over five days were spoken by men in this place, with only 90,000 words spoken by women. Of all the words spoken over those five days, 80 per cent were from men. We need to reflect on the brief debate on this motion because although women now make up 50 per cent of members in this place, we still seem to have a problem where men talk a great deal. Maybe they could reflect on that and business would get done quicker.

The Hon. SARAH MITCHELL (10:38): I always intended to briefly contribute to the debate on this motion. Government members have not been in this place for very long. I have only been in the House for 12 years. The Hon. Natasha Maclaren-Jones and I are probably two of the longest serving in the Opposition. The reason I say that is I remember when we were first in government in 2011, when I was newly elected, we would sit very late, routinely for hours and hours until 3.00 a.m. or 4.00 a.m., and still be back at 10.00 a.m. Unlike many members opposite, we have lived through that. It was a really challenging time. I know some Government members have been in Parliament longer than me, and I respect that, but I think all members would agree that that was not the most functional way for a workplace to operate.

The reason the hard adjournment was introduced over the past few years, initially at midnight and then forward to 10 o'clock, was to recognise that we do important work in Parliament and good workplace settings should be in place for that. I agree with the comments the Leader of the Opposition made on the curious nature of why now, a mere few weeks into government, suddenly the hard adjournment needs to go. There has been no indication, as the Leader of the Opposition said, that Opposition members will filibuster. Debate on the bill in the lower House, which the Treasurer is most interested in and spoke about in his contribution, went for three hours. So it did not last very long. There is no indication that debate in this House will be the same.

I take his point about the bill making a significant change for people to make decisions about purchasing a home and Revenue NSW, but the Government should make that its first order of business for tomorrow. It can be debated first and then we can move on to the water bill. If we do not finish that by 10 o'clock, that is fine. The Government has no intention to privatise water. That bill has already passed the lower House. Opposition members have things they want to say on behalf of regional New South Wales, but that bill can wait until the next sitting period. There is no need to move a motion today to pre-empt something that there is no indication will ever happen.

The last point I will make, as others have already raised it, relates to the family-friendly argument. I was the first upper House member in many years to have children. A lot has changed in the 12 years since I was elected, and that has been really great, but it was hard at the beginning when some of the measures we have now were not in place. If we are going to stand by family-friendly hours, our actions should match our words. We

should say that 10 o'clock gives enough time for people to get home. I note the interjections from members opposite about sitting on Friday. If we do, we do.

We should be respectful of working mums whose children are outside Sydney. The logistics that need to be juggled to sit on a Friday are not insignificant to mothers like me if plans have been made for the sitting week to finish on Thursday night. The Greens should be respectful of that, as they are part of a coalition with Labor. It is not always easy to make things work when, all of a sudden, a spanner is thrown into the works for no good, justified or anticipated reason. It makes life more challenging for working mums who do not live in Sydney. The motion should not be passed. We should have a normal parliamentary sitting day tomorrow, be respectful in the debate and get on with it.

The Hon. SCOTT FARLOW (10:42): I will be charted by Ms Abigail Boyd and keep my comments brief. One of the arguments for passing the First Home Buyer Legislation Amendment Bill 2023 is to give buyers certainty in the market. That certainty will be provided by the Act's commencement date of 1 July. Regardless of whether Parliament deals with the bill this week, the Act has a commencement date. The regulations for the Property Tax (First Home Buyer Choice) Bill, introduced at the back end of last year by the former Government, had transitional provisions attached to it. Before the mechanisms to deliver it were implemented, provisions were put in place so that people could be afforded the benefits of the bill. If the bill passes, the First Home Buyer Legislation Amendment Bill, with its commencement date on 1 July, will provide a very clear direction that gives buyers in the market certainty, regardless of what the Treasury needs to do behind the scenes to enact the legislation.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (10:43): In reply: The reason the motion is on the *Notice Paper* is so that members could have this debate in the House. I note the somewhat frustrated tone of the Opposition, particularly the Hon. Damien Tudehope. Government members are trying to be very up-front and honest about the business we wish to conduct, which is why this motion is before the House. I hope that we do not sit past the hard adjournment tomorrow night, but we have to work through a very key issue relating to the Government's agenda. I note the well-articulated words of the Treasurer about why the timing of this debate is important.

I also note the comments of members relating to the way the Government runs business of the House. I will make a couple of points. First, we are at the beginning of an entirely new government, which has happened only three times since World War II. It is not a frequent event. The Government is working through its legislative agenda. It has only been a couple of weeks, not a couple of months. The Government has many more bills coming. As most members know, I will try to move them around in an open and transparent way to keep the House up to date with what is happening. I apologise if the Leader of the Opposition feels that he has been blindsided by the motion. It was put on the *Notice Paper* yesterday, which is why we are debating it today. The Government does not want to sit on Friday. All of us have family and work to do, but we must deal with the Government's business of the day.

The second point I will make—and there has been a bit of talk about what happened in the other place relating to bills and other things—is that strange things occurred downstairs yesterday, including for the first time ever the splitting of The Nationals from the Liberal Party in a vote on the floor of Parliament. It was very interesting. The Government is very clear about the mandate it has for the First Home Buyer Legislation Amendment Bill, the timing of which is important. It is not my intention to suspend the hard adjournment again anytime soon. I ask for the indulgence of the House on this.

The Hon. Natalie Ward: You gag down there and extend up here.

The Hon. PENNY SHARPE: If the Hon. Natalie Ward wants to talk about gagging, let's talk about The Nationals, who actually asked—

The PRESIDENT: Order!

The Hon. PENNY SHARPE: No, let's explain.

The Hon. Wes Fang: Point of order: The motion before the House relates to suspending the hard adjournment for tomorrow. If the Leader of the Government wants to sledge The Nationals, I suggest she does so by—

The Hon. PENNY SHARPE: You don't want me to talk about it, do you, Wes? You raised it. It is part of the motion.

The Hon. Wes Fang: Let's have that debate then. Do it properly. Bring it on.

The Hon. PENNY SHARPE: If you don't want to talk about it, that's up to you.

The PRESIDENT: There is no point of order.

The Hon. PENNY SHARPE: I know The Nationals are very sensitive about this. Let us understand how extraordinary it is. When was the last time The Nationals voted against the Liberal Party on a key bill? When was the last time its members tried to filibuster a bill that they had asked the Government to work with them on? If the Opposition really wants to get into it, we can do that. Enough time has been taken up on the motion. The Government has gone through the appropriate process and put it on notice. That is why we are debating it now, so that members can decide whether they support the suspension of the hard adjournment. As I said, it is not intended to occur very often, but I will always be transparent about that. I will have more discussions with the Leader of the Opposition on this matter in the future. I commend the motion and ask for the indulgence of the House.

The House divided.

Ayes21
Noes17
Majority.....4

AYES

Banasiak	Faehrmann	Mookhey
Borsak	Graham	Moriarty
Boyd	Higginson	Murphy (teller)
Buttigieg	Hurst	Nanva (teller)
Cohn	Jackson	Primrose
D'Adam	Kaine	Sharpe
Donnelly	Lawrence	Suvaal

NOES

Carter	Martin	Roberts
Fang (teller)	Merton	Ruddick
Faraway	Mihailuk	Taylor
Latham	Mitchell	Tudehope
MacDonald	Munro	Ward
Maclaren-Jones	Rath (teller)	

PAIRS

Houssos

Farlow

Motion agreed to.

Documents

TABLING OF PAPERS

The Hon. PENNY SHARPE: I table the following paper:

- (1) Annual Reports (Departments) Act 1985—Annual Report of NSW Department of Education for year ended 31 December 2022.

Motions

PUBLIC LAND SALE

The Hon. SCOTT FARLOW (10:56): I move:

- (1) That this House notes that:
- as part of the Labor Party election platform the now-Government promised to "halt the privatisation of State assets";
 - prior to the State election, in the last term of Parliament, members of the now-Government called the sale of public land a privatisation;
 - the Premier, the Hon. Chris Minns, MP, has directed his Ministers to review State-owned land assets to sell to privately owned developers; and
 - the definition of privatisation, according to the *Macquarie Dictionary*, is "to change the status of (land, industries, services, etc.) from that of state to private ownership".

- (2) That this House calls on the Government to come clean with the people of New South Wales and admit Labor's plan to sell public land is a privatisation of public assets.

After ruling out any further privatisation during the election campaign, engaging in a blatantly false campaign on Sydney Water, the new Labor Government could not wait two months before backflipping on its election pledges and is now looking to sell public land to private entities. The motion before the House is not particularly controversial. It is a simple statement of the facts—the truth. It simply lays out the Government's election pledge to halt the privatisation of State assets; the direction of the Premier to his Ministers to find land to sell to private developers; and the definition of "privatisation", which fits perfectly with the Premier's direction. Every single time, without fail, Labor says one thing before the election only to do something different when it comes to government.

Reflecting on a copy of Labor's *Fresh Start Plan*, it is a grand total of 14 pages, most of which are just pictures of the Premier in various settings, and, I acknowledge, pictures of the Hon. John Graham, the Leader of the Government in this House; the Hon. Rose Jackson; and the Hon. Daniel Mookhey, who is one of my favourites. I am just sticking to members of this House. Of the 14 pages, there are 15 mentions that Labor is against privatisation. In the final week of the campaign Premier Chris Minns promised 18 times on his Facebook page that he would end privatisation. He promised to do so at least once a day and then, for good measure, eight times in the last 36 hours of the campaign. Government members may wish to disagree with me—against their best interests, of course—but how can they disagree with the trusty *Macquarie Dictionary* definition of privatisation?

The Hon. Daniel Mookhey: We're Oxford people!

The Hon. SCOTT FARLOW: As stated in the motion, the definition of "privatise" in the *Macquarie Dictionary* is:

1. to change the status of (land, industries, services, etc.) from that of state to private ownership.

I hear those opposite say they are *Oxford Dictionary* people. They snub their noses at the good old Australian dictionary. However, I will go to the *Merriam-Webster Dictionary*, which also defines "privatise" as:

... to change from public to private control or ownership ...

As the House would know, the Premier has directed all of his Ministers to find surplus land to audit for it to be considered for rezoning and developing into residential housing. In the last Parliament the now Government's Cabinet Ministers decried the occurrence of similar auditing of public land for residential purposes, claiming that the Labor Opposition was appalled. I turn to my good friend the Hon. John Graham. He was outraged about an index of land assets, which provided a menu for property developers across the State and showed a long record of privatisation. Somehow, right now, that same thing is not privatisation to Labor. That is interesting logic.

I turn to my other good friend the Treasurer. He believed that the previous Government's addiction to land sales would only get worse and that it proved an addiction to privatisation. Labor itself wants to engage in land sales to private developers after this audit. I turn to the member for Blacktown in the other place, who believes it was a disgrace that the previous Government wanted to sell off so much. But the present Government is adopting the same policy for surplus government land. Those comments prove the hypocritical nature of senior Minns Government members. They oppose land asset sales in Opposition and then rely on them in Government. They decry land asset sales as privatisation in Opposition and then pretend that selling public land to private developers is not privatisation in Government, all after their deceptive election campaign on privatisation to come into office in the first place.

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

Visitors

VISITORS

The PRESIDENT: I welcome in the public gallery student leaders from high schools across New South Wales who are attending the Secondary Schools Student Leadership Program conducted by Parliamentary Education and Engagement. You are all very welcome to observe question time in the Legislative Council today.

Questions Without Notice

COAL ROYALTIES

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Minister for Natural Resources. Given the actions of the Queensland Labor Government in increasing coal royalties and calls from her junior coalition partner The Greens to implement the same approach in New South Wales, will she rule out a similar increase in royalties for coal, petroleum or other minerals in New South Wales in the 2023-24 budget?

The Hon. Daniel Mookhey: Point of order: My point of order relates to whether the question is calling for a statement of policy. I understand the way in which it has been phrased but its substantial effect is to require the Minister to take a policy position, which is not in keeping with the standing orders. I understand that phraseology matters a lot, but I take the point of order because it is important that the House receives a ruling on this.

The Hon. Wes Fang: What's the point of order?

The Hon. Daniel Mookhey: I am sorry if the Deputy Opposition Whip did not hear my point of order. I will say it again for his sake. My point of order is to do with whether or not the question is calling for a policy statement from the Minister, which is not in accordance—

The PRESIDENT: Order! I call the Hon. Wes Fang to order for the first time. Yesterday I made my view about question time clear, and that stands.

The Hon. Damien Tudehope: To the point of order: The question does not debate policy. It was fairly specific. In view of the calls that have been made and what has occurred in Queensland, is the Minister prepared to rule out royalty increases in New South Wales?

The PRESIDENT: I am advised that there is no prohibition in the new standing orders of a discussion of Government policy. The question is in order.

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:02): As noted by the Leader of the Opposition, I have been absent from the proceedings of Parliament this morning. I was speaking at a critical minerals conference in Sydney for investors from across the country. The speaker before me was the Queensland Minister for Resources. I note the question from the Leader of the Opposition about the position of the Queensland Government's initiative to increase royalties on coal companies. As the Queensland Minister explained to me when I met with him yesterday, that kicks in when the higher prices for coal come into place.

The Treasurer and I, in my former capacity as the shadow Minister for Natural Resources, took a bipartisan approach to the election. When we returned to Parliament in December to vote for the coal caps legislation, the Government, then Minister Toole and the now shadow Minister for Natural Resources all supported that legislation, which remains in place until 2023-24. We stand by our election commitments and take them seriously.

ENERGY PRICES

The Hon. MARK BUTTIGIEG (11:04): My question is addressed to the Minister for Energy. Will the Minister update the House on the impacts that privatisation has had on electricity bills for New South Wales households and businesses?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:05): I thank the honourable member for his question and for his ongoing interest in all things energy related. The Government understands that New South Wales businesses and households are facing serious challenges with their electricity bills. The recent determination from the Australian Energy Regulator indicated that there will be price increases of between 20 per cent and 25 per cent for households and small businesses this year. Without Federal and State government intervention, that could have been almost double, based on previous projections.

Around 70 per cent of the New South Wales electricity supply comes from coal-fired power stations, many of which rely on coal supplied by mines that also sell on the international market. The price of coal has reached unprecedented levels for a range of reasons, including the serious issue of Russia's invasion of Ukraine, as I outlined to the House yesterday. Building more coal- and gas-fired power stations will do nothing to protect New South Wales households and businesses from unprecedented international prices. That is one reason we are so committed to getting more renewable energy in the grid to drive down prices over time. That has been made infinitely harder by the former Government's obsession with privatising New South Wales electricity assets.

Coalition members on the other side of the Chamber gave away control of some of the companies that are most critical to achieving an orderly transition of our energy sector. Their obsession has made every single part of it more difficult. Those companies are beholden to private shareholders and not public interest. Let us look at the record. Eraring Power Station was sold for just \$50 million in 2013. Liddell and Bayswater power stations were sold in 2014. Vales Point Power Station was sold for \$1 million in 2015, only to be reportedly resold in 2022 for \$200 million. Transgrid was privatised in 2015 just before it became critical to overhaul our transmission system—such a great decision! Ausgrid was partially privatised in 2016. Endeavour Energy was partially privatised in 2017. As a result, New South Wales customers are paying more for privatised network businesses, and we have fewer levers to do the work that must be done.

We must remember that the budget crisis that we are dealing with has also made this harder. We are facing at least \$180 billion of debt left by the former Government, and we have recently discovered \$7 billion in hidden costs. We are doing everything we can from the interventions of the Federal and State governments. Important energy rebates are also coming, which will be available for households and small businesses. The people of New South Wales need to ensure they get those rebates if they are eligible. More importantly, members opposite need to understand that they have made this harder and more expensive, and that is on them.

TOXIC WEEDS

The Hon. SARAH MITCHELL (11:08): My question is directed to the Minister for Agriculture, and Minister for Western New South Wales. Will the Minister inform the House and the farmers in western New South Wales whose stock and livelihood are under threat from Hudson pear whether the New South Wales Government is committed to the full rollout of the \$2.6 million control program announced in December 2022?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:08): I thank the member for her question. It is a great question. We made biosecurity a key platform of our election commitments. It is a key priority for me as the Minister and it is a key priority for this Government. Biosecurity is an important issue. Farmers across New South Wales, including across western New South Wales, face biosecurity threats.

The Hon. Sam Farraway: Saved by the notes.

The Hon. TARA MORIARTY: I don't need the notes. The National Party does not seem to be interested in hearing the answer to the question that it just asked—which is pretty typical for these kinds of proceedings—but the people in western New South Wales are listening to the answer. I will be visiting them next week. I am sure the National Party will have plenty of questions about my movements, the dinners I go to and who I meet with. I am happy to disclose all of that once I return from my travels. Next week I am heading to western New South Wales and I will be meeting with farmers.

The Hon. Sam Farraway: Making the trip.

The Hon. TARA MORIARTY: I have made several trips to western New South Wales since I have been Minister. The National Party is well aware of that because it likes to track my movements every day, which is really exciting for me. I am going to western New South Wales next week and I will be speaking to farmers about exactly this issue. Biosecurity is a key priority for me as the Minister. That is why we have said that we need a biosecurity commission and an independent biosecurity commissioner. The National Party did not deal with this. The previous Government refused to deal with this. The previous Government put no money into defeating weeds, particularly this weed in western New South Wales.

The Hon. Sarah Mitchell: Point of order: I have been listening closely to the Minister's answer. I asked her a very specific question in relation to the \$2.6 million control program that was funded last year and whether the Government would continue with that program, specifically for Hudson pear. I would like an answer to my question.

The PRESIDENT: The Deputy Leader of the Opposition is right. The scope of the question was quite limited. The Minister was being relevant, but I now instruct her to be directly relevant to the limited scope of the question.

The Hon. TARA MORIARTY: We committed money to deal with biosecurity, particularly weeds, during the election campaign. That will be factored into the budget that we are currently considering. As I have said, the previous Government did not put money into defeating the issue.

The Hon. Sarah Mitchell: We did. The \$2.6 million. Are you going to spend it?

The Hon. TARA MORIARTY: Certainly not enough of it. It is not even going to scratch the surface.

[Opposition members interjected.]

The PRESIDENT: The House will come to order.

The Hon. TARA MORIARTY: It gives me no joy at all to witness the demise of the once-great political party that was the National Party in New South Wales.

The Hon. Sarah Mitchell: Point of order: The Minister has a habit of going way off track when she is under pressure. I am not interested in a history lesson about the National Party. I have been a member for many years and I do not need it. What I do need is an answer to my question about a \$2.6 million program that was funded by the previous Government. Will the Government continue it: yes or no?

The PRESIDENT: The Minister has the call.

The Hon. TARA MORIARTY: It was the party of Leon Punch, Wal Murray, Duncan Gay and Ian Armstrong. The once-great National Party is now just the Barilaro rump. It is just team Barilaro.

The Hon. Bronnie Taylor: Point of order: I refer directly to the point of order made by the Deputy Leader of the Opposition less than one minute ago. It is obvious that there are prepared lines, but we need the question answered.

The PRESIDENT: And, in fact, that is my previous ruling.

The Hon. Mark Latham: To the point of order: The capacity of the Minister to be relevant is relative to the interjections and the wall of noise that she faces every time she tries to provide the answer. Sometimes the noise is so loud and distracting that the Minister engages in responding to it. It is hard for a Minister to be relevant unless the National Party is silent.

The PRESIDENT: It is difficult for me to determine whether the Minister is being relevant unless I can hear what the Minister is saying. In future I will be far less likely to listen to points of order about direct relevance if I cannot hear the Minister. That having been said, the Hon. Bronnie Taylor was correct in her implication that direct relevance was not there. I encourage the Minister to be directly relevant to the specific scope of the question.

The Hon. TARA MORIARTY: I note the sensitivities of the Barilaro brigade across from me. I take weeds very seriously. This Government takes weeds seriously. That is why I will meet with farmers in western New South Wales next week. I will report back to the House upon my return in the next sitting period.

The Hon. SARAH MITCHELL (11:14): I ask a supplementary question. In her response, the Minister said that she takes weeds very seriously. I would like her to elucidate on that point and confirm that the \$2.6 million control program that was funded last year will continue.

The PRESIDENT: That is not a supplementary question. That is merely a repetition of the original question.

FIREARMS LICENCES

The Hon. ROBERT BORSAK (11:14): My question is directed to the Minister for Agriculture, representing the Minister for Police and Counter-terrorism. Is the Minister aware of the increasing number of applications by the Commissioner of NSW Police Force under section 59 of the Administrative Decisions Review Act and section 64 of the Civil and Administrative Tribunal Act to withhold evidence from firearms licence applicants in cases brought before the NSW Civil and Administrative Tribunal? Tribunal members have acknowledged that making an order under section 64 effectively results in a denial of procedural fairness. What is the Minister going to do to ensure legal licensed shooters get a fair hearing and natural justice?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:15): I thank the member for his question. As it is directed to the Minister for Police and Counter-terrorism—who resides in the other House—I will take it on notice. I will speak to the Minister and get a proper answer. I will bring it back to the House in due course.

STOCKTON BEACH

The PRESIDENT: I call the Hon. Emily Suvaal. I congratulate her on an excellent maiden speech last night.

The Hon. EMILY SUVAAL (11:16): Thank you, Mr President. My question without notice is directed to the Minister for Regional New South Wales. Will the Minister provide an update on the status of the Stockton Beach Taskforce and its role in addressing sand erosion at Stockton Beach?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:16): I thank the honourable member for her question and her local and ongoing interest in the matter. I acknowledge the importance of the issue for the long-suffering community of Stockton. Stockton Beach is affected by significant coastal erosion. That erosion has not been properly managed; the former Government did not resolve the issue. The Stockton Beach Taskforce was established in 2020, but it met infrequently. It was chaired by the then Deputy Premier and was responsible for solutions for coastal erosion issues on Stockton Beach. The task force has been hindered in its efforts by the inaction of the previous Government. Our Government inherited a project that has been stuck in the too-hard basket for too long, but we are now taking decisive action.

Unlike my predecessors, I am committed to finding a solution for Stockton Beach—a solution where acute coastal erosion is finally resolved. I have now directed my department to lead the Stockton Beach project to find

a lasting solution. I have asked the department to work closely with the Stockton Beach Taskforce to provide local advice and offer a community perspective on the urgent repair works. As part of the new agreement, NSW Public Works will be retained as a project manager for the restoration works. It has already progressed necessary environmental approvals; worked with the Port of Newcastle to understand and finalise dredging boundaries, approvals and licenses; undertaken market soundings and prepared tenders for initial dredging works. That work is vital to the Department of Planning and Environment's rollout of the New South Wales Government's \$21 billion election commitment to fix Stockton Beach.

The renewal project is finally gaining momentum after years of neglect under those opposite. They had two Deputy Premiers. Deputy Premier Barilaro was responsible for this, but was not able to make any progress. It was then handed over to the most recent Deputy Premier, Mr Toole, who was also unable to make any progress. The community of Stockton and the community across the region are beyond frustrated with the lack of action. I will take action by chairing the task force, making sure that action is taken for the beach and rectifying the issues facing that community.

PRICEWATERHOUSECOOPERS

Ms ABIGAIL BOYD (11:19): My question without notice is directed to the Minister for Finance. The PricewaterhouseCoopers [PwC] scandal unfolding in the Federal Parliament has seen the Federal Minister for Finance issue a standdown directive to implicated PwC staff and issue new advice to Government officials that they must consider past behaviour and ethical conduct of an organisation when tendering for Government contracts, widely interpreted as a de facto ban on future contracts being awarded to PwC. This morning the Reserve Bank of Australia has also announced a ban on new contracts being awarded to PwC. Will the Minister for Finance follow the lead of her Federal counterpart and direct all agencies to consider past ethical and confidentiality breaches when awarding new consultancy contracts, remove PwC from the prequalified Performance and Management Services Scheme and conduct an audit of current ongoing contracts to determine the exposure of the New South Wales Government to potentially untrustworthy consulting agencies and partners?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:20): I thank the honourable member for her question on this important issue. At the outset, I pay tribute to our Federal Senate counterparts, particularly the Labor Senator for New South Wales, Deborah O'Neill. As members of the upper House we often toil away for long periods on very important and significant issues which can take some time to make it to the front pages. This one has had a huge lead time. I pay tribute to the huge amount of work that has been done at a Federal level through the Senate over many years and many inquiries.

The member may not be aware but I answered a question on this specific issue in the House last week. There was an article in *The Australian Financial Review* last week that I believe said that the work that New South Wales and I were doing with Revenue NSW was a first-mover advantage. We were the first State to see this scandal unfolding at a Federal level and took action. The Government is appalled at the breach of trust that has been shown in this particular arrangement. We think that confidentiality agreements are fundamentally important to the way that we work. There is an important distinction that I made last week in the House and I will make again, that at a State Government level we particularly engage with peak organisations when we consult on tax measures. That means that we engage with The Tax Institute or the Property Council of Australia. We have confidentiality agreements with the individuals involved but we engage with them in their stakeholder capacity, rather than a private company.

The member's question particularly referenced whether the Government would consider banning PwC. Even the Federal Finance Minister has said that would be legally difficult. I have reviewed the Federal Government's updated procurement guidelines that were released last Friday and that is certainly part of the considerations of the legislation that I hope to bring to the House, in addition to multimillion-dollar fines to individuals, corporations and organisations who engage in behaviour that breaches those kinds of confidential agreements. The Government takes very seriously the security and the data that we hold on behalf of the people of New South Wales and we will prosecute those who breach that important confidence.

HEALTH SERVICES UNION INDUSTRIAL ACTION

The Hon. BRONNIE TAYLOR (11:23): My question is directed to the Minister for Mental Health. What steps has the Minister taken to ensure that mental health patients receiving service at Westmead Hospital, including pregnant women and new mothers in the new Mother and Baby Unit, are not adversely impacted by the industrial action being taken today by the Health Services Union?

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) (11:23): I thank the honourable member for her question. I am extremely concerned, as the entire Government is, to make sure that

anyone who receives any form of health services in our State is able to do so with full access to the best quality care that they can get from our paramedics, nurses and doctors at every facility. I understand that there is an ongoing dispute about some matters that obviously fall outside my portfolio. Regarding the areas within my portfolio, I am meeting with the Health Services Union [HSU] today to discuss a range of matters in relation to how we can work together to ensure that they as health professionals and me as the Minister for Mental Health have an open and collaborative relationship.

There are issues with paramedics and their experience supporting people who are having mental illness episodes. We want to make sure that individuals who have mental crisis moments are well supported by our paramedics. We also want to make sure that our paramedics, who are supporting people who are often experiencing real difficulty, are trained to de-escalate the situation. That is an issue. There are a range of issues around allied health professionals working in hospitals with people who are suffering mental illness. I will be talking to the HSU about all those matters to ensure that if they have concerns about the paramedics or the allied health workers that they represent who work in our hospitals or ambulances, they know the New South Wales Government is open to hear from them about the support that they need. I am also making clear to them that as they do their work, of course we have expectations about the full provision of quality service from our health workers every hour of every day, whether it is in an ambulance or hospital.

As has been said many times before, the Government is interested in dialogue. We are interested in talking, whether it is with representatives of the union movement or other stakeholders. We will sit down and talk. We will not always agree and there will be disputes and disagreements but we will sit down and talk. That is exactly what I am doing with the HSU today to ensure that if there are any issues about the work that they are doing or the work that I am doing we are providing the best quality mental health in the State and we are working together on that. I am looking forward to that conversation. There will probably be disagreements and there will probably be some collaboration, but that is the way to do good government and that is the way to do good policy.

The Hon. BRONNIE TAYLOR (11:26): I thank the Minister for her previous answer and ask a supplementary question. What plans of further industrial action by the Health Services Union is the Minister aware of and what steps are being taken to protect the wellbeing of mental health patients in New South Wales to bring an end to what is the second year of the strike?

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) (11:26): I have absolutely no idea what further plans for industrial action the Health Services Union [HSU] has. Maybe they will lay them out for me when I meet with them. I would not expect them to. I will show them the respect that they deserve as the representatives of thousands of people who work on the front line in our health sector. I am pleased to be meeting with them but I have absolutely no idea what their plans are. To be honest, that is not my focus. My focus is how does the Government ensure that every day, every hour we provide the best quality health facilities, in particular in the mental health area, to people who require our services. I am very focused on that outcome.

I meet with absolutely everyone who is keen to discuss that. I am meeting with the nurses and midwives next week to have a similar conversation. I want to make sure that we de-escalate conflict. The way to do that is to talk, not to throw barbs through the media and use inflammatory language about the role of unions who represent thousands of people working on the front line. It is not about taking petty pot shots. Grown-up government is about sitting down, having open dialogue and working through issues, not pretending we are going to agree every day but showing the respect of turning up and having the conversation.

The Hon. Natalie Ward: Point of order: Is the Minister actually saying expressly to the House that members on this side are taking petty pot shots by asking questions and making comments? I ask that the Minister withdraw that.

The Hon. Rose Jackson: I was saying that's how you ran government.

The PRESIDENT: Order! Unfortunately, I could not hear what the Minister was saying because of the barrage of interjections from the Opposition.

The Hon. Natalie Ward: No, Mr President. What the Minister said was we were taking petty pot shots and were immature and I ask that she withdraw that.

The PRESIDENT: If there is a point of order I do not uphold it because I could not hear what the Minister was saying. The point is, I ask members on all sides of the Chamber not to interject because it is unparliamentary and against the standing orders.

The Hon. ROSE JACKSON: For the purpose of clarification, I was not suggesting that asking legitimate questions about how our mental health services operate is taking petty pot shots. I was suggesting that is how

those opposite ran government. I was suggesting that they would throw around terms like "union thugs" when talking about nurses, paramedics and people who clean our hospitals. That is not the kind of language that I use. I sit down and talk respectfully. It is not about agreeing every time; it is about having the conversation. That is exactly what I am doing today. That is exactly what I am going to keep doing and what all members of the Government are going to keep doing.

STATE DEBT

The Hon. BOB NANVA (11:29): My question without notice is addressed to the Treasurer. Will the Treasurer advise the House about the risk that \$128.7 billion in debt this year, or \$187.5 billion in debt in 2026, poses to the New South Wales budget?

The Hon. DANIEL MOOKHEY (Treasurer) (11:29): I thank the honourable member for his question. He is quite right to point out that the Government inherited \$128 billion in gross debt upon coming to office, which is the most debt that any incoming government has inherited in the history of New South Wales. What is really interesting is that the debt is not building up as the result of a pandemic, because \$60 billion of it is due to be borrowed in the next three years. The member is quite right in pointing out that in just a few years we will be borrowing \$187 billion in gross debt from our children and our grandchildren—some of whom are present in the public gallery. Hello!

I am pretty determined to get to the bottom of what exactly the debt is being used for, because debt has its place in public sector balance management. Debt that expands our productive capacity is good. But I am looking forward to digging deeper into what exactly it is we are borrowing from our children and our grandchildren and how we are spending it, and I look forward to providing further updates to the House in due season. I can inform the member about the risk that New South Wales will be soon paying more in interest than it does to fund the entire NSW Police Force. By 2026 the State will be paying its bondholders \$6.8 billion in interest. That is the equivalent of 15 per cent of every dollar we raise in direct taxation. Every cent we are spending paying our creditors is a cent we are not investing in our kids' education, in health care for our citizens—

The Hon. Damien Tudehope: That's where it has gone, you goose.

The Hon. Anthony D'Adam: Point of order: The Leader of the Opposition just referred to the Treasurer as a goose. I suggest that he withdraw that comment. It is absolutely unparliamentary. It is not an appropriate way to refer to a Minister of the Crown.

The PRESIDENT: I make two points on that matter. First, the Treasurer did not seem to find the comment unduly offensive—I note the extraordinarily large smile on his face. Secondly, on the list of the many offensive terms I have heard in this place, "goose" is right down the bottom.

The Hon. DANIEL MOOKHEY: To be frank, Mr President, I have been called worse by my own side! We need to stabilise the debt levels of this State. That is a hard challenge for the Government. We are going to be up-front, calm and methodical, but it starts with telling the truth about the situation we inherited. That side of the House privatised our assets and blew the budgets on major infrastructure projects, then ran up the debt on our credit cards, which means we have a big challenge ahead of us to stabilise our position. [*Time expired.*]

The PRESIDENT: Before I call the next speaker, I note my previous comment that the way for a member to seek the call is to stand in their place and say "Mr President" rather than to walk to the lectern. I also reflect on the Treasurer's jaunty hello to those in the public gallery. I welcome to the Parliament those student leaders from high schools across New South Wales who are attending the Secondary Schools Student Leadership Program conducted by the Parliamentary Education Unit.

POLICE TASER USE

Ms SUE HIGGINSON (11:34): My question is directed to the Minister for Agriculture, in her capacity representing the Minister for Police and Counter-terrorism. There have been incredibly concerning media reports that the TASER X26Ps currently in use by police, which have an integrated camera, are being replaced with TASER 7s, which do not have an integrated camera. I understand that the previous model of taser has been discontinued. But why, when the accountability of New South Wales police is in the spotlight, was a model of taser that does not have an in-built camera chosen to replace the old model? How much will it cost New South Wales residents for police to acquire the new, inadequate TASER 7s and develop a holster activation device to ensure that body-worn video is activated when tasers are deployed?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:35): I thank the member for her very detailed question. I do represent the police Minister in this House but, given the detailed nature of the question, I want to get a proper answer from the Minister. I will undertake to do so and bring it back to the Chamber.

ENMORE PARK

The Hon. NATASHA MACLAREN-JONES (11:35): My question is directed to the Minister for Homelessness. What steps is the Minister taking to help those currently living in Enmore Park in what has been dubbed a "working homeless tent city"?

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) (11:35): I thank the honourable member for the question. I welcome the student leaders to the Chamber. It does not seem like that long ago—although, sadly, it was—that I was a high school student leader from Newtown High School of the Performing Arts sitting in the public gallery. I hope those students aspire to a career in public office and one day can be answering questions in the Chamber.

The issue of the increasing number of people living in tent cities, sleeping in cars and sleeping in caravans is incredibly concerning. We are seeing an increase in homelessness right now and it is being driven by the housing crisis, the rental crisis and the inaction of the previous Government to take the steps necessary to stem the completely unsustainable levels of rent increases and decreases in social housing. So what have I done about it? I have already frozen the sale of public housing. We were haemorrhaging public housing at an incredibly rapid rate. A lot of the people who are experiencing homelessness right now, living in tents and living in cars—

The Hon. Natasha Maclaren-Jones: Point of order: I take a point of order regarding relevance. I asked specifically about the people and families living in tents in Enmore Park. What is the Minister doing to assist those people?

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

The Hon. ROSE JACKSON: For the member opposite not to understand that there is a relationship between declining levels of public housing and increasing homelessness is perhaps part of the reason the situation has become so bad. The reality is that for many of the people who are currently experiencing homelessness, like those people living in Enmore Park, the long-term housing solution is public housing. That is the solution they need. The idea that those people are going to successfully transition into the private rental market at this point, considering the crisis in that market, is unrealistic and unreasonable.

We need more public housing to solve homelessness, so I have frozen the sale of public housing. I have taken steps to initiate "Homes NSW", a single, centralised agency, to put social housing at the heart of our Government. I have extended specialist homelessness services contracts by two years to provide continuity and security for the very organisations that do assertive outreach in places like Enmore Park to connect those people with the crisis accommodation and transitional housing that they need.

The Hon. Natasha Maclaren-Jones: Point of order: I asked specifically what the Minister is doing to assist those people in tents. If the Minister has done nothing or is unaware of what her department has done, I suggest she takes the question on notice.

The PRESIDENT: The Minister is being directly relevant. I call the Hon. Natasha Maclaren-Jones to order for the first time.

The Hon. ROSE JACKSON: These are the specific steps that I have taken to assist people who are currently homeless. I have extended the funding contracts for the non-government specialist homelessness service providers that conduct assertive outreaches in places like Enmore Park and across our city and regions. I have suspended the rental seeker diary for people accessing temporary accommodation. When someone becomes homeless, calls Link2home and moves into temporary accommodation, one reason for that accommodation failing—and people ending up living in tents and cars—is because of things like the punitive and cruel rental seeker diary, which the previous Government kept in place for 10 years. I have taken a range of specific and direct actions to try to alleviate the homelessness situation that was created as the direct result of the previous Government's inaction. [*Time expired.*]

The Hon. NATASHA MACLAREN-JONES (11:39): I ask a supplementary question. Will the Minister assure the House that no children or young people are living in those tents?

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) (11:39): I will take on notice the details of the people who are living in that situation. Obviously, there are privacy concerns relating to the people who are experiencing homelessness right now. I do not intend to provide a detailed run-down of the individual family circumstances of every person experiencing homelessness in New South Wales. That is not appropriate in an open and public chamber like this Parliament. If the member is genuinely concerned, I will happily brief her, privately and confidentially.

Everyone living in that situation is a real person, and they do not need their personal circumstances dragged through this Chamber as some kind of petty political pointscoring. They are desperate people who have often been subjected to no-grounds evictions from private rentals. We are getting rid of that. They have been living in rentals where they cannot pay the increased rents, and we are doing something about that. As a result of those circumstances, they have ended up homeless. It is tragic and heartbreaking. It is unacceptable that thousands more people—including children, women leaving domestic violence and older women—are experiencing homelessness in this State. It is tragic, and it is unacceptable. I have outlined the range of actions that I have taken in the eight weeks that I have been the Minister. But I will not allow those real human beings to be dragged through this Chamber as some kind of political-pointscoring football by those opposite.

The Hon. Natalie Ward: Point of order: The Minister is making a reflection on another member in this place. I ask that she withdraw those comments framing a serious question in this Chamber as petty political pointscoring and denigrating the member's question. The member has been elected to this place and is entitled to ask a question. She has an obligation to hold this Government to account and is doing her job. I ask that the Minister withdraw that derisory comment and confine her comments to answering the question.

The Hon. Penny Sharpe: To the point of order: There is absolutely no point of order. If we had to withdraw every single time we talked about petty pointscoring, we would spend a lot of time withdrawing and not dealing with substantive matters.

The PRESIDENT: I do not uphold the point of order. As I have stated a number of times since taking the chair, all members are required to be respectful of each other. I ask members to bear that in mind. The Minister may continue in the remaining seconds.

The Hon. ROSE JACKSON: I have finished my answer.

LIGHTNING RIDGE AND WHITE CLIFFS OPAL MINING

The Hon. STEPHEN LAWRENCE (11:42): My question is addressed to the Minister for Natural Resources. Will the Minister update the House on the small-scale titles validation program in Lightning Ridge and White Cliffs?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:43): I thank the honourable member for his question and for his ongoing interest in and advocacy on this important issue. The question pertains to the opal mining validation program that I announced last week, which has occurred directly because of legislative reform undertaken by the former resources Minister, the member for Lane Cove, in 2015.

The matter concerns small-scale titles claims issued to opal miners which have been found to have been invalid for eight years. That has created high tension and distress in the communities of Lightning Ridge and White Cliffs ahead of the peak opal mining season. A review by the Mining, Exploration and Geoscience division of the Department of Regional NSW uncovered more than 3,000 mineral claims affecting 827 opal miners at Lightning Ridge and 31 in White Cliffs. Dozens of landholders across the regions are also affected. This is just one part of the previous Government's legacy.

It speaks volumes about the carelessness and laziness of the previous Government, which has duded miners and landholders alike. Members opposite are understandably angry and upset about the issue, but I ask for calm as mining officials work through reissuing those licences. Representatives of the mining division of Regional NSW are currently on the ground, consulting and working with miners and landholders. They have issued a range of communications to inform those communities of next steps. They held face-to-face meetings with landholders on Monday and with about 600 miners on Tuesday. Engagement with miners' associations and landholders is ongoing. It is a mammoth undertaking by the department. I will visit Lightning Ridge next week. I am incredulous at the neglect of the previous Government, particularly of the people of regional New South Wales, the very citizens that the National Party pretends to represent. We are striving to make it right.

[Opposition members interjected.]

I note the interjections of those opposite and would be interested to know about what representations the Hon. Bronnie Taylor made—

The PRESIDENT: Order! I bring the Minister back to the question at hand.

The Hon. COURTNEY HOUSSOS: In that regard, I thank the member for Barwon and his team. They have been steadfast and effective in assisting those communities. I also thank the Hon. Stephen Lawrence, who is based in Dubbo, for his advice and his efforts, particularly in reaching out to the community on the ground. Understandably, there is great distress among the miners and more broadly across the community because of the

importance of opal mining to those parts of the State. Next week the honourable member will visit Lightning Ridge with me and the member for Barwon.

Again I say sorry to the communities of Lightning Ridge and White Cliffs for the disruption that has occurred. My focus and our department's focus remains on getting miners back onto their leases as soon as possible. We will clean up this mess that we have been left with. We will work closely with the community. We will ensure that we get the miners back onto their leases as soon as possible and that a review of opal mining and small-scale titles occurs.

NATIONAL WOMEN'S RUGBY LEAGUE

Dr AMANDA COHN (11:47): My question is directed to the Treasurer, representing the Minister for Sport. Since 2022, Queensland Rugby League has provided equal remuneration for all players representing the Queensland Maroons. Meanwhile, in New South Wales women representing the Sky Blues are paid less than half the earnings of their male counterparts. That deliberate pay discrepancy would not be acceptable in any other sector. The 2022 Rugby League World Cup provided equal payment to all its elite sportspeople, including women and wheelchair players. Will the New South Wales Government use its influence with New South Wales Rugby League to close the gender pay gap so that I can barrack for New South Wales next year?

The Hon. DANIEL MOOKHEY (Treasurer) (11:48): I thank Dr Cohn for her question. Like many members of the House, we are looking forward—

The Hon. Sarah Mitchell: Is that a maroon tie?

The Hon. DANIEL MOOKHEY: No. I take offence at that. I will be called a goose and a gander, but I will not be called a Maroons supporter under any scenario in this House. I demand that that be withdrawn.

The Hon. Damien Tudehope: So you're not a cane toad.

The Hon. Sarah Mitchell: You are not a cane toad; you might be a goose.

The Hon. DANIEL MOOKHEY: I am not definitely not a cane toad. As I was saying, all members look forward to Dr Cohn's inaugural speech tonight. I cannot help but observe her scarf right now, which goes to the point she is making. The member has asked me this question in my capacity as representing the Minister for Sport, so I will take it on notice. But she raises a good point. For a long time inequity related to gender has existed in the way in which professional sportspeople have been treated. That requires addressing by all major and minor sporting codes.

I understand that Dr Amanda Cohn and Ms Abigail Boyd have campaigned on this for a long time. We are well and truly alive to the fact that progress needs to be made, and I will provide a formal response as to whether we intend to engage with the NRL on this issue. I can say the Government uses every part of its influence to encourage the equal treatment of all people at work. We have to reverse the effects of gender inequity, especially on pay and remuneration, for sportspeople, public servants and private sector workers. It is pleasing that it is a key part of the Federal Government's reforms to the Fair Work Act. It is pleasing that, in women's sports especially, organising and unionising has been leading to change. That is a good thing. We take this issue very seriously. Progress needs to be made. I will come back to the House with a far more detailed and specific answer.

TAXI INDUSTRY

The Hon. NATALIE WARD (11:50): My question is directed to the Minister for Roads, representing the Minister for Transport. Under the Minister's proposed crackdown on rogue taxi drivers, how many times will a driver be allowed to unlawfully engage passengers by overcharging or leaving vulnerable people on the street by denying them carriage before their taxi licence is taken away? Is it twice, three times or 10 times?

The Hon. Mark Latham: Put me onto it. Direct action!

The Hon. Damien Tudehope: Ask the expert on taxi drivers over here. He has the remedy on how to deal with that problem.

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) (11:50): I acknowledge the interjections of the Hon. Mark Latham and the Hon. Damien Tudehope. I thank the honourable member for her question. I congratulate her on her reappointment to the role of shadow Minister. I expressed my disappointment to the House that she had been reappointed, given the good work she has been doing. I had hoped she had been moved to another portfolio but that has not happened.

This question is directed to the Minister for Transport, so I will take some of the details of the question on notice. It deals with the very serious problem of taxi drivers who are not turning the meter on and doing the right

thing as they move around our city. It is an important time to deal with it as we are about to welcome thousands of visitors to our city for the FIFA Women's World Cup. We do not want them flying into Sydney Airport then having their first experience being their worst experience of feeling as if they are being taken for a ride.

The Hon. Bronnie Taylor: That was a pun!

The Hon. JOHN GRAHAM: There are more where that came from. There is an hour and 10 minutes to come. If the House would like to test me on that, Mr President, I ask that you pause the clock. But it is a serious issue. I have been pleased to see the Minister for Transport on the front foot tackling this issue for the passengers and the tourists, but most of all for the good taxi drivers. Most of the hardworking men and women who move people around our city are doing the right thing. The few people doing the wrong thing are damaging the reputation of the good people, as well as our city's reputation around the world. This is a serious issue and I am glad that the member raised it. I do not support the proposition that the Hon. Mark Latham put that one should take direct action. That sometimes happens but it should not. It is important that the Government takes a strong stand on this matter. The member has asked about specific details, so I will obtain an answer from the Minister and return it to the House.

JOHN OLSEN

The Hon. Dr SARAH KAINE (11:53): My question without notice is addressed to the Minister for the Arts. Will the Minister advise the House on how the State bid farewell to one of the country's greatest painters, John Olsen, on Monday?

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) (11:53): In the South Building of the Art Gallery of NSW, across The Domain, hangs the masterpiece *Five Bells*. It was painted in 1963 in a house in Watsons Bay, not far from the edge of Sydney Harbour, by a young dad. Each morning that painter would play with his children in the rock pools of those eastern suburbs coves, talking with them about life, its creatures and the universe beyond, before heading back to work. The painting's core theme, as John Olsen recounted in 1999, is "the seed-burst, the life-burst, the sea-harbour, the source of life". He drew from Kenneth Slessor's poem of the same name with surprising joy. He said, "I wanted to show the harbour as a movement ... I am in the sea-harbour, and the sea-harbour is in me."

Olsen was an artist who not only coloured in our nation's forms but redefined the contours that they were allowed to take. His spirit was as brave as his line was playful. In 1963, when Olsen's salute to Slessor's *Five Bells* was painted, the roof shells of the Opera House had barely begun to rise at Bennelong Point. A decade later, the mural was included in what would become Australia's pre-eminent cultural landmark and an architectural icon of global significance. On Monday this week the Art Gallery of NSW, the very site where Olsen had won two Wynne prizes, a Sulman Prize and an Archibald Prize—where he had been so ubiquitous in life, where he had angrily protested and boisterously revelled—served as the fitting venue for a State memorial, bestowed upon him jointly by a grateful nation and a proud State.

On Friday evening last week the thirteenth Vivid began. The lights went on and Olsen's life's work and enduring vision transformed the very harbour that had given his spirit such inspiration. In life John Olsen beautifully depicted the Australian landscape and, on his passing, our harbour landscape depicted Olsen. I cannot think of a more fitting tribute to this amazing artist. I am sure the hundreds of thousands of people who flocked to the opening of Vivid agreed. It has been a record year. Attendance is up 4 per cent already on last year.

CLIMATE CHANGE AND EMISSIONS REDUCTION

Ms CATE FAEHRMANN (11:56): My question is directed to the Minister for Climate Change, Minister for Energy, and Minister for the Environment. Bodies like the Australian Energy Regulator understand that, as part of their commitment to net zero by 2050, governments must replace natural gas, a fossil fuel, with low-emissions technology. For example, the Victorian Government has recently modelled a 50 per cent reduction in gas use by 2030 to help achieve its net zero target. Will the Minister commit to modelling at least a 50 per cent reduction in gas use by 2030 and the associated savings for households and businesses in New South Wales as part of development of the gas decarbonisation road map that the Labor Party committed to before the election?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:57): I thank the honourable member for her question and her ongoing interest in this matter. The short answer is that we are working on all those matters, including what is sometimes known as electrification and sometimes talked about as gas decarbonisation. The issue is that, under the current modelling and the net zero figures obtained from the previous Government, the models tell us that around 1.5 million households will need to convert their gas appliances to appliances that use other forms of energy by 2050. It is a big task and there is a lot of work to be done.

I acknowledge the incredible work done by people like Professor Saul Griffith. I recommend reading his book *Electrify*, which breaks down the incredibly complex decisions that households need to make and how government and others can assist them so we can make the transition as quickly as possible. We will address that and part of it will happen as a result of the establishment of our net zero commission. I expect that the net zero commission legislation will come to the Parliament by the end the year. The whole role of the commission is to outline the work that needs to occur across all sectors to ensure that we get to net zero.

We cannot just say that we are going to get to net zero and wish that it will happen. It will take a lot of planning and work. It took several decades for Parliament to reach this level of agreement on the need for action on climate change. Labor will legislate its net zero commitments and targets. We must move beyond individual Ministers and governments and provide the people of New South Wales with a commitment and a plan on how we are going to get to net zero. The net zero commission will do that work. It will be independent; it will provide information to the Parliament annually; and it will produce the five-year plans.

Essential to that system will be its work helping households move away from gas. But we must continue to make the point that the transition will be bumpy. We must keep an eye on social justice and equity, as there are households that simply cannot afford to make the transition. We must work to avoid a situation in which households are left behind in deserts, reliant on fossil fuels, without proper support. I thank the member for her question. I look forward to further updating the House as we continue down the path to net zero.

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

Supplementary Questions for Written Answers

ENMORE PARK

The Hon. NATASHA MACLAREN-JONES (12:00): I direct my supplementary question for written answer to the Minister for Homelessness. Will the Minister advise the House on when the outreach team she referred to in her answer visited the Enmore Park tent city, and what action was taken to assist those people living in tents?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DAMIEN TUDEHOPE: I move:

That the House take note of answers to questions.

STATE DEBT

The Hon. DAMIEN TUDEHOPE (12:01): I take note of the answer given by the Treasurer to a question on the State's level of debt. His answer would give the people of this State no comfort in his ability to manage the economy. It is acknowledged that the State has significant debt in connection with a variety of issues that have arisen. But prior to the COVID pandemic the former Government was running budget surpluses and was debt free. Surely the Treasurer does not take the view that the former Government should not have borrowed money to ensure that small businesses throughout the State could survive the pandemic. If one compares this State's performance and level of borrowing with other States, the former Government ensured the recovery from the pandemic was, in many respects, the best managed of any jurisdiction in the Commonwealth. The Treasurer seeks to highlight that Labor would not have engaged in that level of expenditure, which is ridiculous.

My second point is that the Treasurer never makes the distinction between good debt and bad debt. In crafting one's rhetoric around debt, it is important to start from the premise of whether or not to borrow money for worthwhile outcomes. The Treasurer does not say that money borrowed for the purposes of increasing productivity or the State's asset value is good debt. In speaking about debt, the Treasurer should start by listing the projects of the previous Government that have improved the lives of the people of this State. He should outline the hospitals that were either built or renovated during the term of the previous Government. He should list the schools that were either built or renovated by the previous Government. In presiding over record levels of unemployment, which is increasing, the Treasurer must not become the cheerleader for unemployment. He should congratulate the former Government on borrowing money to improve the outcomes for the people of this State.

STATE DEBT

The Hon. CHRIS RATH (12:04): I take note of the answer given by the Treasurer to a question on debt and deficit. I echo many of the same views of the Leader of the Opposition. It is important to remember that New South Wales is the only State with a triple-A credit rating. If the debt and deficit was so bad in New South Wales compared to all of the other Labor States—and some of them have been in power for a very long time—why have

the ratings agencies given the State triple-A credit ratings? They have done so because the Coalition did a good job in its 12 years in power to manage the budget and the State's finances.

Compare that with all of the other States. As I mentioned, in some cases they have been held by Labor for a very long time. In particular, Labor has been in power in Victoria for almost as long as the Coalition had been in power in New South Wales. During that time the Victorian Labor Government clocked up a huge amount of debt in comparison to New South Wales. That is because Labor cannot manage its finances, as is quite typical of Labor governments. Over the past 12 years the Coalition built double the amount of infrastructure with half as much debt as Labor has achieved in Victoria.

Looking to the next four years—and the Opposition will look carefully at the new Government—the easiest way for Labor to keep expenses under control is to have a wage cap. When in power, the previous Labor Government did not have a wages cap. Expenses ballooned out of control to the extent that it could not build essential infrastructure, which led to huge debt and deficit. Do not just take my word for it; take the word of Frank Sartor. I do not quote him often, but it is a very good quote from his autobiography. He wrote:

A very significant economic rent was being paid to NSW public sector workers. This annual extra cost severely restricted the government's capacity to fund vital infrastructure projects, such as new rail links.

It seems the new Labor Government is going to make all of the same mistakes as the previous Labor Government by abolishing the wages cap, which will lead to huge debt and deficit and ensure that no new infrastructure projects are ever delivered because of that huge economic rent that must be paid. My word of advice is this: The easiest budget cut one will ever make is the stuff that one never gets into.

PRICEWATERHOUSECOOPERS

Ms ABIGAIL BOYD (12:07): I take note of the answer given by the Minister for Finance on the unfolding PricewaterhouseCoopers [PwC] tax leak scandal, which has brought into stark light the fraught nature of our increasing reliance on multinational consultancy firms. That relationship is allegedly grounded in trust, but that was discarded in the selfish pursuit of private profit. In response to my question the Minister said that an answer was provided last week, but I asked also whether she would remove PwC from the pre-qualification scheme. Under the scheme the New South Wales Government endorses the trustworthiness of corporations that are accredited. In light of the appalling breaches of trust that are playing out federally, it seems like a small step to at least impose a minor additional oversight requirement before new contracts can be signed with PwC, which is operating under a cloud of scandal. Instead, the Government has maintained PwC's pre-qualification status and is essentially waving it through the door and into the Government coffers.

More broadly, we must reconsider our fundamental relationship with consulting agencies, which have taken over vast swathes of core government functions in recent years. According to the Auditor-General's report entitled *NSW Government agencies' use of consultants*, published on 2 March 2023, New South Wales Government agencies have disclosed \$1 billion in consultant engagements over the past five years. The Auditor-General found that New South Wales Government agencies do not procure and manage consultants effectively, lack a strategic approach to when and how consultants are used—and these engagements were not evaluated or assessed for quality—and also that engagements were increasingly concentrated among the big four consultancy firms, producing strategic risks.

Over a billion dollars of public money has been spent on consultants in the past five years, and what do we have to show for it? We have drained our public sector of agency, motivation and experience, while chaining ourselves to costly private consultants. Consultants and contractors are creeping their way into the core functions of government, infantilising and enfeebling our public sector and setting us up to become increasingly dependent on their services in the future. We desperately need to reorient our relationship with massive mega-profitting consultancy agencies. Over a decade of conservative rule in New South Wales and four decades of free market ideology have infantilised our public sector and emboldened successive governments to embark upon mass privatisation by stealth.

There has been much discourse around privatisation in the recent election, and even more in recent weeks in the Chamber. That discourse is well overdue. Recent reports, including from the Auditor-General, show that the rot runs deep and that 12 years of conservative Liberal-Nationals Government rule has seen core functions of our Government sold off to shameless hacks. What use is a government that does not have a vision and that does not want to lead or deliver for the people? The Liberal-Nationals Government came to see its role as the facilitator and enabler-in-chief, the bottomless pit and financial backstop for a parasitic private sector that trades on swagger and bravado and denigrates the value of hardworking public servants. It is not too late to turn the ship around.

ENERGY PRICES

The Hon. MARK BUTTIGIEG (12:10): I take note of the answer given to my question on the impacts of privatisation on electricity bills. The Minister gave a very thorough answer about the effects of privatisation. I reiterate the abject failure of the policy of Opposition members when they were in government in respect of energy privatisation. In somewhat contradictory fashion to their philosophy of the free market, ironically the people who back in the free market and competition transferred public monopoly wealth into private monopoly hands by progressively selling off both ends of the market, the supply side and the generation side, including generators like Vales Point and Eraring. The Treasurer, the Hon. Daniel Mookhey, enlightened members on some of the value for money the poor old New South Wales taxpayer got with the sale of Vales Point for \$1 million. Years later the private sector sold that asset off for \$200 million. Is there a worse deal in history?

The doyens of the free market transferred monopoly assets into private hands, which has created restriction and control. Prices have gone up, and companies like Energy Australia and Origin Energy monopolised the retail market too. Between retail and generation, market concentration is probably of the order of 80 per cent to 90 per cent, which means the poor old consumer is not benefiting from competition at all. They are being price gouged from the supply and the retail sides. Meanwhile, in the middle, the previous Government also sold off the transmission and distribution assets so that the State has no control over that either. The only way those shareholders make money is to get rid of staff hand over fist, which is why prices have gone up and reliability has gone down.

If the State still owned those assets, not only would we be able to control prices and prevent the exorbitant increases; we would also be able to facilitate a more cohesive transition to the future, which is renewable energy. Ironically, the multiplicity of small-scale generation and batteries, which are starting to come onto the market, is actually a competitive market that the Government can foster and hold the ring for. Had those assets been in public hands, we would have been able to make that transition much easier and controlled the prices. That abject failure, which the Opposition continues to double down on, is unbelievable. The contrast between our approach and theirs is stark, and our approach will be successful.

HOMELESSNESS

The Hon. STEPHEN LAWRENCE (12:13): I take note of the answer to the question from the Hon. Natasha Maclaren-Jones to the Minister for Homelessness. The question was framed with particular reference to the situation at Enmore Park. That was interesting because it was not a question about trends or policy issues that underpin homelessness; rather it was about a very specific situation in a very specific part of Sydney. It is not surprising that the question was framed in that way because all the policy questions that underpin homelessness were answered by the previous Government in a way that worsened homelessness.

The Minister very correctly and very succinctly raised those policy questions. The Minister drew the attention of the House to social housing, the ballooning of waiting lists under the previous Government, the sell-off of \$3 billion worth of public housing and the previous Government's complete failure to address the rental crisis. Those were real and direct answers and analysis of the policy questions underpinning homelessness in response to a question that focused only on the situation of a particular group of people. It is normal and human to feel sympathy for anyone who is enduring homelessness. I am sure members of the Opposition share that sympathy. But it is harder and, on a policy level, important and challenging to grapple with the factors that drive homelessness. The Opposition failed completely to do that when in government. Decisions by members of the Opposition made homelessness worse, even if they can ask questions in this House as if to care about particular individuals.

The supplementary question was not just absurd but was, in effect, to use homeless people. It was asked, "Are children and young people living in Enmore experiencing homelessness?" The answer to that is, "It depends on what day of the week we are talking about." Children and young people across the State experience homelessness, and they will be in various places at various times. To opportunistically ask a question of the Minister about whether that is occurring at any particular place shows a failure to understand and grapple with the policy questions that cause homelessness. [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (12:16): I thank all members for their contribution to the take-note debate. I will work through the issues that arose. The shadow Treasurer made remarks about the State's debt position. He does not need to take my word for it; he can take the word of Christopher Joy who said last year, "After 12 years of Liberal leadership encompassing four Premiers and four Treasurers, New South Wales is sadly degenerating into one of the worst-run States in Australia." That is coming from a person who used to lead the Menzies Research Centre. That is not coming from a source of the left but from the right.

With regard to the shadow Treasurer's point about good debt versus bad debt, that is a salient reminder to all members that we should listen to the answers given in question time, because in question time I clearly said that debt that adds to the productive capacity of the economy is good, but I am not sure that is the debt we are adding to our balance sheet. One in three of the dollars that will see us owe \$187 billion in just a few years is to be borrowed. That is not pandemic related; it is to come. For myriad reasons that is why the former Government committed to that spending profile. I am still digging deep into why and will have more to say about it.

The debt position has not been helped by privatisation, which was another theme of question time. Unlike States like Queensland, we sold off a lot of our assets. As a result, we do not have big, fat dividend cheques coming in from publicly owned power companies and other assets which we could then use to introduce further initiatives in our health and education systems, or for that matter provide more cost-of-living relief, especially in an energy crisis. In the take-note debate, reference was made to the State's triple-A credit rating, which is ironic because the issue with the debt position we have inherited is that it is well outside the metrics required to keep the State's triple-A credit rating to the extent to which we still have it. That is why we need to stabilise the State's finances.

Factually some of the claims in the take-note debate around the triple-A credit rating were incorrect. Western Australia is the only State that has a triple-A credit rating with all three ratings agencies and has had that for a long time. We were downgraded in 2021 by S&P and we are effectively at double-A plus with the other ratings agencies to the extent to which we have been assisted by the Commonwealth. That is the point. A triple-A credit rating is not the be-all and end-all; it is an important signal. Equally it is a clear clarion call for why the State needs to stabilise its debt position. I would prefer to spend the public's money making sure our kids and grandkids get a better education. I would prefer to spend more on them and less on our creditors.

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

Motion agreed to.

Deferred Answers

OPERA HOUSE SAILS

In reply to **the Hon. CHRIS RATH** (11 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)—The Minister provided the following response:

The Opera House does not have confirmed plans to light the sails for any international anniversaries or days of significance in 2023.

The Opera House is responsible for reviewing requests to light the sails in line with its Illumination of the Sydney Opera House Sails Policy and Conservation Management Plan, and for ensuring all activities are appropriate to its World Heritage status. The current policy is available on the Opera House's website: <https://sydneyoperahouse.api.collaboro.com/direct?Guid=647bb034-4cf1-4cdf-a019-9db854dbd68b>

The Opera House is reviewing its sails lighting policy, taking into account heritage, creative, community and operational considerations, including the number, frequency and duration of projections.

The updated policy will be published on the Opera House's website once finalised.

Written Answers to Supplementary Questions

PUBLIC SECTOR WAGES

In reply to **the Hon. DAMIEN TUDEHOPE** (30 May 2023).

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

Until the current Government was sworn in, we could not see the full extent of the budget black hole.

Our comprehensive expenditure review will identify productivity savings while ensuring we improve our essential services.

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

Private Members' Statements

TRIBUTE TO ALLAN GORDON

The Hon. ANTHONY D'ADAM (14:00): I pay tribute to Allan Gordon, Chief Executive Officer [CEO] of the Hastings Co-operative for 10 years. Sadly, Allan passed away on 6 March this year. In January I had the pleasure of meeting Allan when I travelled to Port Macquarie and Wauchope and toured the Hastings Co-operative, a community-owned co-operative with businesses employing more than 300 locals. I was shocked

and saddened to hear of Allan's passing. Allan is remembered by those who knew him as a great man of integrity, honesty and above all, generosity.

Throughout his long career, Allan worked at many places, including the ANZ Bank, Donovan Oates Hannaford solicitors and his own management consulting business. He was also a long-serving board member of the Holiday Coast Credit Union. Drawing on his experience, Allan made sure to mentor the Hastings Co-operative team, sharing his knowledge and experiences. He was a humble and respectful man who always treated and viewed his staff as equals. As an example, he would not introduce himself as the CEO; he preferred simply to say he worked for the co-op, the same as any of his staff. Often described as a true gentleman who was always generous with his time, he was always there for his community.

When floods swept through the area in 2022, at the drop of a hat Allan organised for the IGA—part of Hastings Co-Operative—to provide water and food to evacuation points. He would always give up his time to coach the local soccer and T-ball teams and volunteer at the Wauchope Rotary Club. Reflecting his commitment to give back to the community, Allan organised for the co-op to provide a scholarship for students facing financial hardship at Charles Sturt University. These are just some of the many contributions that Allan made to his community. After a decade as CEO of the co-op, Allan was looking forward to new ways to support others. He decided he wanted to begin teaching and had just gone through the process of becoming accredited to teach high school business studies in order to impart his experiences and knowledge on the next generation. Unfortunately, he never got this opportunity. I pass on my condolences to Allan's wife, Kathy, his colleagues at the co-op and the Port Macquarie-Hastings community as a whole. I know he is greatly missed by all of them. Vale, Allan Gordon.

RAMADAN

The Hon. CHRIS RATH (14:02): New South Wales is home to a wonderfully successful multicultural State. We are home to people from more than 300 cultures, and between us we speak 275 languages and practise 144 religions. As a community, we set an example of harmony and respect from which the rest of the world may learn. I am always drawn to the cultural festivities and significant events that define the lives of so many of our neighbours, family and friends. A proudly multicultural State is one that recognises and promotes those occasions as opportunities from which we can understand each other. In particular, I acknowledge the recent observance of Ramadan in New South Wales. Ramadan is of utmost importance to our State's Muslim community and is the holiest month for one of the world's great faiths. It is a time for spiritual reflection, growth and renewal, strengthened by charitable acts and time spent with loved ones.

This year the Muslim community's characteristic joy was on full display. Ramadan Nights brought celebrations to the people of Lakemba. A food festival in Auburn invited all of us to engage in a unique cultural experience, and countless Iftar dinners saw homes and businesses share the goodness of fellowship during Ramadan. I had the pleasure to co-host the fourteenth New South Wales Parliament Friendship and Dialogue Iftar Dinner along with the Hon. Penny Sharpe, who was made the Leader of the Government only a few days beforehand. Iftar dinners are underpinned by unity, and the breaking of bread together during Ramadan fosters togetherness among those involved. At the event where attendees were welcoming, proud of their cultures and keen to understand one another, I spoke of our State's strengths. I believe they represent the best parts of living in New South Wales and I look forward to joining them once again next year to experience this joy.

I acknowledge that I was representing the former Minister for Multiculturalism, Mark Coure. I acknowledge the keynote speaker, New South Wales Police Commissioner Karen Webb, the 2023 Australian of the Year Local Hero and Volunteer Leader of the Year Amar Singh, and Farhan Shah & Brothers for their excellent musical performance. I thank every leader of our many multicultural communities for building a shared peace in our society. I also reflect on the very warming photo that was published recently on social media where Tina Ayyad, the first Muslim woman to be elected to New South Wales Parliament, was sworn into the Parliament on the Koran side-by-side with Ron Hoenig taking the oath on the Torah. That was an incredibly powerful message on social media. The harmony we enjoy in New South Wales demonstrated in the observance of Ramadan is amongst the world's best and I commend members of the House to engage as much as they can with it.

TRADE UNIONS

Ms ABIGAIL BOYD (14:06): I know I am not alone in becoming increasingly frustrated by the inane lines of attack by members of the Liberal-Nationals Opposition seeking to score some kind of gotcha moment by accusing the Labor Government of being somehow captured by the trade union movement in New South Wales. On the face of it the Coalition is trying to tell a story of there being something untoward about a situation where a government has a consultative and collaborative relationship with the democratically elected representatives of the workers of the State. This mindset tells us just about everything we need to know about why New South Wales workers have seen their living conditions and working standards nosedive under more than a decade of

conservative rule. It should come as no surprise to anyone that the unholy Liberal-Nationals Coalition fundamentally does not understand the concept of trade unionism, collectivism, solidarity and the rights of workers.

The Coalition is seeking to make an attack line out of the prospect that the Government might find it inappropriate to deliver a pay increase to the more than 400,000 workers employed as part of our public service. No wonder it lost the election. As frustrating as this bad faith and nonsense argument is, it would be easier to swallow if it were at least somewhat grounded in reality. We get it: The Coalition hates the working class. But in this case its ire is thoroughly misplaced. Far from being staunch defenders of the working class and radical struggle, captured and beholden to trade union secretaries pulling their strings, the New South Wales Labor Party has time and again proven nothing could be further from the truth.

Time after time in this place we have seen the Labor Party betray its roots and the workers of this State: Ratios for nurses and midwives—chucked out the window as soon as they might actually be in a position to deliver; a ban on engineered stone benchtops; rejecting anti-protest laws; and do not get me started on a public sector pay rise. How many times did we hear the New South Wales Labor Government say that it was going to scrap the public sector wage cap? Now, given the opportunity to remove the pay cap, the goalposts have shifted for workers once again. We should not really be all that surprised.

I have the distinct displeasure of recalling a time less than 12 months ago when Labor teamed up with the then Coalition Government to vote down a piece of legislation that would have repealed the punishing arbitrary and unfair public sector wage cap. That legislation would not have had any hope of success in the Legislative Assembly—it probably would not have even been brought on for debate. Still, Labor could not bring itself to support scrapping the cap then, even as a signal of intent. Well, message received. It is a new term of Parliament and now is the time for NSW Labor to enthusiastically embrace the harebrained critique of the Liberals and Nationals in this place and proudly stand up for workers.

CHATGPT

The Hon. Dr SARAH KAINE (14:08): Given the recent reporting of the use of artificial intelligence [AI] in education and health, we should be giving it more consideration. The AI that we have heard most about recently is ChatGPT. So what is ChatGPT? It is an advanced language model developed by OpenAI. It uses deep learning techniques to understand and generate human-like text responses in natural language conversations. Trained on a vast amount of diverse data, including books, articles and websites, ChatGPT can provide information, answer questions, engage in discussions and assist with various tasks. It leverages its contextual understanding and knowledge base to generate coherent and relevant responses. ChatGPT has the ability to adapt its responses based on user input, making it a versatile tool for communication, learning and problem-solving. However, ChatGPT raises several ethical issues that need careful consideration.

Firstly, it can generate highly persuasive or manipulative content that could be misused for spreading misinformation or propaganda, or for scamming individuals. The model's ability to mimic human-like responses can be exploited to deceive and manipulate unsuspecting users. Secondly, ChatGPT can perpetuate biases present in its training data. If the underlying data contains prejudices, stereotypes or discriminatory views, the model may inadvertently amplify and reinforce them in its responses, leading to biased or unfair outcomes. This can have detrimental effects, particularly in sensitive domains like law, health care or hiring, where biased advice or decisions can perpetuate inequality and discrimination.

Furthermore, the opaque nature of ChatGPT poses challenges for accountability and transparency. As a complex deep-learning model, it is difficult to trace the specific reasons behind its responses or to verify the accuracy and reliability of the information it provides. This lack of transparency raises concerns about potential biases, errors or hidden agendas in its output. Lastly, issues of data privacy and security arise when using ChatGPT. Conversations with the model may involve sharing personal or sensitive information and, if adequate safeguards are not in place, there is a risk of unauthorised access or misuse of this data.

Addressing these ethical concerns requires a comprehensive approach. It involves rigorous testing and evaluation of the model's biases, implementing safeguards to prevent malicious use, promoting transparency through explainability techniques and respecting user privacy by adopting robust data protection measures. Additionally, involving diverse perspectives in the development and oversight of such systems can help mitigate biases and ensure more responsible and inclusive artificial intelligence applications. Government officials need to be aware of ChatGPT's potential for spreading misinformation, its susceptibility to biases in training data and the challenges in holding it accountable. They should consider regulation, transparency and ethical use to mitigate risks and ensure responsible deployment in public services and policymaking. I disclose that, aside from my opening remarks, this speech was written by ChatGPT.

CAMPBELLTOWN KOALA COLONY

Ms CATE FAEHRMANN (14:12): In April this year Campbelltown City Council signed off on the second stage of Lendlease's controversial Mount Gilead Stage 2 development in south-western Sydney. The area is home to the healthiest koala colony in the State. Councillors voted 11 to one to approve the biodiversity certification application from Lendlease to clear more than 50 hectares of koala habitat. The certification will now go to the Environment and Heritage Group [EHG] of the Department of Planning and Environment to be assessed against the statutory requirements for biodiversity certifications and compliance with the recommendations of the Office of the NSW Chief Scientist and Engineer on the protection of Campbelltown koalas. That assessment then goes to the environment Minister for her consideration. But the EHG has already made its views on the proposal very clear. In a letter dated 19 December 2022 it said:

EHG considers that the proposal is inconsistent with advice and recommendations contained in the Office of Chief Scientist and Engineer (OCSE) Advice on the protection of the Campbelltown Koalas and the follow up reports (OCSE Koala reports) and TAP. Insufficient information has been provided to support the proposed zone boundaries and structure plan including the extent of the proposed urban development zone and land proposed for certification, and the clearing of 53.5 hectares of native vegetation and threatened species habitat which includes critically endangered and endangered ecological communities ... EHG does not support the exhibited planning proposal, including the structure plan or the Biodiversity Certification Assessment Report and Strategy.

This is a big test for the new Minister for the Environment, the Hon. Penny Sharpe, who I know is very passionate about protecting koalas. The Minister sat on the koala inquiry with me and supported the key finding that, without urgent government intervention to protect habitat and address all other threats, the koala will become extinct in New South Wales before 2050.

Lendlease's Mount Gilead Stage 2 development is a prime example of the habitat destruction that will drive koalas to extinction if not stopped. The former Government tasked the chief scientist to come up with recommendations to best protect Campbelltown's koalas from this developer onslaught. They included minimum 450-metre corridor widths, exclusion fencing and underpasses. Global construction giant Lendlease cannot even meet these recommendations—the bare minimum—to save Sydney's koalas. Under the Threatened Species Conservation Act, the Minister may grant biodiversity certification only if it improves or maintains biodiversity values. Clearly, this proposal does not do that. I ask that the Minister shows that she cares, rejects the development proposal and saves Sydney's koalas.

CENTRAL COAST MARINERS

The Hon. SCOTT FARLOW (14:15): It is a great honour to say I am supporting the Central Coast Mariners in the A-League grand final on Saturday. There is a big, big sound on the Central Coast. There is great buzz and excitement, which I saw a few weeks ago just before the game at Gosford in what was a packed house—the first one in over 10 years. The A-League grand final this Saturday is predicted to also be a full house at CommBank Stadium in Parramatta, with a crowd of 30,000 expected to descend. I hope many will be wearing the blue and yellow of the Central Coast Mariners for the big match against Melbourne City. Hopefully, most of the crowd will be there to see an upset as David takes on Goliath, with our Central Coast Mariners upstaging the might of Melbourne City—a team that has been to the grand final four times in the past four years. I am sure that the locals in Parramatta will jump on the bandwagon for the Mariners—with the blue and gold of the Eels being replicated in the Mariners team colours. I am hoping the Mariners win their first title since 2012. It has been a long time between drinks for the Mariners, so the achievement will be even sweeter for the delay.

As shadow Minister for the Central Coast, I extend my best wishes to the Mariners for their quest for the A-League title. They have had a fantastic season under Monty's leadership and have been an interesting, exciting and high scoring team that energises its fans and the Central Coast community each and every game. Having a grand final between the teams who came first and second in the regular season is very special indeed and reflects that we have the two best teams on the brightest stage for soccer in Australia. It was exciting to join so many colleagues today—particularly the member for Terrigal, Adam Crouch, and the Hon Taylor Martin in this place from the Central Coast—for the A-League grand final parliamentary reception. I hope it becomes a staple in our calendar moving forward.

This Saturday's grand final is not just a football match; it is a celebration of the Central Coast community, of the region and of the community's unwavering support for their beloved team over many years. As a fan of *Ted Lasso*, I enjoy the Mariners decision to run with the "Believe" slogan and to pick it up through the playoffs and make sure it is the embodiment of everything they do. I am sure that every person on the Central Coast is backing the Mariners to bring it home on Saturday. Whilst the markets might suggest a victory from the visitors from Melbourne, I am backing the Mariners to bring it home in an exciting 3-2 game—maybe with a bit of extra time. But I will leave the analysis to the pundits. Saturday is an opportunity to demonstrate the strength and camaraderie that exists among the Central Coast Mariners' faithful. Fans have witnessed the team growing from strength to strength, overcoming obstacles and surprising their doubters at every turn. They have the opportunity

to see it in New South Wales thanks to the work of the former Coalition Government to secure the A-League grand final for New South Wales for many years to come

ESSENTIAL WORKERS

The Hon. EMILY SUVAAL (14:18): It is an honour and also feels quite appropriate to give my first official speech to the House—after my inaugural last night—and to speak about one of our essential workers in New South Wales. I met MJ last week as part of a union delegation to this place. MJ is a United Services Union delegate and NSW Ambulance emergency call taker. MJ is someone you never want to have to call upon. She is one of the people at the other end of the line when you call 000. However, if you do need to call, she is exactly the sort of person you want on the other end of the line. She is calm. You can hear the kindness and empathy in her voice as she speaks. She is experienced in giving firm and direct instructions.

As someone who has called 000, I can tell the House that even as a trained health professional you experience the adrenaline and stress of the situation. If it is a family member, forget it; all of your experience goes out the door and is replaced by raw emotion and fear. MJ's job can be indescribably challenging. The roulette of phone calls that enter the call centre concern, to use her words:

... motor vehicle accidents, heart attacks, strokes, babies in too much of a hurry to be born, people who don't wake up one morning, people who fall sustaining serious head injuries, suicides of the most horrifying and confronting scenes, patients bleeding, patients vomiting, patients not breathing, small children with burns and scalds, those dealing with dementia and terminal illnesses, people who desperately want to live and people who desperately want to die.

Workers like MJ are the lowest paid in the call centre. Trainees have just six weeks of training before they are on the other end of the phone. Their role is currently classed as administrative, which does not acknowledge the true breadth and scope of the work that people like MJ do. I thank MJ for sharing her story with members in this place and the other place, for her important role as a United Services Union delegate and for the essential work she does every day for the people in this State. Workers like MJ are invaluable. I am proud to be part of a government that has taken immediate and deliberate steps to engage with unions regarding fair pay and conditions, and that will unapologetically continue to do so.

NATIVE FOREST LOGGING

Ms SUE HIGGINSON (14:21): In December this year we will finally see an end to the profitless and destructive logging of native forests in Victoria. The monumental win for forests and people who rely on forests for air and water—all of us—was brought forward by six years. It was a sudden decision as a result of the Supreme Court finding that State-owned logging agency VicForests had broken the law by failing to protect endangered species facing extinction. The victory in Victoria was not an easy thing to accomplish. It took decades of work by community groups, organisations, economists, lawyers, businesses and scientists to get the Victorian Labor Government to announce its transition plan to end native forest logging by 2030. The successful prosecutions brought against VicForests in the courts provided the incentive to have the necessary and important end of native forest logging brought forward to this year.

Members know that I am 100 per cent committed to ending native forest logging in New South Wales because I am across all of the evidence that says we must do this for the environment, for workers, for the economy and for our grandchildren's children. We know that 90 per cent of native forests that are logged are left on the ground, wasted or burned. We know that native forest logging loses tens of millions of dollars every year. We know that native forest logging directly releases millions of tonnes of carbon into the atmosphere every year—all of this and more because there is a lack of vision and hope that the end of native forest logging is the beginning of a bright new future for regional communities and workers.

Forests are valuable economically, ecologically, to human health and wellbeing, for biodiversity, for agricultural productivity and to the planet. Beyond all of those considerations, forests are the most important, incredible carbon-capturing tool we have. Eight days ago, on 23 May, we reached a shocking point in climate science history. In a single day planet Earth experienced a record high sea surface temperature, record high global air temperatures and a record low extent of global sea ice. Native forest logging in New South Wales alone emits the same amount of carbon as 840,000 medium-sized cars, or 3.6 million tonnes of carbon every year. We need to end logging to keep carbon stocks in native forests, just like we must do everything in our power to reduce the amount of greenhouse gases that we are contributing to the atmosphere. New South Wales must read the writing on the wall and join Victoria and others in ending the destruction of native forests before it is too late to turn back the clock.

MARSHALLS CREEK BRIDGE

The Hon. WES FANG (14:24): I make some brief remarks about the infrastructure that the former Government was delivering for the people of Wagga Wagga, which is now at risk because we have a State Labor

Government. Marshalls Creek Bridge has been a focus of media attention in the past few days. Questions have been asked of me because I was able to announce on behalf of the Minister that work on the bridge would be commencing in a short period of time. Late last year, when I had questions put to me about why work had not yet started, I was happy to provide the answer to the media that the same crews that would have started work on that bridge were being used to quickly address pothole issues on the Sturt Highway and other roads around rural and regional New South Wales. That diversion of assets would continue until such time as we were able to deliver those safe roads, and then we would return to the work that we had committed to for the people of Wagga Wagga.

We completed the work on the potholes. The plans for the Marshalls Creek Bridge upgrade are still on the Transport for NSW website, but the Minister for Regional Transport and Roads has refused to provide any detail as to when work will start and when the upgrade will happen. Committee 4 Wagga, which is well known to members in the Wagga area, has been advocating for work on Marshalls Creek Bridge to commence soon, as has the local member, Dr Joe McGirr. I join them in calling on the Labor Government to start work immediately on the upgrade of Marshalls Creek Bridge and other infrastructure in the Wagga Wagga and Murray electorates and not to take, as the chair of Committee 4 Wagga Adam Drummond says, a city-centric approach. The real fear in rural and regional communities is that the city-centric Labor Government is abandoning them. The fact that work on Marshalls Creek Bridge has not started and that the Government will not give an indication of when it will is a perfect example. [*Time expired.*]

GREYHOUND REHOMING

The Hon. EMMA HURST (14:27): I recently had the pleasure of spending time at Greysland, the rehoming facility run by the amazing team at Greyhound Rescue. Rehoming is not a simple task. Greyhound Rescue takes the utmost care in pairing greyhounds with the right adoptive family based on the compatibility of all individuals, human and animal alike. In that considered way, they find loving forever homes for hundreds of greyhounds each year. Many greyhounds that arrive at Greyhound Rescue have been dismissed by the industry as too hard to rehome. Greyhounds from the racing industry have often experienced limited lives. They may have never socialised with other dogs or encountered basic things like stairs, glass doors or toys. They may not even know how to play. Those greyhounds need to learn how to "dog".

Greyhound Rescue equips each greyhound with the skills and experiences they need to adjust to their new lives, and it does that largely on the back of volunteer time and donations. That is why I was thrilled to work with the former New South Wales Government to secure a one-off grant of \$350,000 for Greyhound Rescue. The funding will be used to build a new rehabilitation and rehoming centre, lovingly named the "Noodle Hub" after the characteristically long-limbed dogs. It is where Greyhound Rescue will provide medical care for greyhounds recovering from major injuries or surgery, prepare meals for greyhounds in care, train new volunteers, undertake meet and greets, and process adoptions.

The investment is going to make a huge difference; however, there is so much more to be done. In order to continue rehoming the large number of dogs coming out of the industry, Greyhound Rescue needs guaranteed, ongoing funding to support the costs of caring for and rehabilitating those animals. Perhaps most crucially, Greyhound Rescue needs a permanent home. It is the only non-industry organisation dedicated to greyhounds that has onsite kennels to take in and house greyhounds for rehoming. The Government is relying on the work of Greyhound Rescue to fill the gaps in its own rehoming programs. In turn, what Greyhound Rescue needs from the Government is security. The Government must work with Greyhound Rescue so that it can secure a permanent home and, in doing so, ensure that Greyhound Rescue can continue to perform its crucial role in a society that believes greyhounds deserve a loving home.

Announcements

LEGISLATIVE COUNCIL PHOTOGRAPH

The ASSISTANT PRESIDENT (The Hon. Peter Primrose) (14:29): I advise the House that a photographer from NCA NewsWire will be present in the press gallery this afternoon for the taking of still photographs only.

Bills

GOVERNMENT SECTOR FINANCE AMENDMENT (GRANTS) BILL 2023

REVENUE LEGISLATION AMENDMENT BILL 2023

Assent

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I report receipt of messages from the Governor notifying Her Excellency's assent to the bills.

*Committees***PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE****Chair and Deputy Chair**

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I inform the House that at a meeting held this day Ms Abigail Boyd was elected as Chair and the Hon. Scott Farlow was elected as Deputy Chair of the Public Accountability and Works Committee.

*Documents***TABLING OF PAPERS**

The Hon. PENNY SHARPE: I table the following papers:

- (1) Annual Reports (Statutory Bodies) Act 1984—Report for year ended 31 December 2022:
- Charles Sturt University;
 - Macquarie University, Volumes 1 and 2;
 - Southern Cross University;
 - The University of Newcastle;
 - University of New England;
 - The University of New South Wales;
 - The University of Sydney;
 - The University of Technology Sydney, Volumes 1 and 2;
 - The University of Wollongong Australia; and
 - Western Sydney University, Volumes 1 and 2.

*Motions***PUBLIC LAND SALE****Debate resumed from an earlier hour.**

The Hon. SCOTT FARLOW (14:30): I continue my contribution to debate on this motion. It is essential that we ensure the provision of more housing across our State. The Coalition is receptive to considering the detail of any proposal that would address housing supply across New South Wales and looks forward to constructively engaging with the Government moving forward, particularly when it is something like what appears to be our formal policy. But, as comes with many Labor proposals, particularly those formed in the infancy of this Government, there is a distinct lack of detail. Speaking about the land audit on 2GB last week, the Minister for Housing, the Hon. Rose Jackson, could only say that the "level of detail hasn't been finalised yet".

One detail, however, is crystal clear. The party that promised to "end privatisation" had developed a policy that, in fact, embodies the definition of privatisation. It is high time for the Government to be honest with the people of New South Wales and to be honest with this House. Local communities deserve transparency and honesty from their Government. The assertion by Ministers that selling publicly owned land to private companies for the purpose of development is not privatisation is, frankly, hysterical. But you will not see me laughing when the Government breaks its election promises a mere 60 days into the job.

Ms ABIGAIL BOYD (14:31): I was sad when this motion did not come on last week because I was excited to talk about it. I have spent the past four years in budget estimates grilling various Ministers about the definition of privatisation. I remember an ongoing series of discussions with former Minister for Transport Andrew Constance and the constant debate on bus privatisation and the argument that it was, in fact, a franchising agreement. I brought out the dictionary on a few occasions to try to settle that debate. It is clear what privatisation is. It is the transfer of ownership or control of public assets to the private sector. It is very simple.

I have heard the Government's arguments related to this so-called surplus land and the idea that it is not privatisation. Of course, in any ordinary meaning of the word, what was true four years ago is still true today. This is a form of privatisation. We cannot sell off public land. I do not care how much of public land it is. I do not care if it is a tiny block of land on what used to be a rail corridor that has been disused for a while or if it is a former TAFE site. The fact of the matter is that that is public land. If we sell it off to a private developer or a private interest, that is a form of privatisation. It is very simple. It is quite disappointing for the Labor Government to not—

The Hon. Wes Fang: They're like that. They'll do that to you.

Ms ABIGAIL BOYD: Let's be honest: Maybe that is not a stretch in this circumstance. It is quite disappointing for the Labor Government to not use plain language as the public would understand it. We are talking about the sale of a public asset to the private sector, and that is incredibly concerning. I am sure that Labor members in this place will make arguments about the reasons for that privatisation, but that is not what this is about. This is about whether or not it is privatisation, and of course it is. On behalf of The Greens, I move the following amendment to the motion:

That the question be amended by omitting paragraph (2) and inserting instead:

That this House congratulates the Coalition opposition for understanding the concept of privatisation now that they are no longer in Government, and recognises that the sell-off of public assets including land is a form of privatisation.

The Hon. DANIEL MOOKHEY (Treasurer) (14:34): I move:

That the question be amended by omitting paragraphs (1) (b) to (1) (d) and inserting instead:

- (b) the previous Government's privatisation of the State's ports, energy, road, public transport, health and education assets had a devastating effect on families by increasing the cost of living;
- (c) that the previous Government sold off more than \$93 billion of public assets, leaving the public's cupboard bare and resulting in the people of New South Wales paying more for fewer and lower quality services;
- (d) that at the same time, the previous Government oversaw a slide into a housing affordability crisis;
- (e) in response to the housing crisis, the current Government is proposing a mandatory requirement that 30 per cent of all homes built on surplus government land to be set aside for social, affordable and universal housing;
- (f) as an important step towards addressing the housing crisis, the new Government has directed Ministers to undertake a pause on the sale of government-owned property; and
- (g) that this pause will allow time for the Government to ensure land best kept in public hands is retained for the benefit of the people of New South Wales, and where land is surplus to public needs it is used to deliver social, affordable and universal housing together with social infrastructure such as schools and hospitals.

On 1 May the Government issued a request to Ministers that they direct agencies within their portfolios to immediately pause the sale of Government-owned land and property. By way of context, according to the previous Government, every single agency in the Government had a fixed requirement to sell off a certain quantity of public land for the highest price possible. That is important context because that is what we are interrupting; otherwise, sell-off of public land would have continued without us ever deciding whether or not it could be used to increase the stock of social, affordable and diverse housing use.

This pause is to allow time for the Government to examine the previous Government's policy and the framework that governs the approval of Government-owned property for sale. The other surprising factor that I have learnt since becoming Treasurer is that we do not seem to know where all the surplus land is. As a major landowner—in fact, the biggest landowner—in New South Wales, you would think that we would know what we own. We do not. It is an interesting aspect that we must establish where all the Government land is so that we can figure out how it can be used to promote social, affordable and diverse housing use. That is sensible, that is adult, and that is required. It is unfortunately necessary because it did not happen in the past 12 years. That is disappointing.

The Government's review is aligned to the Government's election commitment to strike an appropriate balance between keeping public assets for the benefit of people of New South Wales and the use of property declared to be surplus to deliver on Government policies including social, affordable and universal housing. To keep this in perspective, this is how absurd the previous Government's policy was. Agencies were mandated to find land and flog it off; at the same time, other agencies were sent out to compulsorily acquire land without ever thinking through whether one could be used for the other. We need to show some sense and some rationality. We should not be debating myopic definitions of privatisation when we should be focusing on the outcomes that the people of New South Wales have sent us here to do.

The Hon. MARK LATHAM (14:37): The Parliament has gone down the rabbit hole when it is duelling dictionary definitions of what is something and what it is not. The commonsense proposition was that when Labor promised at the election no privatisation, it was not a commitment that nothing in the ownership of the State Government would ever be sold. Clearly, it was a reference to public utilities like power stations, water utilities and transport corridors. That is the general meaning of a privatisation program.

The Hon. Mark Buttigieg: Opera House.

The Hon. Daniel Mookhey: Harbour Bridge.

The Hon. MARK LATHAM: Harbour Bridge, Government House—all those things that we debated in the past. A commonsense definition would say that privatisation concerns the main utilities and corridors that might be in the ownership of the New South Wales Government. I do not think anyone thought that a spare block of land in Campbelltown in one of the public housing estates could never be sold for the purpose of a redevelopment project to provide more social housing—better quality of social housing—as a poverty alleviation program. Naturally, the Opposition tried to apply the purest definition for political purposes. But the debate was complicated by Mr Stephen Kamper's "no sale" directive, from which Minister Rose Jackson, after a moment of confusion, said that there were exemptions. As a former mayor of Campbelltown, I am glad the President is in the chair as he understands the importance of those projects. I will move an amendment to the motion. Now we have duelling amendments as well as definitions. I move:

That the question be amended by omitting all words after "Government" in paragraph (2) and inserting instead:

to honour its election promises while recognising that the completion of vital public housing renewal projects, such as Claymore and Airds, relies on the sale of public land to private housing developers for lease-back rental and private housing ownership.

As I mentioned the other day, the purpose of the amendment is to finally finish the drawn-out, torturous redevelopment projects at Claymore and Airds—which were much delayed by the former Government—after the success of the Minto public housing renewal project. Basically, the Radburn scheme, which was built in the seventies, was a complete social and economic disaster. Townhouse dwellings were built facing in, which is the wrong way around as the properties were surrounded by open land. The quality of housing gave people the feeling that they were an underclass, and it stayed that way.

The project at Minto was completed by the last Labor Government. The land was redeveloped and privately owned housing was mixed with leaseback social housing. A young person growing up in one of those streets can think they live in a normal suburb, with a good school, to help them advance in life, rather than being locked into substandard public housing. My amendment very clearly provides an exemption to the Kamper directive. I have discussed it with the Minister for Housing, who thinks it is a good idea. I hope the amendment is supported by the Chamber.

The Hon. CHRIS RATH (14:41): I support the motion moved by the Hon. Scott Farlow. Of course, after hearing the contribution from the Hon. Mark Latham, one may think this is all about semantics, but it is important to judge the Government on the comments that were made by its members during the election campaign when they were in Opposition. They described a range of different terms as privatisation. I understand that Government members do not like the term asset recycling; they call it privatisation. But they also called franchising, outsourcing and long-term leasing simply privatisation. Any time private contractors were used, Labor defined that as privatisation. Government members would bundle up all of those different terms, which have different and distinct definitions, into the broad, all-encompassing term "privatisation". But now that Labor is in government it has a completely new definition. When the Coalition engaged in those acts Labor members would define it as privatisation, yet when they do so it is defined as "selling surplus land".

Members must judge the Government on the definitions and language its members used during the election campaign. When asked directly if selling Crown land to private developers was privatisation, the Premier answered no. When asked the same question on 2GB, Minister Rose Jackson obfuscated and said simply that the detail had not yet been finalised. That is what happens when we demonise all privatisation. If selling Government-owned assets to private developers is not privatisation, then nothing is. Members cannot change the definition of privatisation to suit their agenda. The Opposition is aware that New South Wales faces a housing crisis, and increasing housing supply is part of the solution. But, unlike members opposite, Coalition members did not box themselves in with their own narrow definition of privatisation during the election campaign. Furthermore, private developers should be part of the conversation. Where appropriate, rezoning surplus public land for housing is a proportionate response to the housing crisis.

The Opposition encourages the Government to consult further with key private sector stakeholders in the housing industry to boost supply so that the people of New South Wales can afford to purchase a home. However, members cannot change the definition of privatisation and expect the people of New South Wales to accept that on face value. The Premier's directive to his Ministers reeks of hypocrisy. Maybe, heaven forbid, the Government has had a change of heart and finally understands the benefits of privatisation.

The Hon. STEPHEN LAWRENCE (14:44): I contribute to debate on the motion by reflecting on my previous role as a councillor. The Hon. Mark Latham jogged my memory. In my time as a councillor I took what I thought was an appropriate stance against privatisation. For example, I was very happy to bring the pool back in-house at Dubbo Regional Council. In my time on the council, local councillors and I dealt with various proposals in respect of land. We were involved in the sale of surplus land and land swaps with the private sector. Never at any time in those discussions did anybody in the council or community suggest that we were involved in some form of privatisation.

We do not live our lives by dictionary definitions. Words have various meanings and usages depending on different contexts. Frankly, I have never heard the suggestion that the sale of surplus Crown land, which is practised by every level of government as the need arises, is a form of privatisation. The motion is an attempt to confuse the community about what is occurring and about the meaning of privatisation. That is not surprising from members opposite, who love the concept of asset recycling. Frankly, it is an Orwellian term used to describe the sale of productive assets that earn revenue to build assets that do not generally earn revenue. Asset recycling is an Orwellian term, and only last night the Hon. Chris Rath implored us to use it. He said that we should not be talking about privatisation; we should be reverting to what he thinks is the more accurate term of asset recycling.

The former Government has form on misleading the community on the meaning of privatisation. That is not surprising as it has form on misleading the community about its plans for privatisation. Everyone remembers the famous words "No plans" before the 2019 election when the then Premier was questioned about her intentions in respect of various precious State assets. She said, "We have no plans." Of course, it transpired that those were outrageous lies. Yet members opposite seek to confuse the community again on the issue of privatisation. But I do not think the community will be confused because it shares with us a complete understanding of the meaning of privatisation. It does not include the sale of surplus Crown land and it never has. Frankly, I do not think there is any confusion. [*Time expired.*]

The Hon. TAYLOR MARTIN (14:47): I support the motion moved by the Hon. Scott Farlow, shadow Minister for Planning, amongst other things. Ever since I became a member of this place I have heard members of the Labor Party say over and over again, "Stop privatisation." I will give them credit: They were quite consistent during the last term of Parliament. But now that they are in government, they have been quick to change their tune. Just two months in—it is just the third sitting week, in fact—they are already looking for government assets to flog. If the sale of government-owned assets including government-owned land to private property developers is not privatisation then what on earth is? It is quite galling. Yesterday the Minister responsible for Housing, Water, the North Coast and a host of other portfolios said that one should not go to an election saying one thing and then form government after the election and do another. That is exactly the case before us.

The Hon. Stephen Lawrence accused the Opposition of trying to confuse the public, but it is quite the opposite. We are asking for consistency and honesty in that regard. The Opposition has no problem with the Government trying to find places on which new housing can be built. That is an obvious way to improve housing affordability, given that it is a problem for this State, as it is in other States in Australia. But we expect the Government to be honest and call it what it is: It is privatisation. That is fine; just own up to it. Further, we expect the Government to be up-front when the time comes about which parcels of land will be sold off so that the community can be informed and brought along on the process. We also expect that any land that is subject to privatisation by the Minns Labor Government is sold in an independent, transparent process.

This is very important. We all remember what happened at the end of the 16 years of government that Labor last had. Nobody, including members opposite, wants to return to such a point. Earlier this year the Standing Committee on State Development published its report into allegations of impropriety against the agents of the City of Canterbury Bankstown council. The committee found that councillors on Canterbury Bankstown council, in particular the Labor mayor, had close relationships—

The Hon. Daniel Mookhey: Point of order: The member is straying well beyond the terms of the motion and is not being directly relevant. I suggest that you draw him back to the leave of the motion.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The member will be directly relevant to the motion before the House.

The Hon. TAYLOR MARTIN: It was found that it may have influenced planning instruments and the positioning of infrastructure.

The Hon. Daniel Mookhey: Point of order—

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The member's time has expired.

The Hon. DANIEL MOOKHEY (Treasurer) (14:50): I speak to the amendment of the Hon. Mark Latham and indicate that the Government still prefers its own amendment because it corrects a flaw in the substantive motion that the Hon. Mark Latham's amendment does not. Paragraph 1 (a) of the substantive motion is factually wrong. The Premier has not instructed any Minister to identify land to sell to private developers but has ordered Ministers to find surplus land and then assess how it can be used to promote the supply of social, affordable and diverse housing. Having said that, the balance of the Hon. Mark Latham's amendment is correct. I have visited Minto prior to and since its redevelopment, and I understand the importance of the issues that the Hon. Mark Latham referred to as he moved his amendment. It is a good example of using canny policy to lead to urban regeneration to deliver better outcomes for families across New South Wales. I am glad that he raised it in

the debate. Of course, the Government prefers its amendment but sees some merit in the Hon. Mark Latham's amendment.

Ms ABIGAIL BOYD (14:52): The Greens cannot support the Hon. Mark Latham's amendment. We keep putting up the false idea that there has to be private investment in housing in order to build more houses. Governments used to build houses on public land. It is not done anymore but it should be. It is simply not correct to say that surplus land "needs" to be sold off to developers in order to create housing.

The Hon. WES FANG (14:52): I address the substantive motion. I am drawn to the contribution of Ms Abigail Boyd in which she indicated that the idea of wanting to have privately owned houses as opposed to houses built and owned by government is somehow wrong. It is a fundamental difference in the philosophies that we see in this Chamber. Members on this side of the House know that the asset recycling of the previous Liberal-Nationals Government allowed more infrastructure to be built. It delivered major infrastructure that allowed families to get around Sydney and it delivered hospitals and schools. We also did what we could to support that great Australian dream of owning your own home.

Ms Abigail Boyd was right in saying that there are other ways to do it. We can have government-built houses. We can have government as an overbearing, overarching entity, but in reality most people have the desire to own their own home. So it is not a bad thing to say that we want to release more land. Members on this side of the House just want the Government to be honest with the people. When it says it wants to look at the land that agencies have to try to release some for housing, that is privatisation. The transfer of assets owned by the Government to private developers is privatisation. Anybody who tries to describe it as anything else is misleading the House and misleading the public. Members opposite need to be very careful about how they conduct this debate because it is the mark of them to say one thing as they go into an election and say something else in government. You cannot trust Labor. [*Time expired.*]

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:55): I move:

That the question be amended by omitting paragraph (2).

This debate has been self-explanatory. The statement contained in paragraph (2) is ridiculous. Clearly, selling public land is not a mark of privatisation and nor would we acknowledge that.

The Hon. SCOTT FARLOW (14:56): In reply: I thank Ms Abigail Boyd, the Hon. Daniel Mookhey, the Hon. Mark Latham, the Hon. Chris Rath, the Hon. Stephen Lawrence, the Hon. Taylor Martin, the Hon. Wes Fang and the Hon. Tara Moriarty for their contributions to the debate. It was nice to start the day with this motion. I know many members, including Ms Abigail Boyd, hoped to get to this motion last Wednesday. We brought it back for debate today. We have seen the Government doing gymnastics as to the definition of privatisation. The Hon. Stephen Lawrence talked about the accusations of privatisation regarding the selling of surplus land in Dubbo but in that instance it was not. I do not hold anything against the Hon. Stephen Lawrence because he was not in this place before the last election, but many members in this Chamber equated the sale of public land as part of the former Government's privatisation agenda. It did not matter whether they were surplus pieces of land next to railway corridors or being taken up by agencies such as the Transport Asset Holding Entity to invest in activation around transport corridors. That was part of the former Government's privatisation agenda, according to members opposite.

Since the Labor Party has come into government, it has recognised the reality that we need more housing in New South Wales. The Government has outlined a target of 314,000 new homes to be built over the next five years, but in order to do that we need land to build them on. I am not against the Government's policy, nor are members on this side. In fact, the Government's policy replicates some of the policies we employed while in government, such as the land use register to look at pieces of property that the Government could activate rather than hold onto and do nothing with. But we need to ensure that there is supporting infrastructure such as schools, hospitals and transport links around new housing developments.

There are many instances where previous governments of both stripes sold off pieces of land that may have been earmarked for something like a hospital or a school or, where I grew up, for the continuation of a road. Future projects cost a lot more because that land had been sold off. WestConnex is an example—that land was sold off by the Wran Government. It is important for governments to be able to take stock of their land supply. It is also important that this Government is honest with the people of New South Wales and admits that it is privatisation.

The PRESIDENT: First, I will put the amendment of the Hon. Daniel Mookhey. I will then put the amendment of the Hon. Tara Moriarty. If that is agreed to, the Hon. Mark Latham's amendment lapses and I will put the amendment of Ms Abigail Boyd. If the Hon. Tara Moriarty's amendment is negatived, I will put the

amendment of the Hon. Mark Latham. The question is that the amendment of the Hon. Daniel Mookhey be agreed to.

The House divided.

Ayes15
Noes25
Majority.....10

AYES

Buttigieg
D'Adam
Donnelly
Graham
Houssos

Jackson
Kaine
Lawrence
Mookhey
Moriarty

Murphy (teller)
Nanva (teller)
Primrose
Sharpe
Suvaal

NOES

Banasiak
Borsak
Boyd
Carter
Cohn
Faehrmann
Fang
Farlow (teller)
Farraway

Higginson
Hurst
Latham
MacDonald
Maclaren-Jones
Martin
Merton
Mihailuk

Mitchell
Munro
Rath (teller)
Roberts
Ruddick
Taylor
Tudehope
Ward

Amendment negatived.

The PRESIDENT: The question now is that the amendment of the Hon. Tara Moriarty be agreed to.

Amendment negatived.

The PRESIDENT: I advise that the amendment of Ms Abigail Boyd has lapsed. The question is that the amendment of the Hon. Mark Latham be agreed to.

Amendment agreed to.

The PRESIDENT: The question is that the motion as amended be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The House divided.

Ayes17
Noes23
Majority.....6

AYES

Carter
Fang (teller)
Farlow
Farraway
Latham
MacDonald

Maclaren-Jones
Martin
Merton
Mihailuk
Mitchell
Munro

Rath (teller)
Roberts
Taylor
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buttigieg
Cohn

Graham
Higginson
Houssos
Hurst
Jackson

Moriarty
Murphy (teller)
Nanva (teller)
Primrose
Ruddick

NOES

D'Adam
Donnelly
Faehrmann

Kaine
Lawrence
Mookhey

Sharpe
Suvaal

Motion as amended negatived.

*Senate***SENATE VACANCY**

The PRESIDENT: I shall now leave the chair for the joint sitting. The business of the House will be suspended during the joint sitting. The House will resume at the conclusion of the joint sitting following the ringing of the bells.

[The President left the chair at 15:15.]

*Joint Sitting***ELECTION OF A SENATOR**

The two Houses met in the Legislative Council Chamber at 15:34 to elect a senator in the place of Senator Andrew James (Jim) Molan, AO, DSC, deceased.

The CLERK: I call for nominations for President of the joint sitting.

Mr CHRIS MINNS: Mr Clerk, I move:

That the Hon. Ben Franklin, President of the Legislative Council, act as President of the Joint Sitting of the two Houses of the Legislature for the election of a senator in place of Senator Andrew James (Jim) Molan, AO, DSC, deceased, and that in the event of his absence the Hon. Greg Piper, Speaker of the Legislative Assembly, act in that capacity.

Mr MARK SPEAKMAN: I second the motion.

The CLERK: The question is that the motion of the Premier as seconded by the Leader of the Opposition be agreed to.

Motion agreed to.

The Hon. Ben Franklin took the chair.

Mr CHRIS MINNS: I present proposed rules for the regulation of the proceedings of the joint sitting, which have been printed and circulated. I move:

That the proposed rules as printed and circulated be now adopted.

Mr MARK SPEAKMAN: I second the motion.

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

Motion agreed to.

The PRESIDENT: I will now receive nominations with regard to a person to fill the vacant place in the Senate caused by the death of Senator Andrew James (Jim) Molan.

Mr MARK SPEAKMAN: I propose Ms Maria Kovacic to hold the place in the Senate rendered vacant by the death of Senator Andrew James (Jim) Molan, AO, DSC. I announce that the candidate is willing to hold the vacant place if chosen. Senator Andrew James (Jim) Molan, AO, DSC, was at the time he was chosen by the people of the State publicly recognised to be an endorsed candidate of the Liberal Party of Australia and publicly presented himself to be an endorsed candidate of that party. Ms Maria Kovacic is a member of the same political party.

The Hon. DAMIEN TUDEHOPE: I second the motion.

The PRESIDENT: Does any member desire to propose any other person to fill the vacancy? As no other person has been proposed, the question is that Ms Maria Kovacic be chosen to hold the place in the Senate rendered vacant by the death of Senator Andrew James (Jim) Molan, AO, DSC.

Motion agreed to.

The PRESIDENT: I declare that Ms Maria Kovacic has been chosen to hold the place in the Senate rendered vacant by the death of Senator Andrew James (Jim) Molan, AO, DSC.

The PRESIDENT: I move:

That the President inform Her Excellency the Governor as soon as practicable that Ms Maria Kovacic has been chosen to hold the place in the Senate rendered vacant by the death of Senator Andrew James (Jim) Molan, AO, DSC.

The Hon. PENNY SHARPE: I second the motion.

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

Motion agreed to.

The PRESIDENT: I now declare the joint sitting closed.

The joint sitting closed at 15:38.

[*The House resumed at 16:00.*]

Senate

ELECTION OF A SENATOR

The PRESIDENT: I report that at a joint sitting this day Maria Kovacic was chosen as senator in the place of Senator Andrew James (Jim) Molan, AO, DSC, deceased. I table the minutes of proceedings of the joint sitting.

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery Noah Smith, the elected Premier of the 2023 YMCA NSW Youth Parliament. I congratulate him and look forward to welcoming him and his colleagues back to the precinct in a few months' time.

Documents

PUBLIC SECTOR WAGES

Production of Documents: Order

The Hon. DAMIEN TUDEHOPE (16:01): I move:

- (1) That this House notes that:
 - (a) on 16 September 2020, the House made an order that there be laid upon the table of the House "all correspondence, including emails, since 1 January 2019 sent from or received by the Treasury and the Wages Policy Taskforce regarding bargaining parameters";
 - (b) on 18 May 2022 the House made an order that there be laid upon the table of the House "all documents regarding the negotiation of any enterprise agreement or award that applies to Sydney Trains or NSW Trains";
 - (c) the Liberal-Nationals Government complied fully with both these orders for papers; and
 - (d) in its costing request to the Parliamentary Budget Office dated 15 March 2023, the Labor Party stated that under its ALP Wages Policy to come into effect from 1 July 2023, "While arbitration will no longer be artificially limited by law, the budgetary effect of this policy is that existing targets as presented in the current budget will be maintained as a baseline, and any remuneration increases beyond this will be linked to productivity improvements—done by negotiation through an interest based bargaining framework."
- (2) That under Standing Order 52 there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 25 March 2023, in the possession, custody or control of the Premier, Treasurer, the Minister for Finance and Minister for Natural Resources, the Minister for Industrial Relations and Minister for Work Health and Safety, the Department of Premier and Cabinet, Treasury, or NSW Industrial Relations relating to wage negotiations:
 - (a) all documents relating to the proposed "interest based bargaining framework";
 - (b) all correspondence to any union relating to any award that has expired or is due to expire within the next six months containing an offer or proposal for consideration in a new award, or responding to a union demand or proposal for consideration in a new award;
 - (c) all correspondence from any union containing a demand or proposal for consideration in a new award, or responding to an offer or proposal from the Government;
 - (d) all records of any meeting held between union officials and representatives of the Government about the wages policy, bargaining parameters, and wage offers;
 - (e) all other documents regarding the negotiation of any enterprise agreement or award that would apply to New South Wales public sector workers; and
 - (f) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The Treasurer was asked a straightforward question yesterday about whether the then 4 per cent wage rise offer to unions included a 0.5 per cent superannuation increase, but he refused to provide that information. He commented on the conversations that the Government is having with the trade union movement, which represents many of our essential workers. He said:

... 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.

It is disrespectful to this House and it frustrates the efforts of this House to hold the Executive Government to account for its planned expenditure of public moneys. That was not the approach taken by the Treasurer and his colleagues when they sat on this side of the House. As noted in paragraphs 1 (a) and (b) of the motion, the House has previously passed motions ordering the production of papers relating to bargaining parameters. On 18 May 2022, while negotiations with the combined rail unions were in progress, the House ordered the production of all documents regarding the negotiations of a matter that was before the Fair Work Commission. This order for papers breaks no new ground; it simply seeks to continue the established practice of the House in ordering the production of papers relating to bargaining parameters or, to use the language of Labor's wage policy, the interest of base bargaining framework.

As I understand it, about 70 awards are due to expire on 1 July 2023 that need to be renegotiated. The costing of Labor's wages policy by the Parliamentary Budget Office indicated that for every 1 per cent of a pay rise above the existing wage cap not offset by new productivity gains, there would be an unfunded cost of \$2.6 billion over three years. We know from media reports that the Treasurer and the Minister for Industrial Relations have already made an offer of 4 per cent to the unions, possibly with an additional 0.5 per cent for superannuation. We learned this morning from the Treasurer's answer to a supplementary question for written answer that no offset in productivity savings was identified before the offer was made. There goes \$2.6 billion in taxpayers' money in cut services, cost-of-living measures and increased taxes.

We know the unions are not happy with that offer. The Health Services Union is on strike today demanding a total of 6.5 per cent wage rise. The Treasurer refused to provide the House with accurate information on how much it would cost or even any modelling relating to that. He invited us to do some sort of back-of-the-envelope calculation that he did when he was the shadow Treasurer. However, he has hundreds of boxes of documents to assist him that the then Government produced in response to orders for papers. Our intentions for orders for papers are far more modest. There will be no need to build a Tudehope wing to store the requested documents.

I make the point that at a time when there were serious negotiations regarding matters before the Industrial Relations Commission about a wage freeze during the period of the previous Government, a Standing Order 52 motion was passed by this House requiring the House to produce the brief to counsel who were instructed by the former Government. I would have thought that going into court with the opponent's brief would provide an advantage. But this House insisted on its right to see the documents produced by the former Government about the matters upon which it relied to prosecute that case. This motion is a modest request. If this Government considers itself transparent, it should not object to the production of these documents going forward. I call on the Government to show some bona fides and for the shadow Treasurer to live up to the rhetoric that he expounded when he was in opposition.

The Hon. DANIEL MOOKHEY (Treasurer) (16:06): The shadow Treasurer certainly should live up to the rhetoric that he espoused—I agree with him on that! I welcome the scrutiny from the shadow Treasurer in this motion. I am sure it comes as no surprise that the Government considers the call for papers to be premature. Perhaps the narrative outlined in the motion and introduced by the shadow Treasurer in his contribution is a bit too simplistic and overlooks a couple of key events that distinguish the circumstances here than elsewhere. Nevertheless, the Government was elected on a mandate to rebuild our public services by ensuring we retain essential workers. We intend to do that by engaging in meaningful reform of public services in a cooperation-based system with our public sector workforce. We are getting on with the job of doing that.

I have provided updates to the House in question time and I have provided updates to the media when asked to do so. I look forward to continuing to provide further updates to the House and to the public as the process progresses. Because of that, I would argue that the Government is being transparent about its intentions. I will continue to be transparent because that is what adult governments do. I comment on the specific points made by the shadow Treasurer when moving the motion. I recall, as the motion states, that on 16 September 2020 the House agreed to an order to effectively produce the parameters that were used at the time to introduce the wage freeze. I am glad that the shadow Treasurer acknowledged that his Government introduced the wage freeze. But I recall that particular line and I am very positive that it came back as almost a nil return. To be fair, I am fairly positive that the then industrial relations Minister's various media articles and press releases were the only documents returned to the House.

I point out that maybe the House should be aware of that. I point out also that in respect to the issues that distinguish this matter from where we are with Sydney Trains or NSW Trains, by any fair reckoning, the Sydney Trains and NSW Trains dispute was intense and subject to a lot of scrutiny. It was far more progressed than where we are now with our public sector workforce. We are having good conversations with them and we will continue to do so. Members should not take my word for it; they say that publicly themselves. As a result, we oppose this call for papers.

The Hon. MARK LATHAM (16:09): One Nation supports the Standing Order 52 call for papers by the Opposition because of what appears to be changed attitudes in the Chamber about Standing Order 52. In the last Parliament they were being supported universally except within the Government parties. We have gone back to the principles articulated four years ago for guiding our judgement of Standing Order 52 calls for papers. This one fits three criteria: it is a live, clear issue, not a fishing trip, certainly clearly defined; it is worthy of transparency and public interest; and it is a public policy issue, not a narrow, personal attack. Members may remember we devised that because of attempts by the then Opposition to get information on the husband of the Hon. Bronnie Taylor.

The Hon. Bronnie Taylor: And you defended him. I will never forget that.

The Hon. MARK LATHAM: Yes. It has guided our principles since. This call for papers fits the principles so we support it, but with the caveat that we do not support the wages cap. One Nation has always thought that the wages cap was a crude, counterproductive exercise. It was the only cost restraint the former Government showed on any front. It spent on everything except inflation-type wage increases. The wages cap carried with it the shocking paradox in the public sector that we still live with today, that there was a dead hand on wages growth, while at the same time on the productivity front every whacky training course and political committee, from Jim Betts book clubs and unconscious bias training, proliferated out of control.

We ended up with a public sector that had a crude wages cap with no regard for productivity and, even worse, woke agents in the public sector were diverting public servants from their real job. Many people came forward and said, "Jim Betts has me doing all this training about this, that and the other thing. I am a bad person because I have white skin. I have to do cultural sensitivity. I just wanted to come here and do my job." That is what they would say. The best solution is to let public servants do their job without political content—there are enough politics in this place—take off the wages cap and go to productivity-based bargaining. That would have an advantage. Any work unit that can demonstrate a productivity gain gets a healthy wage increase.

The Hon. Damien Tudehope: Well, guess what! That's our policy.

The Hon. MARK LATHAM: It is not the Opposition's policy. The policy of the Opposition was the worst of both worlds. It was a crude, non-productive wages cap—the easiest thing to do—and its only form of spending restraint. Everything else was out of control, with profligate spending. At the same time it smothered the public sector with woke political courses that had nothing to do with the job at hand—the job description for those public sector units. The former Government lost the plot in that regard. I hope that the new Government does a lot better. On the way through, One Nation will be kind enough to support the Opposition's call for papers.

Ms ABIGAIL BOYD (16:13): The Greens find very interesting this Standing Order 52 call for papers. However, it is way too premature. This Government is just beginning to unpick the Coalition's messes. We need to give it the space to do it. Nothing that we have seen has caused us concern so far in these negotiations. We will wait patiently for a little longer to give this new Government the chance it needs to breathe a little—sigh even—and negotiate in good faith without the stickybeaking of an Opposition that is so concerned with scoring some sort of strange political point. Is it a score if there is zero on one end forever? I do not know.

This is not about transparency. The calls for papers that were passed last year were very much about holding a government to account; not trying to get involved in the policy decisions and making of a new government. They are very different things. In the last term of Parliament the Opposition and the crossbench worked together on an accountability and transparency agenda. The agenda was to find out information and hold the Government to account; not try to relitigate old election issues and all the rest of it. When this new Opposition gets an actual agenda based on policy and it wants to do the things that are right for the people of New South Wales, the crossbench might get on board. We oppose this call for papers.

The Hon. DAMIEN TUDEHOPE (16:15): In reply: I thank the Treasurer for articulating that he does not intend to be part of a government that bears the label of being a transparent government. He seeks to avoid scrutiny on the basis that bargaining is progressing and he does not necessarily want anyone to have access to that bargaining. If he applies that standard he would have applied the same standard when documents were being prepared relating to the bargaining parameters for negotiations with the rail union and litigation before the Industrial Relations Commission. The standard that the Treasurer now seeks to apply suits his agenda. It does not

suit the long-established tradition, certainly over the last four years, of making sure that everything that the Government does is open to transparency, no matter what transaction it is involved in. I was more interested in the abject disregard for the previous Government's wages policy as articulated by the Hon. Mark Latham. He thought it was a blunt instrument of just a wages cap. He was wrong on a number of fronts. Over the period of the wages cap, the public sector was being paid wage increases that generally were markedly above the consumer price index.

The Hon. Wes Fang: And every other State as well.

The Hon. DAMIEN TUDEHOPE: I thank the honourable member—and every other State. In New South Wales the public sector was doing significantly well. In addition, the wages policy allowed for additional payments above the wages cap—

The Hon. Daniel Mookhey: Not budgeted for.

The Hon. DAMIEN TUDEHOPE: —on the basis of productivity outcomes. The Treasurer says they were not budgeted for. It is budgeted for by negotiating at the time of the enterprise agreement and by establishing the productivity outcomes. I challenge the Treasurer to identify the productivity savings he will make in negotiations he is entering into about wage outcomes for the public sector. I have no problem with paying public sector workers more money but the Government should be transparent about it. Put the books on the table and show us where the negotiations are up to. If members are to be consistent they will support this motion.

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

The House divided.

Ayes18
Noes22
Majority.....4

AYES

Carter	Maclaren-Jones	Rath (teller)
Fang (teller)	Martin	Roberts
Farlow	Merton	Ruddick
Farraway	Mihailuk	Taylor
Latham	Mitchell	Tudehope
MacDonald	Munro	Ward

NOES

Banasiak	Graham	Mookhey
Borsak	Higginson	Moriarty
Boyd	Houssos	Murphy (teller)
Buttigieg	Hurst	Nanva (teller)
Cohn	Jackson	Primrose
D'Adam	Kaine	Sharpe
Donnelly	Lawrence	Suvaal
Faehrmann		

Motion negatived.

Motions

KATHLEEN FOLBIGG

The PRESIDENT: I welcome into my gallery guests of Ms Sue Higginson and supporters of Kathleen Folbigg, including Tracy Chapman, Ms Folbigg's lifelong friend; Rhanee Rego, Ms Folbigg's lawyer; Brigid Glanville, a respected former staffer, State political reporter and supporter of Ms Folbigg; esteemed human rights and criminal law barrister Felicity Graham; and other supporters of Ms Folbigg.

Ms SUE HIGGINSON (16:27): I move:

(1) That this House notes that:

- (a) in 2003, Kathleen Folbigg was convicted for the murder of three of her children and the manslaughter of her firstborn child;

- (b) Kathleen Folbigg was sentenced to 40 years in prison, which was later reduced on appeal to 30 years with a 25-year non-parole period;
 - (c) Kathleen Folbigg has always maintained her innocence;
 - (d) earlier this month the 2022 inquiry into the convictions of Kathleen Megan Folbigg heard from Counsel Assisting the Inquirer and the Director of Public Prosecutions that in light of the evidence heard at the inquiry, there is reasonable doubt in respect of Ms Folbigg's convictions, meaning she was wrongly convicted;
 - (e) this week marks the grim anniversary of 20 years since Ms Folbigg was sent to prison;
 - (f) Ms Folbigg has suffered in the hands of the State in the New South Wales prison system, having been abused and bashed while held inside;
 - (g) despite the clear and consistent evidence of reasonable doubt in relation to Ms Folbigg's guilt, she is still held in a maximum-security prison; and
 - (h) holding Ms Folbigg for even a day longer is a compounding of the worst of injustices.
- (2) That this House acknowledges:
- (a) the work of Ms Folbigg's friends and supporters who have tirelessly campaigned for her release and supported Ms Folbigg for two decades; and
 - (b) the many women who struggle for justice under a system that too often fails them.
- (3) That this House calls on the Government to:
- (a) issue advice to the Governor to pardon Ms Folbigg immediately; and
 - (b) ensure Ms Folbigg is released without delay.

This motion asks the House to call on the Government to do justice, and to issue advice to the Governor to pardon Kathleen Folbigg immediately and ensure that she is released without delay. It is about acting in the face of the gravest injustice. Kathleen Folbigg is in prison in New South Wales right now, and she should not be. The person who has the power to change that is the Attorney General. Kathleen Folbigg was convicted after being found guilty of charges resulting from the deaths of her four children, which occurred one at a time over 10 years when they were all just babies. Kathleen was sentenced to imprisonment for 40 years, which was reduced on appeal to 30 years with a 25-year non-parole period. She has served 20 years of that sentence.

The legal system is about evidence. A recent inquiry demonstrated that there are natural causes of death for each child, and Kathleen's diaries, which were used against her, are not confessions of murder. That is the view taken by the three counsels assisting the judge. The Director of Public Prosecutions has also confirmed that position. There is now a mountain of evidence that was not presented in the trial of Kathleen Folbigg, nor in subsequent inquiries, that shows there is reasonable doubt as to her guilt and her conviction. I am moving this motion because the Attorney General, as the first law officer of this State, has the power to free Kathleen Folbigg.

It is important to understand the inquiry into Kathleen Folbigg's conviction is a separate process than the one available to the Attorney General. The Attorney General's power to do the right thing is not at all contingent on the written document that will come at the end of an inquiry. The inquiry was ordered by the former Attorney General, Mark Speakman, after he received a petition requesting a pardon from Kathleen's legal team. The inquiry is Mr Speakman's inquiry; it is not Kathleen Folbigg's. She asked for a pardon and is still asking now, and this House must join that call.

The evidence heard at the recent inquiry supports, in no uncertain terms, the position that Kathleen Folbigg has always maintained—that she was wrongfully convicted in 2003. The Attorney General does not need to wait—and nor should he wait—for the written document from the inquiry. It could take the inquiry days, weeks or months to publish the final document. That is how that part of the system works. Written work cannot be rushed. It takes time. It can take weeks and months for all sorts of legitimate reasons. In 2003 Kathleen was convicted after a trial that relied on coincidence and tendency, and it was strongly influenced by a since-discredited Meadow's law—a precept espoused by a controversial paediatrician, Roy Meadow, suggesting that three or more sudden infant deaths in one family was murder until proven otherwise.

The G114R variant in the CALM2 gene, which is predicted to cause lethal cardiac arrhythmias, was found in Ms Folbigg and her two baby daughters. In 2021 a senior paediatric neurologist concluded that Kathleen's baby son likely died of an epileptic seizure. The death of her first baby, Caleb, was always diagnosed as sudden infant death syndrome. He was just 19 days old, and it has been well documented that he was a very unwell baby. We now have compelling psychiatric evidence providing much more honest, unbiased and realistic views of Kathleen's diaries, state of mind and grief at the time. Counsel assisting the inquiry, Sophie Callan, said the overwhelming weight of evidence suggests that Ms Folbigg was a loving and caring mother towards her children. As the judge himself said in the inquiry, there is now a significant body of evidence to suggest reasonable possibilities of identifiable natural causes of death that were not available at the trial.

The Government's Attorney General has the power to act now. He is the only person who is currently keeping Kathleen in prison wrongly. When legal power is vested in someone, they exercise it. It is wrong in all of the circumstances for the Attorney General not to exercise his power right now. Every minute he delays the administration of justice for Kathleen, he offends the very notion of the rule of law. Kathleen is a woman, like Lindy Chamberlain, who has been failed by the criminal justice system. We cannot undo the past 20 years for Kathleen, but we can act here and now. I ask that all members support this motion for Kathleen, for all women and for the people of New South Wales.

The Hon. ROBERT BORSAK (16:32): I add my voice to advocate for the parole or pardon of Kathleen Folbigg, a woman who has spent two decades in jail. The case of Kathleen Folbigg is one that has raised serious doubts and concerns, and it is our duty to ensure that justice is served. We understand that, from the beginning, Kathleen has maintained her innocence and, over the years, scientific evidence has emerged that supports her claims. Recent research has shed new light on the genetics of her family and of her husband suggesting that there may have been alternative explanations for the tragic deaths of her children. The initial guilty verdict was largely based on diary entries that were interpreted as admissions of guilt. However, there were significant issues with how this evidence was treated during the trial. The focus on these diary entries overshadowed the emerging scientific evidence that could have provided a different perspective on the case.

In recent years extensive scientific research has been conducted revealing the presence of genetic variants that could have contributed to the deaths of Kathleen's children. The findings suggested the possibility of natural causes for these tragic losses. Prominent scientists and medical professionals have voiced their support for Kathleen, stating that there is a strong presumption that her children died of natural causes. Furthermore, the trial relied on the discredited Meadow's law, which suggests that multiple sudden infant deaths in one family are evidence of murder. Similar cases in other jurisdictions, such as the United Kingdom, have been overturned due to the flawed reasoning behind this law.

It is crucial to recognise that justice should not only be about punishment but should also be about truth and fairness. Kathleen Folbigg has endured unimaginable grief and suffering as a mother who has lost her children. She has spent two decades in maximum security prisons, largely in confinement for her own safety. I urge all in this place to consider the growing scientific evidence and the bleedingly obvious—that Kathleen Folbigg may have been wrongfully convicted. The Director of Public Prosecutions has said it is open for Mr Bathurst to find reasonable doubt. This is a huge moment. No longer does this State's top prosecutor maintain that Kathleen Folbigg is guilty. It is time for the Attorney General to act. Has he called Tom Bathurst, KC, to see when the report will be handed down?

I think it is appropriate to draw the comparison to the Lindy Chamberlain case. The counsel assisting with the inquiry and the Director of Public Prosecutions said there is reasonable doubt—yes, reasonable doubt. This was Kathleen Folbigg's matinee jacket moment. Lindy was released with a pardon within a week; Kathleen Folbigg remains in jail. Granting Kathleen her parole or a pardon would not only acknowledge the potential miscarriage of justice but also allow her to reclaim her life and begin to heal from the immense pain she has endured. No-one needs to be reminded that our justice system should be guided by truth, reason and compassion. It is our duty to ensure that Kathleen Folbigg receives a fair and just outcome as soon as possible.

The Hon. DANIEL MOOKHEY (Treasurer) (16:35): I move:

That the question be amended as follows:

- (1) In paragraph (1) (d) omit "and the Director of Public Prosecutions" and "meaning she was wrongly convicted".
- (2) In paragraph (1) (e) omit "grim".
- (3) In paragraph (1) (f) omit " in the hands of the State" and "having been abused and bashed while held inside".
- (4) Omit paragraphs (1) (g) and (1) (h).
- (5) In paragraph (2) (a) omit "the work of Ms Folbigg's friends and supporters who" and insert instead "that a group of Ms Folbigg's friends and supporters".
- (6) Omit paragraph (2) (b) and insert instead:
 - (b) challenges faced by women in the justice system.
- (7) Omit paragraph (3) and insert instead:
 - (3) That this House calls on the Government to act in this matter appropriately as soon as practicable.

I represent the Attorney General in this place and will therefore be representing the Government in this debate. I want to acknowledge the presence in the gallery of persons associated with Kathleen Folbigg. The Government is supportive of a constructive discussion with respect to the Kathleen Folbigg matter. The Government is willing to support this motion in an amended form. I am advised that the following matter is incredibly serious. In 2003

Ms Folbigg was convicted of the manslaughter of her first child, Caleb, and the murders of her first three children, Patrick, Sarah and Laura, and of maliciously inflicting grievous bodily harm on Patrick. Ms Folbigg was initially sentenced to 40 years imprisonment with a non-parole period of 30 years. On appeal this was reduced to 30 years with a non-parole period of 25 years. Ms Folbigg has maintained her innocence claiming the four children died of natural causes.

The Government acknowledges that there is significant community interest in this case. Legal and scientific discourse has been extensive and there are significant evidentiary complexities connected with this matter. The Government is pleased with the progress of the most recent inquiry conducted by the Hon. Thomas Bathurst, KC. In respect of the motion, I acknowledge the member who moved it and thank her for raising the matter in this place. It is clear that the Government has an imperative to act with care and diligence in this matter given the gravity of the circumstances.

In May 2022 the former Attorney General recommended the Governor establish a detailed inquiry process upon which this matter could be considered. The Government is supportive of that course of action. The Folbigg matter has been subject to extensive judicial consideration. In 2005 Ms Folbigg appealed her convictions to the Court of Criminal Appeal. The appeal was dismissed. She made an application for special leave to appeal the decision in the High Court of Australia, which was also dismissed. In 2007 Ms Folbigg was granted leave to reopen her appeal in the court of criminal appeal and that the appeal was also dismissed.

I seek leave to speak for an additional two minutes.

Leave granted.

The Hon. DANIEL MOOKHEY: I thank the House. In 2007 Ms Folbigg was granted leave to reopen her appeal in the Court of Criminal Appeal and that appeal was dismissed. In February 2021 Ms Folbigg applied to the Court of Appeal for judicial review of the findings in the first judicial inquiry regarding her case, seeking to have the report quashed or the findings in the report declared legally flawed. The court dismissed the application. It would not be prudent for the Attorney General to make a determination with respect to the Folbigg case in advance of receiving advice or findings from the inquiry, given the previous extensive judicial consideration and the breadth of technical, scientific and legal evidence being considered.

The Government amendments to the motion reflect that position. However, the Government acknowledges that there is a need for urgency. We wish to ensure that our amendments reflect the significance of this matter and provide assurance to all affected parties that the Government has heard and is listening to the calls for action, and will work to make a determination on Ms Folbigg's applications as soon as is practicable. The proper administration of justice is a central belief of the New South Wales Government. The Attorney General will ensure that significant matters are dealt with, with proper diligence and proper consideration. We all agree that the rule of law is the bedrock foundation of our democratic system of government and must be upheld. To do so, we need to carefully and thoroughly consider the evidence and findings. Once received, the Attorney General and the Government will consider them promptly.

The Hon. ROD ROBERTS (16:40): On behalf of One Nation I indicate that we will not support the motion moved by Ms Sue Higginson. However, if the Government amendments are carried, we will support the amended motion. In 2003 Kathleen Folbigg was convicted of the murder of three of her children and the manslaughter of a fourth child. She was subsequently sentenced to 40 years' imprisonment. Folbigg exercised her right of appeal. The conviction stood by her sentence. It was reduced, though, to 30 years with 25 years' non-parole period.

In 2019, following the petitioning by the legal representatives of Mrs Folbigg, His Honour Reg Blanch, AM, KC, conducted an inquiry into the convictions. In his report, his Honour said, "the investigations of the inquiry have produced evidence which reinforces Ms Folbigg's guilt" and that he does not have "any reasonable doubt as to the guilt of Kathleen Megan Folbigg for the offences of which she was convicted". During the Blanch inquiry, Folbigg was represented by senior counsel and the inquiry heard expert evidence about advances in forensic pathology, genetics, neurology, immunology and the understanding of sudden infant death syndrome since her trial in 2003. The inquiry heard from 16 expert witnesses. His Honour Judge Blanch, as indicated previously, could form no reasonable doubt as to the guilt of Folbigg.

Fast-forward to today and we have yet another inquiry, this time conducted by former Chief Justice Tom Bathurst. This inquiry has heard from a number of experts. Those experts have told the inquiry that Folbigg's daughters "may" have died as a result of a genetic mutation that "may" have caused cardiac arrhythmias—irregular heart rhythms—and sudden, unexpected death. But the experts are divided. Dr Dominic Abrams, from the Cardiovascular Genetics Center at Boston Children's Hospital gave evidence that "whilst a cardiac arrhythmia related to the ... [genetic] variant cannot be definitively excluded, I believe the likelihood this was responsible for

the deaths of Sarah and Laura is low". We must remember that none of the evidence taken at the inquiry proves Kathleen Folbigg is innocent of the charges; it merely creates a reasonable doubt.

We have a conflict between the experts, which is not unusual in law. Notwithstanding that, many people—including Ms Higginson—are calling for the Attorney General to advise the Governor to issue a pardon under section 76 of the Crimes (Appeal and Review) Act 2001 or for the Governor to make a parole order under section 160AD of the Crimes (Administration of Sentences) Act 1999. It is fundamentally wrong for the Parliament, via the Executive, to interfere with the judiciary. The rule of law and the separation of powers should be maintained at all times. His Honour Tom Bathurst is a highly experienced jurist, who will produce a thorough report. After taking into account the totality of the evidence rather than snippets reported in the media, the report will be completed, and only then should the Attorney General take the action that may be deemed appropriate. The law and its operation is not a plaything for members of Parliament. Only the judiciary is charged with the responsibility of the application of the law. It should be left unfettered to do its job without interference from the Government. The independence of the judiciary relies on it.

The Hon. EMMA HURST (16:43): On behalf of the Animal Justice Party, I speak in support of the motion. In 2003, Kathleen Folbigg was convicted of three counts of murder and one count of manslaughter as a result of the death of her four infant children: Caleb, Patrick, Sarah and Laura. She is currently serving a 30-year sentence in a maximum-security prison. Despite decades of incarceration and intense public condemnation, Kathleen Folbigg has always maintained her innocence. Since 2021, more than 150 scientists have signed a petition calling for Ms Folbigg's release, which led to a 2022 judicial inquiry. It has been found that two of Ms Folbigg's daughters had a variant of the CALM2 gene, which often causes life-threatening cardiac arrhythmias, and her two boys carried a variant of a gene called BSN, which is associated with severe epilepsy and neurodevelopmental delay. In other words, it is likely that the children died of natural causes.

Counsel assisting the inquiry and the Director of Public Prosecutions both concluded that, based on the new evidence received, there is reasonable doubt about Kathleen Folbigg's conviction, meaning her conviction is no longer valid. A criminal case has to be proved beyond reasonable doubt. In light of the new evidence, that simply has not been met. It is devastating to think that someone could lose four children and be sent to jail for murder while innocent. No wrongfully convicted person should remain in our prisons. It is an enormous miscarriage of justice and one that should be rectified as soon as possible.

While Ms Folbigg could potentially be pardoned or released via an inquiry process, there is significant uncertainty about how soon that can happen and reports say that Ms Folbigg is not coping in incarceration. That is why we support the motion that calls on the Government—more specifically, the Attorney General—to issue advice to the Governor to pardon Kathleen Folbigg immediately. I also thank Ms Sue Higginson for bringing this important matter to the House and for her work advocating for women who have been failed by the criminal justice system. I commend the motion to the House.

The Hon. BRONNIE TAYLOR (16:45): I speak on the motion before the House and also thank Ms Sue Higginson for moving the motion and for her advocacy today. The legal complications and challenges of this motion have been mentioned a lot. We have a lot of lawyers in this House, and I will leave that to them because I do not have a law degree. I commend some people who are in the gallery today. Tracy Chapman is Kathleen's lifelong friend and staunch advocate. What she has done for her friend is admirable and courageous. I respect what she has done and I take my hat off to her. She is an amazing human being and it has been an absolute privilege to meet her today. Kathleen's lawyer, Rhance Rego, is also in the gallery. She has worked for Kathleen for six years pro bono. That means a lot. I offer my congratulations to her. It is amazing to be talented enough to have a law degree and to use that for the forces of good.

A lot has changed in 20 years not just in technology and science but also in our approach to mental health and the treatment of women. Advances in science have allowed the legal system to understand precise natural causes of death for the Folbigg children. The new scientific evidence is vitally important, but it is only one part of the story. At the 2003 trial a handful of words were cherry-picked from the more than 50,000 words Kathleen Folbigg had written in her diaries over 10 years. No expert witnesses appearing at the trial had analysed those diaries. The recent inquiry had 10 experts, which included three independent psychiatrists and psychologists engaged by the inquiry, to review those diaries. They all shared the view that those diaries are not confessions of murder.

As Sophie Callan, SC, the lead counsel assisting the inquiry, said in written submissions, "the weight of the evidence tends to suggest that Ms Folbigg was in general, a loving and caring mother towards her children". At that inquiry, counsel assisting and the Director of Public Prosecutions both agreed that there is reasonable doubt about Kathleen Folbigg's convictions. As a society, we have come a long way in understanding mental health, post-traumatic stress disorder, maternal grief, trauma and depression. Those once stigmatised topics were not discussed much two decades ago; they were certainly not discussed as openly as they are now. It is important

that we reflect on this long case and that we look at the treatment of this grieving mother. She did not cry openly; therefore, in the public's eye, she must be guilty? But we now know that trauma affects everybody differently. Not showing overt or public signs of grief does not mean someone does not feel the same loss as another person. It simply means that we all grieve differently. Kathleen Folbigg was grieving for the loss of her four babies.

I seek an extension of 30 seconds.

Leave granted.

The Hon. BRONNIE TAYLOR: I thank the House for its indulgence. I respect that the Attorney General has decided to wait for the report of Tom Bathurst, KC. But I urge the Attorney General to act immediately when he receives the report to pardon Kathleen Folbigg because every day in prison is a day too long. I give a big shout-out to the amazing Brigid Glanville, who is here today. Her history does not need any exaggeration from me, but her pro bono advocacy in this case should be commended.

The Hon. STEPHEN LAWRENCE (16:49): I speak in support of the amendment and the Government's position on the motion. I can hardly underestimate the significance of this issue. In my opinion, it is the most significant development in the criminal justice system in New South Wales in living memory. The horror of what we are dealing with can scarcely be understated: the horror of the death of four children; the horror of the prospect of the murder or manslaughter of children; the prospect of the death of four children by natural causes; and, perhaps most importantly, in light of the concessions that have been made at the inquiry, the prospect of a person losing four children and then being wrongly convicted of the intentional homicide of those children. It is perhaps those horrors that make this case quite difficult to engage with on a human level, but it must be engaged with.

The ancient powers that exist now, in part in statute, to parole or pardon are aspects of the prerogative of mercy. They are important powers, and the Chamberlain case shows how crucial it is that the repository of those powers always stand ready to exercise them. It is relevant to recall that Lindy Chamberlain was released on licence or parole prior to the second royal commission and prior to her ultimate pardoning and acquittal. It is relevant to note, too, that Tom Bathurst is not sitting in this inquiry as a member of the judicial arm of government. He is sitting as a member of the administrative arm. It is relevant to note that in the inquiry Tom Bathurst had cause to mention that these powers were independent of the powers that he exercises. It is important to reflect on the role of the Director of Public Prosecutions [DPP] and counsel assisting.

I played the role of counsel assisting in a number of coronial inquiries. The person playing that special role confers with the inquirer on a regular basis. They plan lines of questioning and they help to write the judgement. Of course, the DPP plays the role of contradictor in those proceedings, in a sense, but it is the prosecutor in an adversarial system of criminal justice. The significance of the DPP concession in that inquiry can hardly be overstated. It would be the contradictor in any future appeal proceedings. So what can we ask of the Attorney General? Well, we certainly cannot put undue pressure on him or prejudge those decisions that are his to make. All I would suggest we can ask of the Attorney General is that he is ready to exercise his powers at any time, that he does not delegate the exercise of his powers constructively to any other person, and that he stands ready as the repository of those powers to give mercy, if mercy is warranted, upon the engagement with the issues, facts and evidence. [*Time expired.*]

The Hon. NATALIE WARD (16:52): I speak on behalf of the Opposition. I thank Ms Sue Higginson for bringing the motion before the House. I know she does so with great intent and diligence. I acknowledge the supporters of Kathleen Folbigg in the President's gallery and their relentless, tireless devotion to their friend. I also acknowledge the loss of those precious children. The loss of children in any circumstance is devastating. I know that all members come to this place with genuine intent to see the right thing done. I mourn for those children, for their mother and for their family.

I indicate that I am aware of the Government's proposed amendments to the motion. At the outset, I indicate that the Opposition will be supportive of those amendments and, should they be successful, of the amended motion. I put on record a couple of things, given that the matter came before the previous Government and the previous Attorney General, who is now Leader of the Opposition. The Opposition believes in the rule of law and the right to due process within the criminal justice system in New South Wales and across Australia. It is a foundation of our democracy. As an inquiry is underway, I am hesitant to comment directly on the specific components of it. As the Hon. Bronnie Taylor said, there are too many lawyers in this place as it is, so I will leave it to them—I merely hold a practising certificate.

The Opposition is aware of the immediate coverage surrounding the inquiry. I note that the previous Government instigated the inquiry as its members believed the case should be seen through. In May 2022, when the then Attorney General recommended that the Governor appoint retired Chief Justice the Hon. Tom Bathurst,

AC, KC, to conduct a second inquiry into Ms Folbigg's conviction, we did so in the belief of that process coming to a view, and that a transparent, public and fair process can provide a just resolution.

I seek an extension of time.

Leave granted.

The Hon. NATALIE WARD: As the then Attorney General indicated at the time, Ms Folbigg's legal representatives contended that the new scientific evidence was compelling. I am advised that the 2021 petition raised new scientific material, published since the first inquiry into the convictions. We note that the new material concerns developments in the scientific understanding—forgive my explanation—of the CALM2 genetic variant found in Ms Folbigg and her two daughters, Sarah and Laura. The new scientific material predicts that the CALM2 genetic variant in question causes disease and that carriers of it are prone to cardiac arrhythmias, which can cause cardiac arrest during sleep.

The new scientific material and the implications it has for Ms Folbigg's case are complex and must be carefully and thoroughly scrutinised by appropriately qualified experts and investigated in the context of her case. But we know that she has been unsuccessful in numerous public proceedings to date. There is a need for fairness and transparency in that process. Against that backdrop, the then Attorney General explained that it would not be appropriate for the Governor to grant a pardon or, for example, for the Governor or Attorney General to receive private briefings from experts with a view to considering granting a pardon without that evidence being properly scrutinised independently and in a public forum. At the conclusion of Mr Bathurst's inquiry, a report will be prepared and the outcome of that will be a matter for the judicial officer—in this case, Mr Bathurst.

The Crimes (Appeal and Review) Act sets out the actions that may be taken on completion of an inquiry, and they involve a review of conviction under the Crimes (Appeal and Review) Act. If the judicial officer who conducts the inquiry finds there to be no reasonable doubt as to the convicted person's guilt, then a report will be provided to the Governor and the Governor may then dispose of the matter by taking no further action. If the judicial officer who conducts the inquiry finds there is reasonable doubt as to the convicted person's guilt, then the judicial officer can refer the matter to the Court of Criminal Appeal. That court, in considering a report received by it from the inquiry, has the power to quash that conviction and grant the convicted person an acquittal. In either case, the Governor can grant a convicted person a free pardon.

A free pardon has the effect of relieving a convicted person of the consequences of their conviction, so they would not be required to serve any remaining time on their sentence. However, that does not mean the conviction is quashed. If there has been an inquiry, then a convicted person who has been granted a free pardon can apply to the Court of Criminal Appeal for it to be quashed. Nonetheless, guilt, innocence and the matter of custodial sentences are extremely serious matters. We support the view of the new Government to look at this matter very closely and consider whether there is something it can do more urgently than that process, given appropriate advice. In circumstances where the Government is being called on to act appropriately and as soon as practicable, if those amendments are successful then we will absolutely support them and support the amended motion.

Ms SUE HIGGINSON (16:58): In reply: I thank the Hon. Robert Borsak in particular for his contribution. I thank the Hon. Daniel Mookhey, the Hon. Rod Roberts, the Hon. Emma Hurst and the Hon. Bronnie Taylor. I thank The Hon. Stephen Lawrence for that incredible insight into the role of counsel assisting an inquiry and the role of an inquiry. I thank the Hon. Natalie Ward for her contribution. The conflation of what is happening here astounds me. It is not a judicial inquiry that is being undertaken; it is an administrative function. It is a completely separate process to the plea and the petition and what Kathleen Folbigg's legal team has been asking for. They are asking for a pardon and immediate release.

The Attorney General has the power; he is the leading law officer of this State. He is the only person who stands between justice and the gravest injustice we know of in a rule of law system—a democracy; a functioning system. We are talking about the wrongful incarceration of a 55-year-old woman who has spent 20 years in prison and is now going to spend more time in prison. The Attorney General has the power to look at the volume of evidence. After reading every single word, going through every volume and looking at every transcript, it is very difficult to sleep at night knowing that she is still in prison. I have read every single word. I am a lawyer. Every single member in this House should support the motion unamended. The Greens will accept and work with the fact that even though the motion will be amended, it still provides some serious leverage. We will not stop our pleas directly to the Attorney General to do the right thing.

This State deserves an Attorney General who is willing to engage in the law and the systems before him or her, and they should do the right thing by justice. If the Attorney General does not have a justice bone in their body, then they should not be the Attorney General. That is the role of the first legal officer of this State. A woman

is in prison and, on the face of all the expertise, she is there in spite of a very basic fundamental legal premise. There is reasonable doubt as to her guilt and her conviction. We are waiting for one more man to put pen to paper to say the very things that have already been said. The Attorney General's power does not rest on that. Please support the motion unamended.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Ms Sue Higginson has moved a motion, to which the Hon. Daniel Mookhey has moved an amendment. The question is the amendment be agreed to.

The House divided.

Ayes31
Noes8
Majority.....23

AYES

Buttigieg	Latham	Munro
Carter	Lawrence	Murphy
D'Adam	MacDonald	Nanva (teller)
Donnelly	Maclaren-Jones	Rath (teller)
Fang	Martin	Roberts
Farlow	Merton	Sharpe
Farraway	Mihailuk	Suvaal
Graham	Mitchell	Taylor
Houssos	Mookhey	Tudehope
Jackson	Moriarty	Ward
Kaine		

NOES

Banasiak	Cohn	Hurst
Borsak (teller)	Faehrmann (teller)	Ruddick
Boyd	Higginson	

Amendment agreed to.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The question now is that the motion as amended be agreed to.

Motion as amended agreed to.

Bills

PROPERTY SERVICES COUNCIL BILL 2023

First Reading

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

Second Reading Speech

The Hon. MARK BANASIAK (17:11): I move:

That this bill be now read a second time.

It is an honour to introduce the Property Services Council Bill 2023 to the House. This is the second occasion on which I have introduced a bill proposing reforms to the property services industry in New South Wales. On 24 October 2019 I introduced the Real Estate Services Council Bill 2019. While I am aware that the Government gave the industry a commitment prior to the election that it would establish a property services commissioner as set out in the bill, it was the Shooters, Fishers and Farmers Party that commenced the legislative reform of the State's biggest industry. Accordingly, it is fitting that we once again start the process. This important piece of legislation largely replicates the Real Estate Services Council Bill 2019; however, the bill now enjoys the benefit of the amendments moved by Labor as a condition of its support for the 2019 bill. I thank the Hon. Daniel Mookhey for his contribution to that debate. I also thank Ms Yasmin Catley and Ms Julia Finn for their contributions to the 2019 bill in the other place.

It is said that real estate is the world's longest conversation. It is no more so than in New South Wales—particularly in Sydney. It is difficult to watch the news, get a haircut, enjoy a social gathering with friends or take

a taxi ride without property prices and the rental market entering the conversation. The residential real estate industry alone generates \$118 billion annually, bigger than the New South Wales mining, retail and tourism industries combined. Property transfer duty—sometimes called stamp duty—contributes well over \$10 billion every year to the New South Wales Government and to this we can also add land tax. The property industry and those that serve it are clearly doing their bit for the State. The question is are we?

From a housing, economic, and housing and tax revenue perspective, everyone in New South Wales is a stakeholder in real estate. Our relationship with real estate is often colloquially termed as "from the cradle to the grave". It is therefore paramount that the property industry is prosperous. We know that markets perform at their best when consumers have confidence. A key driver of market confidence is transactional hygiene and transparency, but it will not come as a surprise that there is work to be done to improve that consumer confidence. In fact, members of the previous Government were happy to actively erode that consumer confidence in the misguided view that doing so somehow elevated their own standing in the community. For most of us buying a home is the biggest acquisition we will ever make. It is an extremely stressful and emotionally draining process so purchasers and vendors want to be confident that their service providers are competently regulated and properly educated, as well as that they observe professional conduct standards.

The 2019 bill addressed those issues but, sadly, for reasons that allude me, the Coalition falsely represented the purpose of and the powers granted by the 2019 bill. The Coalition alleged that the operative sections of the bill granted industry self-determination and removed ministerial control. Both allegations were patently wrong, of which I am in no doubt that the Coalition was fully aware. Despite the Coalition's efforts, after receiving the requisite support in this House the 2019 bill went to the other place for further debate. Unfortunately for New South Wales consumers and the industry, the Coalition persisted with its false narrative and, with its superior numbers in the other place, it was able to defeat the bill. It is clearly important when considering legislative activity to ask several questions. Firstly, why should Parliament invoke its legislative powers—what problem is it seeking to solve? Secondly, will the proposed legislative activity adequately address those issues? Finally, and in the interest of not repeating the mistakes of the past, what caused the problem? I will answer all those questions.

The journey that led me here today has been extensive. Both the Hon. Robert Borsak and I have undertaken a deep dive into the industry and completed significant due diligence to craft the solution I put before the House today. Many members will recall when the Hon. Robert Borsak alerted the House on 24 October 2018 to some of the issues within the property services industry. If anyone doubts the importance of this bill, I suggest they ask an aspiring first home buyer or someone trying to acquire a rental property for their opinion. There are serious problems with the New South Wales property market, particularly the residential market. Put bluntly, New South Wales does not have enough housing, much less affordable housing. If the past 10 years has taught us anything, it is that ignoring the problem, attempting to assign blame to other stakeholders and seeking the community's gratitude for dealing with only its symptoms has not worked. As we debate the bill, keep in mind that we are dealing with one of the three non-negotiable needs for human existence. Along with food and water, humans need shelter.

I accept that the bill on its own will not solve the housing problem. However, that journey must start somewhere and, with the support of the House, it can start today. I believe history to be a great teacher. Prior to 2002 the Real Estate Services Council Act 1990 was operative. Readers of the 1990 Act will quickly discover that it bears a distinct resemblance to this bill. That is not an accident. The 1990 Act was repealed in 2002 at a time when the property services industry, along with numerous other industries, was clustered under one regulatory authority, NSW Fair Trading. At that time I suspect the move would have been attractive from a cost saving perspective, but unfortunately the experiment failed. The Property Services Council Bill 2023 merely returns the property services industry to the regulatory environment that worked. Expressed colloquially, it is a "back to the future" bill, so let's dust off the DeLorean.

I challenge members to think of an asset class that has greater community significance, involves more money and is more transactionally complex than property. It is no place for a regulatory authority who fields complaints about broken toasters and kettles. New South Wales property consumers—that means all of us—have the reasonable expectation that the property services industry will be supported and supervised by experts in the field. NSW Fair Trading is a regulator for high frequency, small dollar value transactions with minimal legal complexity. Property transactions are low frequency, always involve large sums of money and occur within a very complex legal environment. By way of example the following industries are within the remit of NSW Fair Trading: motor repairers, pawn brokers, second-hand dealers, hairdressers, tattooists and tow-truck drivers.

The previous Government pursued an adversarial relationship with the industry. It appeared incapable of referring to the industry without the use of terms like "dodgy". Fair Trading and the previous Government constantly reminded the community of underquoting and the compliance "blitzes" it conducted. Both were keen to publish the fines and penalties issued. I ask members to consider whether that was for the benefit of consumers

or political grandstanding. I have not undertaken any specific research, so I do not know how prevalent the offence of underquoting is. Nonetheless, let us assume that it is as big a problem as Fair Trading wants us to believe. With that in mind, we know that Fair Trading has been trying to solve the problem for over 20 years. Therefore, the question for members is whether we implement change or hope that the use of the same unsuccessful strategies for the past 20 years will miraculously solve the problem.

Let me be clear: All industries have people within their ranks who do the wrong thing. The property services industry is no exception. On reflection, it would not surprise members to know that the people in the community who detest bad agent behaviour more than anyone else are the good agents, because the good agents, who have been reaching out for government support, get tarred with the same brush. When an industry wants to improve itself, why would Parliament not assist? As part of my research, I examined the second reading speech of the Property, Stock and Business Agents Bill 2001 by the then Minister for Fair Trading, John Aquilina. The bill, having received the required support and satisfying all other necessary requirements, is now known as the Property and Stock Agents Act 2002.

Unfortunately, in light of what I am about to report, we must acknowledge reluctantly that the Act has not delivered the outcomes that Parliament intended and, therefore, on consumer expectations. During the bill's second reading speech, Minister Aquilina made several specific observations and predictions relating to the positive impact the bill would have for the consumer and property services industry. He said:

The bill will simplify the licence application process, improve industry standards, and lighten the regulatory burden for licensees.

...

... the core proposals: the introduction of competency standards, mandatory continuing professional education, and professional indemnity insurance.

...

By ensuring that those who are granted a licence or certificate of registration demonstrate certain levels of competency, consumers are protected, consumer confidence is boosted, vocational professionalism is increased, and an economically efficient property sector ensues.

...

The bill also enables the renewal of a licence or certificate of registration on condition that licence holders undertake continuing professional development each year. Licensees and certificate holders, like many others in business, need a wide range of skills to competently perform their functions. Equally, they need to keep abreast of changes and developments in their fields of competence. Continuing professional development recognises the changing nature of the marketplace, and provides flexibility to educate property professionals in the special competencies needed in relation to the licence and certificate categories under the Act. Continuing professional development could cover topics such as law and technology changes, ethics, dispute resolution and business management.

...

In addition to competency and continuing professional development requirements, the bill enables the director-general to require a licensee to hold a policy of professional indemnity insurance that meets certain minimum conditions.

I will now examine each of those items in turn. The first is the education required to enter the property services industry in New South Wales. In 2002 Fair Trading set the required education at less than a week. Industry fought successfully for increased education and experience as a precondition for entry into the industry. However, that win is largely symbolic. There exists in the market very aggressive competition between registered training organisations to deliver the education faster and cheaper. As usual, the data speaks to those who listen. Eighty per cent of people entering the industry leave in the first 12 months. By any standards that is appalling. Why? The answer is simple. New entrants to the industry have not been equipped with the knowledge and skills needed to respond to the demands of practice. Governments have failed the person wanting a career in real estate and exposed the consumer to risk. Prior to the Property and Stock Agents Act 2002, a person seeking a career in real estate had to attend TAFE for three years part time while gaining on-the-job experience. As the complexity of real estate underwent a parabolic shift northward, the education requirements went proportionally south.

I say without fear of contradiction that the current education and training standards in the industry do not reflect the Parliament's intent. Industry has relentlessly lobbied Fair Trading to demand higher standards from registered training organisations. Fair Trading has refused, saying that the regulation of registered training organisations vests with the Australian Skills Quality Authority. While that is true, for a body to be aware of such a serious problem within an industry under its regulatory control and not pursue the matter with the regulator does not shower Fair Trading in glory. It has adopted the Scott Morrison response of "not my job, mate".

I will move to continuing professional development [CPD], which is recognised by numerous professions and industries as essential to keeping service providers abreast of developments in their industry. Those matters include emerging technology, new legislative instruments and identified areas of weakness with regulatory compliance. There is currently a requirement for agents to undertake four hours of CPD as a condition precedent

to renewing their licence. The quality of CPD in the market is extremely poor. CPD providers pitch themselves as cheap and fast. Online CPD is particularly poor, where agents can complete the training very quickly or, alternatively, have someone else do it for them—typically an office admin or receptionist. The Real Estate Institute of New South Wales videoed one of its employees doing an online CPD course from one of these providers. The employee completed the required four hours of CPD training in just 3½ minutes. The institute sent the video to Fair Trading, requesting action. Fair Trading responded by including that registered training organisation on the list of approved providers published on its website.

It was unquestionably Parliament's intention that real estate agents should receive relevant and quality CPD, and that the regulatory authority, Fair Trading, would police the matter. Fair Trading has, by the absence of any activity in this important area, determined that CPD is unnecessary. However, given the legislative requirement imposed by Parliament, Fair Trading has adopted a perfunctory strategy. The Independent Pricing and Regulatory Tribunal recently recommended dispensing with CPD, considering it an unnecessary impost on business. The Real Estate Institute also recommended abolishing the requirement, but for completely different reasons.

While the institute is a strong advocate of relevant and quality CPD, equally it does not see the point of its agents doing their CPD in 3½ minutes. Industry pleaded with the previous Government to establish a dedicated property services commissioner. In response, the then Minister for Innovation and Better Regulation, Victor Dominello, established the Real Estate Reference Group. In the opinion of industry, the group was established by Minister Dominello to create a forum within which industry could make a genuine contribution and achieve positive reform. However, Fair Trading saw it as a means of maintaining the status quo and keeping industry quiet with meaningless meetings and agendas.

I have not discussed in any detail the workings of the Real Estate Reference Group. However, I can assure members that, from what has been reported to me, it is not the proudest performance of the public service. Ultimately, industry walked away from the group and the forum was disbanded. Industry once again lobbied for its own dedicated commissioner. Former Minister for Innovation and Better Regulation Kevin Anderson established an expert panel to replicate the Real Estate Reference Group. The Real Estate Institute is of the view that the reference group and the expert panel are forums designed to house industry and provide Fair Trading with the ability to demonstrate to government that it is working cooperatively with industry. Industry has repeatedly petitioned Fair Trading to join with it in a variety of industry-based educational programs. Included in those proposed activities are consumer events designed to assist consumers with property transactional decisions. Fair Trading has refused to engage with those proposed programs, a decision again contrary to Parliament's intention. In fact, Parliament made specific provision in the Property and Stock Agents Act 2002 to fund such events.

Despite an extremely unproductive environment created by Fair Trading, industry continues to make an enormous contribution to the development of regulatory controls and legislative instruments. Most recently, the Real Estate Institute of New South Wales residential property management committee provided a submission to assist the Minister with rent bidding. If the Government had to pay for that kind of expert consultancy, it would come at considerable cost. However, it is provided freely and acknowledged begrudgingly. Industry regularly sees itself as the panacea for misguided and ill-informed policy drivers at Fair Trading. Rescuing the consumer from Fair Trading is a costly and time-consuming activity that industry provides freely. In relation to other instances for consultation, industry is confident that its involvement is perfunctory only. The decisions have already been determined. The ruse of industry's participation enables Fair Trading to report to the Minister that a consultative process was followed.

I say in conclusion before turning to the bill: What I have spoken about today in relation to Fair Trading's lack of competency to regulate this important industry is not an exhaustive discussion. Much more could be said and numerous examples could be provided. However, I think I have sufficiently articulated the case for legislative intervention. Members will have noted that the bill is not large by comparison with other bills that come before the House. The reason for this is simple: Despite the issues being serious and widespread, the solution is comparatively easy. The Property and Stock Agents Act 2002—the principal legislative instrument regulating the property services industry—would benefit from a review, as all legislative instruments require in these times of constant disruption. However, that Act is not the primary concern. Accordingly, it will remain largely unchanged. The fundamental issue is the competency of the current regulatory authority.

At its heart the bill has two independent although interwoven parts. Firstly, it provides for the creation of the property services council. The council comprises an industry educator, consumer and industry representatives along with the regulator. The council is a forum within which all stakeholders can make a genuine contribution to the betterment of the industry. The council is charged with advising the Minister on matters such as consumer protection, agent education and training, refinements to the regulatory architecture and public information programs. Secondly, the bill establishes the office of the property services commissioner. The commissioner will

have deep industry knowledge and will be exclusively focused on the regulatory controls for the property services industry as set out in the Property and Stock Agents Act 2002.

This bill will bring to life the consumer, market and industry benefits intended by Parliament. With the assistance and cooperation of industry, the commissioner will use technology to have a window into many of the activities of the industry. In many instances, this will be in real time. The commissioner will collect data and target specific areas of compliance weakness from both a geographic perspective and regarding specific issues identified more broadly. Regulation will be evidence based—collect the data, analyse same and address the problem. Similarly, continuing professional development will be designed and delivered to address specific issues identified from the data.

Members have a choice to leave the State's biggest and most important industry with the same people we turn to when our kettle does not work properly or, alternatively, place it under the control of a dedicated and industry-experienced regulator who will work cooperatively and constructively with industry, protect consumers and support industry to deliver high-quality consumer outcomes. In closing, I express my thanks to the hardworking team in my office. The long hours they have put in have made these reforms possible. Additionally, it would be remiss of me not to recognise Parliamentary Counsel's efforts. I firmly believe that consumers have the right to expect high-quality and professional services from the property services industry. That is what I intend to bring about by introducing this bill. I commend the bill to the House.

Debate adjourned.

Committees

PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT

Chair and Deputy Chair

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I inform the House that at a meeting held this day Ms Sue Higginson was elected Chair of Portfolio Committee No. 7 - Planning and Environment. The Hon. John Ruddick was elected Deputy Chair.

Documents

AUDITOR-GENERAL

Reports

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): According to the Government Sector Audit Act 1983, I announce receipt of a financial audit report of the Auditor-General entitled *Universities 2022*, dated 31 May 2023.

Bills

INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (VALIDATION) BILL 2023

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. Rod Roberts.

Second Reading Speech

The Hon. ROD ROBERTS (17:34): I move:

That this bill be now read a second time.

Most members who introduce a bill to this House commence with the words, "It gives me great pleasure to introduce this bill." It gives me no pleasure indeed to introduce the Independent Commission Against Corruption Amendment (Validation) Bill 2023. I say that because the alert amongst us will recall that I introduced this bill towards the end of the previous parliamentary term. However, for various reasons, the bill lapsed when the Parliament was prorogued. In continuing the fight to right a terrible injustice, today I reintroduce the bill.

The bill is quite simple in its endeavours, but it is extremely important and necessary in righting a wrong. It sets out to rectify an abuse of process—an abuse of the law—that has affected New South Wales citizens. I am talking about only a small number of people whom I will detail shortly. Nevertheless, although it may be a small number of citizens, it is a large stain on this Parliament and the justice system. This injustice has been allowed to fester for far too long and the affected parties deserve to have this rectified. I present this bill to the Chamber to restore the rights and, more importantly, the reputation of wronged individuals. I was forced in the original instance to introduce a similar bill in the previous Parliament because the then Liberal-Nationals Government

dragged its heels in relation to this matter, despite giving undertakings in this Chamber that Cabinet would give the matter serious consideration. I will address the issue of the former Government later in this speech.

Members may recall that the Committee on the Independent Commission Against Corruption, of which I was a member, made a number of recommendations in report No. 4/57 entitled *Reputational impact on an individual being adversely named in the ICAC's investigations*, dated November 2021. As its name suggests, the inquiry was into the impact that individuals suffer if adversely named in an Independent Commission Against Corruption inquiry. The takeaway words there are "adversely named", not "found to have behaved corruptly". It was an extensive inquiry and heard evidence from a vast and diverse range of witnesses. It is extremely important at this juncture to indicate that the findings of the final report were unanimous amongst committee members from the Liberal Party, The Nationals, the Labor Party, The Greens and me, representing One Nation. Recommendation 7 of that unanimous report stated:

That the *Independent Commission Against Corruption Amendment (Validation) Act 2015* be amended to put the persons named in the correspondence from the Crown Solicitor dated 23 April 2015 in the same position they would have been in on 8 May 2015 (the date set for the Court of Appeal proceeding) had the *Validation Act* not applied to them.

It is prudent at this point to indicate that this bill is not an attack on the ICAC itself, in particular, those who have been charged with the responsibility of conducting inquiries since 2016. I am sure members of this Chamber support and encourage, as I do, a strong and robust ICAC. To understand what this all means we must go back in time and look at the result of the High Court of Australia decision in the matter of *Independent Commission Against Corruption v Cunneen* [2015] HCA 14. In short, in the Cunneen matter the High Court of Australia—the highest court in this land—found that the ICAC had misinterpreted the definition of "corrupt conduct". The High Court's decision threw into doubt earlier ICAC corrupt conduct findings where the wrongful interpretation had been used and applied. That decision was handed down on 15 April 2015.

As a result of the finding, the ICAC requested that the government of the day amend the ICAC Act with retrospective force. That was because of ICAC's concern that the High Court decision in Cunneen impacted a number of past investigations. Hence the Independent Commission Against Corruption Amendment (Validation) Act 2015, which I refer to as the validation Act, was introduced and passed by this Parliament. The bill was introduced and passed by both Houses of this Parliament and assented to on the one day—that being 6 May 2015. The effect of the new legislation was to validate certain conduct of the ICAC before 15 April 2015, including findings of corrupt conduct. Here is where the difficulty lies. At that point in time there were five individuals—Messrs Travers Duncan, John Kinghorn, John McGuigan, Richard Poole and John Atkinson—who all had legal proceedings in play at various stages to contest corruption findings made against them by the ICAC. In fact, it is my belief that Mr Kinghorn had already succeeded in that at the Supreme Court.

On 23 April 2015, as a result of the Cunneen decision some eight days earlier, the Crown Solicitor's Office, acting on behalf of the ICAC, wrote to the legal representatives of Duncan, Poole, McGuigan, Kinghorn and Atkinson. In that letter, the Crown Solicitor acknowledged the implications of the Cunneen decision as far as the proceedings against the men were concerned. The Crown Solicitor further acknowledged that it was beyond the power of the ICAC to find that the five men engaged in corrupt conduct. The Crown Solicitor acting on behalf of the ICAC wrote to those individuals via their legal representatives agreeing that the ICAC findings were invalid and beyond the ICAC's power in the first place. The Crown Solicitor stated in the letter that the ICAC would consent to orders granting leave to appeal and declare the corruption findings against Messrs Duncan, McGuigan, Poole and Atkinson invalid. Further, it also dismissed a summons seeking leave to appeal in the Kinghorn proceedings.

Subsequent to that, on 6 May 2015, Governor the Hon. Margaret Beazley, in her role as then President of the Court of Appeal, wrote to the legal representatives of the men concerned on behalf of the then Chief Justice Tom Bathurst and Justice John Basten, who constituted the Court of Appeal. She stated that the court was presently minded to make a declaration that the ICAC had no jurisdiction to determine that the men had engaged in corrupt conduct within the meaning of section 8 (2) of the ICAC Act. Further, the matter was listed for 9.15 a.m. on Friday 8 May 2015 to set aside those findings. That hearing did not happen because this Parliament passed the validation Act on 6 May, just two days before the orders were to be set aside by agreement of the ICAC, the Crown Solicitor and the Court of Appeal, thereby rendering all of the ICAC's previously unlawful decisions suddenly now lawful. That is despite the ICAC, via the Crown Solicitor's Office and the Court of Appeal of the Supreme Court of New South Wales, agreeing that the findings of corrupt conduct against the men were invalid.

Let us fast forward to the present day. The ICAC committee, as previously stated, took evidence from the men involved, except for Mr Travers Duncan, who has passed away since the court proceedings in 2015. I take this opportunity to inform members that, although this appears to be an historic event, Messrs Kinghorn, McGuigan, Atkinson and Poole informed the committee in their evidence that the findings of the ICAC, which were made beyond its jurisdiction and powers, continue to have ramifications for their personal and business

activities today. Subsequent to the evidence, the committee unanimously formed the opinion that this was a travesty and a miscarriage of justice, hence the writing of the aforementioned recommendation 7 of the report. The Government's response to the report, dated 24 May 2022, did not support the unanimous recommendation. It stated:

The individuals referred to in recommendation 7 have fully exercised their review and appeal rights in this matter.

They had done so successfully, with the Court of Appeal agreeing to set aside the findings. However, just two days before the date set for the signing off by the Court of Appeal, the Government rushed legislation through the Parliament. It was the enactment of this legislation, the validation Act, that prevented the declarations from being made by the Court of Appeal. It was wrong and misleading for the former Government to say that the individuals had exercised their review and appeal rights.

I was not in the Parliament when the validation Act passed in 2015, but I have perused the second reading speeches of then Premier Mike Baird in the other place and the Hon. Duncan Gay in this place and there is no mention of the proceedings afoot in the Court of Appeal. It may be the case that, if the Parliament was fully apprised of the outstanding matters, the Act may not have passed in its current form. Perhaps there would have been an exclusion provision for those men. However, we will never know because the Parliament was never informed. Members will recall that in a previous debate relating to amendments to the ICAC Act on 23 June 2022, I moved an amendment to introduce what is essentially contained in the bill today. However, I withdrew the amendment in good faith after the then Parliamentary Secretary, the Hon. Taylor Martin, said:

... I inform the Committee that I am reliably informed that Cabinet will reconsider its position on this matter in a timely manner.

That was in June 2022. Further, in answer to a question without notice on 9 August 2022, the then Leader of the Government and now Leader of the Opposition, the Hon. Damien Tudehope, said:

... the Government is committed to reconsidering this matter and I can assure the member that it is under active consideration.

We were told in June and again in August that the matter was under consideration, but nothing has ever happened. That has led me to introduce this private member's bill. Honourable members should note that the bill does not propose to open a floodgate of potential litigants. The bill is bespoke and specific in that new section 35A (1) states that section 35—which I will call the validation clause—does not apply in relation to a person who had proceedings pending in the Supreme Court, including the Court of Appeal, on 8 May 2015 in relation to a finding by the commission of corrupt conduct. The bill has been specifically drafted to apply only to the gentlemen that had the undertaking of both the ICAC and the Court of Appeal to have their findings annulled.

I commend the bill to the House and in doing so acknowledge the work of the ICAC committee. The bill has been introduced on behalf of all members of the previous ICAC committee. In closing, I take this opportunity to acknowledge former member of this place the Hon. Adam Searle for his work on the ICAC committee and his dogged and unrelenting pursuit of justice and the rule of law on this matter. Let us hope that we can finally bring this unjust and unfair chapter to a close.

Debate adjourned.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (BATTERY CAGE PROHIBITION) BILL 2023

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. Emma Hurst.

Second Reading Speech

The Hon. EMMA HURST (17:49): I move:

That this bill be now read a second time.

On behalf of the Animal Justice Party, I am proud to introduce the Prevention of Cruelty to Animals Amendment (Battery Cage Prohibition) Bill 2023. While I am proud to introduce the bill, I am also disgusted that I had to. It is hard to believe that in 2023 battery cages are still legal. If members have ever wondered why the vote for the Animal Justice Party keeps rising, it is because of the repeat failures of successive governments to take any action to outlaw the most obvious, extreme forms of animal abuse—and battery cages are at the top of that list. Imagine taking a dog and locking it in a cage for 18 months, a cage so small and crowded with other dogs it cannot take a step forward or back. Imagine the dogs have had part of their mouths removed because they will likely attack each other from the frustration of close confinement. This body mutilation will not stop the attacks or frustration; it will just stop them from being able to kill one another. The dogs live on hard, wire flooring that cuts through their feet, in cages stacked on top of each other with excrement piling up below them. For a year and a half they will not be able to move.

It does not take an expert to know that this would be animal cruelty—it is obvious. In fact, it would be illegal to do this to a dog, and rightfully so. But when it comes to keeping another sentient animal, a hen, in identical circumstances in a battery cage, bizarrely, our laws allow this suffering. That is because our animal protection laws are notoriously speciesist; they contain exemptions and defences that allow industries to do horrific things to certain species of animals, particularly farmed animals, as long as the cruelty is undertaken in the pursuit of profit. Even though we have clear evidence that these practices cause immense suffering and pain to these animals and that it clearly amounts to animal cruelty, The Nationals and other MPs have argued in this place to allow this practice to remain legal for decades. In doing so they have found themselves on the wrong side of history, advocating for the suffering of billions of animals.

Right now millions of hens are being deprived of all their natural behaviours, imprisoned in battery cages where they have about the same amount of room as an iPad. They live on hard, wire flooring and cannot even stretch their wings. The life of a battery hen is unbearable to think about. She is born motherless and avoids live maceration only because she is female. The front of her face is then cut, lasered or burnt off before she is put into a cage in a dark shed for the rest of her life. She will never see sunshine, never feel wind, never dust bathe. She will never walk, stretch, flap, ruffle or preen. She will likely suffer painful lesions, foot malformations, fatty liver disease, osteoporosis and bone fractures, along with many other health conditions associated with extreme confinement. She will never be given enough room to simply turn around. After approximately 18 months of total confinement, she will be either gassed to death or pulled out of her cage and taken to a slaughterhouse to be killed.

The use of battery cages is nothing more than legalised, institutionalised animal abuse. It is abhorrent that in 2023 we would allow a sentient animal to be treated so inhumanely. Yet this is what is happening behind closed doors to millions of hens kept each year in the Australian battery cage industry. I am ashamed to say that more battery hens are imprisoned in New South Wales than in any other State. Australians care deeply about animals and they do not support keeping hens in battery cages. An independent survey conducted in 2017 found that eight out of 10 people want to see battery cages phased out. The 2019 Select Committee on the Use of Battery Cages for Hens in the Egg Production Industry—which I chaired—received over 14,000 submissions and almost all of them supported a move away from battery cages. During the inquiry the select committee heard that a legislated phase-out of all cages was supported by a huge majority in the community, as well as by all animal welfare groups, academics and scientists.

While the inquiry reached the conclusion that all egg production systems—cage, barn, and free range—had animal cruelty issues, it was clear that the use of battery cages was by far the worst because of the restriction it places on a hen's basic ability to express her innate, natural behaviours. While other systems can be improved, battery cages have a hard limit—a "welfare ceiling", as it was described in the inquiry—above which welfare cannot be improved and it is a very low ceiling indeed. The concern about the wellbeing of hens in cages is also reflected in the purchasing decisions of Australians. Consumers are increasingly rejecting this cruel industry and choosing cage-free and plant-based options. As a result of this sustained consumer pressure, major supermarkets, Coles, Woolworths and Aldi, have committed to phasing out cage eggs by 2025.

However, many consumers remain unaware that cage eggs are regularly used in food served in cafes and restaurants and pre-packaged products, including biscuits, bread, mayonnaise and custard. Many of these products contain eggs sourced from hens imprisoned in battery cages, but there is no way for the consumer to know as it is not labelled. The select committee inquiry heard that a significant number of eggs used in food manufacturing and food services were coming from battery cages. It is through this kind of deception that the use of battery cages has remained such a large industry in Australia, despite consumer backlash and rejection of this obviously cruel farming method. The industry is profiting off the fact that consumers have no idea they are purchasing and consuming eggs from systems they have ethically rejected.

When we look overseas we find that other jurisdictions, including the European Union, Switzerland, New Zealand, Canada, as well as several states in the United States, have long ago committed to phasing out battery cages. Australia, once again, is embarrassingly lagging behind. It was not until last year that we finally saw movement on this issue. In August 2022 the Australian Animal Welfare Standards and Guidelines for Poultry were finalised and much to the relief of the community and animal protection organisations it included a mandatory phase-out of battery cages. However, this tumultuous process has taken far too long—over seven years—and is an indictment on the current state of animal protection laws across Australia. Rather than this important decision about animal welfare being made in Parliament by elected representatives, it has become common practice for State and national governments to rely on the development of standards and guidelines which are then adopted by States and Territories.

This development process is generally managed by departments of primary industries and agriculture, often backed by funding from the very industry that will be regulated by the standard. It creates a hopeless conflict of interest, right from the outset, between animal protection and industry interests and allows cruel, outdated

practices, like the use of battery cages, to be prolonged, despite community opposition and clear scientific evidence of their bad welfare outcomes. It is this flawed process that is also to blame for the fact that the Australian Animal Welfare Standards and Guidelines for Poultry will not require a phase-out of battery cages until 2032 to 2036. This means we will not see the final battery cage emptied for another 13 years. It means tens of millions more hens will suffer in a system we have already accepted is inhumane. One more hen is unacceptable; millions are unconscionable. In addition to the unnecessary cruelty that will be caused by this delayed phase-out, it also makes no commercial sense for the industry, given the major supermarkets have now committed to phasing out cage eggs by 2025 and other brands are moving to exclude battery-cage eggs from their products. The long phase-out is simply dragging out this unnecessary, cruel practice which the community wants to see gone now.

I also have outstanding concerns about when and how the Australian Animal Welfare Standards and Guidelines for Poultry will be implemented in New South Wales. The entire process was put under threat in late 2021 when it was revealed via Government Information (Public Access) Act documents that the former New South Wales Minister for Agriculture, Adam Marshall, had told other States and Territories that New South Wales would not support a battery cage phase-out, regardless of what was recommended in the national standards and guidelines process. This was an egregious action by the former Minister, who was formally condemned in a motion passed by this House, supported by NSW Labor. And of course, this comes after the New South Wales Department of Primary Industries was exposed only a few years prior to be colluding and holding secret meetings with the egg industry about the poultry standards, freezing out animal protection organisations, in an obvious effort to "stage manage" the standards writing process and protect the continued use of battery cages.

While I have more confidence in the new New South Wales Labor Government to follow through with implementing the Australian Animal Welfare Standards and Guidelines for Poultry, including the battery cage phase-out, the reality is that a 13-year phase-out is just not acceptable. We cannot allow millions of hens to languish in cages any longer. That is why I am compelled to introduce the bill today. The hens and people of New South Wales have been waiting for far too long. The bill is straightforward. It creates a new offence in section 21D of the Prevention of Cruelty to Animals Act to confine any laying hen in a cage for commercial purposes. This would prevent the use of battery cages, as well as other types of cages, but would not affect the transport of hens.

It is important that the offence covers all types of cages. We heard evidence in the parliamentary inquiry that furnished cages are being used as alternatives in some countries where battery cages are banned and may be brought to Australia in the future. The international standard for a furnished cage is a marginally increased size of 750 square centimetres per bird, together with some enrichments. However, during the select committee inquiry I was very concerned by proposals from Australian egg industry participants, who gave evidence that they would like to see furnished cages defined in Australia so that they only provide 550 square centimetres of space per bird. That is the exact same amount of space that each bird gets in existing battery cages and would provide no increased space for hens to exhibit natural behaviours.

If that industry proposal were successful, it would allow egg producers to rebrand their battery-cage eggs as furnished-cage eggs without actually making any substantive changes to the conditions in which hens are held, misleading consumers into thinking that welfare standards have improved. The lack of consideration for truth in labelling, consumer rights and very basic animal welfare by the industry is unconscionable. It has proven it cannot be trusted. For that reason, all cages for commercial use will be phased out in the bill. After all, a cage is a cage, and there is a general desire in the community to move away from confining animals for the purpose of big ag dollars. The bill also makes it clear that the prohibition on cages will apply regardless of any existing defences in section 24 of the Act and cannot be overridden by any industry standards or guidelines.

The bill also omits some provisions of the Prevention of Cruelty to Animals Regulation that are inconsistent with the new ban on cages. The bill allows for a one-year phase-in; that is a much more reasonable time frame than the 13 years proposed under the Australian Animal Welfare Standards and Guidelines for Poultry. It will allow ample time for battery hen producers to transition out of the industry and will be consistent with the 2025 supermarket ban on cage eggs. Hens are beautiful, sentient animals that are worthy of our care and protection. As I said, a cage is a cage, and the Animal Justice Party will not stop until all cages are empty. I commend the bill to the House.

Debate adjourned.

The PRESIDENT: Pursuant to the resolution of the House of this day, it being 6.00 p.m. proceedings are now interrupted to enable Dr Amanda Cohn to make her first speech without any question before the Chair.

*Members***INAUGURAL SPEECHES**

The PRESIDENT: I welcome into my gallery this evening the family and friends of Dr Amanda Cohn, including Dr Cohn's partner, Geoffrey Hudson; her sister, Sarah Cohn; brother-in-law, Ben Weber; and nephew, Charlie; her father, Jeffrey Cohn; her aunt, Ann Aitken; elected local government councillors Phil Bradley, Ned Cutcher, Kristyn Glanville and Carol Sparks; and her mother, Susan Cohn, and grandmother, Patricia Philpott, who are watching the live stream.

Dr AMANDA COHN (18:02): I acknowledge that I am delivering my inaugural speech on the unceded land of the Gadigal people of the Eora nation and that I live on magnificent and unceded Wiradjuri land. I pay respect to past, present and fiercely emerging Elders of those and the many nations of New South Wales and extend that respect to all First Nations people here today. New South Wales always was and always will be Aboriginal land.

I am a newly elected member of the New South Wales Legislative Council, a position of enormous privilege and responsibility. I have become a part of this institution as it approaches its bicentenary and as we discuss its history and its place in shaping the ways that we live today. The 200-year history of the New South Wales Parliament is brief in comparison to the tens of thousands of years of governance that existed here before it. To acknowledge the bicentenary with any honesty requires us to reckon with the truth that the New South Wales Parliament has caused very real harm to First Nations peoples and cultures, both historical and ongoing, from the destruction of cultural heritage and language to disrupting kinship and care for country. In recognising this, I reaffirm my commitment to amplify and work alongside First Nations people towards truth, treaty and voice.

I have come to this Parliament from the front lines of multiple, related and compounding crises, in particular the climate crisis and the crisis in our health system. The experiences that I have had as a country GP, as a State Emergency Service volunteer and of steering a regional community through a pandemic as its deputy mayor have prepared me for this role in ways I never expected. Working in public hospitals, emergency departments and community health gave me the most precious insight into people's lives. I have been inspired over and over again by my patients—by their resilience, their dignity and their humility in the face of suffering, or difficult or unexpected news. But the patients that I still think about and who keep me up at night are the people that I could not adequately help, not because of their conditions but because of the avoidable failure of governments.

I remember a young man who refused admission to hospital for necessary surgery because he was a casual labour-hire worker without access to sick leave. I remember the people who came to see me fortnightly for years for support with their mental health while they languished on waitlists for public housing. I remember the elderly couple who spent their final months together traipsing hundreds of kilometres back and forth, away from their children, to a capital city for treatment they should have been able to access closer to home. I remember the victim-survivors of family violence put back into dangerous situations because support services in the bush are not good enough. I remember the four-month-old baby with COVID in respiratory distress for whom I cared for over six hours, waiting for retrieval to Sydney, when I and the two nurses working with me had already been working for 10 hours without a break. I wonder what happened to every other patient in the waiting room that night who was not seen by a doctor.

Over a decade as a State Emergency Service volunteer, I have experienced firsthand the increasing intensity and frequency of extreme weather events due to climate change. I was operating radios in the Lake George Fire Control Centre the night Cobargo burned. I drove a rescue boat on the flooded Hawkesbury last year to evacuate exhausted residents and resupply isolated communities. When I arrived at the Northern Tablelands Fire Control Centre to support and relieve local volunteers just before Christmas in 2019, they had been operating for 108 consecutive days. I cannot continue on the front lines while people in this Parliament make decisions that make things worse.

Climate change is the defining issue of my generation. Our leaders should be discussing how we can keep communities safe in a warming climate and how we can make sure that nobody is left behind by the urgent transition away from fossil fuels that we must make. Instead, new coal and gas projects continue to be approved, and it will be for future generations to judge whether we took the action that we needed to. I am so inspired by the School Strike 4 Climate movement. We should be listening to and platforming the voices of those who have the most at stake, rather than disenfranchising them.

Burnout is not just about having to put in long and unsustainable hours. When you take skilled and compassionate people and put them in an environment where they cannot do the work that they were trained to

do and expose them to suffering every day that they are unable to ease, it causes a moral injury. I have heard the same stories from nurses, midwives, paramedics, teachers and countless other essential workers. While our health system has failed to support its existing staff with safe working conditions, locum doctors and temporary agency staff are offered more and more money. Through my work in both health care and emergency services I have learned that the health and safety of our communities depends on strong, well-resourced and well-supported public services—and, importantly, that one must never, under any circumstances, piss off the nurses.

For me, as well as finding healing through time in nature and time with animals, I found energy in having the opportunity to be an advocate for my peers and my patients and a part of driving change. In 2016 I was the first Green and the youngest woman ever elected to Albury City Council. I had the incredible responsibility and challenge of leading my community through the COVID pandemic as deputy mayor while continuing to work on the front line as a doctor. COVID brought out the best in our communities. In response to unexpected challenge and hardship, at a local level we saw compassion and care for each other, making sure our neighbours had food and medicines while we tried to connect, sing and play together using technology.

But the same unexpected challenge and hardship brought out the worst in government. The New South Wales Government supported a police-led, punitive response, with fines disproportionately targeted at already disadvantaged communities—decisions that further marginalised people with disability and, particularly, immunocompromised people—and State border closures that ripped through the middle of cross-border communities like Albury-Wodonga. The one optimistic lesson that I took from the Government response to COVID was seeing that things can turn on a dime, given political will—from the Federal Government providing free child care to suddenly having to present documents to cross a policed border between Albury and Wodonga. Imagine if we applied that sense of urgency to action on climate change or addressing the housing crisis. We can, and must, and I will hold on to that hope that so many individuals and communities have shown me.

Serving my community for five years as deputy mayor taught me the value of the platform of an elected representative. I learnt that speaking up to change the conversation has value in and of itself, even if you do not win in the short term. I have also unfortunately learnt how women in public life are treated when they take a stand. The worst messages that I have received, being persistent threats of sexual violence, are too explicit to read into *Hansard*. What helped me to get through the biggest challenges in local government is the same knowledge that will serve me well in Parliament: knowing that I was not elected as an individual but as a representative of a movement of people with shared values.

Many Greens before me have demonstrated how to be an elected politician who empowers and platforms others. The Greens recognise that social and political change is driven outside of Parliament by social and protest movements, and by people and storytelling. With that knowledge, I navigated a conservative majority in the council chamber and had big wins on climate, protecting native vegetation, trans rights, accessibility for people with a disability, and recognition of First Nations heritage.

Critically, The Greens understand that social justice and environmental justice are inextricably linked. Both people and our environment have been ruthlessly exploited by corporations and facilitated by politicians. As a crossbencher, and particularly as a Green, it is my proud responsibility to hold the government of the day to account and to amplify the voices that most need to be heard. I am inspired by Greens who have come before me in the Legislative Council. I am particularly personally grateful to three former members—Lee Rhiannon, Mehreen Faruqi and David Shoebridge—who have each shared with me their time, energy, knowledge and skills.

From my academic work, including completing master's degrees in epidemiology and international public health, I have been left with a love of seeking a deep understanding of an issue and not shying away from nuance or complexity, and an appreciation of the important scientific approach of changing one's views when presented with sufficient evidence. That said, academic peer review may be the only process I have experienced that is as slow as the process of government.

After starting my study of medicine at the University of New South Wales in Sydney, I moved to Albury for my clinical placement years of medical school, which also took me to Deniliquin, Broken Hill and Wilcannia. Studying medicine gave me a fascination for people and understanding how we work and what makes us tick. I quickly fell in love with both the landscapes and communities of regional New South Wales. I am delighted to have the opportunity to travel and connect with the communities I now represent as an upper House MP.

For those wondering about my slight accent, I was born in Sydney and my family moved to Montreal, Canada, when I was three years old for my dad's work as a scientist. Growing up in Canada has left me with a predictable and lifelong love for cold weather and maple syrup, as well as an open mind to radically different ways of thinking and organising our urban spaces. The motto of the school I attended in Montreal has shaped much of my work: "Non Nobis Sed Urbi et Orbi", meaning "Not for ourselves alone, but for the city and the world".

Before I studied medicine, I completed a degree in Spanish and Latin American studies, which led me to live and study in Chile and travel throughout Central and South America. With the Pinochet dictatorship in recent memory, my fellow students took their democratic rights and responsibilities seriously. I learnt my activism as part of the Chilean student movement for public education, to which the Government responded with military police. They taught me that putting lemon juice in a bandana would take the edge off the tear gas, but it turns out that does not work very well. At the time, I was grateful that in Australia we understood the critical importance of the right to protest in a healthy democracy, but now we are faced with draconian anti-protest laws that have seen courageous environmental activists given jail time for something as benign as blocking a road. Under the current laws, I am not sure we would have ever seen the successful civil rights movements of previous generations.

At times, watching debate in Parliament and especially question time, one might forget that the decisions made by the New South Wales Parliament have serious and lasting consequences for the communities that we represent. Living on the Victorian border, I have seen the tangible difference that State Government decisions make. Just across the "Milawa Bila" Murray River, my patients have better access to domestic violence services, gig and casual workers have access to sick leave, and nurses have better pay and safe staffing ratios.

In 2019 I watched over the live stream, hanging on to every word, this Parliament debate whether to decriminalise abortion. I will not forget that many of my now colleagues voted that I should be a criminal for my work as a medical abortion prescriber. I am proud of my work as a provider of both abortion and antenatal care, enabling my patients' reproductive health choices to be carried out safely. Abortion is health care. Reproductive health care is health care. It should be free, safe and accessible to every person in New South Wales.

In March this year, I walked across the Sydney Harbour Bridge along with 10,000 members of my community and our allies in celebration of WorldPride. It was a glorious sunny morning for LGBTQIA+ communities to come together and reclaim public space. But what has stayed with me is the contrast between vibrant and inclusive events like WorldPride and Mardi Gras and the daily lived experiences of queer people, particularly in rural and regional areas. I remember a patient, whose physical and mental health I had been supporting for some months, who came out as a trans man. He was kicked out of home and fired from his job on the same day. Because his workplace refused to provide him with a separation certificate, he was not able to access income support. He came to see me in a state of crisis, unable to afford to fill his scripts for his regular medications. He did not feel safe approaching local charities for support because of their religious association.

Though I am proud and able to speak openly about my sexuality, I myself am not exempt from the pressures of homophobia. When I was elected to local government, after many years of living and publicly identifying as bisexual, I chose to no longer disclose my sexuality because it felt safer not to do so. Like so many bisexual people in long-term relationships with someone of the opposite sex, I have been complicit in my own erasure. This personal experience is a very recent memory, and it motivates me to fight for queer visibility and representation, especially for bisexual and trans and gender diverse people, and to improve safety, access and inclusion for all LGBTQIA+ people in every corner of our State.

Reflecting on the history of this place in preparing to speak tonight gave me cause to also reflect on my own history. I am one of the 48 per cent of Australians who have at least one parent born overseas. My maternal grandparents, Robert and Patricia Philpott, migrated to Australia from England in 1970. Through my British heritage I know that a cup of tea cannot solve all problems but will certainly always put you in a better state of mind to tackle them. My paternal grandparents, Herbert and Gerte Cohn, my Opa and Oma, were forced to flee the Holocaust as German Jewish teenagers. They met at Gross-Breesen, an agricultural youth community established to shelter Jewish teenagers from Nazi persecution and to prepare them for life abroad. Their stories are well documented in my Opa's memoir, including his forbidden visit to the Berlin Olympics on the day that Jesse Owens won the 100 metres sprint, which he tells they managed only because of the large influx of foreign visitors at the time.

My Oma survived the "Kristallnacht" with her father by riding the train that circled Berlin around and around, with the family savings stuffed in her socks. My Opa was brought to Australia by a Jewish charitable organisation and put to work as a farmhand near Forster. After a brief stint in the Australian Army, always creative and entrepreneurial, he established a small market garden where he grew and sold vegetables and slept at night in a disused chicken shed, saving up money for my Oma's fare to Australia.

After the war, with the assistance of the Red Cross, he found my Oma in England, who had survived the war working as a cook. She told me proudly of the occasion that she cooked for visiting royalty at Perth in Scotland. They were married, despite having no family and few friends at the time, with a complete Jewish wedding at a synagogue in Bondi Junction and a reception attended by the large extended families of their friends—an extraordinary gesture of compassion and community. As romantic as my Oma's and Opa's story is—I have often mused that it would make an amazing movie—the other side of this story is that my Opa's mother, his brother Alfred and Alfred's wife and child died at Auschwitz. My Oma's father, Julius Jacoby, died at

Theresienstadt concentration camp and her mother, Edith Jacoby, at Auschwitz. I honour their memory today. By making the impossible decision to send their children away, I am here to tell their story.

What my family's story has taught me is the danger of an "us versus them" mentality and the importance of standing up for all persecuted people. The first time I voted for The Greens was in support of their principled, courageous and unwavering calls for compassionate treatment of refugees and asylum seekers. We have a long way to go for this institution to be as inclusive and representative as it should be. I wonder how my grandparents would feel to know that their granddaughter is expected to stand, every morning, in this notionally secular public institution while those around her recite the Lord's Prayer in unison.

This year we saw neo-Nazis openly parading in Australia, with the protection of the police. This chills me to my core. Threats to any marginalised group of people make us all less safe. It is our collective responsibility to respond firmly and unwaveringly to the far right and the threat that they pose not only to Jewish people but to all targets of white supremacy, including people with a disability, people of colour and queer people. Those who may oppose me should know that I am determined and persistent. Last year I completed an ironman-distance triathlon after years of training and preparation. I may slow down. I may ask for help when I need to. But I will not stop—not during an endurance race that took me 14 hours and not in the fight for the change that we need in this State.

Of course, I did not arrive at this position without the support of countless people, some of whom I will take the opportunity to thank. Thank you to my patients for sharing with me your brightest and your darkest moments and your hardest decisions. Know that I am still and will always be caring for you in a different way. Thank you to the thousands of Greens volunteers who poured their time and energy into this election campaign and many before it. My seat in this Parliament does not belong to me as an individual but belongs to all of us. Thank you especially to members of the Albury Greens—my second family—for your unwavering support and for putting your confidence in young people. Thank you to my new colleagues Ms Abigail Boyd, Ms Cate Faehrmann, Ms Sue Higginson, Jenny Leong, Kobi Shetty and Tamara Smith for your mentorship, guidance and camaraderie. I am proud to be part of a team of such outstanding, skilled and committed women.

Thank you to my partner, Geoff, for nearly 10 years of walking beside me or standing behind me and never in front. You have shown me the truth in the words of Antoine de Saint-Exupéry, who said, "Aimer, ce n'est pas se regarder l'un l'autre, c'est regarder ensemble dans la même direction", which means love does not consist of gazing at each other but in looking outward together in the same direction. Thank you to family, friends and like-minded people who are here today. Seeing your faces in the gallery is a beautiful memory that will give me strength on my most difficult days.

Finally, to the people of New South Wales, who I am here to represent, please never let me lose sight of why I am here. Just as it is my role to hold the New South Wales Government to account, it is yours to hold me to account and to keep me connected with the communities I am here for. I look forward to your letters, emails and phone calls and to many collaborative conversations, meetings, public events and campaigns. I am ready to work together towards a better future for all of us.

Members and officers of the House stood and applauded.

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

INAUGURAL SPEECHES

The PRESIDENT: According to the resolution of the House, it being 8.00 p.m. proceedings are now interrupted to enable the Hon. Jacqui Munro to make her first speech without any question before the Chair.

I welcome into the President's gallery this evening the family and friends of the Hon. Jacqui Munro, including Hazel Wolfenden; Bruce Munro; Sue Munro; Ben Davis; Janine Middleton, AM; former member and President of the Legislative Council the Hon. Don Harwin; and Trent Zimmerman, the former member for North Sydney. You are all most welcome.

The Hon. JACQUI MUNRO (20:00): Mr President, honourable members, treasured friends and family. I have entered this place with the circumstances of my endorsement more public than many. The circumstances were a little unorthodox, but perhaps that has always been my fate. It is so good to be here. Before the 2023 election, just 61 women had served in this place. Now our Liberal Party in the upper House contains 60 per cent women. It is an enormous honour to be elected as the New South Wales Liberal Party's first openly LGBTIQ+ woman in Parliament, and its youngest in the Legislative Council.

I was not selected for these attributes, and although they should be unremarkable, and while I do not like identity politics, these unchangeable parts of myself mean I can provide a new perspective in this place. As such, the milestones should not go without remark—even if it is, at your indulgence, my own remark. It is not because of the immutable attributes themselves but because these qualities have shaped the communities I am in, the

experiences I have had, the challenges I have faced and the way I think about opportunity, freedom, choice and fairness. An encouragement of diversity of thought and experience is critical to good policymaking, which I, of course, hope to contribute to.

Tonight I will share some of myself—where I come from, what I believe in and what my priorities are—so that you and the people across New South Wales, whom I represent, might hold me to account. I consider the privilege of this office as a vocation, but I am at the mercy of others to judge that. There could be nothing more important than to serve my State and country through the faithful creation of the human laws that govern us. I start by particularly acknowledging my nanna, Hazel, who is here this evening. She was born on the big block of land she still lives on in Beverly Hills—then called Dumbleton—and has seen so much change over her 93 years of life so far. When her husband and my grandpa, Ken, a British migrant who arrived here alone at 16 on a ship from London, developed the block of land when he married Nanna, he quickly earned the ire of neighbours. Grandpa would come home after 12-hour days working on the railways to literally build his family home from the ground up—from foundation to finish—all through the night. He was a hard worker, a staunch Liberal and believed deeply in responsibility and reward for effort.

Hazel is the mother of my mother, Beth, who is not here in person this evening. Mum is so much of the reason that I am in this place. The dignity, kindness and courage that I know can exist in this world is because she embodied it in living and in dying. Her example is one of the most powerful forces in my life. She is here in me, in my beautiful little—taller—sister, Kristina, and in all the people who knew her in this room and beyond. I also acknowledge my Scottish heritage, which was taught to me by my father, Bruce. I am of the Clan Munro, whose first chief lived in the 1300s across the Scottish Highlands. Our clan motto, "Dread God", must be the source of my humility—for it is only God who may look down on and judge the Munros. But a healthy fear of electoral retribution should never be far from a politician's mind, so under God I have pledged my loyalty to the people of New South Wales and Australia to serve in this place.

I am a daughter in a family of army soldiers and naval officers. My paternal great-grandfather, Poppy, fought in the Battle of Be'er Sheva, a critical conquest in Israel that secured the region for the British forces in 1917. When I visited the town of Be'er Sheva 105 years later, I heard the admiration from Israeli descendants of that battle for the heroic efforts of the Australians in that parched desert. It reminded me that my place in the world is far reaching because of the service of my family. My grandpa, Harry Geoffrey Munro, who died just months before I was born, served in the navy, particularly in World War II, to defend his family, his country and our freedom. At every military event I proudly wear his medals to honour his sacrifices and service to our nation.

All of these men suffered psychologically in their own ways. Without the labels, they lived with post-traumatic stress disorder, alcoholism and depression. Respecting their service by providing better mental health care treatment to today's armed forces personnel, and all people, is a mark towards progress and a better society. I cannot round out my family history without mentioning a matriarch who must have passed on her enduring sense of optimism to me. Mini Munro, my great-grandmother, is in the *Guinness Book of World Records* for being the oldest woman to marry. At 103 she tied the knot to a man two decades her junior. Unfortunately, he passed away first and she became twice widowed. But in love and while saying something like "carpe diem," Mini walked down the aisle and gave her heart to that man until she passed at 105.

If we are all a product of our history and circumstance, and our DNA holds the imprints of the lives of our ancestors, I believe I am fortunate to have been embedded with a sense that there is good to defend in the world and hope to generate through worthy action. I am thankful to have grown up in little Bonnet Bay in the Sutherland shire surrounded by the beaches and the bushland. We also had a family farm in Bigga, a tiny town between Goulburn and Cowra, where we rode horses and ran amok out in superfine Merino wool country. I am lucky to have lived briefly in the Snowy Mountains and taught people how to ski on the other side of the world. I have travelled widely throughout Europe and seen the ravages and successes of political turmoil. I am the proud product of an academically selective public school education. I have been absolutely blessed with the most beautiful mates, particularly an incredible group of women from Caringbah High School, many of whom are here tonight. They are loving mothers, carers, sisters, daughters, wives and friends, before anything else. You have given me the example of what is good and right, more than each of you could know.

After school, Manning Bar and Hermann's at the University of Sydney became my playgrounds. I am the first woman in my family to attend university. I enjoyed being in Sydney University Dramatic Society productions like the accidental comedy *The Term of His Natural Life*, playing saxophone for the JazzSoc Big Band and campaigning for friends and allies for the Student Representative Council and *Honi Soit*. I am sure I ended up among those sandstone walls because of seeing my dad, Bruce, graduate in the Great Hall when I was 10. He was a mature aged student who was the first of his family to attend university and received a Masters in Logistics Management to bolster his expertise in a successful business career. I hope that my father's great extroversion—

he is such a natural entertainer, connector, learner and leader—has stood me in good stead. He continues to inspire me with his unbridled enthusiasm for life.

How grateful I am that my university attendance coincided with that of a group of people so equally enlivened by a *joie de vivre*, impassioned by political engagement and a willingness to work together in sometimes ridiculous pursuits. Many of these wonderful people are here tonight and continue to work in service of the political process—some beside me, some across the Chamber, others in the press gallery and many beyond. We all had a sense that ideas could be made real, and that there was something bigger to be a part of and to contribute to. Many of us fought a university takeover and kept the University of Sydney Union and its revenue-generating operations in student hands. I hear it is happening again today. I urge total focus to retain USU's independence. It is a legacy from 1874.

At 21 I ran for the USU board of directors with the slogan, "Let's Go Munro". I felt it was electorally advantageous to masculinise myself by using my surname. I acknowledge the many people in the gallery tonight who have been the heart and soul of campaigns with me from then until today. It was 2011. With the first flushes of political success, I took a call on Science Road next to Holme Building, my new USU office. I was the first one to be told by Mum that she had cancer. Between St George Hospital visits and doctors appointments, my sister and I tried to retain a sense of normalcy. It is what Mum wanted. After being told by medical staff after three months of chemo and radiotherapy that the worst was coming sooner rather than later, we were grateful she held on for a final Christmas. She insisted on eating well, pumping weights and joking with us until the end. She did not want a round-the-world adventure in those final months. She wanted to sit at home amongst the gum trees with the laughing kookaburras, overlooking the Woronora River. She had visitors and privately raged and was helpless, but above all she lived her values: selfless and stoic.

This courageous, practical and loving woman threw a party for herself before she died. Beth did not like the idea that all her loved ones would get together without her at a funeral when she was gone. Always thinking of others, she raised thousands of dollars at that party for Alzheimer's Australia, now Dementia Australia, in the name of Grandpa. Friends who had been gathered over 5½ decades joined Mum to celebrate life with her one last time. The impact of those long yet all-too-short months led to the most destructive and redemptive parts of my life. I know what it is to feel powerless and to ask for help when logic fails. It can happen to all of us. Every year since she passed, my sister and I and have been invited by Como Public School to present the Beth Munro Environmental Award at their annual presentation night. It is such an honour to recognise her contribution to the community in this way.

Mum's stoicism has been a source of great strength and inspiration. Today I call myself somewhat of an adherent of the Stoic philosophy, espoused by Epictetus, Seneca and Marcus Aurelius, to maintain a healthy mind and perspective amidst the cut and thrust of politics. Perhaps it was inevitable when the Bonnet Bay Primary School motto "Learn to Grow, Grow to Learn" so clearly mirrors Seneca's "As long as you live, keep learning to live." Fundamentally, the need to take personal responsibility for one's own mind and actions, to act in virtue and in service to achieve happiness and to accept the fates that befall us without rancour are tools that I require to maintain a fulfilling political life. Perhaps it would not seem so possible without seeing Mum's dignity and grace through the hardest of times.

But before I needed philosophy, I found a calling. Although I had been praising Prime Minister Howard in Facebook statuses since high school—because I am extremely cool!—it was not until after my first successful student election—again, very cool!—that I seriously considered joining the Liberal Party—the coolest! Being a political nerd since school, it troubled me greatly that one of our two major political parties valued compliance over individual liberty, with the Labor Party mandating that its MPs would be kicked out if they voted against the party's collective decision, even if their communities or their own conscience desired otherwise. It did not make sense to me that in a liberal democratic nation like ours, the value of an individual's right and responsibility to contribute in the Parliament, as elected by the people, was stripped away.

While union membership is 11.7 per cent of employees in New South Wales, with the largest group of that membership identifying as "professional workers", union organisations formally control half of the Labor Party, and certainly a majority when you consider the other half is full of union members. Please do not misunderstand me: Unions have a place in our society. But I do not believe that it is their place to control one of Australia's parties of government. Part of my role in this Chamber is to ensure that all people are fairly represented and that the interests of union officials do not go unchallenged. On the other hand, the Liberal Party's respect for individual liberty—the "work towards a lean government that minimises interference in our daily lives and maximises individual and private-sector initiative", as outlined in our party's "We Believe" statement—and the talent of its representatives, many of whom are here tonight, hooked me. Shortly after my election to the USU and the Liberal landslide of the 2011 election, I volunteered for two days in the office of Mark Speakman, new member for

Cronulla, before he offered me a job. I was fortunate to have the encouragement of the fresh-faced member for Hornsby, Matt Kean.

Having politicians and experienced political actors mentor young people who want to make a difference in government and society is so important. My door is always open for young people, and particularly young women, who want to know more and get involved in political life. I acknowledge the incredible impact of the Young Liberals, which drives this work, and its president Dimitry Chugg-Palmer in the gallery this evening. I am a classical Liberal in the tradition of Locke, Smith, Burke and Menzies. I hold the belief that individual responsibility and action are at the heart of a necessarily complex but, crucially, good society. We achieve it through what Hume called the "indissoluble chain" of our togetherness, linking "industry, knowledge and humanity" for progress.

To foster freedom for progress, political structures should support the opportunity for choice in all these areas. Freedom of choice, supported by individual empowerment, results in the best outcomes for us all. It is the most sustainable way to act over time. In my view, there is no better way to seek progress. These principles have lifted millions—billions—out of poverty. It is fundamental to the United Nations Declaration of Human Rights: the empowerment of the individual to create positive change and progress without recourse to undue power. Good law protects the vulnerable from the unscrupulous and encourages free enterprise and empowerment. In Menzies' words:

... the greatest element in a strong people is a fierce independence of spirit. This is the only real freedom, and it has as its corollary a brave acceptance of unclouded individual responsibility.

It is the joy, the value, the beauty and the potential of each and every individual person to live freely amongst fellows and to find meaning in life in the way they choose. That free expression is captured in music and art, science and innovation, family and friends—and, yes, at its best, in politics. That is the spirit that our society can generate and exude when every individual member is supported to find it within themselves. In favouring liberty, I encourage considered ethics and personal responsibility as the best way to reduce reliance on legislation to regulate behaviour. I am, as economic Michael Munger would put it, a directionalist rather than a destinationalist. I am not a revolutionary. I see sustainable progress in society as the broad agreement and movement of people through the Overton window.

I am loathe to quote Slavoj Žižek, but his question "What happens the day after the revolution?" remains relevant in times of political uncertainty. The conservative in me seeks to maintain strong institutions based outside of government structures wherever possible, from volunteer organisations like One Meal – It Makes a Difference, where I served on the board with a group of people organising hot, homemade meals to those in need across Greater Sydney, to sporting organisations like Oztag and netball that connect families and friends while promoting a healthy lifestyle. We need not, and should not, resort to government solutions for all sources of connection and support.

A caring society is also at the heart of conservative values, where institutions like family and marriage foster connection, comfort and a natural safety net. Though we know families can be far from perfect, it is about fostering a society that has the capacity to progress by developing healthier relationships based on respect for and responsibility of the individual. Where these fail, there is a natural role for government, on behalf of a caring society, to support people back to independence, if possible, and to comfort where necessary. I honour the cornerstone of our society—our parliamentary democracy—by protecting it fiercely. It is a system that has developed slowly over millennia to better serve its people and will no doubt continue to do so. My apologies for the apparent self-interest, and perhaps for the roast earlier, but as a good friend says, "If you're not going to vote Liberal, vote Labor." The strength and stability of a two-party system with our almost unique and wonderful compulsory voting system delivers outcomes that should allow us to find society's core values through our policies.

Unfortunately, there are many political systems in the world that seek to overthrow the primacy of the individual and our representative approach to governance. They deny a person a democratic vote for a governing body, oppress expression of thought and dictate the operations of an economy and a society, restricting choice. These authoritarian and communist political regimes exist at the expense of their citizens, not to serve them but to use them. We must be vigilant in our defence against these systems of power.

To bolster institutions, they must also be fit for a modern world. I was humbled to be involved in the Australian Marriage Equality campaign and acknowledge the people in the gallery tonight who were an important part of that, including Alex Greenwich, MP. Paul Ritchie, a speech writer for Liberal Prime Ministers, including Tony Abbott and Scott Morrison, articulated it best. In making marriage available to all couples, he knew that more committed families, not fewer, were better for our children and our communities. Who would value the

institution of marriage more than those to whom it had been denied? It was a conservative institution made stronger through expansion.

It is vital that our party's narrative reflects the great work that it has done for Australians to enable them to live more freely. In the past 10 years alone, the Liberals amended the law to allow historic gay and lesbian offences to be abolished, abolished the gay panic defence for violent crimes, put pre-exposure prophylaxis on the Pharmaceutical Benefits Scheme and delivered the first official government apology to the 78ers. Though not perfect—and really there is no such thing in politics—there are also examples of great improvements for Aboriginal Australians because of courageous Liberal politicians.

Harold Holt and the Liberal Party presided over a successful referendum in 1967 to count Aboriginal people in the Census. The passing of the Land Rights Act in 1977 under Fraser, with the support of Australia's first Aboriginal member of the Commonwealth Parliament, Liberal Senator Neville Bonner, was an enormous feat of political will. More recently in New South Wales was the criminalisation of coercive control to help victim-survivors escape abuse before they are murdered, the introduction of renewable energy zones to sustainably power our homes and our economy for the future, and the introduction of optional land tax. Those are the types of policies that will drive our State forward as a safer, more prosperous and more optimistic place to live.

Underpinning all our policy programs must be a strong economy to support those in need. That is why I will always try to encourage wealth creators, entrepreneurs and small business people—not because they have lobbied me, not because they will go on strike if I do not and not because they will threaten to stop funding my political campaign, but precisely because they will not do those things. Their contribution to our State is based on hardworking, responsibility-driven Liberal values. These are people working to provide for their families, to provide for themselves, to save for a home and to invest back into their businesses. Currently 99.8 per cent of business in Australia are considered small or medium. In New South Wales alone, 1.8 million people are employed by small business, accounting for 45 per cent of the New South Wales private sector workforce. I hark back to Menzies. He said:

... our first impulse is always to seek the private enterprise answer to help the individual to help himself, to create a climate, economic, social, industrial, favourable to his activity and grow it.

These are the people who provide us with goods and services every day, pay their taxes and create jobs for fellow Australians. I have worked in one of those small businesses in public relations and campaigns. I have witnessed the grit, drive and selflessness that it took those founders to persevere through the pandemic while keeping their employees on the books. JobKeeper helped enormously. They emerged more determined than ever. I am delighted to say that they are thriving today, with numerous international awards recognising their talented contribution to public policy discourse and advocacy. That is the raw spirit of the Australian small business person. Coming from a professional career in public relations, communication and public affairs, I know that no matter how good your policy is or how good the cause seems, without the right audience, messaging and communicator, it risks going nowhere. Tim Wilson, the former member for Goldstein, wrote in his recent book *The New Social Contract*, "Society struggles when resentment becomes so great that differing parties no longer share common interest."

In outlining some vision for what New South Wales can be, I hope we can find common interests. I envision a rich and biodiverse environment, where the complexity and fragility of ecosystems is preserved; generosity and goodwill offered to Aboriginal and Torres Strait Islander people as they seek power over their destiny; a productive economy driven by private enterprise, innovation, competition, collaboration and determination; a place where individual talents, expressions and contributions are valued, from apprentices to investors and musicians to scientists; a thriving space industry; the capacity for people to live securely in their own home and be mobile when they choose; and a society where in-person interaction is prioritised because although the digital world gives us so much, nothing can replace our deep animal longing and positive response to close physical and psychological proximity.

I will briefly expand on a few of those areas before speaking more specifically about housing. I acknowledge that this, Australia's oldest Parliament, was established on Gadigal land. I pay my respects to Elders past, present and emerging. I note the Message Stick that inhabits this place because symbolism matters, and so does the tangible equality of opportunity denied to so many Aboriginal and Torres Strait Islanders. I will sit in the Chamber more easily when Aboriginal and Torres Strait Islander people are not condemned from birth, in their ancestral home, to lifespans a full decade shorter on average than non-Aboriginals. I will be deeply relieved when, in that life, they have not been involved in far greater instances of racism, violence, alcoholism and drug addiction, incarceration and a range of other health disorders, including the devastating effects of fetal alcohol spectrum disorder from the beginning of life to kidney disease at the end. We must have the courage to listen to the torment of powerlessness and heed the call for responsibility through the Voice.

Addressing flagging productivity is crucial if we are to maintain our valuable triple-A credit rating with a stable outlook. Australians are facing economic uncertainty after almost three decades of uninterrupted economic growth. Improving productivity is our key to success. I commend the work of the Productivity Commissioner, Peter Achterstraat, in a role created by former Liberal Treasurer Dominic Perrottet. He set out a range of regulatory and legislative reforms that can be introduced in this Parliament to promote productivity, including reforming the payroll tax system, improving local government accountability, harmonising apprenticeship and trade qualifications across the country, and delivering a comprehensive review of the New South Wales planning system to fix delay and uncertainty in planning processes.

On tax reform, encouraging entrepreneurship and a mindset that failure comes with its own success can be achieved with help from reform to our taxation system. That includes eliminating the payroll tax burden for businesses in operation for five years or less and investigating the waiving of payroll tax for businesses paying \$5 million or less in wages, and the introduction of productive land use tax incentives. We must also have an honest and public conversation about GST reform for improved fiscal efficiency and effectiveness, which Ken Henry should be around to see updated. It took John Howard a quarter of a century from first introducing the idea of a GST to its wide public acceptance and introduction into the Commonwealth Parliament. While a Federal tax, GST accounts for around 11 per cent of our State's revenue and is subject to serious fluctuations, particularly as we navigate higher interest rates and inflation with reduced spending. We have the responsibility to lead this conversation.

Fixing our messy apprenticeship system is an important part of our economic growth. My work with the Global Apprenticeship Network Australia has particularly alerted me to the possibilities and problems in the current system. Apprentices in rural and regional New South Wales should also be supported, and I acknowledge my Coalition colleagues who are fighting to do just that. In fostering good, human connections, I remind members of the value of art and play. Those are the things I was proud to fight for through the Keep Sydney Open movement. For CBDs in particular, with the increase of apartment living, it is vital that true 24-hour economies are encouraged. They are made lively because of the people who choose to live, perform, create, trade and travel in a stimulating global city. Whether its techno, jazz or drum and bass, visual art, poetry or dance, restaurateurs, tailors or bankers, I encourage the free flow of ideas and trade.

In saying all of that, I remind myself that one of the most challenging aspects of politics is prioritisation. I have seen that a focused mind achieves results in politics. In that spirit, I focus my remaining minutes on housing. Being able to afford a home is not a dream that we should give up on. As legislators, we must take on the responsibility of fixing this crisis, not only for renters but also for home buyers. The psychological advantage of a stable home cannot be understated, or that a person and a family can choose to live in their desired home and work towards ownership as a goal. It might be a place where they can take a salty morning dip, wake up where the freshest air is breathed or eschew sleep in the most vibrant city. They might take their kids out to the local park with other families or invite their friends over to play in their backyard instead. We know that housing has become an asset class more than a human necessity. In *The Forgotten People*, Menzies spoke of homes material, human and spiritual. Without homes material it is more challenging to attain the rest.

The Liberals risk losing a political movement and a generation of inspired actors if we do not engrain the idea that reward for effort is real and felt, not just said. When people feel as though their hard work will not set them apart or allow them to achieve their dreams, they will turn to government for support. It is a natural feeling. We are sleepwalking into a society of great Australian dreams, because its reality seems unattainable. As a politician in opposition it is my responsibility to hold the Labor Government to account. But in this House it is expected that we work together to seek reform, and I hope to do that.

The scale of the problem will not be solved by more public housing. It is an unsustainable route entirely. The current housing waitlist sits at over 50,000 people—over a third of the number of people already in government housing. It is estimated that 45,000 new homes will be required to be built every year for the next 20 years to house New South Wales' growing population. While in 2018 almost 70,000 dwellings were added to the housing stock in a year, in 2021 we continued a downward trend, with only 40,000 homes added. There must be capacity for more private investment to step in, with government required to work with developers to address this chronic shortage. They are not insurmountable challenges that we face. To address the cost of housing, we must do all we can to boost supply. I offer 10 changes to ease the cost of housing. Work on these could begin tomorrow:

1. Retain Coalition legislation that allows buyers to choose to replace transfer, or stamp duty, with land tax—a policy that treasury officials and economist have been calling for for decades.
2. Reduce application costs associated with building compliance for secondary dwellings on a single property.

3. Extend long-term rental to 12 months without development approvals using existing State registration approval processes—currently there is a three-month limit.
4. Develop an accurate short-term rental accommodation register that puts enforced limits on non-hosted short-term rental properties.
5. Increase density and height limits in the Sydney CBD and surrounds, particularly in Woolloomooloo, with in-fill development prioritised.
6. Release State-owned land.
7. Encourage banks to lend for dwellings under 40 square metres.
8. Undertake an accurate audit of vacant residential properties across the State.
9. Introduce land use incentives to develop properties for housing, including consideration of a vacancy and dilapidation tax.
10. Identify and report on five-year to 20-year housing targets by local government areas.

I thank the Liberal Party, its staff, led so faithfully by our outgoing and indefatigable State Director Chris Stone. In 2019 I ran for the seat of Sydney. I hope she will not mind me saying this, but Tanya Plibersek whispered in my ear after I had given an answer at Glebe Town Hall, which was a pretty tough crowd for a Liberal. She told me that I had given a good answer. I was speaking about the importance of members in our Liberal Party and the party's character being inextricably linked to the characteristics of the totality of its membership. The Liberal Party will always be a party of individuals who have chosen to come together in service of their values and the community.

The former member for Coogee, Bruce Notley-Smith, our State's first openly gay member of the Legislative Assembly, said to me when I was a young Liberal something that I will never forget, "When I joined the Liberal Party, yes, I became a part of it, but the party became a little bit more like me." In that spirit I cannot finish without acknowledging the Liberal women in my life, who are absolute powerhouses. There are many—too many to name. The NSW Liberal Women's Council is a force to be reckoned with. The best of them are determined, diverse and whip smart. These Liberal women are deserving of seats in Parliament because they are the best chances our country has to succeed. The Hon. Natalie Ward, the Hon. Aileen MacDonald, Sally Betts, Senator Maria Kovacic and founder of Hilma's Network, Charlotte Mortlock, have shown me the very greatest strengths in women, for women.

Thank you to Matthew John Kean, who has encouraged me to persevere and prevail in speaking up for our values, because this work is not about us; it is about what we can do to serve; and James Wallace, who is a humble servant of the Liberal Party and a formidable political force. Deep thanks to my patient and loving family, to Dad, my beautiful and kind step-mum Sue, brave Kristina, most amazing Ben. I would be nowhere without you and without your love and support. Thank you for everything. A final word from Epictetus who said:

For as the material for the carpenter is wood, and that of statuary bronze, so the subject-matter of the art of living is each person's own life.

I extend the metaphor to say politics is the material of politicians. I will use all the tools I can to improve the politics and policies of this place for the benefit of the people of New South Wales to the very best of my ability. Thank you.

Members and officers of the House stood and applauded.

Motions

COMPREHENSIVE EXPENDITURE REVIEW

The Hon. EMILY SUVAAL (20:38): I move:

- (1) That this House notes that:
 - (a) the Treasurer and Minister for Finance announced on 12 May 2023 that the Government will hand down the 2023-24 budget on 19 September 2023;
 - (b) the 2023-24 budget will be informed by a comprehensive expenditure review, vital to provide an accurate picture of the state of the New South Wales budget, and that this review will be led by the Minister for Finance; and
 - (c) the Treasurer announced on 17 April 2023 a strategic infrastructure review of significant capital works, to be led by Ken Kanofski and supported by Infrastructure NSW.
- (2) That this House further notes:

- (a) the Treasurer and Minister for Finance are inheriting significant economic challenges and difficult-to-avoid pressures on the budget;
 - (b) the former Government led in this place by the Hon. Damien Tudehope accumulated historically high levels of debt in an economic environment of high inflation and rising interest rates; and
 - (c) the challenges faced by the budget will take time and involve tough choices to allow the Minns Government to rebuild New South Wales' essential services and invest in the people who look after each and every one of us.
- (3) That this House wishes the Treasurer, Minister for Finance and the whole Government the very best in their efforts to rescue the budget position so as to make life better for the people of New South Wales.

I welcome the opportunity to speak about the Government's comprehensive expenditure review. As the House now knows, I am a huge fan of maths. But the numbers on the balance sheet that the previous Government left us definitely do not add up—that is, when we consider what good governments should be doing. The House also knows that the previous Government left the people of New South Wales with the biggest debt in our State's history.

In fact, incoming briefs have uncovered a \$7 billion budget black hole left by the former Liberal-Nationals Government. Whilst I am a huge fan of the Hon. Greg Donnelly's deep dive into black holes the other day, I will not attempt to canvass that again. The Government was elected on a platform to fix essential services in New South Wales, to put more teachers in our schools, more health professionals in our hospitals, more paramedics in our ambulance services and more firies in our fire stations. Members know that those things are needed—and they were needed yesterday. Those values underpin the comprehensive expenditure review being undertaken by the Government. We on this side of the House are serious about maximising the value of every dollar that we spend to deliver meaningful outcomes to the people of our State. That is what the people of New South Wales expect and deserve, and that is why they voted us in.

It beggars belief that the previous Government, without telling the people of New South Wales, cut 1,100 nurses from the budget. They will be unfunded from 30 June 2024—a \$380 million black hole over the forwards. There are many problems with unfunded positions for workers. The first that springs to mind is the insecurity of their jobs. That is a particular problem in the regions, like where I live, where workers often need to be attracted to relocate to fill those positions. Why would someone up-end their life and their family to move for a temporary contract? The second issue is one that healthcare workers in particular have spoken to me about at length, and that is the fact that those positions make it very difficult to get a loan to buy a house and put down roots in the regions.

Job insecurity and housing insecurity when the cost of living is soaring adds just another layer of distress for workers in New South Wales. But let us not forget what else the previous Government cut from its budget with this \$7 billion black hole. It cut support for kids living in out-of-home care in a funding shortfall from 30 June 2023—a \$700 million hole over the forwards. Kids living in out-of-home care are already some of the most vulnerable individuals in this State. The list goes on. Cyber Security NSW will be unfunded from 30 June 2024—a \$70 million hole over the forwards. Destination NSW will have \$100 million per year cut from its budget, risking funding to iconic events like Mardi Gras and the National Rugby League grand final.

One would think that with all the New South Wales Blues propaganda floating around the building today the Opposition would have cared a bit more about the NRL grand final. Whilst a navy blue blazer is probably the furthest I would go in staking a claim—and I have to admit that I wore it unintentionally—I recognise the importance to this State of iconic events such as the NRL grand final. Active Kids vouchers will be unfunded from 30 June 2023—a \$350 million hole over the forwards. And, shockingly, the regional seniors travel card program will be unfunded from 30 June 2023. This year, debt will be \$128.7 billion, and interest will be \$4.5 billion a year.

The Government's comprehensive expenditure review will be thorough, considered and used to make sustainable, sensible decisions. I acknowledge the work being done by Treasury and agencies across the Government in undertaking that important review. It is a vital first step in fixing the budget in New South Wales. The Government will ensure that it is maximising every dollar. We will do what a responsible, good government should. The Treasurer and the Minister for Finance have significant economic challenges and difficult-to-avoid pressures. Again, I thank them for their work to date in establishing the comprehensive expenditure review.

The Hon. DAMIEN TUDEHOPE (20:43): It really is a tragedy when those opposite hand a new member a speech like that to read. It is laced with propaganda and inaccuracies. They have said, "We will give you something that will line you up so that you will never have a job on the front bench because of the speeches that you have been asked to give in this place." At best, the motion is an indulgent piece of theatre. It is the sort of stuff we hear in question time. It is a sort of rhetoric we keep on hearing. We all know that "a \$7 billion black hole" is code for "We have not found the money to pay for the promises we want to make". They call it the \$7 billion black hole; we all know that it is code for "We have made promises we cannot keep". That is what the

Government is all about. Time and again Government members say in this place, "You haven't funded Cyber Security NSW. You haven't funded the Active Kids vouchers and other things that we expected."

The Hon. Courtney Houssos: You cut it.

The Hon. DAMIEN TUDEHOPE: Well, how many Treasury officials have you sacked? You sacked the secretary—I know that. You sacked the Treasury secretary because they are the one who signs off on the accounts every year. They are the one who has to be responsible.

The Hon. Courtney Houssos: You want to blame the public servants.

The Hon. DAMIEN TUDEHOPE: No, no. If you say that the secretary signed off on a set of accounts which contained a \$7 billion black hole, then where are the questions directed at those people doing that modelling and signing them off as accurate reflections of the finances of this State? Members opposite come into the Chamber and engage in pieces of theatre. The comprehensive review is a fraud to perpetuate the behaviour of saying, "We are going to tell the people about cuts we are going to make and blame it on someone else because we cannot afford the promises we have made." They should tell the truth to the people of New South Wales. They went to the election with a lie, and they are perpetuating that lie in this place.

Ms ABIGAIL BOYD (20:46): On behalf of The Greens, I contribute to debate on this broadly welcome motion. I flag that we have an amendment we would like to move, which I will get to in a moment, because the last two paragraphs of the motion are a little too positive in relation to the new Government. However, The Greens acknowledge that there has been at least a \$7 billion black hole left by the previous Government, the full extent of which I do not think is fully known yet.

The Hon. Damien Tudehope: Then how do you know it is \$7 billion?

Ms ABIGAIL BOYD: The \$7 billion is just the bit we know about. The sham that is the Transport Asset Holding Entity and the accounting gloss that was put on it is a good indication of the approach the previous Government took to balancing the books. The previous Government was more intent on making the budget look good than on making the budget, in substance, work for the people of New South Wales. There is no doubt that we will end up having lots of conversations about this as we go, but it is not a huge surprise that we are in a position where the people of New South Wales have discovered that a very significant difference exists between the real state of the budget and what the former Government made it out to be. I move:

That the question be amended as follows:

- (1) Omit paragraph (2) (c) and insert instead:

without the courage to raise more revenue from New South Wales' most profitable industries and wealthiest individuals, the Minns Government risks repeating the mistakes of the former Coalition Government in being caught in a false dichotomy between borrowing more debt and cutting essential services".

- (2) In paragraph (3), omit all words after "House" and insert instead:

calls on the Treasurer, Minister for Finance and the whole Government to do their best to rescue the budget position in a way that makes life better for the people of New South Wales".

The Greens would wholeheartedly support the motion with those amendments.

The Hon. CHRIS RATH (20:49): I feel sorry for the Treasurer. Commitments were made during the election campaign that now need to be funded and he cannot find the money. That is essentially what the comprehensive expenditure review is about. Labor overcommitted and made all these promises during the election—in particular, to trade union bosses—and now it cannot deliver on them. The easiest budget cut one can ever make is the stuff that one does not go into. Labor made it clear that it will abolish the wages cap, though little detail came through the campaign about what that would entail. Those opposite are under a lot of pressure because of the wage demands coming from the trade union bosses, in particular, the strikes that are rolling out now.

Trade union officials in this State are probably feeling a bit gypped. They are knocking on the door of those opposite, saying, "We helped you get elected. We stood out there on polling booths. We ran the negative campaigns for you. We helped at train stations. We helped at pre-poll. We now want to be paid. Pay up." Alex Claassens and Mark Morey are knocking on the door, saying it is time to pay up. In return, those opposite are saying "4 per cent". We were promising 3.5 per cent, and they are saying, "We have a deal for you—4 per cent." An extra half a per cent on top of what we were already promising—is that it?

The trade unions are probably thinking to themselves, "Is that all there is? Is an extra half a per cent all that they are going to promise? Is that all they are going to deliver on?" They probably feel like they are being completely gypped because during the campaign those opposite said, "We are getting rid of the wages cap." There

was little detail about what that would entail, and now they are incredibly unhappy about the 4 per cent, thinking, "Is that all there is?"

The comprehensive expenditure review is codename for, "How do we find more money out of the budget because we have to abolish the wages cap and pay off the trade union bosses?" Those opposite will probably look at another way when they cannot afford to pay for the union wage demands, and that is to cancel infrastructure such as the Beaches Link and the two Sydney Metro lines. That will also probably come out of the comprehensive expenditure review. What else will they cut as part of the comprehensive expenditure review because they cannot deliver on the wage demands from the trade union bosses that run their party?

The Hon. Dr SARAH KAINE (20:52): I speak in support of the motion. As we have already heard today, the comprehensive expenditure review will be thorough and considered to enable the Government to make sustainable and sensible decisions. Sustainable and sensible decisions are what this State needs after 12 years of mismanagement that has seen so many of our essential service suffer. We are facing a mass exodus in our essential services workforces, as the previous Government undervalued and devalued their important work. In education 1,854 permanent teachers resigned in 2022—nearly double those who resigned in 2020 and triple the 626 who resigned in 2016. In 2021 NSW Health lost 12.6 per cent of its nursing staff, and the previous Government left 1,100 nurses unfunded from 30 June 2024. That is a \$380 million hole over the forward estimates.

I am most worried about things that perhaps we have not found yet that will come out in the expenditure review. What have we still not found? The Liberal-Nationals Coalition is notorious for outsourcing public sector jobs. At a Federal level, it has resulted in what *The Sydney Morning Herald* referred to last week as a "shadow public service". In the final years of Morrison's Government, nearly \$21 billion was spent on privately owned businesses providing Commonwealth government services, equating to about 54,000 full-time workers. At a State level, in the 2021-22 financial year the former New South Wales Coalition Government spent approximately \$1.7 billion just on one public sector outsourcing scheme: the Contingent Workforce Scheme. These are not consultants; these are workers who are doing work for government agencies through recruitment and labour hire companies. That is over 16 million hours of work performed for the New South Wales Government by workers who are not on the Government's payroll. That is outsourced work. We know what happens to workers in outsourced companies.

The biggest spender in that Contingent Workforce Scheme in the 2021-22 financial year was transport and infrastructure, while education and health were the second- and fourth-biggest spenders. The millions of hours of work done by people who are not employees of the Government is what was spent through this one scheme. It does not consider other spending on labour hire, outsourcing and consultants across the Government. We do not know yet if these are sustainable and sensible decisions. We will find that out through this review. Given what we have seen in the Federal jurisdiction with the use of contingent work as a quasi-public sector, I will not be surprised if the Minister's review uncovers more unnecessary outsourcing of work using taxpayer money that could otherwise be spent creating stable and fairly paid public sector jobs.

The Hon. WES FANG (20:55): In her contribution, the Hon. Dr Sarah Kaine indicated that she is worried about a number of things. I am worried about rural and regional New South Wales with Labor in power. We know that it is going to be cut, cut, cut from those opposite. This motion is about the cut, cut, cut that will happen in rural and regional New South Wales.

The first cut will be to the Regional Apprentice and University Student Travel Card that the previous Government budgeted for and rolled out, and it has been stopped by Labor. Those opposite should be ashamed of themselves. In rural and regional communities, people do not have access to subsidised public transport. This was one way that our rural and regional students and apprentices could get their hands on a bit of help to relieve the cost-of-living pressures they are experiencing so that they could have a bit of what metropolitan students get by way of subsidised travel.

With Labor, it has been cut, cut, cut. Those opposite do not care if it is in rural and regional areas because they really do not care about them. It has been shown time and again by the policies that they deliver. I agree with the Hon. Dr Sarah Kaine that I am worried. I am worried about this expenditure review because we know what it means for our communities. Look at Marshalls Creek Bridge in Wagga Wagga that I spoke about earlier today. The program is ready to go, but the regional roads Minister is refusing to implement it. This expenditure review is code for "rural and regional communities and cuts". That is what it is about.

Ms Abigail Boyd: Cut, cut, cut.

The Hon. WES FANG: Exactly. I acknowledge the interjection. Even Ms Abigail Boyd knows it is about cut, cut, cut. Those opposite should also admit, as Ms Abigail Boyd has, that this is purely about finding cuts.

Ms Abigail Boyd: Point of order—

The Hon. Mark Banasiak: She was being sarcastic, Wes.

Ms Abigail Boyd: For Hansard's purposes, I correct the record. I was not endorsing the "cut, cut, cut" message but, in fact, making fun of it.

The Hon. Damien Tudehope: She should be called to order.

The PRESIDENT: We will move on and take that as a comment. The member has the call.

The Hon. WES FANG: The Leader of the Opposition is right; the member should be called to order. But I appreciate that she is perpetuating the legacy for which those opposite will be known: cut, cut, cut in rural and regional communities and cut, cut, cut to students. [*Time expired.*]

The Hon. NATALIE WARD (20:59): I oppose the motion. I am very concerned that it treats a very serious matter as one of congratulation and wishing each other the very best. The people of New South Wales expect the Government to be doing things for them and not self-congratulating each other in this House. As the Hon. Damien Tudehope said, this self-congratulatory, indulgent motion is theatre. The people of New South Wales expect better. It is a matter of cut, cut, cut because the Government has cut vital projects across this State, which the Opposition when in government worked very hard with the community to implement. Government members have not worked hard for the people of New South Wales, nor have they sought help from the Federal Government to ensure that those projects are backed in, even though they have mates in Canberra.

Labor seems to prioritise paying off the labour unions and their mates first and foremost. You have to pay the ferryman for delivering the result. I find it interesting that while the Government is looking at slashing Active Kids, it is reaching into the pockets of families to fund \$16 million for the Ultimate Fighting Championship. This is a Government that is at sea. It does not know what it is doing. Meanwhile, Government members are very happy to extend those cuts to cutting ribbons on projects that the Opposition when in government funded, planned and delivered. They are cutting ribbons on new hospitals, new schools and the Sydney Gateway. They are talking about how fantastic those projects are, such as, "Save 20 minutes of travel time on the Sydney Gateway."

The Hon. Wes Fang: Central Station.

The Hon. NATALIE WARD: And Central Station. Government members have not even provided the professional courtesy of inviting those members who put forward these ideas—most of which were opposed by Labor when in opposition, such as WestConnex—or the local members in the area to the opening of those projects. There is an arrogance about the motion and the approach of the Government. Families are trying to send their kids to sport. Families are trying to make ends meet. Young people are trying to buy homes. The arrogance of taking that choice away from them is devastating to us. So yes, we oppose the motion. The budget is in the place that it is because of the reality of the past couple of years.

In fact, the motion fails to recognise that we have had a global pandemic, we have had bushfires and we have had floods. We have kept businesses afloat. We have kept families afloat. We kept the trains running and the rest of the transport system going. All of those things continued. When in opposition, the Minns team said that it would not be political about this and that it would work together with the Government, but it has completely cut that out of its revisionist history of the financial position of this State. I find it extraordinary that the motion could come before the House in any serious manner when the people of New South Wales expect the Government to have a plan. Stop doing review after review and come up with a plan to make things better for the people you propose to represent.

The Hon. MARK BUTTIGIEG (21:02): I contribute to debate on the motion. The nerve of the Opposition to double down on a legacy that was patently rejected by the electorate! Opposition members continue to double down on their abject failure. How can members argue against an incoming Government that is looking at the books and wondering how it is going to find the money to fund the promises that it was elected on? It is about priorities: The former Government prioritised lumbering Labor with the largest debt in this State's history. That is a fact. Some \$90 billion in assets were sold off, and you could not even leave us with a balanced budget. You hired consultants hand over fist, you squandered money on grants all over the place, you sent trade commissioners on multimillion dollar salaries overseas and then you spent money on dodgy infrastructure, such as trains that do not fit the tracks.

The PRESIDENT: Order! The House will come to order. The Hon. Mark Buttigieg will direct his comments through the Chair.

The Hon. MARK BUTTIGIEG: I am very sorry, Chair. The infrastructure that Opposition members boast about actually transferred public wealth to monopoly toll road companies. They said to the poor old taxpayer, "Sorry, you will now travel on a privately owned road and you will pay through the nose for it." It is no secret that

when in opposition we campaigned night and day on our priorities, and that is why the expenditure review is so important. We campaigned on this. As a result of the comprehensive review, we are going to find the money to fund and deliver schools—schools in Camden and Leppington.

The Hon. Sarah Mitchell: We built them. We built more schools than any other government in the history of this State.

The Hon. MARK BUTTIGIEG: Tell that to the people of Gregory Hills. Opposition members still—

The Hon. Daniel Mookhey: Point of order: I am loathe to interrupt but the member should be able to make his argument without a wall of noise coming from members opposite.

The PRESIDENT: I uphold the point of order.

The Hon. MARK BUTTIGIEG: The level of volume from those opposite is directly proportional to their denial. We prioritise nurses, we prioritise firefighters, we prioritise paramedics and we prioritise wage rises for working people. Members opposite denied them a wage rise for 12 years and left behind a mess. They denied working people a wage rise because they preferred to spend that money on dodgy infrastructure. Members opposite must be ashamed of themselves. [*Time expired.*]

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

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (21:05): I contribute to debate on this excellent motion moved by the Hon. Emily Suvaal. I begin by congratulating her on a truly outstanding inaugural speech last night. I can only imagine how difficult it was. She delivered it with style and class. She has an extraordinary story and she is going to make a huge contribution as a member of this place. I am proud to serve alongside her as part of the Minns Labor Government.

The Hon. Damien Tudehope: She is wishing you all the best too.

The Hon. COURTNEY HOUSSOS: I am not entirely sure that those opposite read the same motion that I read. The motion states that we will be delivering the budget in September; it will be informed by the comprehensive expenditure review; we find ourselves with difficult choices to make; and that we hope we do well in our work to make life better for the people of New South Wales. It is remarkable how quickly those opposite forget about what they did during their 12 long years on the Government benches. The previous Government spent tens of billions—

The PRESIDENT: Order!

The Hon. COURTNEY HOUSSOS: The previous Government sold off tens of billions of dollars worth of public assets and then went on to clock up a record level of debt to fund our current infrastructure program at 80 per cent debt leverage. That puts us in the remarkable situation where we will be paying off more of our debt than we will be spending on our police force or on the skills of our children through our TAFE system. Government is about making choices, and before the election those opposite made the choice to put 1,112 nurses on temporary contracts instead of on permanent contracts so that they would run out in the middle of next year.

Those opposite ceased funding the office of cybersecurity in an era where we are suffering more cyber attacks than ever before. They allowed the cost of care for our most vulnerable children to run into hundreds of billions of dollars worth of overruns with no plan to address the haemorrhaging. They failed to even lodge a budget submission to preserve a voucher program that they apparently feel very passionate about now that they have been rejected by the people of New South Wales. We make no apology for trying to clean up after their laziness and lack of discipline. Governing is about priorities. We are clear about our priorities. We will fix the essential services in New South Wales because the people of New South Wales have elected us to do so. [*Time expired.*]

The Hon. EMILY SUVAAL (21:09): In reply: I acknowledge a couple of remarks made by members opposite. In regard to the discussion about wage demands from union bosses, I remind the Hon. Chris Rath that the average trade unionist is a middle-aged woman. For example, they could be an aged-care worker or a cleaner in a hospital. All of those workers' wages have been suppressed by the unfair public sector wages cap put in place by members opposite. Setting aside the remarks of the Hon. Damien Tudehope about me making this speech and my perhaps questionable ability to write a speech on my own, those opposite are attempting to heap blame over here in a desperate bid to salvage their reputations as good economic managers because, without that, who are they? I will never forget the treatment that the rail workers of this State were subjected to by those opposite. The Hon. Wes Fang's fear of rural and regional communities missing out has become palpable all of a sudden. Yet, when he was in government, he oversaw a crisis in the budget and pork-barrelled bushfire recovery grants—

The Hon. Sarah Mitchell: What are you talking about? You weren't even here.

The Hon. EMILY SUVAAL: I bloody read about it.

The Hon. Wes Fang: Point of order: I appreciate that the member may not be aware, but casting aspersions like that on me should be done by way of substantive motion.

The PRESIDENT: I uphold the point of order because the honourable member did say that the Hon. Wes Fang personally oversaw that, which patently was not the case. I ask the member to withdraw that element and continue with her contribution.

The Hon. EMILY SUVAAL: I withdraw the remark. When in government, those opposite oversaw the pork-barrelling of bushfire recovery grants away from regions that desperately needed them and into water parks. The Hon. Natalie Ward took issue with the congratulatory nature of the motion when there are another six bullet points that clearly outline the Government's plans to fix the mess that has been created. I also remind members that the budget was on track to blow out to record levels before the COVID-19 pandemic. As I said earlier, those opposite can attempt to heap blame over here in a desperate effort to salvage their own reputations because, without that, what are they?

The PRESIDENT: The Hon. Emily Suvaal has moved a motion, to which Ms Abigail Boyd has moved an amendment. The question is that the amendment be agreed to.

Amendment negatived.

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

The House divided.

Ayes22

Noes13

Majority.....9

AYES

Banasiak
Borsak
Boyd
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Higginson
Houssos
Hurst
Jackson
Kaine
Lawrence
Mihailuk

Mookhey
Moriarty
Murphy (teller)
Nanva (teller)
Primrose
Sharpe
Suvaal

NOES

Carter
Fang (teller)
Farlow
Farraway
MacDonald

Maclaren-Jones
Martin
Merton
Mitchell

Rath (teller)
Taylor
Tudehope
Ward

PAIRS

Graham

Munro

Motion agreed to.

Committees

PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Reference

Ms ABIGAIL BOYD: According to paragraph 8 of the resolution establishing the Public Accountability and Works Committee, I inform the House that the committee resolved this day to adopt the following reference:

Inquiry into NSW Government's use and management of consulting services

- (1) That the Public Accountability and Works Committee inquire into and report on the use and management of consulting firms by New South Wales government agencies, including:

- (a) the setting and enforcement of procurement policies;
 - (b) the transparency of work undertaken by consultants, and the accountability of consultants for this work;
 - (c) the adequacy of agency classification, reporting on and disclosure requirements for the use of consultants;
 - (d) whether consultants are being used strategically and in a way that delivers value for money;
 - (e) the management of and measures to prevent conflicts of interest, breaches of contract or any other unethical behaviour;
 - (f) the impact on the capacity and future development of the New South Wales public service as a result of the increasing reliance on the use of consultants;
 - (g) integrity and transparency obligations of New South Wales government agencies in relation to their use of consultants;
 - (h) the use of "consultant shopping" and the poor public policy outcomes that have arisen from such practices;
 - (i) enforcement actions that have been taken previously, and the adequacy of existing legislation to support integrity agencies to investigate and enforce penalties;
 - (j) the process and timing for releasing reports unfavourable to government policy priorities and initiatives; and
 - (k) any other related matter.
- (2) That the Committee report by 31 May 2024.

Motions

NATIVE FOREST LOGGING

The Hon. SARAH MITCHELL (21:21): I move:

- (1) That this House notes the decision of the Victorian Labor Government to bring forward the end of the native timber industry in Victoria.
- (2) That this House notes that native forest harvesting in New South Wales is carefully managed under a robust regulatory framework to ensure the right balance is struck between environmental protection and forestry operations.
- (3) That this House notes the important role that the Construction, Forestry, Maritime, Mining and Energy Union will play in ensuring a balanced and vibrant future for forestry in New South Wales.

As the Leader of The Nationals in this place, I move an important motion. The forestry industry is really important to regional New South Wales. While in government, the New South Wales Coalition always supported regional communities to ensure that native forest harvesting in New South Wales was carefully managed under a robust regulatory framework to ensure the right balance was struck between environmental protection and forestry operations. The forestry sector in New South Wales is worth around \$2.8 billion, and it supports more than 19,000 jobs. In government, our priority was always to protect our environment, improve our sustainability and ensure our economic productivity in the long term.

Unlike its Victorian cousin, NSW Labor has generally been silent on native forest harvesting, but now they find themselves on the Government benches and it is time for their position to be clarified. New South Wales has 20 million hectares of forested area, of which 8.3 million hectares is managed by the Government. The rest is privately managed. Of the forested area managed by the Government, 67 per cent is set aside for nature conservation with no timber harvesting and 24 per cent is managed by Forestry Corporation. Of the forested area managed by Forestry Corporation, 50 per cent is unavailable for forestry activity. Of the remaining 50 per cent, up to 30,000 hectares is harvested a year on a 30-year rotation, which is 0.1 per cent of the total 20 million hectares of forested area in this State.

New South Wales has an integrated framework to support the sustainable management that is regulated by the Environmental Protection Authority. This State is a world leader in sustainable forestry management and attracts experts in ecology and science to help manage its forests to a global standard expected by the community. New South Wales has dedicated agencies that specialise in sustainable forestry management. It is important that our State forests remain open not only for the critical timber resource they provide but also to ensure that communities continue to have a strong connection to nature through the many activities State forests offer.

We should also be proud of the timber products our State forests produce and the hardworking people in regional areas employed in the timber industry. If we talk about investing in manufacturing jobs in New South Wales, we need to start by supporting our timber workers. We already have an army of skilled workers in the timber industry turning harvested trees into materials that can be used to construct buildings, furniture, flooring, timber products and other items. Our mill workers, timber contractors and transport workers are a vital part of our regional communities, especially on the North Coast. I know I speak on behalf of my colleagues in the other place when I say they understand how vital the forestry industry is for their communities.

It is also important to recognise the work of the Construction, Forestry, Maritime, Mining and Energy Union [CFMMEU] in standing up for forestry workers. The forestry industry has faced a number of significant challenges over the past three years, including the Black Summer fires and the recent floods that have impacted timber harvesting across the State. As supply decreased in mills and the timber supply chain suffered as a result of those dual disasters, the CFMMEU continued to stand by timber workers. Without them, we would not have the incredible products that we rely on each and every day. Advocacy on behalf of timber workers is important. We stand by those who are looking to support the important industry.

As I said, we need to make sure we have the products that we rely on every single day. Not only is native hardwood timber a critical material, but we use it in our everyday lives. Native timber goes into flooring, cladding, panelling, residential building structures, fencing, boat and ship construction, power poles, bridges, furniture and firewood. Recent media about what has happened in Victoria shows that the industry is having a tough time. Victoria under the State Labor party is poorer for fast-tracking the end of their hardwood industry. Shutting down the hardwood timber industry sacrifices hardworking jobs, and the demand for timber does not cease. At a time of critical timber shortages in the construction and manufacturing sectors, the announcement by Victoria is a significant blow to regional economies and the environment.

To fill the demand for hardwood timber, consumers will end up buying imported timber from other countries with weaker environmental standards. That is a perverse outcome. New South Wales should be proud of its timber industry and support timber workers who provide a critical resource while adhering to the highest possible standards set out at State and national levels. I appreciate the opportunity to move a motion about an issue that impacts many people across regional New South Wales. The State has almost 20,000 people employed in the forestry sector. I look forward to the Minister's contribution to the debate on the motion. This is an important debate. The Government needs to give the sector and its workers clarity and certainty about what plans, if any, it has in New South Wales. If the Government is intending to go down the path of its cousin in Victoria, this is an important debate. I look forward to members' contributions to the debate.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (21:26): The Government's position is pretty straightforward, and the motion is not the wedge that the Opposition thinks it is. The Government is committed to a sustainable New South Wales forestry industry. That is not a secret. Labor members said it during the campaign and committed to it during the election campaign, and as the Minister I commit to it right now. The forestry and wood products industry in New South Wales is one of the State's key levers for economic recovery and net zero emissions and is central to the viability of many regional communities. I met with members of the industry and the workers, even before I became the Minister. The Government absolutely supports the jobs across the industry.

Equally important is maintaining the balance of environmental protection while the industry is supported, and Labor will get that balance right. The State has to manage how it deals with the relationships across the sector. I note that paragraph (c) of the motion refers to acknowledging the work of the Construction, Forestry, Maritime, Mining and Energy Union. The Government supports that union. I should probably move an amendment to also include the Australian Workers' Union, which is very active in the forestry space and supports its members who work in that space. I will work with them closely on the Government's position because jobs are important. There are roughly around 22,000 forestry jobs across the State. We will be working with the industry to maintain those.

The Government has committed to undertaking a comprehensive economic assessment to guide support for local jobs and communities. That will be achieved by supporting sustainable softwood and hardwood plantations across the State, the construction of trails and tourism infrastructure so that places can be used for all kinds of activities, effective fire and tree management conservation, and tourism facilities such as visitor centres in newly reserved areas. The Government will also undertake a skills audit to guide investment and incentives to encourage new economic opportunities in the forestry industry. The Labor Government supports forestry and wood products industries, which employ more than 22,000 people across New South Wales. During the election campaign we pledged to work on expanding the plantation estate. Getting the balance right is essential, and the Government will do that. We will not handle this in the same ridiculous way as the previous Liberal-Nationals Government. We will work across portfolios to make sure that we deal with the timber industry in the appropriate way. Rather than look at what happened in Victoria, which is not the same as New South Wales, I encourage the mover of the motion to look at what happened in her Government.

The Hon. MARK BANASIAK (21:29): I contribute to the debate particularly around the decision by the Victorian Labor Government to end native forest harvesting, which was a disgraceful decision based on chardonnay socialism. The Victorian Treasurer cannot explain where the State will get its timber from, so I smell dead orangutans on the horizon. The decision came down to people like forestry contractor Brett Robin. Fighting the 2019 Bunyip fire, he risked his life and drove through flames to rescue a trapped operator. His reward will be

to lose his job in 2024. In the 2006 fires, the industry used its machinery to create firebreaks to protect Melbourne's two largest water catchments. After 2024 Victoria will never have that protection again.

The Shooters, Fishers and Farmers Party is unashamedly supportive of the timber industry. We do not pick and choose moments to support it, like the major parties do. Unlike The Nationals during the election campaign, we did not gag our members from talking about the proposed great koala national park. I pay tribute to the Construction, Forestry, Maritime, Mining and Energy Union and thank its members for their support at the polling booths. They support the party because it has shown, through its words and actions, that it does not pick and choose when it supports them.

I draw members back to my inaugural speech, where I said both sides of politics have had equal experience in stuffing things up, and that rings true for the timber industry. Last year the Coalition inserted the great koala national park as a force majeure clause in new wood supply agreements, signalling what it would do if it were returned to government. Bob Carr started this rot with the reserve system—and it is a rot when you look at the facts. Eighty-eight per cent of native timber in New South Wales is excluded from harvesting and 12 per cent is available to harvest at a rate of less than 1 per cent each year. That means that the 88 per cent, which should have wildlife returning to huge numbers because it has been locked up for conservation for so long, is the problem. There should be no endangered animals if The Greens rhetoric around parks is to be believed.

The 88 per cent locked up for conservation is clearly not delivering on the promised conservation outcomes, so why is the Government continuing to do it? All the evidence is there. The facts that The Greens shout from the rooftops actually spruik their own failures on conservation outcomes. I will not hold the Labor Government accountable for the sins of its weird, creepy Victorian uncle, but the Shooters, Fishers and Farmers Party is watching it on this issue. How does the Government plan to build the great koala national park without a net loss to timber supply? That would be a great feat. If nothing else, in the past four years I have proven that I am a dog with a bone. I stand steadfast with the timber industry in our State and across the country.

The Hon. EMMA HURST (21:33): I contribute to debate on the motion on behalf of the Animal Justice Party. I am well aware that the motion has been moved by the Opposition in an effort to try to wedge the Government and stick it to a core promise to industry. Nonetheless, I congratulate the Andrews Government on taking decisive action to bring an end to native forest logging in Victoria by January 2024 and call on the New South Wales Government to do the same. Our native forests are extremely important. They provide critical habitat for wildlife and play a vital role in carbon capture and storage. However, they are quickly being destroyed by the logging industry. The *NSW State of the Environment 2021* report found that habitat destruction and native vegetation clearing were the greatest threats to biodiversity in our State.

Logging is incredibly harmful to animals, which are often killed or injured when trees are cut down or logs are processed. Those that survive are at increased risk of dying from starvation, predation, exposure to the elements and other threats. Logging is also a key threatening process for dozens of threatened species in New South Wales, including koalas. Decades of the practice has meant a catastrophic decline in eucalypt tree forests. The fragmentation of native forests means that koalas are forced to travel from one area to another to seek food and shelter, making them more vulnerable to being hit by cars as they cross major highways and falling victim to diseases such as chlamydia.

New South Wales koalas are now formally listed as endangered and show no signs of recovery. We need bold action to protect koalas now if we are going to bring them back from the brink of extinction, and a key part of that recovery plan must be a ban on native forest logging. On top of all that, there is no commercial argument to keep the native forest logging industry going. Forestry Corporation of NSW is losing taxpayers' money in its native logging operations. Ninety per cent of the State's timber products already come from plantations rather than native forests. Banning native forest logging is one of the single biggest actions Parliament can take to turn around the climate and extinction crises. If the Government wants to prove it is serious about protecting animals and the environment, it needs to take action urgently on this issue.

The Hon. WES FANG (21:35): I believe the Hon. Sarah Mitchell moved this motion because the timber industry is quite important to the State in general, not just to rural and regional New South Wales. Many of our houses, furniture and infrastructure are made from timber. Timber is an amazing resource for building. It can be structural or used for floorboards or furniture. When it grows, it captures and stores carbon. If the State does not have its own timber industry, it will have to be brought in. In her contribution the Minister spoke about supporting more plantations—effectively more planned forestry—which I think is a great idea. But some private native forests are in areas that are under threat of being locked up because they are considered to be core habitat for X, Y, or Z.

If this State, and this country, does not have a sustainable means of producing its own timber, we will either have to bring it in from somewhere else or use another means to build houses—like steel, which everybody knows

is more carbon intensive. If we want a sustainable product for the construction of houses, furniture and all the things we use on a day-to-day basis, we need a timber industry in this State. That is what is really worrying about what has happened in Victoria. At the end of the day, softwood and hardwood are used for different things and their plantations are different. Some private native forests being grown at the moment are at risk of being locked up. As much as I acknowledge the view of The Greens that we need more hardwood and softwood plantations, in reality what will happen is they are likely to be locked up halfway through their growth. Investment is needed so the State has a timber industry into the future. Plantations take 40 years or longer to grow, so the industry needs certainty, which is what the Opposition is calling for in the motion.

Ms SUE HIGGINSON (21:38): It currently costs taxpayers \$417 per hectare to log our public native forest estate. That is about 1.5 million hectares that is managed for logging. At the moment, our plantation estate, which provides over 85 per cent of the State's high-end timber, comes from plantations. It has returned \$94 million over two years, whereas the hardwood estate has cost taxpayers \$28 million. We are emitting 3.6 million tonnes of carbon by logging our public native forest estate. The money tells us we just cannot afford to be doing that. If we stop logging now, that is a \$2.7 billion carbon saving between now and 2050 based on the current cheap price of carbon per tonne of around 36 bucks. We know that will increase massively as we go forward. We have just seen a report on the table that states if we stop logging in the north now it would be a \$294 million return in revenue by 2040. The fact is we cannot afford to keep logging.

Members just heard about the Victorian decision. It is coupled with an \$875 million price to make sure workers are looked after. If this is honestly about workers then we need to wake up. Members are having the same argument in this Chamber that was being had 30 years ago. It is time to grow up. We are decision-makers. We must take responsibility for workers, the environment and the economy. Right now the mere fact that the Opposition is proposing in this Chamber that this is all about looking after the Construction, Forestry, Maritime, Mining and Energy Union somehow—after 12 years of what it has done in terms of unions, workers, capping wages and so on—is unbelievable. The hypocrisy is outrageous. That is not wise when we are actually talking about the future of our grandchildren's children. I move:

That the question be amended as follows:

- (1) In paragraph (2) omit "carefully", "robust", and "to ensure the right balance is struck between environmental protection and forestry operations".
- (2) In paragraph (3) insert "plantation" after "vibrant future for".

Those amendments would make for a reasonable and salvageable motion that is fit for this Parliament on this day in 2023, when we have serious decisions ahead of us regarding the public forest estate. That estate belongs to all of the people.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Has the member provided a written copy of her amendment to the Clerk?

Ms SUE HIGGINSON: No, I have not.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I ask that you please do so. I urge members who seek to move amendments to please put them in writing and make them available to the Clerk.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:41): I support the motion of the Hon. Sarah Mitchell. I reflect on two issues in debate. The first is the concern of the member in bringing this motion to the House, which we welcome and support. But I note that the former Minister sat around the Cabinet table for a very long period in the previous Government. She would be aware of a number of reports that never saw the light of day, blocked from public release as a result of the actions of the National Party. It has been an incredible week, with the Liberal Party indicating it has done work on ending native forest logging and those reports that apparently may or may not exist. I reflect on the interesting and fun time that the previous Government had in relation to forestry; meanwhile, significant issues within the forestry sector were identified in the timber inquiry that went completely unaddressed. If the former Government was serious about that, it would have addressed it.

People are talking about the great koala national park, which Labor is absolutely committed to establishing. I have mentioned several times in the House the process we would undertake in relation to that. But there is ongoing debate regarding some forestry operations within the notional boundaries of the great koala national park. In particular, I put on record the issue of Pine Creek. Within those areas plantation forests will be harvested. I make it very clear that Labor supports plantation forestry. Those trees were put in the ground to be harvested. We must be very clear about what is plantation and what is native forestry and the way in which that is managed throughout the process of creating the great koala national park. It is not Labor's intention to have plantation forests included within the great koala national park.

For all of the talk about the support for plantation, we have plantation trees that have been growing for many years that are ready to be harvested. We must work with that. Obviously we need rules about how that harvesting occurs, as well as an absolute precaution in relation to any threatened species. But it is important to draw the distinction because I am asked about it every single day. We must be very clear that we will be very careful. We are working closely with Forestry Corporation on the operation of planned forestry activity into the future. Importantly, plantation timber—which everyone seems to agree we need—must be allowed to be harvested.

The Hon. SARAH MITCHELL (21:44): In reply: I thank all members who contributed to debate. There were a few remarks that this was a wedge motion, but it was not. It was an opportunity to have a genuine conversation about an issue that is really important to regional New South Wales, which is why I moved it. It is not my normal area of policy expertise—I confess that. I have been learning a lot in the past few weeks. But as Leader of The Nationals in this House, people have personally been in touch with me about it. They want clarity and information about the Government's position on these issues. I thank members for that because this is exactly what private members' day is for: to have good, robust discussions about important policy issues that matter to the people we represent.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The Hon. Sarah Mitchell has moved a motion, to which Ms Sue Higginson has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes5
Noes29
Majority.....24

AYES

Boyd (teller)
Cohn

Faehrmann
Higginson

Hurst (teller)

NOES

Banasiak
Borsak
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Farraway
Houssos

Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Martin
Merton
Mihailuk
Mitchell
Mookhey

Moriarty
Murphy
Nanva (teller)
Rath (teller)
Sharpe
Suvaal
Taylor
Tudehope
Ward

Amendment negatived.

The PRESIDENT: The question is that the motion be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The House divided.

Ayes29
Noes5
Majority.....24

AYES

Banasiak
Borsak
Buttigieg
Carter
D'Adam
Donnelly
Fang

Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Martin
Merton

Moriarty
Murphy
Nanva (teller)
Rath (teller)
Sharpe
Suvaal
Taylor

AYES

Farlow
Farraway
Houssos

Mihailuk
Mitchell
Mookhey

Tudehope
Ward

NOES

Boyd (teller)
Cohn

Faehrmann
Higginson

Hurst (teller)

Motion agreed to.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): 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.

TRIBUTE TO MARGARET DAVIS

The Hon. TAYLOR MARTIN (22:01): I pay tribute to the Hon. Margaret Alayne Elizabeth Davis, who was a member of the Legislative Council from 1967 to 1978 and passed away in December last year at 89 years of age. Margaret was a beautiful person and a dedicated Liberal Party volunteer of over 60 years. She was still supporting our candidates on polling booths in recent elections while sitting in her walker. She was also a valued friend to me personally, making the trip from the Central Coast to attend my inaugural speech in this place in June 2017. She was always willing to offer helpful advice in my early days. Unfortunately, I only knew Margaret in her later years of life. I only wish I got to witness her in her prime as a member of this place in the sixties and seventies. Margaret joined the New South Wales division of the Liberal Party in 1959. She served as a councillor at Bankstown council from 1962-63 and became president of the Auburn branch of the party in 1964.

Margaret was married to Neil, with whom she had three children, Susan, Robyn and Philip. Together they shared the responsibility of raising their children and balancing their public service, with Neil also spending time as an alderman at Bankstown council. Margaret was living in Chester Hill when she won party preselection for the Legislative Council against 41 other candidates. She was subsequently elected to the Legislative Council in 1967—the second Liberal woman to achieve that. She gave her inaugural speech in this place on 20 September 1967 during an extremely controversial local government City of Sydney boundaries bill. The bill was so controversial that Margaret felt obliged to waive her maiden speech rights. *Hansard* notes an interjection from a member to which Margaret steadfastly declared, "This is Margaret Davis, and you might as well get used to it." Her knowledge and experience as a pharmacist were invaluable as a member of the Joint Committee of the Legislative Council and Legislative Assembly upon Drugs and also the Parliament's representative at the Institute of Technology.

In her time in this place, Margaret played the self-appointed role of ombudsman for people who needed her help, proudly publishing her office telephone number at a time when it was not the standard practice of members. One such person who needed her help was the divorced wife of an abusive alcoholic railway worker. As a result of the divorce, this lady was being evicted from a housing commission railway cottage. Despite Margaret's pleas and the pleas of the then transport Minister, the Hon. Milton Morris, the Railway Commissioner refused to assist the lady. Margaret decided to stage a sit-in at the Railway Commissioner's office. She sat there complete with a thermos and sandwiches, prepared for quite a stay.

After a couple of hours and several attempts to move her on, Margaret remained. She informed the commissioner that she had told her husband that if he had not heard from her by 3.00 p.m., he was to ring each daily newspaper and send their representatives to the site of the sit-in at the commissioner's office. Eventually, reason prevailed, and appropriate accommodation was found for the lady. Margaret served in the Legislative Council until 15 September 1978, when she resigned just prior to that year's State election after she was preselected to contest the seat of Waverley, defeating five other candidates. Needing a 7 per cent swing to win the seat, she fell short, defeated by the sitting Labor member.

Margaret was a pharmacist by profession. She was a delegate to the New South Wales Women's Amateur Athletic Association in 1967, a member of the interim council of the Institute of Technology in 1974, a delegate to the National Council of Jewish Women of Australia in 1975, and a co-delegate for New South Wales to the

Prime Minister's Women's Advisory Body in 1977. Later in her life Margaret retired to the Central Coast, which is where I got to know her. She was an active member of the party, serving in various office bearer roles and delegations for the Terrigal branch and Terrigal State Electoral Conference.

Last year Margaret was awarded a lifetime service award by the New South Wales division of the Liberal Party, recognising more than 60 years of service to the party as a councillor, a parliamentarian in this place and an office bearer. That is the highest form of recognition in the Liberal Party, awarded just once every two years. Marg Davis was a giant of our party and a trailblazer for women. She was a champion for the disadvantaged and doggedly pursued what she considered was the right thing to do. I record my admiration of and my thanks to the Hon. Margaret Alayne Elizabeth Davis for her lifetime of service to the Liberal Party and the people of New South Wales. I extend my sympathies to her daughters, Susan and Robyn, and her son, Philip, as well as her grandchildren. May she rest in peace.

RICE INDUSTRY

The Hon. MARK BANASIAK (22:06): I draw the attention of the House to a critical issue affecting the agriculture sector of New South Wales: the management of the impact of ducks on rice crops. The sustainability and prosperity of the rice industry hinges on effective management strategies, making this a matter of utmost importance. One key player in this endeavour is the Department of Primary Industries [DPI] hunting unit, which assumes a pivotal role in managing hunters and collaborating with landowners. As meteorological forecasts predict drier weather patterns, waterfowl populations are anticipated to concentrate in water-holding areas, particularly in rice-growing regions of New South Wales.

Ducks pose a significant challenge to the rice industry, necessitating a proactive and coordinated approach to management. The DPI hunting unit takes the lead in developing strategies and implementing measures to mitigate the impacts of ducks on rice crops. It is responsible for managing hunters by issuing licences, monitoring activities and enforcing regulations to ensure responsible and sustainable hunting practices. However, effective management cannot be achieved without the crucial collaboration between the Department of Primary Industries and landowners. The department must actively engage with landowners to promote best practices and offer extension services for managing duck impacts. That collaboration ensures that landowners receive the necessary support and expertise to protect their rice crops.

The rice-growing sector of New South Wales relies heavily on the efforts of the DPI and its hunting unit. Its commitment to research, education, collaboration and responsible hunting practices is indispensable for the rice industry to thrive while still preserving the delicate balance of our ecosystems. To ensure its continued success, it is crucial that sufficient resources are provided to enable the DPI hunting unit to carry out its vital work. Unfortunately, history has shown that funding cuts to programs supporting our farming and hunting communities can have detrimental effects. We saw this in the former Liberal-Nationals Government cutting funding to the DPI hunting unit and boosting Local Land Services chopper shoots over forests gazetted for public land hunting in a failed attempt to erode our party base.

I also address the misconceptions perpetuated by the animal rights brigade, which has managed to deceive the world into believing that banning hunting will eradicate all killing of wild animals by humans. That notion could not be further from the truth and is highly undesirable for wildlife conservation. The animal rightists' lack of understanding of the science of wildlife management is evident in their misguided beliefs. When unqualified individuals meddle in the scientific affairs of humankind without a proper understanding of the subjects at hand, irreparable damage can occur.

To shed light on this matter I highlight the perspective of professional biologist Professor Richard Kingsford, who is the Director of the Centre for Ecosystem Science at the University of New South Wales. With 40 years of experience conducting yearly surveys of waterbird numbers across eastern Australia, Professor Kingsford's research has shown that hunting has a small impact compared to the devastating effects of habitat loss. Over the past four decades we have witnessed a significant reduction in waterbird habitat due to the construction of dams, diversion of water for irrigation and the development of floodplains. These factors have far greater consequences for waterbird populations than the impacts of mitigation programs in New South Wales or hunting in the declared seasons in Victoria, South Australia and Tasmania.

After his latest waterfowl survey in south-east Australia, Professor Richard Kingsford expects a bounce in numbers this year due to increased breeding over two wet years and ducks returning to the waterways included in the survey. The ducks will also be returning to the rice-growing areas of the Murray-Riverina irrigation area. With the uncertainty of the future of duck hunting in Victoria and South Australia due to emotive political motives, not factual ones, it is also likely that there will be an influx of interstate hunters to assist in the New South Wales mitigation programs. This Government must recognise the important role of the DPI hunting unit in liaising with

farmers and in education and extension with hunters, not just compliance. This DPI unit must have the necessary and appropriate resources and staff to undertake this important role.

STATE ELECTION

The Hon. EMILY SUVAAL (22:10): I acknowledge the incredible work of all of Labor's candidates in the recent State election, but particularly some of the candidates who represented Labor in our regions. It can be a tough and often thankless task to stand as a candidate in any election, but particularly in an electorate where one knows that one is unlikely to win. Without the dedication of the faithful who fly the flag for Labor in these electorates, we could not have ensured such a fantastic result for Chris Minns and Labor. Although, to quote one of our wonderful branch members in Tamworth, Paul Hobbs, "We've got pretty short flagpoles." It is because of their hard work and commitment to the labour movement that I am standing here today.

Firstly, I acknowledge Craig Elliot, who was Labor's candidate for Tweed. A former electrician, construction worker and police officer, Craig has well and truly done it all. Despite a narrow loss for Labor in the Tweed electorate, Craig's advocacy for the local community remains unwavering. The public sector wages cap was a particular issue at the election for border communities like Tweed. They have gone through so much over the past couple of years. We need go no further than Pottsville ambulance station or Tweed Hospital to discover how the wages cap is impacting those workers. Paramedics earn significantly more across the border in Queensland and, with the cost of living soaring, it is no surprise that workers I spoke with at Pottsville ambulance station were supportive of Craig.

So too the teachers and parents at Pottsville who I spoke to on election day—teachers who need permanent jobs, less administrative work and a local high school to which to send their kids. I was pleased to spend time on prepoll with firefighters and nurses from Tweed who were advocating for the removal of the wages cap and for additional firefighters and nurses for their region. Craig is an asset to his community and truly a person who gets on with the job and delivers outcomes. I have no doubt Craig will continue to fight for the people of Tweed, now and in the future. I acknowledge Andrew Broadley in Ballina, a local high school teacher who ran a dedicated grassroots campaign in the face of strong opposition, both from The Greens and The Nationals. Andrew saw the challenges his community and indeed his own family faced during the devastating Northern Rivers floods, and committed to fighting for his local community to get the recognition it deserves. The school Andrew taught at was devastated during the floods. When I was doorknocking with him in Ballina, he had many conversations with members of the local community about the impact this had had on them and their families.

I also acknowledge Labor's candidate for Clarence, Leon Ankersmit, who I am told wore through at least three pairs of shoes whilst doorknocking throughout the campaign. Members would be hard-pressed to find a member of the Clarence community who Leon did not speak to over the course of the campaign. In spite of an election loss, Leon has continued to work every day to advocate for better outcomes for his community and the people of New South Wales, as he has always done. The people of Clarence are truly lucky to have him on their side. In Coffs Harbour, Labor's candidate and local councillor, Tony Judge, worked tirelessly throughout the campaign to deliver a strong result for Labor in the electorate. Tony was also the candidate in the 2019 State election and has shown a true commitment to the people of Coffs Harbour in the past four years. Whether it be through his work as a candidate, as a local councillor or even as a volunteer with Lifeline locally, I know he will continue to fight for his community every day.

Finally, I acknowledge Labor's candidate for Oxley, Gregory Vigors. Gregory has dedicated his life to helping people, having previously worked in the community services sector and as a volunteer surf lifesaver; he is now working at Coffs Harbour Base Hospital. A lifelong drive to deliver for the people of Oxley made Gregory an outstanding local candidate for the seat. There is no doubt that NSW Labor took to the recent election a group of highly dedicated, skilled and selfless local candidates. Standing as a candidate in an election is no easy task, as we all know. I am proud to have stood alongside these candidates representing Labor in rural and regional New South Wales. I delight in the opportunity to thank them for their hard work and sacrifice to represent Labor in those electorates. They are assets to their communities.

MINISTER'S STUDENT COUNCIL

The Hon. SARAH MITCHELL (22:15): It is a genuine honour and privilege to serve in this place, and also to serve as a Minister, which was something I was able to do for six years. It was not a responsibility that I took lightly. I have found, particularly since no longer being a Minister, that people often ask me what are some of the things that I am most proud of. I worked for a long time in the early childhood space and was Minister for six years. I had two years in Aboriginal affairs and four years as the education Minister. As I am sure those opposite will know when their time comes to an end, it is sometimes not the big reforms that make the front pages of the paper but the little things that one is able to do that stay with one.

One of the things I will speak about is the creation of the Minister's Student Council in New South Wales, known as the DOVES, or the Department of Student Voices in Education and Schools. I used to start my meetings by saying, "I love my DOVES," because I genuinely did. They were some of the most amazing young people I have ever had the privilege to meet. The DOVES started during the pandemic when I found that we were talking to a lot of different stakeholders about how we would manage schools during that period—whether it was learning from home or what we needed to do. We were talking to the teachers, the federation, the principal groups and the parents, but there was not a single student voice to which we could speak. I spent some time coming in and out of some of the online learning classrooms that had been set up, talking to kids about how they were finding the experience. I thought it was time to bring a group of students together who could be advocates and be that student voice to represent 800,000 students across our public schools. Hence the DOVES was formed.

One of the things that was important to me was that we had a diversity of students. Often when I visited schools, particularly as the education Minister, I met the school captains and the leaders. They are amazing young people but their story and their journey at school is not necessarily the same as some of their peers. We made sure that we had good, diverse coverage. We had three students from every geographical area and three from our connected community schools. All up we had 27 students. We had school captains, we had students from Aboriginal backgrounds and we had students with additional learning needs. Together as a collective group they were a very powerful voice for advocacy for all students in our public schools. They gave me incredible advice on everything from how we can tackle issues around vaping in schools, to what mental health supports we need to put in place for young people and what we can do with regard to bullying. They were part of roundtables with many highly distinguished people in many spaces, really giving that student voice. They also asked whether they could have more engagement with the university sector, so two visits to the University of Sydney and the University of New South Wales were facilitated. I thank those universities for their participation.

This was really about making sure that young people had a voice at the highest levels of government when it comes to their education and what they wanted to achieve. They had policy ideas and they had feedback on certain pieces of legislation that I took to Cabinet on their behalf. They really had the ability to shape and change what we were doing in education. A powerful message for young people is that they can be an advocate for something that they care about, and that adults will listen to them when they have something to say. That was something of which I was proud. Just before the election we took the idea to have a national student council to the national meeting of education Ministers. I am pleased to say that that was adopted. I look forward to seeing that movement grow. It is important that young people have a voice. I acknowledge the department staff who worked so hard to make sure that the DOVES were well looked after. I particularly thank Katrina, Leanne and Scott, the teachers who were the DOVES champions in each of those areas. Their support made the DOVES a reality.

I will finish with an anecdote from election night when I was in Sydney doing media commitments. It was quite late by the time that finished. I met up with some of my former staff for a beer at a pub in Paddington, as members do on election night after a long day. A rowdy party was happening upstairs in the pub and I noticed people with red T-shirts were heading up. We thought it was our political opponents having a good night out, and deservedly so. Next minute, I recognised someone coming down the stairs. I will not name him, but it was one of my DOVES, who just happened to be there, so we had a beer. He had been working on a Labor campaign. I know his father, to whom I said many times, "I think your son will be a future PM." I kind of wished he had been on our side.

It was a serendipitous moment. Of all the things I was able to do, having had the privilege of being a Minister in this place, I thought having a beer with an amazing young man who will have a bright future was a nice way to finish my time as education Minister. He is a representative of all the genuinely good people who were part of the DOVES council. I thank each and every one of the DOVES who served. They are all legends. Many of them are keeping in touch with me. I cannot wait to see the incredible things that they will go on to do.

GOVERNOR LACHLAN MACQUARIE

The Hon. ANTHONY D'ADAM (22:20): Macquarie Street is named after Lachlan Macquarie, the fifth Governor of New South Wales. Our Parliament, the peak representative body for the people of this State, is located on Macquarie Street. The Parliament should embody our shared values of democracy, freedom, respect and equality for all. How can this be so when the literal foundations of this institution are built on a street named after a man whose hands are stained with the blood of our First Nations peoples? Governor Lachlan Macquarie ordered a military reprisal against Aboriginal people in the early hours of 17 April 1816. At least 14 Aboriginal men, women and children were killed when soldiers under the command of Captain James Wallis shot at and drove a group of Aboriginal people over the gorge of the Cataract River. Now known as the Appin massacre, this tragedy has been commemorated annually with a memorial service since 2000.

That targeted attack occurred during the Cumberland Plain war that began in the early 1790s when settlers forcibly took Aboriginal land for farms. The massacre failed to suppress the violence, instead inflaming the situation. In response, local magistrate William Cox organised a relentless campaign of raids on the Aboriginal people of the Hawkesbury-Nepean area over the next eight months. The horrific treatment of our First Nations peoples is a blight on Australia's history. We must not turn a blind eye nor claim that the past is in the past. The consequences of the past are with us every day. The legacy of dispossession, genocide, assimilation and discrimination is still felt by Aboriginal and Torres Strait Islander communities. We must take action.

Lachlan Macquarie had a great interest in town planning. After he arrived at the New South Wales colony in 1810, he gave early attention to the state of the roads, with the modern street layout of Sydney based upon his plans. The colony's most prestigious buildings were built on Macquarie Street, which he named after himself. In March this year, seven-year-old Rosie Booker petitioned her local council to change the name of Macquarie Street in South Hobart, citing the historical mistreatment of First Nations peoples by the street's namesake. In an interview, Rosie said that she was "sad" her push to rename the street she lives on was rejected but proud that she had "tried to make a difference". Like young Rosie, I believe the name of Macquarie Street, Sydney, needs to be changed.

Names carry a deep personal, cultural and historical connection. They reflect what we value and who we venerate. At present, the street names of the city of Sydney largely fall into one of the following categories: royals, prominent personalities of the British Empire, New South Wales governors, notable Australians or functional designations. Of all the names, only two represent women: Elizabeth Street, named by Governor Macquarie in 1810 for his second wife, Elizabeth Henrietta Campbell; and Reibey Place, named for Mary Reibey, convict, businesswoman and shipowner. If her name sounds familiar, it should be—she is on our \$20 bill.

Macquarie Street could alternatively be known as Preston-Stanley Street or Chadwick Street. Millicent Preston-Stanley served as the first female member of the New South Wales Legislative Assembly. Virginia Chadwick was the first female President of the New South Wales Legislative Council, serving between 1978 and 1999. Another option could be to simply rename Macquarie Street as Bennelong Point Road. The people of this State already understand the significance of names. In the midst of the Black Lives Matter movement, Ben Boyd National Park in southern New South Wales was renamed Beowa National Park after consultations with representatives from Aboriginal and South Sea Islander communities. Ben Boyd was a slave owner who traded in human lives and exploited Pacific Islanders in the mid-nineteenth century. The case of Ben Boyd National Park highlights that we as a community are obliged to continually reassess our history and what past practices look like through the lens of contemporary values.

The legacy of Lachlan Macquarie is one that is contested. On Anzac Day this year, a statue of Macquarie in Windsor's McQuade Park was smeared with red paint handprints and the word "murderer". By modern standards, what occurred at Appin was a war crime—a point that someone sought to dramatise with this act. There are 25 statues in Sydney honouring British colonists but not one celebrating First Nations historical figures. Recently there has been a push for more statues of women, with a survey of capital city councils finding that the ratio of female to male statues is shamefully low. More needs to be done to recognise the contributions of distinguished females and First Nations Australians. Symbols matter. If they did not, we would not erect statues. We should ask: Should Macquarie continue to be venerated in light of what we now know? This week is National Reconciliation Week, which calls upon us to learn about our shared histories and cultures, and to explore how we can contribute to achieving reconciliation in Australia. Truth-telling about our history involves bringing to light colonial conflict and dispossession, and includes acknowledging the resilience of Aboriginal and Torres Strait Islander peoples.

QANTAS WORKERS

The Hon. MARK BUTTIGIEG (22:25): I update the House on another workplace abuse being perpetrated by the corporate bully Qantas. On Monday 14 November 2022, SafeWork began a prosecution in the District Court of New South Wales against Qantas. The prosecution concerns former Qantas employee and health and safety representative Theo Seremetidis. In January and early February 2020, the very beginning of the pandemic, Theo courageously spoke up about the fact that he and his colleagues were being asked to clean COVID-infected planes arriving from China without adequate personal protective equipment. That was Theo's role and responsibility as an elected health and safety representative. As a result of Theo's actions in sticking up for the safety and wellbeing of his workmates, Theo was stood down by Qantas. That is an unconscionable act of workplace bullying that cannot go unpunished.

Under New South Wales law, health and safety representatives are elected by their workplace colleagues and have rights and obligations under the Act. That includes raising safety concerns, such as issuing performance improvement notices to the company, if the health and safety representative believes there are issues of workplace health and safety. That is exactly what Theo did. The fact that Qantas then stood him down simply for doing his

job is a terrible and shocking act of bullying. It is potentially illegal behaviour because it attempts to intimidate and make an example of an elected workplace representative to stop them from speaking out and carrying out their role. It is extremely important that SafeWork has brought this case against Qantas because it will send a clear signal to other renegade companies that may wish to follow suit that this sort of corporate bullying is simply not acceptable in New South Wales. I recognise and commend SafeWork for doing so.

This is but one terrible attack in a series of attacks by Qantas on its workforce. Less than 10 months after Theo was stood down, Qantas illegally outsourced almost 1,700 ground staff jobs simply to prevent workers from utilising workplace rights allowed under the law. Qantas was subsequently twice found in the Federal Court to have illegally outsourced those jobs, forcing those workers out of their livelihood. Despite the two Federal Court rulings, Qantas appealed the decisions in the High Court. A decision is pending. We all know the chaos that was caused in airports when Qantas sacked those workers, and that was after it had received over \$1 billion in taxpayer funds to keep people employed.

To rub more salt into the wound, CEO Alan Joyce will pocket multimillion-dollar bonuses as a reward for running this once great airline that touts itself as "the Spirit of Australia" literally into the ground. In February 2023 Qantas applied to have the Theo Seremetidis' case thrown out. His Honour Judge David Russell, SC, dismissed the application on Wednesday 10 May 2023. The trial is due to resume in August. He also reserved all costs of the application to be decided at the end of the proceedings.

One would be forgiven for thinking that after being found to have illegally sacked its workers Qantas might have learnt to not intimidate its employees into not speaking up against workplace health and safety concerns. Under CEO Alan Joyce, Qantas continues to trash the Spirit of Australia by attacking its workers. We cannot let Qantas get away with it. I take the opportunity to again congratulate SafeWork on pursuing this important prosecution. I acknowledge the bravery and courage of Theo Seremetidis in speaking out on health and safety matters on behalf of his workmates. I also acknowledge the work and advocacy of his great union, the Transport Workers Union, for continually standing up for and sticking by its members, through thick and thin.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The House now stands adjourned.

The House adjourned at 22:30 until Thursday 1 June 2023 at 10:00.