



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Eighth Parliament
First Session**

Wednesday 21 June 2023

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LEGISLATIVE COUNCIL

Wednesday 21 June 2023

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

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

Announcements

MEMBERS' PROFESSIONAL DEVELOPMENT

The PRESIDENT (10:01): I draw honourable members' attention to the launch later today of a new members' professional development seminar series. The series is being run every Wednesday of a sitting week from 1.00 p.m. to 2.00 p.m. until the end of 2023. Sessions will include presentations from the Auditor-General, the Parliamentary Counsel, the ICAC Commissioner, the Ombudsman and others. The sessions are open to all members, both new members as well as returning and ongoing members. Electorate officers and secretary/research assistants, or SRAs, are also welcome to join.

The first session, to be held today at 1.00 p.m., is being presented by Sharon Bent, organisational psychologist and executive coach, on the topic "Three critical conversations to sur-thrive life as a member". The session will explore examples of how things have gone wrong in members' offices in the past and the simple rituals, routines and role modelling that could have prevented them. The session is being run in the Theatrette and a light lunch will be provided. I encourage members to attend today's session and future sessions.

Business of the House

INAUGURAL SPEECHES

The Hon. PENNY SHARPE: I move:

That, notwithstanding anything to the contrary in the standing and sessional orders:

- (a) on Wednesday 21 June 2023, proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. Rachel Merton to give her first speech without any question before the Chair;
- (b) on Thursday 22 June 2023, proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. Bob Nanva to give his first speech without any question before the Chair; and
- (c) on Wednesday 28 June 2023, proceedings be interrupted at approximately 6.00 p.m., but not so as to interrupt a member speaking, to enable the Hon. John Ruddick to give his first speech without any question before the Chair.

Motion agreed to.

Motions

TRIBUTE TO PROFESSOR DAVID PENINGTON, AC

The Hon. JEREMY BUCKINGHAM (10:03): I move:

- (1) That this House notes with sadness the death of Emeritus Professor David Penington, AC, on Friday 6 January 2023 at the age of 92.
- (2) That this House notes that:
 - (a) from 1983, during the national public debate into AIDS, Professor Penington took a leadership role as adviser to the Hawke Government, and in the mid-1980s chaired a national committee of inquiry that was instrumental in the subsequent introduction of Medicare;
 - (b) his unstinting efforts over many years helped to make Australia a world leader in HIV/AIDS public health strategies and in combating the HIV/AIDS epidemic;
 - (c) he was recognised worldwide for his work as a medical scholar and practitioner and as one of Australia's leaders in higher education as Vice-Chancellor of the University of Melbourne from 1988 to 1995;
 - (d) Professor Penington's outstanding service to medicine and the community was acknowledged by his appointments as Companion of the Order of Australia in 1988 and Victorian of the Year in 2014; and
 - (e) in the community, Professor Penington was active and influential in improving the lives and health outcomes of people suffering drug and alcohol addiction, he played a central role in establishing the North Richmond Community Health Service and applied his knowledge and experience to instituting effective programs in rural Victoria.

- (3) That this House further notes that:
- (a) the Penington Institute is named in his honour; and
 - (b) Professor Pennington courageously advocated for sensible drug policy in his roles as former chairman of the National AIDS Task Force, the Victorian Premier's Drug Advisory Council, and the Victorian Government's Drug Policy Expert Committee.
- (4) That this Houses extends its sincere condolences to Professor Penington's family, friends and colleagues.

Motion agreed to.

WOMEN IN SPORT

Dr AMANDA COHN (10:04): I move:

- (1) That this House notes that according to research by Year13 published in May 2023:
- (a) the peak age of adolescent women and girls dropping out of sport in Australia is 15 years old, and that this is occurring at twice the rate of adolescent men and boys;
 - (b) 62 per cent of adolescent women and girls said their families rarely or never watched women's sport, and 60 per cent of girls reported they did not have women sports stars they looked up to; and
 - (c) adolescent women and girls who did continue playing sport acknowledged the ability of sport to clear their mind, lift their mood, give them energy, improve productivity and help them sleep.
- (2) That this House acknowledges that in light of its findings, Year13 launched its PlayOn campaign which seeks to address gender inequality in sports participation by connecting adolescent women and girls with relatable and elite role-model sportswomen, raising awareness of the social and health benefits of playing sport, and campaigning to elevate how women's sport and players are spoken about and perceived.
- (3) That this House further notes that the independent evaluation report of the New South Wales Government's *Her Sport Her Way Grant Program Evaluation* published in June 2021 found that few "Her Sport Her Way" programs targeted adolescents and only one program successfully engaged adolescents.
- (4) That this House calls on the New South Wales Government to:
- (a) deliver relevant sport projects and grants programs to remove location-based, social, structural and sexist barriers to sports participation for all children and young people in New South Wales; and
 - (b) prioritise projects targeting the critical years of adolescence in all future sports participation strategies.

Motion agreed to.

SETTE GIUGNO ANNIVERSARY COMMEMORATION

The Hon. MARK BUTTIGIEG (10:05): I move:

- (1) That this House notes that:
- (a) on 3 June 2023, the Maltese Community Council of New South Wales held a Sette Giugno anniversary commemoration service at the Holroyd Centre in Merrylands, and Mr Buttigieg was honoured to attend at the invitation of Secretary Marie-Louise Previtera, as well as represent the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;
 - (b) the following people attended the event:
 - (i) High Commissioner for Malta, His Excellency Mr Mario Farrugia Borg;
 - (ii) Consul-General of Malta in New South Wales, Mr Lawrence Buhagiar;
 - (iii) Dr Hugh McDermott, MP;
 - (iv) Ms Julia Finn, MP;
 - (v) The Hon. Michelle Rowland, MP;
 - (vi) The Hon. Chris Bowen, MP;
 - (vii) Mr Mark Coure, MP;
 - (viii) Cumberland City Mayor, Councillor Lisa Lake;
 - (ix) Cumberland City Deputy Mayor, Councillor Suman Saha; and
 - (x) Cumberland City Councillor, Dr Diane Colman.
 - (c) Sette Giugno, which translates to 7 June, remembers the lives lost in the Maltese uprising against the British on 7 June 1919;
 - (d) the uprising occurred after a surge of Maltese nationalism and dissatisfaction with the oppressive British colonial rule which caused chronic economic hardship for the Maltese;
 - (e) four people died, and many others were injured during the uprisings;

- (f) after the uprisings in 1919, a constitution was finalised, allowing some forms of self-governance in Malta;
 - (g) the history of ties between Australia and Malta is extensive; and
 - (h) according to 2021 Australian Bureau of Statistics data, 13,491 people in New South Wales were born in Malta, and almost 199,000 people in Australia have Maltese ancestry, including Mr Buttigieg.
- (2) That this House congratulates the Maltese Community Council of New South Wales, including Secretary Marie-Louise Previtera, President Miriam Friggieri and Treasurer Michael Zammit, on conducting such a moving Sette Giugno service, which assures that the strength of the Maltese people in their pursuit of democracy will never be forgotten.
- (3) That this House recognises the ongoing work of the Maltese Community Council of New South Wales in servicing the Maltese community.

Motion agreed to.

LABOUR SHORTAGES

The Hon. ROBERT BORSAK (10:05): On behalf of the Hon. Tania Mihailuk: I move:

- (1) That this House notes:
- (a) that businesses and industries across New South Wales are struggling to find workers such as bricklayers, diesel mechanics, kitchen-hands, chefs, shearers, harvest workers, plant operators and other staff;
 - (b) that employers are being forced to take extraordinary measures to cover the shortfalls left by high vacancy rates, such as offering high incentives, relying on family members and working extra-long hours;
 - (c) that 17 per cent of farmers experiencing crop loss cite labour shortages as the cause;
 - (d) that between April 2022 and April 2023 the average number of New South Wales based mining engineering vacancies was 128 per month;
 - (e) that this monthly statewide vacancy rate exceeds the national total of mining engineering graduates in 2022;
 - (f) that of the 15 mining-related vocational education and training [VET] courses on the New South Wales Government's Smart and Skilled list, only one is offered on a fee free basis;
 - (g) that as of February 2023, a survey of New South Wales businesses revealed that 29 per cent of respondents experiencing staff shortages considered existing tertiary training as not matching the needs of their business; and
 - (h) the concern that, amidst a skill shortage, there is apparent disparity between the educational curricula and skills required by New South Wales businesses.
- (2) That this House calls on the Government to urgently re-evaluate:
- (a) the fitness of the current education system across all levels for supplying appropriate training to meet current workforce demands of New South Wales businesses; and
 - (b) methods of improving the education system to better meet the expectations of New South Wales employers, including how to get more young people into appropriate TAFE and VET courses.

Motion agreed to.

Documents

UNPROCLAIMED LEGISLATION

The Hon. PENNY SHARPE: According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 19 June 2023.

TABLING OF PAPERS

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

- (1) Multicultural NSW Act 2000—Report of Multicultural NSW entitled *Community Relations Report: 2022*.

Bills

RESIDENTIAL TENANCIES AMENDMENT (RENTAL FAIRNESS) BILL 2023

First Reading

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

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

Statement of public interest tabled.

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

That the second reading of the bill stand as an order of the day for the next sitting day.

Motion agreed to.

FISCAL RESPONSIBILITY AMENDMENT (WELLBEING BUDGET) BILL 2023

First Reading

Bill introduced, read a first time and ordered to be published on motion by Ms Abigail Boyd.

Second Reading Speech

Ms ABIGAIL BOYD (10:25): I move:

That this bill be now read a second time.

The Fiscal Responsibility Amendment (Wellbeing Budget) Bill 2023 will redefine the principles of sound financial management for our State to ensure that the wellbeing of people and planet are considered indicators of successful budgeting of our State's public money. In the first half of last year, I introduced a bill that was very similar to the bill that I introduce today, and I am pleased to be re-introducing the principle of the wellbeing budget under a new New South Wales government. Since the first time I introduced the bill, this Government's Federal counterparts have begun the process of implementing a wellbeing budget framework on a national scale—an Australian first but by no means new in concept or implementation worldwide.

Although it has only been a short period, having a Labor government, or perhaps more accurately not having a Liberal-Nationals government, federally and in each mainland State has created a wider opening for more modern economic ideas to squeeze through. The first Federal Labor budget in October of last year indicated that this year they would be introducing a wellbeing framework called Measuring What Matters based on the OECD Framework for Measuring Well-being and Progress, which would seek to "provide an important foundation for Australia's efforts to lift living standards, boost intergenerational mobility and create more opportunities for more people". While it is disappointing that Federal Treasurer Jim Chalmers did not deliver what was billed as Australia's first wellbeing budget in October, nor in the most recent full budget a few weeks ago, and it remains to be seen what the Measuring What Matters Statement will deliver for advancing wellbeing, this is promising progress.

In New South Wales, we can learn from the national conversation over the past year and still lead the nation with a budget built for the long-term wellbeing of people and planet. For those playing at home, I will be repeating much of what I said in the context of the previous version of the bill; however, as this is a second reading speech, it is important that I lay out clearly the rationale for the bill's provisions. Some might also argue that my explanation and arguments for why the bill should be so enthusiastically embraced by members of this House were sufficiently compelling to be repeated in full.

The Fiscal Responsibility Amendment (Wellbeing Budget) Bill 2023 will redefine the principles of sound financial management for New South Wales. The Fiscal Responsibility Act came into force in 2012 and has not been changed in any significant manner since. It is fair to say that a resident of New South Wales who is curious about how the government of the day sets its budget and considers its fiscal responsibilities would be very underwhelmed reading the Fiscal Responsibility Act. The first object of the Act is "to maintain the AAA credit rating of the State of New South Wales".

Anyone who knows anything about credit ratings, or who witnessed the credit rating agencies' role in the 2008 global financial crisis, would find that to be a pretty alarming primary objective of fiscal responsibility for a State government. As an aside, I note that "AAA credit rating" has not been defined, but it can be assumed from the capitalisation of the letters A that it is referring to a Standard and Poor's triple-A rating, and not to a Moody's "Aaa" rating for instance. Focusing on one to the exclusion of all others is an interesting choice, but perhaps there is a historical reason for that myopia. I remind members that rating agencies are not benevolent, charitable, government or independent institutions; they are companies that are paid for their ratings. Section 3 of the Act goes on to state that the purpose of the triple-A rating objective is:

- (a) to limit the cost of government borrowing, and
- (b) to enable access to the broadest possible investor base for government borrowing ...

I pause there. This is pretty self-explanatory. The whole point of credit ratings is to guide the price at which an entity can borrow funds based on their capacity to pay the cost of that financing as determined by the rating agency. There is no clue in these paragraphs as to why cheaper borrowing is the be-all and end-all of the Government's fiscal responsibilities, and recent statements from the Treasurer would make us question whether a higher credit rating actually does lead to cheaper borrowing costs. But at this point the legislation is at least making some internal sense, although I wonder if a useful consideration might also be an assessment of our overall reliance on debt in the first place and of whether we could perhaps construct an economy based on a more equitable distribution of contributions. Section 3 goes on to provide that the final purpose of the triple-A ratings objective is:

- (c) to maintain business and consumer confidence, thereby sustaining economic activity and employment in the State.

That is a more contentious assertion, and I would be interested to know if there is any evidence of lower business and consumer confidence as a result of losing our Standard and Poor's triple-A rating in late 2020. I suspect that myriad other circumstances have been and continue to be far more relevant to business and consumer confidence. I am encouraged by the Treasurer's statement yesterday in which he said:

Maintaining those credit ratings is by no means the be-all or end-all of budget policy. After all, life continued after Standard and Poor's downgraded us ...

Regardless, maintaining our triple-A credit rating is supposed to guide budget setting by the New South Wales Government. It is, by statute, currently the be-all and end-all of budget policy. It is no wonder that the Government of this State continues to fail to provide for people's basic needs. Clearly we can do much better, and it starts with recognising that economic indicators and unthinking adherence to mainstream economic principles are disconnected from the quality of people's lives.

I have spoken in this place before about my experiences in Europe as a banking regulation lawyer during the 2007-08 credit crunch. As people were queueing up outside branches as once seemingly indestructible investment banks were crumbling and as governments were scrambling to protect the real economy from the fallout being caused by the collapse of the global financial system as we knew it, I was in shock. Right in the centre of it all I could see clearly that everything I had been told about our economic system and everything I had always believed to be true about the so-called laws of economics were simply false. It was clear that not only were our economic models completely incapable of predicting, managing or explaining the financial crisis but also none of the major players in the economy—be it bankers, lawyers, accountants, ratings agencies, regulators, politicians or academics—really new how the totality of our economic system was supposed to work. Fixing the mess and keeping it fixed, at least for a time, would involve a series of bandaids, based on the best those in the thick of it could come up with, stuck on with a whole wad of hope.

Of course, I was not the only one to come to the realisation that the whole economic system was completely beyond anyone's control—too massive to be understood, too complicated to be directed—and that when the financial system is under strain it is not the players in the financial economy that will suffer most but, by reason of the unbreakable chains between the financial system and the real economy, it is society as a whole that ends up bearing the burden. Governments have no real choice but to prop up the financial system, at least in the short term, lest the impacts on everyone else become catastrophic. Around this time in early 2008, in the midst of the global financial crisis, an international commission was formed in response to increasing concerns about the adequacy of measures of economic performance—in particular those based on GDP figures—and to broader concerns about the relevance of those figures as measures of societal wellbeing and of economic, environmental and social sustainability. The Commission on the Measurement of Economic Performance and Social Progress, headed up by leading experts Joseph Stiglitz, Amartya Sen and Jean-Paul Fitoussi, published its report entitled *Mismeasuring Our Lives: Why GDP Doesn't Add Up* in 2010.

It is not hard to see why GDP does not add up. From a cursory look one would surmise it to be a deeply flawed measure of the health of the economy. Over-reliance on GDP, a rough measure of productivity invented during wartime, produces some absurd results. GDP and gross state domestic product, GSDP, measure only the monetary value of goods and services and do not measure domestic and unpaid work or other non-market transactions. For example, GDP and GSDP are positively impacted by sales of formula milk but not by an infant being breastfed. GDP is positively impacted when you pay someone to clean your house but not when you clean your house yourself. It is the same with payments made to someone to look after your child, whereas the work of looking after your own child is overlooked by GDP, as is the expense of cleaning up an oil spill. Consider that the sale of wood from a felled tree will be captured in GDP but not the social and ecological values of a tree left unfelled.

Quite simply, GDP cannot properly measure broader indicators of economic prosperity, like individual wellbeing, and it is not even a good measure of economic productivity. Yet traditional economic indicators like GDP are relied on by governments, mainstream economists and rating agencies alike. Then President of the

Republic of France Nicolas Sarkozy wrote an excellent foreword to the 2010 *mismeasuring our lives* report, which I noted earlier. He said:

Our statistics and accounts reflect our aspirations, the values that we assign things. They are inseparable from our vision of the world and the economy, of society, and our conception of human beings and our interrelations. Treating these as objective data, as if they are external to us, beyond question or dispute, is undoubtedly reassuring and comfortable, but it's dangerous. It is dangerous because we get to the point where we stop asking ourselves about the purpose of what we are doing, what we are actually measuring, and what lessons we need to draw.

...

That is how we begin to create a gulf of incomprehension between the expert certain in his knowledge and the citizen whose experience of life is completely out of synch with the story told by the data. This gulf is dangerous because the citizens end up believing that they are being deceived. Nothing is more destructive of democracy.

...

For years, people whose lives were becoming more and more difficult were told that their living standards were rising. How could they not feel deceived?

He continues:

The problem stems from the fact that our world, our society, and our economy have changed, and the measures have not kept pace.

...

The kind of civilization we build depends on the way we do our accounts quite simply because it changes the value we put on things.

Despite that excellent report and all that went before and followed after, which demonstrated clearly that our economic status quo is not fit for purpose, we have not progressed far in moving away from these outdated ways of measuring our economic success. As Sarkozy noted in his foreword, the global financial crisis not only gave us "the freedom to imagine other models, another future and another world—it compels us to do so".

However, that work on finding alternatives to GDP and moving towards a framework that encompasses far more meaningful measures of progress and societal wellbeing was not isolated. Various countries have been working on weaving wellbeing indicators into the way they measure economic prosperity and, accordingly, the way they view their fiscal responsibilities. The European Union has been working on its Beyond GDP initiative since 2007. The New Zealand Treasury developed its wellbeing framework, called the Living Standards Framework, in 2011. Under that framework, measures of wellbeing include life satisfaction, finances, health, housing, human rights and relationships. Data is published showing how wellbeing varies across different groups over time.

Many other countries have introduced similar frameworks based on international research into alternatives to GDP. For example, the Human Development Index is a combined statistic of education, life expectancy and per capita income developed by Pakistani economist Mahbub ul Haq in 1990. The Genuine Progress Indicator is a measurement intended to assess the prosperity of a country by joining ecological and social variables that are not estimated by GDP. The Thriving Places Index was developed in the United Kingdom and includes a wide variety of factors including mental and physical health, education and learning, work and local economy, and green infrastructure to measure economic health. There are many more examples across the world. Some have said that the introduction of alternative measures to GDP has stalled because it has proven difficult to get international agreement on a single alternative, but that is missing the point. The point is not what the indicators are but what we use them for. The point is to select indicators for a jurisdiction that can aid a government in ensuring that its actions actually increase the wellbeing of its residents, regardless of the traditional economic data.

We are more than capable of identifying and recording key wellbeing indicators for the people of New South Wales. Comparisons with other countries can come later. There have been a number of attempts to require governments to consider broader environmental, social, economic and cultural wellbeing objectives in their decision-making and to report back on progress. In 2014 Greens MP Jan Barham introduced the Wellbeing Indicators Bill, which proposed establishing a commissioner for wellbeing and a parliamentary joint committee to develop an understanding of what factors and measures should be reflected as wellbeing indicators.

A very similar structure, called the Wellbeing of Future Generations Bill, was proposed in the House of Lords in 2019. Various jurisdictions have countless examples. In 2019 New Zealand introduced its first Wellbeing Budget, a recognition that what should matter to a government should go beyond raw data and the individual figures that the likes of S&P collate to determine the State's credit rating. What should matter to a government is the tangible impact of its budgeting decisions on the wellbeing of its residents. It is true that the cost of servicing government debt will be a relevant factor in a government's long-term decision-making processes, but the weight

it receives in this State is wildly out of proportion to its actual impact on the quality of people's lives. The Greens' Fiscal Responsibility Amendment (Wellbeing Budget) Bill 2023 begins the process of redirecting the Government towards taking proper responsibility for the wellbeing of the people of New South Wales.

Schedules 1 [1] and [2] to the bill extend the objects of the Fiscal Responsibility Act beyond a simple goal of maintaining a triple-A rating and adds two new objects. First, to establish the principles for sound financial management in the conduct of fiscal policy; and, second, to establish reporting requirements to the extent to which the Government's fiscal policy is consistent with those principles. Schedules 1 [3] and [4] explain that the purpose of the objects, as amended and in addition to the existing purpose, is: first, to maintain essential public assets and services under public ownership and control, thereby providing the State with the ability to meet the needs of current and future generations without reliance on the private sector; and, second, to increase the long-term economic, social, environmental and cultural wellbeing of the State. Schedule 1 [5] amends section 7 of the Act, entitled "principles of sound financial management", regarding how to achieve intergenerational equity.

Rather than simply being about the financial costs on future generations, the bill requires consideration of the cost of repairing the social, environmental and cultural damage caused by the current and previous generations. Schedule 1 [6] adds a requirement for the Treasurer to include in the budget papers a report on the measures taken, and the effectiveness of those measures, to ensure the long-term economic, social, environmental and cultural wellbeing of the State, including the cost of living; housing affordability; access to essential transport; health and education services, particularly in regional and rural communities; biodiversity and habitat loss or gain, including changes in the number of extinct or threatened species; levels of greenhouse gas emissions; access to participation in cultural activities and events; the differences in levels of wealth and income among the State's residents, including comparisons between lowest and highest percentile ranges by age, location and level of education; the average life expectancy; changes in population numbers across the State; rates of educational attainment; the difference in life outcomes for First Nations peoples in the State compared with non-First Nations peoples; gender gaps, including remuneration, feelings of safety and representation in senior political and employment roles; and employment rates and other matters prescribed by the regulations.

It is true that we do not have a global consensus on what alternatives we might use to the standard economic indicators used for decades—whether it be GDP or other measures of capacity to service debt. But we do have an emerging consensus on the need to replace, or at least supplement, those indicators with something far more meaningful. That means striving to ensure that, to the extent possible, the budgets presented by the Government and the laws we pass in this place improve people's lives. At the moment we have a massive disconnect. New South Wales has mostly had a triple-A rating for a number of years. Yet we now find ourselves in a cost-of-living crisis and things are getting worse. Whether New South Wales has a triple-A rating from S&P or not, it is the lived reality of the people of this State that matters. The truth is that people across the State have been doing it really tough. The quality of their lives is not improving, and we have a responsibility to fix that.

The bill takes the first step towards acknowledging the need to bridge the gap between economic headlines and what people are experiencing in their lives. It is just the beginning; there is so much more to do. It would be amazing to agree on an index to replace GDP, for instance. But let us not let the enormity of that task get in the way of taking this step now, to acknowledge that a government's primary role should be to improve the material wellbeing of the residents of the jurisdiction it governs. So much of the way New South Wales governments have run the State's finances over many decades has been—with the benefit of hindsight—wrong. Neoliberal policy settings have stripped this Government of its assets, hollowed out its expertise and resulted in callous spending cuts, leaving the average person in our State worse off. The path to repairing the budget, rebuilding our public sector, reclaiming our public assets and providing the quality services that people across New South Wales are crying out for, and that government has an obligation to provide, cannot be built on the same shaky foundations that economic mismanagement in this State has been founded on over the past five decades.

We need to go back to first principles, take a step back and base our fiscal policy on providing the best for the people we are elected to represent, not on how we can contort ourselves with accounting tricks and other tenuous tactics to jump through rating agency hoops. Public money should be spent on public good. The Fiscal Responsibility Amendment (Wellbeing Budget) Bill means that the dozens of people who have contacted my office—women and children unable to access domestic violence shelters, injured workers unreasonably denied assistance under a broken compensation system, teachers, midwives, nurses and paramedics who have seen their wages fall backwards—could, for the first time, be prioritised under government spending the way that they should be. We have seen rate increase after rate increase from the Reserve Bank without any regard to the lives of everyday people. We are also about to see huge cuts to services by the New South Wales Government. Our economy is not abstract; it is not just government cuts and spending.

At the end of the day, the decisions being made in this place now mean that most young people will never own their own home, people are being forced to choose between rent and groceries, and every week thousands of

women in violent homes cannot leave simply because they cannot afford to. Right now lives are at risk. For years successive governments have chosen to fund private corporations and billionaires. If public money and government financial decisions were spent on improving the lives of the people of this State, there would be no cost-of-living crisis. This must change, and it can. I look forward to debating the issues raised by the bill. I commend the bill to the House.

Debate adjourned.

Condolences

HUNTER VALLEY BUS ACCIDENT

The Hon. EMILY SUVAAL (10:47): I move:

That this House:

- (a) notes, with sadness, the horrific Greta bus tragedy that occurred on Sunday 11 June 2023;
- (b) recognises the bus passengers who survived the tragedy, in responding to the crisis, rendering critical first aid, and holding loved ones in their final moments of life;
- (c) sends its heartfelt condolences to the family and friends of those who lost their lives in such a senseless, tragic event, and are devastated by their loss; and
- (d) communicates this resolution from the President to the families of the victims.

It is with genuine sadness that I move this condolence motion. The Greta bus tragedy occurred in the late hours of Sunday night on 11 June 2023. It was the most unthinkable senseless and tragic loss of life, and one of the worst road accidents New South Wales has seen in decades. Living in Cessnock, I know how closely knit rural communities are. There is usually only ever a couple of degrees of separation. People either know a person firsthand or they know someone who knows them. The victims and their families are known and loved by many in the town of Singleton and other towns and States around the country. There is an evident and appropriate sense of mourning.

One of the most difficult things for me, like many others, to wrap my head around in the wake of this accident is the relatability, avoidability and utter tragedy of it all. Many people I have spoken to over the last week have relayed that they too got married at a vineyard in the Hunter or in vineyards in other beautiful parts of New South Wales. They also hired a bus for their guests. One cannot imagine the devastation this would bring. Our thoughts are with the many in the bridal party and their guests, who have been impacted so terribly by this tragedy. I spent most of last week in Singleton or Branxton, attempting to be of some practical assistance at the drop-in centres set up to support the communities. The stories I was privileged to have shared with me were harrowing. The chaplains, Red Cross volunteers, council workers, Hunter New England Health staff and many others are dealing so sensitively and deftly with the community and its grief.

The crash has been likened to a war zone. I recognise all the bus passengers who assisted so swiftly in the immediate aftermath. No-one should have to go through what they have been through—such a harrowing experience. I know the people of Singleton and New South Wales will wrap their arms around you, as will this Government. We will do whatever is needed to support you and your communities and walk alongside you in this tragedy, not just now but in the weeks, months and years ahead.

The families and friends that have lost loved ones have the most unimaginably heavy loss to bear. We will do whatever we can to lighten that load on the journey ahead. It is a stark reminder of the fragility of life and the vulnerability that death can bring. It is a reminder that we must all live each day to the fullest, not leave things unsaid, and hold our loved ones close and tell them we love them because we can. That is a privilege we should not take for granted.

I acknowledge my colleagues in the other place: the member for Cessnock, Clayton Barr, and the member for Upper Hunter, Dave Layzell. They have been pillars for their communities over the past weeks. There is no preparing for a tragedy like this yet they have handled themselves with grace. Visiting the makeshift memorial set up at the crash site last week, it was immediately evident how loved and valued the victims were. They were daughters, sons, sisters, brothers, granddaughters, grandsons, mothers, fathers, peers, mentors, colleagues, teammates and schoolfriends. They were so many things to so many people—and they were taken from this world far too soon. I thank the House.

The Hon. NATALIE WARD (10:51): I indicate that the Opposition supports the motion wholeheartedly, and I thank the Hon. Emily Suvaal for bringing it to this place. The motion is a sobering moment for us all to reflect on and pay tribute to the victims of this terrible bus tragedy that occurred in the very late hours of Sunday 11 June 2023. I join the Government and all members of this place in offering my deepest condolences and expressing my heartfelt sympathy to the victims and their families. This incident has shocked our nation. It is the

worst bus crash in Australia in 29 years. Ten lives were lost and a further 25 individuals were hospitalised, some with very significant, traumatic, ongoing injuries. It is a tragedy beyond words. It is also a stark reminder of the fragility of life and how a completely unexpected event can change our lives in a heartbeat.

The people of New South Wales are in shock, none more so than those who survived the crash, the families of the victims, those who attended the wedding and the brave first responders who raced to the scene. As this motion focuses on the families of those lives we lost and the communities that were ripped apart, I also recognise and thank the first responders who attended that crash site—I cannot imagine the scene that they encountered—and other critical incidents across our community. Our NSW Ambulance staff, paramedics, Fire and Rescue NSW crews, Rural Fire Service personnel and police officers deserve nothing but our respect and gratitude for their work. The scale of the response by emergency services was incredible. Media reports indicate there were 30 paramedics, 14 ambulances and ambulance rescue units, six rescue helicopters and dozens more police officers and firefighters spread across the incident. We are deeply grateful for their commitment to saving lives and providing comfort in the face of unimaginable tragedy. It was an incredible multi-agency, multi-location response.

As former roads Minister and now shadow roads Minister, I say that every death on our roads is a tragedy. As I looked into the eyes of family members who lost loved ones, I saw that their pain is ongoing. We must wrap around them and walk beside them, as the honourable member has indicated. On behalf of the Opposition, I also sincerely thank the health staff at John Hunter Hospital, Maitland Hospital, Calvary Mater, Royal Prince Alfred Hospital and others who received those injured survivors. No words in this place can possibly compensate for the pain of those communities, but please know that we walk beside you. I also have attended the wedding of a former staff member of this place and sat on a bus quite happily afterwards. I think we can all relate to this tragedy. I say to those communities that we stand beside you and support you. I commend the motion and thank the honourable member for moving it.

The Hon. TANIA MIHAILUK (10:54): On behalf of One Nation, I too extend our support of this motion and thank the Hon. Emily Suvaal for moving it. This incident is a complete tragedy and one that has profoundly impacted people across this State and, indeed, our nation. A young couple, Mitchell and Maddy, set out to have a beautiful wedding in the Hunter yet it ended in such tragedy. I offer my heartfelt condolences in particular to that wedding couple, their family, their friends and the community. Ten deaths is an incredibly difficult tragedy for a community to deal with. I also acknowledge the Singleton AFL community club. Like many in this House, I am a member of a sporting club in my area with my children. It is profoundly difficult for a club to cope with even one loss. That the Singleton club is now coping with five deaths is very difficult, and I am deeply saddened for that club and that community.

I also acknowledge the Premier and indeed the Government for immediately providing sponsorship, funding and support. I also acknowledge all the first responders—the police and the paramedics—and the hospital staff across John Hunter Hospital, Maitland Hospital, the Calvary Hospital and the Royal Prince Alfred Hospital. It would have been a profoundly difficult experience for many of the staff who assisted the 25 patients; I understand there are still nine patients in hospital today. I acknowledge all the residents and the community that have come together. I understand there have been a number of drop-in centres, as the Hon. Emily Suvaal indicated, but there have also been community gatherings throughout the Hunter as people come together and grieve.

Putting aside our political differences, one thing all members can agree on is that when these sorts of tragedies happen, Australians come together and support each other. I acknowledge the members for the electorates of Cessnock and Upper Hunter, mayors Sue Moore and Jay Suvaal, and the many other politicians and community leaders in the Singleton and Hunter areas that have come together to provide comfort and care. I thank Rotary Australia, the Red Cross and each and every social worker for the immense support they have provided to the community. This is a tragedy that we will be thinking of for many, many years. Undoubtedly it will inspire different pieces of legislation to prevent something similar from occurring in the future. In light of this tragedy we have cause to think about what we can do in terms of road safety, seatbelts for buses and other issues that need to be considered. I thank the Hon. Emily Suvaal for moving the motion.

The Hon. SARAH MITCHELL (10:58): I also associate myself with the motion and acknowledge the Hon. Emily Suvaal for moving it. In doing so, I acknowledge her husband, the Mayor of Cessnock. I have heard he has been amazing in helping the community. It would not be an easy thing for the member to move this motion today but it is very important that she has done so. We all were shocked and horrified when we saw the news of this accident. For a lot of us, it is something that stays with you because it is so real and relatable. After my own wedding reception I caught the bus home to Gunnedah as the bride with my husband. Such a lovely, joyous, life-changing event turning into such horror is unimaginable. I do not think any of us can ever adequately put into words what everybody has gone through, but this motion is a good opportunity for us as a Parliament to acknowledge the bride and groom. Their wedding anniversary will be forever tinged by this tragedy, and that

would be so hard for them to deal with. The people of New South Wales are behind them, their families and all the weddings guests.

Members in this House have already acknowledged the local members, but I also acknowledge Dave Layzell and Clayton Barr, two genuinely good men who have been supporting their communities through a horrific and unimaginable time. I also acknowledge the first responders, who will have sustained trauma from being at the horrific scene. I thank them for their work. Lastly, I was in touch with a friend of mine about the accident and I discovered that her husband is related to two of the victims. They did not realise until shortly thereafter. That made it so clear to me that many families are being touched by this. Our State will never fully recover from losing 10 wonderful people after what should have been such a joyous day. It is important that the Singleton community and the loved ones of those who were lost know that love and support for them comes from the Parliament and the people of New South Wales.

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

Questions Without Notice

MINISTER FOR FINANCE

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Minister for Finance. When the Minister was asked yesterday what conversations she had with the Premier prior to 3 May 2023 about the transfer to her of ministerial responsibility for nine Acts relating to insurance, she categorically answered "none". When and how did the Minister first find out that the Premier was intending to allocate responsibility for those nine insurance Acts to her?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:01): Before I begin my answer, I note that the Chamber is awash with blue today because of State of Origin tonight. I wish the Blues all the very best tonight.

The Hon. Sarah Mitchell: Tara didn't get the memo.

The Hon. COURTNEY HOUSSOS: We are not going to question loyalties here. I give a shout-out to my colleagues the Hon. Emily Suvaal and the Hon. Dr Sarah Kaine, who coordinated their outfits to pay tribute to the extraordinary Ashes victory overnight at Edgbaston. I put that on record this morning.

In relation to the question from the honourable member about the conversations I had with the Premier, I reiterate my answer from yesterday. I had no conversations with the Premier in regards to other private conversations, as the Leader of the Opposition did when he was a Minister. I will not canvass those. I assure the House that I had no conversations with the Premier prior to being given responsibility for the State Insurance Regulatory Authority.

The Hon. DAMIEN TUDEHOPE (11:02): I ask a supplementary question. Will the Minister elucidate how she first became aware that she was assuming responsibility for the nine insurance Acts?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:02): I have already answered that question.

ROAD TOLLS

The Hon. Dr SARAH KAINE (11:03): My question is addressed to the Minister for Roads. Will the Minister update the House about the discussion paper released last week by the Independent Toll Review?

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) (11:03): I thank the honourable member for her question. She lives in Sydney, the most tolled city in the world. Luckily, the Government is already implementing its plan for toll relief and toll reform. Households and businesses using the Sydney toll road network currently pay \$2 billion per year in tolls. We knew that before the election, but the Government has released new data showing the impact of that on particular parts of Sydney. Some households in Western Sydney, like Horsley Park, spend \$1,900 per year. Silverwater pays close to \$1,600. South-west suburbs, like Cecil Park, Kemps Creek and Mount Vernon, pay over \$1,300 annually.

One million trips per day in Sydney are tolled. That number has crept higher because of the openings of NorthConnex and WestConnex. The Government has appointed Allan Fels to take over the work of the previous Government to take an independent and open look at how to improve the system. As I have said publicly, we are hoping that Allan Fels, a tough customer, will drive a good deal for drivers in this space. Last Wednesday 14 June we released a summary of the important work that Treasury and Transport have been doing, including a snapshot

as at the appointment of Fels and Cousins. We called for that detailed work to be released prior to the election, but it was not; that was a mistake. This important and serious work should inform the public discussion.

The former Government called for a number of things, including tolling a continuous motorway network and introducing a CBD congestion charge. The Government has made it clear that those options have been ruled out, but the rest of the work is on the table for consideration. Some matters will be examined in more detail, including moving the freight network at night, which is not just a toll price consideration but a freight network consideration targeting toll relief; and considering how toll relief can interact better with the public transport system.

The review will look at those issues in more detail. It is important to hear from the public and other industry stakeholders. We are looking for submissions. Professor Fels will be conducting public hearings along with Dr Cousins on 11, 12 and 13 July across Sydney. The House has completed important work on tolling through its committee hearings and those hearings will now be a part of the search for solutions. We are getting on with the job and dealing with the issues in public. I look forward to updating the House further about the Government's plans for toll relief and reform.

MINISTER FOR FINANCE

The Hon. SARAH MITCHELL (11:06): My question is directed to the Minister for Finance. Items 12 and 13 of the schedule to the New South Wales ministerial code of conduct deal with the circumstances in which a Minister must or may abstain from decision-making in action on a matter. Has the Minister at any time abstained from making or participating in any decision, or taking or participating in any action on a matter, due to the conflict of interest arising from her spouse's senior role with the Insurance Council of Australia? If so, on how many occasions has she abstained?

The Hon. Daniel Mookhey: Point of order: My point of order relates to the presence of argument in the question. The fact that the question asserts that there is a conflict of interest, given the multiple answers the Minister has given over the past few days, makes it quite clear that that part of the question should be ruled out of order. The presumption contained within the question that it is an automatic conflict of interest and therefore a requirement to abstain is argument. As a result, Mr President, I ask that you at least rule that part of the question out of order.

The Hon. Damien Tudehope: To the point of order: I think the Minister has in fact made a concession that there is an apparent conflict of interest and that it has been handled. There is no uncertainty about the existence of a conflict of interest. The question is about how the Minister handles that conflict of interest. There is no factual question about the existence of the conflict of interest.

The Hon. Daniel Mookhey: Further to the point of order: To be very clear, having listened to maybe the 10 answers that the Minister has given on this matter, the Minister has made clear the steps that her spouse has taken to prevent the arising of a conflict of interest. There was no concession that there was a conflict of interest; there were steps about how a conflict of interest was avoided. A clear explanation has been given to question after question about how that has been avoided.

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

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:08): I thank the honourable member for her question. I was comfortable with answering the many questions that I was asked yesterday, and it appears that there will be many more today. I am completely comfortable with answering those questions and outlining the steps that my husband and I have taken to avoid a potential conflict of interest. I have previously and repeatedly stated, and I am happy to do that again, that I have fulfilled all of the requirements of the ministerial code of conduct. I have disclosed my husband's—

The PRESIDENT: Order! Members will be called to order if they continue persisting with interjections.

The Hon. COURTNEY HOUSSOS: I reiterate that I have fulfilled all the requirements of the ministerial code of conduct. I can assure those opposite that I have read it closely. I have considered it and we have taken steps to ensure that we would act to avoid this perceived conflict of interest.

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

The Hon. COURTNEY HOUSSOS: I wish to underscore that my husband is no longer representing the Insurance Council of Australia in any of its dealings with the New South Wales Government, not just in relation to my portfolios but right across—

The Hon. Sarah Mitchell: Point of order: With respect to the Minister, yesterday she did outline the steps that her spouse had taken. My question was about what she has done as the Minister under the ministerial code of conduct, not what her husband has done in his employment.

The PRESIDENT: The scope of the question was in fact quite narrow. I understand that the Minister is being directly relevant but I would remind her of the scope of the question. The Minister has the call.

The Hon. COURTNEY HOUSSOS: Let me be clear: I have complied with all of my obligations on every single occasion. I answered every question asked by the Opposition yesterday in question time. I answered the first question asked by—

The Hon. Wes Fang: Point of order—

The PRESIDENT: Order! The Hon. Daniel Mookhey will be called to order if he does not cease interjecting.

The Hon. Wes Fang: Mr President, you yourself noted that the question was quite narrow. The question asked whether the Minister had abstained and, if so, how many times. We now have one minute left before time expires. I ask that the Minister be directed to answer that question.

The PRESIDENT: I thank the member. I also noted that the Minister was being directly relevant. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I make this point: I answered every question that was asked by the Opposition yesterday. I answered it in a transparent, open and honest way. I will not be lectured by those opposite about the way that modern families and relationships conduct themselves and manage professional relationships. The Leader of the Opposition can sit there and shake his head while he shows the lack of self-awareness that he has, given how he lost his previous job.

The Hon. Natalie Ward: Point of order: I note the honourable Minister, while kindly responding to the question, is directing her comments across the table and should be directing her comments through the Chair. I ask that she be directed to do so.

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

The Hon. COURTNEY HOUSSOS: I repeat that part of the answer where I said I have fulfilled all of my obligations under the ministerial code on every single occasion.

CANNABIS CAUTIONING SCHEME

The Hon. JEREMY BUCKINGHAM (11:13): My question without notice is directed to the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales, representing the Minister for Police and Counter-terrorism. First Nations people in New South Wales are almost four times more likely to be charged for cannabis possession compared to non-Indigenous people, according to a recent report by the State's Bureau of Crime Statistics and Research [BOCSAR]. Why between January 2017 and February 2020 of the 38,813 cases involving 27,127 adult offenders were 11 per cent of Indigenous adults cautioned rather than charged, compared to 43.9 per cent of non-Indigenous people?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:14): I thank the honourable member for his question that I answer as the representative of the Minister for Police and Counter-terrorism, who resides in the other place. I am advised that the Cannabis Cautioning Scheme is a non-legislated diversionary scheme that has been in operation by the NSW Police Force since 2000. I understand the scheme allows for police officers to issue a caution rather than charging adults who have committed minor cannabis offences for personal use. Upon receiving a caution the individual is provided with the option to contact the Alcohol and Drug Information Service for a telehealth education session regarding their cannabis use.

There are a number of eligibility criteria for a caution, including that the person has no prior convictions for sexual, violence or drug-related offences, unless the conviction is spent, and must admit to the offence and consent to receiving the caution. As the member noted, BOCSAR found that there is a large gap in cautioning rates between Aboriginal and non-Aboriginal people. This is mostly due to differences in eligibility for the scheme. Amongst those eligible to receive a caution, BOCSAR found the difference in caution rates between Aboriginal and non-Aboriginal offenders was largely explained by the higher levels of prior offending and imprisonment amongst the Aboriginal offenders, compared to the non-Aboriginal offenders.

I acknowledge at this time that there has not been a great relationship between the Government and First Nations people. We know this. There has to be action on this. That is why it is vital for our government

agencies to work closely with Aboriginal people to close the gap. We acknowledge that we need to better understand issues from an Aboriginal and Torres Strait Islander perspective. I am pleased to report that the NSW Police Force has four key priority areas as part of its Aboriginal Strategic Direction: firstly, to ensure community safety; secondly, to improve communication and understanding between police and Aboriginal people; thirdly, to reduce involvement and improve the safety of Aboriginal people in the criminal justice system; and, fourthly, Aboriginal youth offending outcomes, actions and targets.

This strategic direction is the overarching document which guides the Police Force in its management of Aboriginal issues. It seeks a genuine level of Aboriginal community ownership and involvement through a consultative and proactive approach. One of the important practical components of this strategy is embedding Aboriginal community liaison officers in local area commands. These officers provide assistance in developing, implementing, monitoring and reviewing programs that bring about positive outcomes between police and Aboriginal people.

LANDCARE

The Hon. PETER PRIMROSE (11:17): My question is addressed to the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales. How does the Minister plan to deliver the election commitment to invest \$59 million in Landcare?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:17): I thank the honourable member for his question. This Government understands—

The PRESIDENT: Order! The Minister will be heard in silence

The Hon. Penny Sharpe: Great question.

The Hon. TARA MORIARTY: It is a great question. This Government understands the importance of Landcare and the positive impact Landcare has across the country and throughout regional New South Wales. The Landcare movement is diverse, encompassing farmers, landowners, industry groups, Landcare groups, traditional owners, Bushcare groups and other community members. The work carried out by these volunteers is important and highly valued. This work involves threatened species conservation, farm productivity, revegetation, waterway rehabilitation and Aboriginal land management techniques.

It is estimated that there are 140,000 active Landcare volunteers involved in over 5,000 Landcare groups across Australia. In New South Wales there are over 2,400 registered groups made up of around 60,000 people who care for our land and for our environment. This is almost half the nation's Landcare community carrying out this valuable work right here in New South Wales. I was fortunate to meet with some of these incredibly hardworking Landcarers recently when I was invited to the New South Wales Landcare State Gathering in Coffs Harbour. Over 170 people from across the State attended the biannual event, including Landcare coordinators and representatives from Landcare NSW and Local Land Services. While at the gathering I was able to meet and talk with some of the Landcare coordinators who use this event as an opportunity to share, connect and plan for future collaborations.

The Government wants to make sure that Landcarers and Landcare coordinators have the support they need to continue carrying out their incredibly valuable work. That is why at the gathering I was proud to reaffirm our record \$59 million commitment over the next four years to continue funding the Landcare NSW program. That commitment more than doubles the funding of the previous Government and will allow Local Land Services and Landcare to keep working together to deliver the program across regional New South Wales. The partnership between Local Land Services and Landcare will be critical to the delivery of the program over the next four years. Together they will co-design the program to ensure that the record funding best meets the needs of Landcarers to restore our natural assets and improve local regional productivity. The program will result in more local programs for more local communities that care for our land and environment. The increased funding will fund 84 full-time equivalent local and regional Landcare coordinator positions, which under the current program are only part-time roles. I commend the record funding to the House.

AIR QUALITY

Dr AMANDA COHN (11:20): My question is directed to the Minister for the Environment. A New South Wales Government study published in March shows that air pollution in New South Wales is estimated to cause approximately 603 deaths and \$4.8 billion in health costs each year. The Ambient Air Quality National Environment Protection Measure standards for ozone, nitrogen dioxide and sulphur dioxide significantly exceed the World Health Organisation's recommended thresholds. Health bodies including Lung Foundation Australia

and Asthma Australia are calling for that to be urgently addressed. What is the Government doing to protect our health by ensuring that New South Wales meets global standards for air quality and air quality monitoring?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:21): I thank the member for her question. It is a very important issue. I do not think people always fully understand the impact of poor air quality on health and deaths. It was concerning to read the report referenced by the member. The Sydney Air Quality Study is a two-stage, multi-year research program led by the Department of Planning and Environment in collaboration with the Environment Protection Authority and NSW Health. Stage one of the report discussed changes in air quality over the past two decades. Stage two was published in March.

Particulates were the primary cause of air pollution in New South Wales in 2022, exceeding national standards at some monitoring stations. Despite that, it is important to note that air quality has improved in many areas and that many air quality monitoring stations met national health-based standards 100 per cent of the time and had no days with extremely poor air pollution levels. We should be aiming for that to be the case everywhere. The whole-of-government NSW Clean Air Strategy 2021-2030 was released in February 2022 by the previous Government. I note that we on this side of the House share the ambitions of the Clean Air Strategy and offer bipartisan support.

The strategy presents a set of priorities and actions to support liveable communities, healthy environments and the New South Wales economy by reducing the adverse effects of air pollution in New South Wales communities. The strategy integrates with the Net Zero Plan and other key energy, transport and planning strategies. It sets out five priority areas of action: better preparedness for pollution events; cleaner industry; cleaner transport, engines and fuel; healthier households; and better places. The first annual report on the implementation of the strategy formed part of the 2022 New South Wales annual air quality statement. The Clean Air Strategy is strong, and the Government agrees with the priority actions in a bipartisan way. I believe everyone in this House would agree with them. But for the past 12 years we have not had a government prepared to implement many of the strategies that are suggested by it. We are working through that.

One of the things that we are taking action on is the Electric Vehicle [EV] Strategy. We are looking at how we can encourage EV take-up as fast as possible, which is one of the fastest ways that we will be able to achieve cleaner transport, engines and fuels. We are continuing to roll out charging infrastructure across the State and to encourage as many people as are able to transition to electric vehicles. I note that many businesses are taking up the challenge and starting the transition. It is an ongoing project that will require a lot more attention than it has had over the past 12 years, but the Government acknowledges that there is a problem, that we need to do better and that it is a health issue. We should be working to provide clean air for all.

MINISTER FOR FINANCE

The Hon. NATALIE WARD (11:24): My question is directed to the Minister for Finance. On how many occasions since 3 May 2023 has the Premier made a ruling under section 12 (2) of the schedule to the New South Wales ministerial code of conduct authorising the Minister to act on a matter? For each of those occasions, how was the conflict of interest arising from the employment of the Minister's spouse by the Insurance Council of Australia "appropriately managed"?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:25): I welcome yet another question from members opposite. I am delighted that they have finally discovered the ministerial code of conduct and have started reading it. I would suggest that perhaps they should have done that whilst they were Ministers and not now that they are in opposition. I understand, as I have said previously, that being in opposition is hard. I understand that they are angry at the record swings that led to the election of the Minns Labor Government on 25 March. It has been a couple of months. We are already getting on with the job.

The Hon. Damien Tudehope: We've got a Treasurer who does not know what he is doing.

The Hon. COURTNEY HOUSSOS: And we've got a shadow Treasurer who, on the day after the June economic statement—

The PRESIDENT: Order! The Minister will direct her remarks through the Chair. I call the Hon. Daniel Mookhey to order for the first time. The Leader of the Opposition will cease interjecting.

The Hon. COURTNEY HOUSSOS: I assure the House that, on every occasion, I have complied with the ministerial code of conduct. If those opposite would like to direct a question to the Premier, they are welcome to do so.

PUBLIC SECTOR WAGES

The Hon. ANTHONY D'ADAM (11:26): My question is addressed to the Treasurer. Will the Treasurer please update the House on the Minns Government's public sector wages offer? Is the Treasurer aware of any alternative policies?

The Hon. Damien Tudehope: Point of order: There is an item on the *Notice Paper* today relating to debate about the public sector wages offer.

The PRESIDENT: I uphold the point of order. I rule the question out of order.

GAMBLING REVENUE

Ms CATE FAEHRMANN (11:27): My question is directed to the Treasurer. New South Wales is facing a \$7 billion black hole, yet this week the Treasurer delayed increasing tax on The Star casino, which would have raised \$364 million in additional revenue by 2026. The most recent liquor and gaming data shows that pubs and clubs posted record pokies profits in the second half of last year, with hotels pulling in \$1.8 billion and clubs pulling in \$2.4 billion, yet they paid an average tax rate of 37 per cent and 20 per cent respectively. Has the Treasurer considered raising the tax rate on the eye-watering profits made by poker machines in pubs and clubs across New South Wales? It could go a long way to addressing the budget black hole.

The Hon. DANIEL MOOKHEY (Treasurer) (11:28): I thank Ms Cate Faehrmann for her question. As the Treasurer of New South Wales, it is very good to get a question the day after the June economic statement. It is very kind of the member to ask me a question. I am so glad that, a day after the June economic statement, I am being asked a question on the state of the State's finances. I am sure it may be one of the only ones I get today, so I appreciate it.

Secondly, in respect to the question that the member asked me, which covers issues relating to The Star and issues arising from gambling taxation, let me answer the first part around The Star. On Monday night I made an announcement that the Government will be pursuing that legislation after the parliamentary winter recess. It is important for the House to have context in this matter. The previous Government announced this policy after Parliament had risen last year, without providing public notice. That is fine; that was its prerogative. There was no requirement for the previous Government to have provided any prior notice in that respect.

It did, of course, write it into the budget without legislating it, and the member is quite right to say that is to the tune of about \$364 million over the forward estimates. It is one of the three taxation matters that the previous Government put into the budget without legislating. In a remarkable turn, the previous Government and now Opposition has backflipped on one of them already, which has to do with housing. Amidst a housing crisis, it has walked away from its own legislation, despite putting it into the budget.

Ms Cate Faehrmann: Point of order—

The Hon. DANIEL MOOKHEY: You might have a point there.

Ms Cate Faehrmann: The Treasurer did not get to the point of the question and was digressing from poker machine taxes. I ask that the Treasurer directly answers the question asked of him in relation to poker machine taxes.

The PRESIDENT: Although the scope of the first two parts of the question, in particular, was quite broad, to which the Treasurer was being directly relevant, he has strayed a little. I ask him to come back to the final point of the question.

The Hon. DANIEL MOOKHEY: I plead guilty as charged in that respect. In respect of The Star, the member is quite right to have pointed out that we are pursuing it after the parliamentary winter recess. That is to allow conversations to continue about the implementation of that policy and its impact on jobs. In respect of the member's questions about whether or not the Government would consider the questions to do with taxation of clubs and pubs, the Government went to the election with a clear policy on gaming reform. We are getting on with the job of delivering that policy, and we are looking forward to seeing the results of that policy being introduced. In addition to the \$7 billion black hole dimension, as I said yesterday, a lot of work needs to happen to get that back under control.

Ms CATE FAEHRMANN (11:32): I ask a supplementary question. Will the Treasurer elucidate his answer when he was talking about the pre-election promise relating to gambling reform? Post-election, there are situations with the budget that he was not aware of before the election. Given that, is the Treasurer or Treasury considering what additional revenue they could bring in by looking at taxing poker machines more than, for example, the abysmal rate that they are taxed in clubs at the moment, which is an average of just 20 per cent?

Victoria averages 40 per cent. Such a tax in New South Wales could bring in billions of dollars over the forward budget.

The Hon. DANIEL MOOKHEY (Treasurer) (11:32): I will not quibble with the supplementary question, because it is good to be asked questions. However, with respect to the extent to which it calls for me to announce a Government policy, I am not in a position to do that. I am in a position to provide some further information about gambling taxes and their role in the State's finances. According to the last budget, they are expected to raise more than \$3.5 billion in 2022-23 and more than \$15 billion over the four years to 2025-26. The previous Government's last budget said and the half-year review revised upwards its projection by \$243.3 million—that is 7.5 per cent in 2022-23—and by \$1 billion over four years to 2025-26.

I am advised that the main drivers of that upgrade are the proposed changes to casino rates, which the member asked about in her substantive question, and elevated activities in clubs and hotels. The point is that the budget is picking up quite a high growth rate in that respect because it is reflecting the effects of COVID, effectively, and of clubs and pubs trading longer. I have to say that that is consistent with a lot of what is happening with respect to revenue projections. As activity of the underlying base that is taxed increases as a result of a post-COVID environment, of course, the revenue figures go up in that respect. I hope that information is helpful to the member.

The Hon. CHRIS RATH (11:34): I ask a second supplementary question. Is the reason for the delay the close relationship that the Government has with the gambling industry?

The Hon. DANIEL MOOKHEY (Treasurer) (11:35): Firstly, I welcome a question from the Opposition. I have to say, the leader of the Photios wing of the Liberal Party asking me about close relationships with the gambling industry is what we would call leading with your chin over there. When your own preselection is signed, sealed and delivered by Mr Photios, when you are not even going through your own preselection and your own party exempts you and you want to ask me about this, I will take that one.

The Hon. Chris Rath: Point of order: My point of order relates to relevance. The question was about the close relationship between the Government and the gambling industry, not the Opposition.

The Hon. DANIEL MOOKHEY: I will plead guilty to that one too. The member wants to ask me about close relationships with the gambling industry. Well, I will just point out the members of the National Party who are sitting opposite in the Chamber right now. Members opposite want to talk about the gambling industry. Let's see who sponsors their conferences. We are well and truly aware of the relationships between them and the gambling industry. The fact that they would even have the audacity to get up and speak about that in the present context of their record is astonishing. I can answer the question directly: Insofar as any purported close links with the gambling industry, the answer is no. If those opposite want to judge who has the closest links to those industries, they do not have to ask me a question, they just need to look in the mirror.

The PRESIDENT: Before I call the Hon. Aileen MacDonald, I will allow members to settle.

NORTHERN RIVERS FLOOD RECOVERY

The Hon. AILEEN MacDONALD (11:37): My question is directed to the Minister for Finance. As part of the Minister's line-by-line comprehensive expenditure review in considering the Northern Rivers buyback scheme, when will those whose flood-impacted homes could be eligible for buyback in the second tranche of funding be advised that this funding is proceeding?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:37): I welcome a question relating to the comprehensive expenditure review, and I thank the honourable member for her question. At the outset, I place on record the incredible work of the member for Lismore, Janelle Saffin. She has been advocating to me and to the Treasurer about the very real challenges that are being faced by the Northern Rivers and the ongoing efforts that are being undertaken. Shortly after we were sworn in, the Treasurer travelled up to Lismore to visit the community, to speak directly with those affected by those truly tragic floods that occurred last year and to get a sense of the scale of the work that needs to continue.

Mr President, I acknowledge that you are also from that part of the world and have advocated on behalf of those communities. To be frank, the pace of the Government response was not quick enough and there is a lot of work for us to do. To answer that specific question, we are certainly aware of the challenges that are being faced by the people of the Northern Rivers. I know that the member for Lismore will continue to advocate for them. We will continue to speak to her as we conduct our line-by-line item review. We take that responsibility very seriously and we are doing it in a careful and methodical way, because we certainly do not want to be threatening any of those important supports that are in place for the people who have suffered too much tragedy already.

The Hon. AILEEN MacDONALD (11:39): I ask a supplementary question. Given the Insurance Council of Australia's strong views on the buyback of flood-impacted homes in the Northern Rivers, has the Minister, notwithstanding her husband's senior role with the ICA, participated in any discussions or decision-making about the buybacks since becoming a Minister?

The Hon. Daniel Mookhey: Point of order: That is a new question and should be asked as a substantive question, not as a supplementary question. The question does not arise from the Minister's substantive answer to the first question and is a legitimately new question.

The Hon. Damien Tudehope: To the point of order: The President's previous position in relation to supplementary questions is that generally if they are in the context of the question, then they would be allowed. This question relates to the Minister's involvement in the consideration of the buyback scheme for the Northern Rivers area, and it arises right out of the answer she just gave in respect of the review of the buyback. There is no question that the supplementary question arises from the manner in which the Minister is participating in ensuring that the buyback scheme occurs.

The Hon. Penny Sharpe: To the point of order: The Leader of the Opposition might be making a point around the importance of the question, but it is not a supplementary question. It should be classed as a separate question because it is a completely separate question to the original question asked.

The PRESIDENT: The Leader of the Opposition is quite right in noting that I said there would be wide latitude given to supplementary questions; however, I also made it very clear that there would be a line and that when that line was crossed in terms of asking a new question, that supplementary question would not be allowed. This is indeed a fundamentally new question, which the Opposition is welcome to ask at its next round of questioning.

Ms Sue Higginson: I ask a second supplementary question.

The PRESIDENT: Because there was no valid supplementary question asked by the Opposition, there cannot be a second supplementary question.

HOMES NSW

The Hon. MARK BUTTIGIEG (11:42): My question is addressed to the Minister for Housing. A key election commitment from this Government was the establishment of Homes NSW. Will the Minister please update the House on that commitment?

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) (11:42): I thank the honourable member for his question. I can update the House because the Government is going full steam ahead in its comprehensive suite of work to deal with the deepening housing crisis in this State. I acknowledge that around the country there is a lot of activity from the Commonwealth and the other States trying to deal with some of our shared housing challenges.

Unfortunately New South Wales is coming off a really slow start. The Government has a range of responses to the issue, including planning reforms, which I spoke about yesterday; they are really important changes. We are doing infrastructure reform. The Treasurer and the planning Minister have been excellent in establishing a new sustainable comprehensive infrastructure funding stream because we know that is a barrier to accessing the housing the State needs. I am making a range of changes in relation to homelessness and the pointy end of the housing crisis. Another change that the Government is making is the establishment of Homes NSW.

After becoming the shadow Minister for Housing years ago, I consistently received feedback on how the breaking apart of the Land and Housing Corporation and the Department of Communities and Justice Housing was a fundamental failure. How can we possibly separate a home, which is the asset, from the person who lives in it? The previous Government did that, creating a nightmare for the hundreds of thousands of public housing tenants in this State who were caught between the cracks of those two organisations. Those organisations both have good public servants trying to do their jobs, but they were structurally separated in a way that did not serve the interests of public housing tenants in New South Wales. The Government is creating Homes NSW, bringing those two organisations together under the one roof. I intended that pun. I want members to know that I put some thought into that.

The Hon. Sarah Mitchell: It is never good if you have to explain your joke.

The Hon. ROSE JACKSON: That is right; if I have to explain it, it probably did not work. That is fair feedback. I acknowledge that. We are bringing those organisations together under the one roof. In the next few weeks we will be convening the Homes NSW consultation forum. That is important because the body will be

involved in the co-design of the new organisation. This is not about the machinery-of-government changes of the past where agencies were just smashed together, an email address was updated and off they went.

This is a proper process where the community housing providers, people who live in public housing—the voices of tenants and the voices of people on the waiting list, another really important voice that needs to be heard—people from the agencies and people from the homelessness sector are included in the consultation forum. Every single point in the constellation will come together to be involved in the design of the new agency. We know Homes NSW is an important part of the Government's housing response. We want it to be a success. Establishing the consultation forum is the next step to bring the new agency online to assist us with the Government's work to address the housing crisis.

CUMBERLAND PLAIN CONSERVATION PLAN

Ms SUE HIGGINSON (11:45): My question is directed to the Minister for the Environment. The Cumberland Plain Conservation Plan that was prepared and approved by the former New South Wales Government threatens to destroy 1,754 hectares of native woodlands and grasslands, including the critically endangered Cumberland Plain woodland and shale stone transition forest. The plan is currently under assessment by the Federal environment Minister, and the National Parks Association of NSW called on her to reject the deeply flawed plan that would see 11,000 hectares of land development for new housing and roads up to 2056. Has the New South Wales Government entered into any discussions with the Federal Government about the plan? Will the Minister please provide the House with an update on the progress of the plan?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:46): I thank the member for her question. The Cumberland Plain Conservation Plan is very important for the development that is due to occur in Western Sydney until 2056. The Cumberland Plain Conservation Plan is an up-front way to deal with some of the biodiversity protections. The plan sets out where development is appropriate and the areas that will be set aside for conservation purposes. The plan's supposed approach is to avoid and minimise impacts on threatened plants and animals at landscape scale early in the planning process. That is what the plan is meant to achieve.

When I was in opposition I had a lot to say on the Cumberland Plain Conservation Plan, including that it is one of the most complex documents I have ever had to try to get to the bottom of. I have been critical of the plan, and that is a matter of public record. I am concerned that the plan as developed by the previous Government does not strike the right balance between the need for new housing and infrastructure development and the need to conserve and protect our native habitat and wildlife across this very important ecosystem as well as our great city. Of particular concern is the protection of the healthy disease-free koala population in the greater Macarthur area, but it is much more than that as the member well knows. It is also about endangered ecological communities and the corridors that will exist into the future as we build the houses we need while trying to protect the environment.

I am also extremely concerned that the time lines for conservation were up to 20 years. I do not think anyone thinks that we need to wait 20 years as housing is rolling out before conservation outcomes are also achieved. We know that we have to have housing and infrastructure development, but we also have to have environment protection and that is essential. I am looking carefully at the plan and have asked my department to look at it with fresh eyes. I am also working closely with the planning Minister and his office. I know that they are willing to work collaboratively with us on this issue. It is a change to have collaboration within government between Ministers to bring new eyes and new thoughts to this particular issue.

The member will be aware that the Government has its commitment around the Georges River Koala National Park, and we are progressing that as soon as possible. On the issue of discussions with the Commonwealth, the member would be aware that the Commonwealth is assessing the Cumberland Plain at the moment. I am not planning to divulge all of the conversations that I have had with my Federal counterpart, but we are working collaboratively on a number of issues and are talking about the very big picture of how we balance infrastructure and nature. We will continue to do that going forward as we work through the issues with the plan.

Ms SUE HIGGINSON (11:49): I ask a supplementary question. Could the Minister please elucidate part of her answer? I understand the sensitivities around conversations, but does the Government, if it sees the case to do so, intend to make changes to the plan to ensure that it actually does do better to protect those important parts of the environment we have discussed?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:49): I thank the member for her supplementary question. The short answer is yes, but I was trying to suggest that it is a very complicated plan and I would not want to foreshadow any of those matters. We have to take it seriously. The idea that we would do environmental planning

and protection up-front, before we put in development, is not necessarily a bad one. The key thing is we only get one chance to get it right and there is a real issue in relation to how long it will take to get the conservation outcomes. We are looking at all those things but I do not want to foreshadow what we would do with it. I will update the House as we go forward.

MINISTER FOR FINANCE

The Hon. JACQUI MUNRO (11:50): My question is directed to the Minister for Finance. Given the Insurance Council of Australia's strong views on the buyback of flood-impacted homes in the Northern Rivers, has she—notwithstanding her husband's senior role with the Insurance Council of Australia—participated in any discussions or decision-making about these buybacks since becoming Minister?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:51): No.

OPAL MINING

The Hon. STEPHEN LAWRENCE (11:51): My question without notice is addressed to the Minister for Natural Resources. Will the Minister update the House on the revalidation program for small-scale opal mines in Lightning Ridge and White Cliffs?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:51): I thank the honourable member for his question.

The Hon. Natalie Ward: Special envoy, come on down.

The Hon. Jeremy Buckingham: It is not mining for dirt; it is mining for opals.

The Hon. COURTNEY HOUSSOS: I acknowledge the interjections of those opposite; they are clearly reading the Central West news. I also acknowledge the incredible work that the Hon. Stephen Lawrence is doing as the local envoy. I travelled to Lightning Ridge on 6 June with the member to meet with local miners, the local community and landholders.

[Opposition members interjected.]

The PRESIDENT: Order! The Minister has the call and will be heard in silence.

The Hon. COURTNEY HOUSSOS: This is an incredibly important issue and it was put on my desk because of the neglect of those opposite when they were in government. That really became apparent to us. I have answered several questions on this already in the House so this is a recap. It is an incredibly important issue for the communities of the Lightning Ridge and White Cliffs, and that was certainly driven home to us in our visit and at the meetings we held with miners, landholders, the Crown Reserves Trust and with other members of the community. It was a deeply significant decision to take to require all miners to immediately stop work. I have repeatedly apologised for the disruption that it has caused to the miners and their communities.

I also acknowledge the impact it is having on the global supply chain. Lightning Ridge is the only source of black opals. It is an incredibly rare and lucrative opportunity for our State's economy, but it is also one that sustains that local community, and I really want to pay tribute to the miners who have already resubmitted their claims. I am getting daily updates but I am not going to freewheel without being completely informed. I strongly encourage those miners to use the additional pop-up clinics that we are running in Lightning Ridge each week and to go into the local office.

The department is putting significant additional resources on the ground and within the department to ensure that these mineral claims are being processed as quickly as possible in accordance with the law. Much broader issues will be canvassed in the review that we have announced. The complete failure by those opposite during their 12 years in government to engage with the industry, to speak to miners, to speak to landholders—to completely neglect landholders, and the many issues that they are facing—goes to the fact that once the National Party gets elected it completely forgets regional communities. *[Time expired.]*

GREYHOUND REHOMING

The Hon. EMMA HURST (11:54): My question is directed to the Special Minister of State, representing the Minister for Gaming and Racing. It was recently announced that thousands of former New South Wales racing greyhounds will be exported to the United States under a new partnership between Greyhound Racing NSW and the Fraternal Order of Police in the United States [US]. I have previously raised concerns about this program, including the serious potential safety risk of long-haul travel. I have now received information that Barcia Jazz, a former New South Wales racing greyhound, died on the way to Los Angeles International Airport on 14 April 2023 as part of this program. Will the Minister confirm whether the death occurred, how it occurred and what the

New South Wales Government is doing to seek to protect these greyhounds being exported overseas by the racing industry?

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) (11:56): I thank the member for her question. I know she has taken a close interest in this matter. I update the House about the US rehoming program. Greyhound Racing NSW is the control body in New South Wales that runs this program. The greyhounds that travel to the US are classed as companion animals, and therefore are no longer on the Greyhound Welfare and Integrity Commission register which would normally track greyhounds. There has been significant investment in the rehoming program and, as the member has indicated, it has been developed in partnership with the police union in the US. I am advised that a specialist pet freight company is used for the rehoming program, which complies fully with the International Air Transport Association regulations on animal air travel.

The member is correct about the death of Barcia Jazz. In regards to the death of this greyhound en route to the US in April 2023, I am advised that Greyhound Racing NSW undertook a full autopsy. It was to be performed by qualified veterinarian specialists in California. The autopsy confirmed the death of Barcia Jazz was due to natural causes and unrelated to travel. The airline has investigated and found that the death was a rare and tragic event given that 15 other dogs, seven of which were greyhounds, were also on the flight and were transferred successfully. Greyhound Racing NSW notes that 145 greyhounds have been sent successfully to the US as part of the rehoming program.

The Greyhound Welfare and Integrity Commission has also communicated with Greyhound Racing NSW that it would like to undertake an assessment of the program. Given that it implements the rehoming policy in New South Wales, and that assessment will be facilitated by Greyhound Racing NSW, that is an important next step. The program to rehome greyhounds into the United States of America is also being looked at by other Australian jurisdictions. I understand that the Greyhound Welfare and Integrity Commission has also briefed the member's party directly on issues relating to greyhound welfare, but we are happy to provide any additional details that are helpful.

MINISTER FOR FINANCE

The Hon. SCOTT FARLOW (11:58): My question is directed to the Minister for Finance. Did the Minister, prior to the recent announcements by the Treasurer of an injection of funds into the Treasury Managed Fund, participate in any discussion or decision-making on this major insurance matter? If so, did she make any disclosures before doing so?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:58): I welcome the question from the honourable member and thank him for it. The injection to the Treasury Managed Fund that was signed off by the Treasurer was also signed off by the Minister for Work Health and Safety, the Hon. Sophie Cotsis, in her responsibilities for icare and was not in relation to my responsibilities for the State Insurance Regulatory Authority.

The PRESIDENT: Order!

The Hon. Daniel Mookhey: No wonder it's in such a bad state.

The Hon. COURTNEY HOUSSOS: I acknowledge that interjection. I welcome a question in relation to the waste and mismanagement that occurred at workers compensation under members opposite. Perhaps it might be worthwhile giving a recap on that mismanagement. In addition to requiring—

The Hon. Scott Farlow: Point of order: It was a very specific question.

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

The Hon. COURTNEY HOUSSOS: I reiterate what I said earlier, which is that the injection required sign-off from the Treasurer and from the Minister for Work Health and Safety.

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

Supplementary Questions for Written Answers

NORTHERN RIVERS FLOOD RECOVERY

The Hon. SARAH MITCHELL (12:01): My supplementary question for written answer is directed to the Minister for Finance. Is funding for the Northern Rivers buyback scheme subject to the Minister's line-by-line comprehensive expenditure review?

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

The Hon. SARAH MITCHELL: I move:

That the House take note of answers to questions.

MINISTER FOR FINANCE

The Hon. SARAH MITCHELL (12:01): I take note of the answer that I received this morning to the supplementary question for written answer I asked yesterday. I say from the outset that there are some serious further questions arising from answers that were given today by the Minister for Finance. It is not a funny matter. The reality is that the Opposition is well within its rights to ask questions in relation to integrity. These are integrity matters that we on this side are canvassing today, as we did yesterday. The fact that the Minister said today that she had no conversations with the Premier in relation to her taking on the responsibility for those Acts is incredibly concerning because it also raises serious questions of the Premier and whether or not he has carried out his correct duties. Part 3, section 12, paragraph (1) of the ministerial code of conduct clearly states:

A Minister who has a conflict of interest in a matter must abstain from making, or participating in, any decision or from taking, or participating in, any action in relation to the matter ...

Paragraph (2) states:

However, the Premier may, if satisfied that no conflict of interest arises or that any potential conflict of interest can be appropriately managed, make a ruling authorising the Minister to continue to act.

The Minister has already said that she disclosed her husband's employment; no-one has any question about that. But the question then is if there was no conversation at all between the Premier and the Minister before she took responsibility for the Acts relating to insurance, how could the Premier be satisfied that no conflict of interest had arisen or that any conflict of interest was appropriately managed? It just does not add up. The other issue is that the Minister in her written answer to my supplementary question said that she has disclosed her husband's position with the Insurance Council of Australia under the ministerial code and fulfilled all necessary disclosure requirements. As I said yesterday, the issue is that it is one thing to disclose a relationship but another thing to disclose how a conflict of interest is managed, whether it is perceived or otherwise. That is where the Minister's answers are falling seriously short.

As I also said yesterday, members on this side of the House who have been Ministers understand that it is not enough just to disclose a conflict of interest; Ministers also have to provide advice as to how they are going to manage that conflict. Many years ago I was asked—by the Hon. Rose Jackson, actually—a question about the management of regional conservatoriums. I put on record that I was not making any decisions relating to funding for conservatoriums because my children attended classes for an hour a week and the perceived conflict of interest was enough for me to remove myself from all financial decisions. I put that on record and was clear about the advice. Why is the Minister so afraid to put on record either the advice that she has given to the Department of Premier and Cabinet or any legal advice that DPC may have given her as to how she manages the conflict? Those are serious questions that need answering. [*Time expired.*]

CANNABIS CAUTIONING SCHEME

The Hon. JEREMY BUCKINGHAM (12:04): I take note of the answer given by the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales, representing the Minister for Police and Counter-terrorism, regarding the Cannabis Cautioning Scheme. I welcome the response from the Minister but I put on record a number of matters regarding the ineligibility of Aboriginal people in New South Wales for that scheme and some biases that are baked into it that mean the scheme is not available to them and they are more likely to end up in the gears of the criminal justice system being charged, before the courts and being incarcerated. There is an autocatalyst—a feedback loop—that means that if someone has a prior offence, they are made ineligible for the scheme and the discretion of the police is removed. That is a matter that needs to be dealt with and reformed in this space.

As part of the scheme, those who are caught with small amounts of cannabis are required to appear at a police station and admit their offence. For Indigenous Australians especially, police stations are intimidating places, so they are disinclined to do that. That means that the scheme is not available to them, they are ruled ineligible and they are then caught in the gears of the criminal justice system. The scheme, in principle, is excellent. The Legalise Cannabis Party believes it is how we should approach the issue of small amounts of drug possession rather than convicting people of offences or even having those offences exist. Instead we should caution those people and divert them into health and other programs to make sure that their wellbeing is looked after and they do not consume illicit drugs in a way that harms them or the community. The scheme needs to be

accessible to people and must not have biases baked into it. I thank the Minister for her response. This issue will not go away as we build towards the drug summit. I hope that we can see some reform in this space in the short term.

MINISTER FOR FINANCE

The Hon. MARK BUTTIGIEG (12:07): Once again the Opposition, instead of focusing on substantive issues, chooses to take up 90 per cent of question time on attempting to sully the reputation of the Minister for Finance, who has answered every single question on this issue. Her declaration was made in accordance with the requirements. The Minister said several times yesterday and today that her partner has stepped down from any decision-making influences. We have to wonder what this is all about. Is it about the fact that those opposite are deeply embarrassed by their own record and do not want us to talk about it? How about some questions on what they do in opposition and how they double-down on policy?

The only member opposite with any intellectual integrity to back in their record is the Hon. Chris Rath, who yesterday in the take-note debate regaled us about all the great toll roads the former Government built with taxpayers' money. Do members remember that? I hand it to him, because he had the guts and the intellectual integrity to come into this place and back in the Opposition's privatisation agenda. Those opposite are proud of the State's \$187 billion debt and \$12 billion deficit, which the Treasurer pointed out yesterday in the economic statement, part of which the former Government poured into monopoly toll roads that the poor old New South Wales taxpayer has to get in their car and pay bucketloads of money for, just to get from point A to point B to earn a living. And that is not to mention the cracks in the dodgy light rail and the new intercity fleet, imported from Korea, that did not fit tracks or tunnels. That is where the Opposition spent taxpayers' money.

Instead of talking about that agenda and why they think they should double-down on it to get back into government, members opposite want to sully the good reputation of the Minister, who has done everything in accordance with requirements. We should be debating whether or not that money should go into hospitals and schools to pay for the extra nurses, ambulance workers and teachers that we need and to pay for the pay rises that the essential workers, who got us through the pandemic, deserve. We should be debating where that money should be allocated. That is what question time should be about, not sullying the reputation of the Minister.

HOUSING AFFORDABILITY

The Hon. SCOTT FARLOW (12:10): I take note of the answers given today by the Minister for Housing with respect to the consultation that should be undertaken for Homes NSW. It sounds good for the Minister for Housing to be looking at a consultative process for Homes NSW, and I look forward to seeing what that will bring and the form that Homes NSW will take. But that stands in stark contrast to the consultation that the Government has undertaken when it comes to some of its other portfolio announcements in the housing and planning space, particularly last week's affordable housing announcement of a 15 per cent affordable housing requirement when the current requirement is 20 per cent.

No consultation with local government has led the local government sector across New South Wales to be up in arms because local councils simply do not know what the Government is proposing and what it will mean for their communities. It is good that the Minister will consult widely on Homes NSW. It would be nice if that sort of consultative approach was applied more broadly across the planning and housing space in New South Wales because it would bring communities on board, rather than an approach that requires those communities to just get out of the way.

NORTHERN RIVERS FLOOD RECOVERY

The Hon. AILEEN MacDONALD (12:11): I take note of the answer to my question to the Minister for Finance. I too have met with the member for Lismore, Janelle Saffin, and I agree that she has been a local champion and advocate for the people of Lismore. However, the people in the Northern Rivers are anxious for the buyback program to be resolved and to be resolved soon. I am pleased that the Minister is undertaking a painstaking, line-by-line review of the Northern Rivers buyback scheme. Recently I was contacted by a resident of Woodburn who raised a concern that the process was pathetically slow. I encourage the Minister to travel to Woodburn and the surrounding region to see firsthand row upon row of flood-damaged homes and the caravans next to them where people are living while they wait for decisions. I respect the need for assessment and for integrity in the process. I call on the Minister to hasten that process.

MINISTER FOR FINANCE

The Hon. STEPHEN LAWRENCE (12:12): I take note of the answers to the series of quite unfortunate questions asked of the Minister for Finance. Disturbingly, members opposite seem to have forgotten entirely what the Minister said in question time, just yesterday, when she answered those questions. They also seem to be almost

completely ignorant of the detail of the code of ministerial conduct. I will summarise to refresh members. When the Hon. Courtney Houssos was asked about this issue yesterday, she indicated that in the lead-up to the election, to deal with the prospect of her becoming a Minister, her husband put in place certain protocols in relation to his work at the Insurance Council of Australia. Most importantly, that included his complete removal from any role in relation to the New South Wales Government. In light of that, it is important to turn to the provisions of the code. The code of ministerial conduct defines "conflict of interest". It states that it "arises in relation to a Minister if there is a conflict between the public duty and the private interest of the Minister".

It does not apply, for example, where, in light of the possible arising of a perceived conflict of interest, arrangements are put in place to completely remove that possibility—which, of course, is precisely what has occurred here. It is important also to note that clause 12 of the schedule to the code makes provision for the Premier to allow Ministers to participate in certain decisions where there is a conflict of interest. The majority of the questions today were about whether the Premier had been asked to exercise that power. Why on earth would the Premier be asked to exercise that power in circumstances where there is no conflict of interest? The questions were completely specious, and what they reveal is not any legitimate oppositional interest in questions of conflict of interest or proper governance but, rather, a blatant attempt to engage in a smear campaign which, I would observe to members, has fallen completely flat because it is based on no merit whatsoever. Those opposite really have brought themselves into disrepute rather than succeeding in their mission to bring the Minister for Finance into disrepute.

MINISTER FOR FINANCE

The Hon. WES FANG (12:15): I was not going to make a contribution to the take-note debate today but after the contribution of the Hon. Stephen Lawrence I feel compelled to address some of the points that he raised. The questions that we are asking in this House seem to have escaped the Hon. Stephen Lawrence. The questions are not about what the spouse of the Minister is doing in relation to the conflicts of interest. The questions are about what the Minister is doing in relation to them, and the Minister is refusing to answer. It seems that the Hon. Stephen Lawrence, using his great intellect and his wonderful experience from his time in the Chamber, is lecturing us about what a conflict of interest is. Let's have a look at the situation as it stands. The spouse of the Minister is employed by the Insurance Council of Australia. The Minister is responsible for a number of Acts, including the Act relating to the State Insurance Regulatory Authority.

Whether the spouse's role relates directly to the New South Wales Government in relation to representations is irrelevant. The fact that he is employed by the Insurance Council of Australia creates a conflict of interest. It has been acknowledged that it creates a conflict of interest, because the Government said that it needed to be addressed. According to the Treasurer's own words today, it has been addressed. Members on this side of the House are asking how it is being addressed, what has been addressed and what the Premier is doing in relation to the conflicts of interest. We are asking about the decisions that are being made by the Government: whether they relate to the Minister's portfolios and whether impacts of the conflicts of interest have been identified and managed. It is well within the Opposition's rights to ask questions of the Minister in relation to this conflict of interest. What we have heard in response from the Minister is less than satisfactory, and I can imagine that a lot of questions will come out of this.

The Hon. Mark Buttigieg: Does that mean we're in for it again tomorrow?

The Hon. WES FANG: I'm not going to foreshadow our question time strategy for tomorrow. [*Time expired.*]

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (12:18): I thank all members who contributed to today's take-note debate. Members have had to suffer the misfortune of day two of the Opposition's investigation in search of an actual crime. We have seen Scooby Doo lead better investigations than those by the Opposition both yesterday and today. Far more mysteries have been solved by that fine investigator than what we have witnessed from the Opposition. I have been waiting for Opposition members to actually make an allegation. What exactly do they allege the finance Minister has done wrong? In the absence of any allegation, the only thing we can do as a House is judge the finance Minister's conduct against that of her predecessors. Members on this side of the House are proud to be part of the only government this year with a finance Minister who has not had to resign for conflicts of interest. We are proud that our finance Minister has never, for example, directly owned shares in companies whilst sitting in Cabinet making a direction.

The Hon. Wes Fang: Point of order: The rulings made yesterday were that contributions during the take-note debate had to be canvassing answers given. I note that none of those points were canvassed—

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I understand the member's point of order. The Treasurer will continue to be directly relevant.

The Hon. DANIEL MOOKHEY: Members on this side of the House are proud that, for example, unlike the shadow finance Minister, our finance Minister has never had to resign for the way she has handled or treated public servants. We are equally proud that on our side of the House—

The Hon. Wes Fang: Point of order—

The Hon. DANIEL MOOKHEY: —our finance Minister has not had to resign for interfering inappropriately in public service appointments—

The Hon. Wes Fang: Mr Assistant President—

The Hon. DANIEL MOOKHEY: —unlike the former trade Minister.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! I call the Hon. Wes Fang on a point of order.

The Hon. Wes Fang: The Treasurer is now cavilling with your ruling. I would say he is completely ignoring it. None of the matters he raises were actually addressed in the answers given during question time. I ask you to please draw him back to the substance of the debate.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I understand the member's point of order. Given we are on the clock the member will resume his seat. I ask the Treasurer to continue to be directly relevant.

The Hon. DANIEL MOOKHEY: The finance Minister will continue to perform her duties in an excellent manner, free from such conflicts of interest, particularly because this Government takes those standards seriously. We act in accordance with the ministerial code. We do not secretly own shares in companies that we are making decisions about.

The Hon. Wes Fang: Point of order—

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The Treasurer has completed his response to the debate. The question is that the motion be agreed to.

Motion agreed to.

Written Answers to Supplementary Questions

RECREATIONAL FISHING

In reply to **the Hon. MARK BANASIAK** (20 June 2023).

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

- (1) I am advised by the NSW Department of Primary Industries [DPI] that an application for funding from the "Recreational Fishing Trust for the project titled A Rock Fishing Safety & Skills program, contributing to reducing rock fishing fatalities in NSW" was submitted to DPI by Surf Life Saving NSW as part of a previous advertised Trust funding round.

The application was assessed and supported for funding by the Recreational Fishing Saltwater Trust Expenditure Committee on 2 February 2022. The funding recommendation was subsequently supported by the Recreational Fishing NSW Advisory Council on 17 February 2022.

Meeting outcomes from the above two committees are published in summary format on the DPI website.

- (a) See above.

MINISTER FOR FINANCE

In reply to **the Hon. SARAH MITCHELL** (20 June 2022).

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

I thank the honourable member for her question.

I have complied fully with my obligations under the Ministerial Code of Conduct. As I have previously stated, after I was appointed the Minister for Finance, I disclosed my husband's position with the ICA under the ministerial code and fulfilled all necessary disclosure requirements in accordance with that code.

At no stage have I discussed any confidential matters as they relate to my ministerial and Cabinet responsibilities with anyone other than those authorised to take part in those confidential discussions.

*Documents***TABLING OF PAPERS**

The Hon. DANIEL MOOKHEY: I table the following paper:

- (1) Crimes Act 1900—Report of the Department of Communities and Justice entitled *Crimes Legislation Amendment (Coercive Control) Act 2022*, dated 1 June 2023.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I shall now leave the chair. The House will resume at 2.00 p.m.

*Private Members' Statements***PHONICS TEACHING**

The Hon. SARAH MITCHELL (14:02): Today I speak about phonics, which has always been close to my heart, particularly as education Minister. I was a strong supporter of teaching phonics in our schools because even though there has been debate and conjecture for many years over the best way to teach children how to read, the evidence base clearly shows that phonics is the best approach. Phonics is a known method for teaching children how to read by demonstrating the relationship between the sounds of the spoken language and the letters or groups of letters of the written language. There are a number of songs to teach phonics, but I will not regale the House with my dulcet tones and sing any of them. Any parent in this House, I am sure, would be able to sing along to some of those songs that help teach people how to speak.

Phonics is important because the most fundamental and crucial skill for all children, particularly when they start school, is to learn how to read. Learning the technique of literacy is incredibly critical. That is why the teaching of phonics became compulsory under the previous Government as part of the new curriculum that was introduced in schools from the beginning of this year. Kindergarten to year 2 English and maths have started and there is a further rollout to come, but I note with some dismay that the current Government has delayed that rollout. However, the universal agreement or adaptation of the teaching of phonics in the English syllabus is incredibly important. It is necessary to continue so that our children get the best possible start in life.

It is also important to continue to measure learning outcomes. The previous Government brought in a phonics check for students in year 1 so that each year teachers could see how the year group is progressing and whether they are hitting the benchmarks for learning how to read. The year 1 phonics check is important because without the data we cannot determine the effectiveness of the lessons. I have not heard the new Government speak about the phonics check or that it will get rid of it. I am sure that it will continue for year 1 students. Benchmark data is important to provide additional support to the year 1 students who are identified as needing it. The phonics check is completed very quickly by the teacher in the classroom. They know instantly whether the student is meeting those benchmarks and perhaps where more work needs to be put in.

I will continue to be a strong advocate of phonics as the Opposition spokesperson for education. My daughters' school has always taken a phonics-based approach. I can say from my own experience watching my daughters learn how to read that phonics is effective. My youngest daughter is in kindergarten, and I have noticed more explicit instruction and focus on phonics coming through the curriculum. We are currently practising the "wh" sound, so there are lots of "whales" in the Mitchell house this week while Matilda practises her reading. As a parent it is incredibly gratifying to know that our work in government is making a difference and young people are learning to read because of that approach. Long may it continue.

EASTER CONCERT OF CHORAL MUSIC

The Hon. TANIA MIHAILUK (14:05): As a follower of the Russian Orthodox faith, the arrival of Easter holds profound significance not only in my life but also within the hearts of the growing Orthodox community across the State. To commemorate the sacred occasion, on 28 April a number of Orthodox communities came together at Sydney Town Hall for a pan-orthodox event in pursuit of peace and harmony, with the Easter Concert of Choral Music. The concert offered a diverse classical and cultural event, showcasing the extraordinary talents of the Australian Byzantine Choir, the enchanting melodies of the St Lazarus Serbian Orthodox Choir, the captivating harmonies of the Antiochian Orthodox Male Choir, and the magnificent vocals of the Russian Orthodox Male Choir of Australia. The ensembles showcased a diverse repertoire of traditional pieces across five different languages.

The Australian Byzantine Choir, founded in 1998 in Sydney, has garnered acclaim as a renowned musical ensemble under the leadership of George Scoufis. Consisting of 19 Greek-Australian members, the group is motivated to preserve the rich Byzantine musical heritage. Alongside its musical pursuits, the choir participates in various charitable endeavours. Despite being a relatively recent addition to the church choir scene, the Russian Orthodox Male Choir of Australia, led by Nektary Kotlyarov, is now an internationally renowned group. It is

collectively bound by a passion for the church and performing the rich tapestry of Russian folk music. That passion served as the driving force of the establishment of the choir.

In 2018 the Antiochian Orthodox Male Choir, under the leadership of then Deacon Phillip Saba, was founded to inspire and empower Australian-born members of the Antiochian Orthodox Church to continue the musical heritage of their faith tradition. The St Lazarus Serbian Orthodox Choir was established under the guidance of the Very Reverend Father Rade Radan. The exceptional choir specialises in performing the magnificent works of renowned Serbian composer Mokranjac and the celebrated Russian composer Rachmaninoff. They are united by their profound love and unwavering passion for church music and the cultural heritage it embodies.

The Easter Concert of Choral Music is an incredible event, standing as a testament to the spirit of volunteerism and cultural service. I acknowledge the not-for-profit status of each choir and the generosity of the many volunteers involved. I recognise Nektary Kotlyarov of the Russian Orthodox Male Choir for his dedication and tireless work in organising the event. I also recognise His Grace George, Bishop of Sydney, Australia and New Zealand of the Russian Orthodox Church; His Grace Bishop Siluan, Bishop of The Metropolitanate of Australia and New Zealand of the Serbian Orthodox Church; and Metropolitan Basilios Kodseie of Australia, New Zealand and the Philippines of the Antiochian Orthodox Church. I acknowledge the many priests, deacons, clergy and parishioners from across the four dioceses who were in attendance. More than 1,000 Orthodox followers were also in attendance. I give a special thank you to the sponsors and the City of Sydney council.

COMMUNITY LEGAL CENTRES

The Hon. CAMERON MURPHY (14:08): I recognise the excellent work of community legal centres throughout New South Wales. Community legal centres are an integral part of the legal system. They play a vital role as a place that people can go for advice on how to make a claim, how to defend a claim or how to deal with a variety of other legal issues. They have a huge impact in the community, with the 41 community legal centres across the State providing much-needed frontline legal advice and services to more than 51,000 people in 2021-22. Everyone in this State should have access to a lawyer for advice, to be able to defend themselves in court and have access to justice when they are wronged. Unfortunately, this is not always the case. The legal system in many respects has become the domain of the privileged and the wealthy or of corporations. Ordinary working people are often unable to pay for the legal help that they need. Community legal centres [CLCs] in New South Wales help marginalised groups and people who would likely not otherwise be able to afford access to legal services. In 2021-22 the vast majority of clients of community legal centres were experiencing financial hardship, many were women seeking assistance with issues of family and domestic violence, and in some regional areas up to 40 per cent of clients of CLCs were Aboriginal and Torres Strait Islander people.

In addition to providing much-needed access to legal assistance, investment in community legal centres actually saves the State money. A solicitor working with the Western NSW Community Legal Centre recently described them as "Medicare for the justice system". That is, CLCs can catch and resolve disputes or legal issues before they become more complex ones and entrenched. The reality is that the court is often the most expensive way to resolve any dispute and any steps that we can take to avoid matters going to court in most cases provide better outcomes at a cheaper price. Community legal centres should be commended for the excellent service that they provide to the people of New South Wales, as well as for their role in increasing access to justice for some of our most vulnerable groups.

HOMELESSNESS

The Hon. NATASHA MACLAREN-JONES (14:11): Every day more than 35,000 people in New South Wales experience homelessness, unable to secure a safe and stable home that many of us take for granted. Homelessness extends beyond a mere housing issue, as each person experiencing or at risk of homelessness has a unique story. The causes of homelessness are intricate and manifest in various ways. While some may encounter homelessness as an isolated incident, others continually cycle in and out of it, struggling to secure housing for more than a temporary period. The Liberal-Nationals know the importance of assertive outreach, early intervention and providing housing with wraparound support.

Under our Government we implemented the \$177.5 million Together Home program, which is underpinned by the Housing First principles, a key initiative of our State's Homelessness Strategy. The Liberal-Nationals strategy to address homelessness was to shift away from predominantly crisis driven responses to prevention responses that address the contributing causes of homelessness and invest in early intervention responses that reduce chronic homelessness. In support of those initiatives under the strategy, in February 2019 the Liberal-Nationals Government nominated Sydney to join the global campaign of vanguard cities to halve street homelessness across New South Wales by 2025.

Furthermore, as part of our commitment, we were the first State in the world to set a target to reduce street sleeping for a whole State, not just a city. A key measurable for this target is the street count, which is conducted annually and then released publicly. To date four statewide street counts have been conducted. The data collected from the street counts provides a point in time measure to help understand the scale, depth and persistence of street homelessness to better inform resource allocation and help measure progress. The count is carried out by community housing providers, local councils, specialist homelessness services and other local organisations who partner with the Government. I acknowledge the numerous volunteers.

Since April 2020 more than 12,500 street patrols and other assertive outreach activities have occurred. More than 1,500 people sleeping rough across the State have been supported into social housing or private accommodation. The street count conducted in 2020 revealed 1,314 people sleeping rough in New South Wales. This figure decreased in 2022 to 1,207. Furthermore, through the Together Home program, which was introduced in July 2020, over 1,000 people have been supported into long-term housing with intensive case management and wraparound support.

The fourth annual street count, which was conducted this year, took place from 2 to 28 February with 78 local government areas and 400 suburbs involved. It is disappointing that the Minister for Homelessness has not yet released these figures, which are integral in identifying where resources should be allocated and supports provided, as I said. It is important that this Government is transparent and continues to support the annual street count, which we introduced, but also continues to support the Housing First principle and the Together Home program.

FIRST LAP VOUCHER PROGRAM

The Hon. ROD ROBERTS (14:14): I congratulate Madam Deputy President Kaine on taking the chair for the first time in her role as a Temporary Chair in this Chamber. I also acknowledge the presence of the Treasurer in the House. I alluded to him that I would be making this speech today and he made an undertaking to be here and I thank him. I draw attention to the Government's announcement that it will cut the value of the First Lap learn to swim voucher from \$100 to \$50 and the risk this could present to lives in our State. While I support the Government's decision to continue funding the voucher and acknowledge that a bit of financial belt tightening is needed across New South Wales, I believe this program is having a real and genuine impact on the lives of young people and families in New South Wales. For that reason I believe the program should be not only retained but also boosted, and certainly not reduced.

I draw the attention of members to a recent report by the Royal Life Saving Society Australia that shows just how effective these vouchers have been in reducing deaths and why they are still so important. In 2022 New South Wales saw a decrease in drowning deaths in two of our youngest age groups, those zero to four and those five to 14 years old. To quote the report, "This may be an indication that these programs may have been making an impact and it is important to continue focusing drowning prevention efforts on children." On the other side of the coin—that is, those without First Lap vouchers—there has been a continual rise in drowning deaths across the State. New South Wales is now leading the country with 125 deaths in 2022, and it is growing, with drowning deaths up 34 per cent on a 10-year average. To put it simply, deaths have gone down in the two age groups targeted by the voucher, while deaths have gone up in all other age groups. This is a clear and direct testament to the positive work of the program and shows with absolute clarity how important it is that we continue it at its current level.

It is necessary in this instance that we also listen to those close to the matter. Earlier this year Royal Life Saving New South Wales Chief Executive Officer Michael Linsky said he did not want to see the First Lap voucher reduced but rather extended, suggesting that \$100 is not enough for a term of lessons. Nobody in the Chamber wants to see a single child's life lost that could have been avoided. Better training, better awareness and better education is an effort worth striving for to save the lives of children in New South Wales. Not only is it an effort worth striving for, it is an effort worth spending on. In closing I reiterate, yes, as we battle economic headwinds some programs will have to be cut and Pauline Hanson's One Nation party will support the Treasurer on that. But this is a program that is saving lives. It is setting children up for a lifetime of safer swimming. If it ain't broke, don't fix it. And if it's working, let's fund it.

STATE ELECTION

The Hon. MARK BUTTIGIEG (14:17): The Labor candidates in the electorates of Miranda, Holsworthy and Drummoyne achieved impressive swings towards Labor in the 2023 State election and deserve recognition for their campaigns. In the Miranda electorate local Labor candidate Simon Earle achieved a 12.1 per cent swing to Labor. Miranda is now a marginal seat with just a 2.35 per cent buffer after being considered a very safe Liberal seat, with a Liberal held margin of over 14 per cent before the election. Simon has extensive experience as a volunteer, employee and now owner of a not-for-profit and understands the value of community-based, grassroots

organisations and the difficulties that they face in securing funding for works. Simon ensured that election promises were made committing to funding works for local organisations including Crossroads Community Care centres and Project Youth.

Thanks to Labor candidate Mick Maroney, Holsworthy is now on a knife's edge, becoming one of the most marginal electorates in the State, with a Liberal held margin of only 0.37 per cent. Mick achieved a 5.6 per cent swing to Labor. A local schoolteacher, Mick is in tune with the needs of his local community, for example, the need for a new playground for Menai Public School. Mick also previously worked as a police officer and firefighter, giving him an insight into the need for better resourcing of essential services in the south-west, issues on which Mick campaigned heavily.

Labor's candidate for Drummoyne, Julia Little, achieved a 12.3 per cent swing to Labor in the State election, getting the Liberal margin down to 1.3 per cent. Drummoyne, like Miranda, was considered a very safe Liberal seat, going into the election with a 13.6 per cent margin. A councillor for the City of Canada Bay Council since 2017, Julia Little is a strong advocate for her community, repeatedly calling out rate hikes. In the election campaign Julia committed to a review into the ferry services for Drummoyne, with an aim to deliver more services, and advocated to save the Rhodes fire station.

NSW Labor is indebted to the efforts of Simon Earle in Miranda, Mick Maroney in Holsworthy, and Julia Little in Drummoyne, and their volunteers and campaign organisers for coming so close to winning those seats. Even though they were considered unlikely wins, the candidates achieved impressive results by working tirelessly for their communities. Those results show the importance of grassroots campaigning and selecting candidates connected to the local community. I know that those candidates will continue to advocate for their communities, and we will continue to support them in that endeavour.

ST THOMAS MORE SOCIETY

The Hon. SUSAN CARTER (14:20): Tomorrow is 22 June, the feast day of Saint Thomas More. Tomorrow the St Thomas More Society will mark the occasion in its regular fashion, with its annual mass and feast day dinner. So it is a good occasion on which to recognise the work done by the St Thomas More Society, founded in Sydney in 1945. It is a fellowship of lawyers inspired by the example of Saint Thomas More, by his devotion to learning, by his life of public service and by his unwavering commitment to what was right and good, even if that meant his own death. Thomas More is regarded as the patron saint of lawyers, public servants and politicians because reflecting on his life challenges all of us to put service before self and to strive to do what is right and good, rather than what is easy and comfortable.

The goal of the St Thomas More Society is to extend amongst lawyers the highest ideals of culture and morality. In this, it is inspired by the life of Thomas More, regarded as England's most eminent humanist and who was responsible for introducing many of the ideas of the Renaissance to England. He was also, in many ways, revolutionary. Living at the time of Henry VIII, when universal education was unheard of and reading was largely a male skill, he insisted on the education of his daughters and ensured that they were fluent in both Latin and Greek as well as English so that they could read for themselves the wisdom which was being rediscovered and was inspiring the Renaissance.

The St Thomas More Society works to achieve its goals in many ways. The most public of those is the annual Red Mass, which is part of a tradition dating back to Paris in 1245. In Sydney it is now part of an extended ecumenical celebration in which synagogues, mosques and churches of all denominations open up to the legal profession and conduct a series of special liturgies to mark the opening of the legal year. They are opportunities to reflect on the nature of justice and on the important obligations of being a member of the legal profession and how they are properly discharged.

Life gets very busy. In sponsoring the Red Mass, the St Thomas More Society and all of the organisations that participate perform an important role for the legal profession and for the broader society they serve. They provide a critically important opportunity to reflect, recalibrate and preserve a focus on serving others through the provision of just and timely professional work. I look forward to joining with members of the St Thomas More Society tomorrow night to celebrate its patronal feast. I recognise the great work done by the committee, including its president, Michael McAuley, and its treasurer, Matthew Lo. It makes nights like tomorrow night possible. I congratulate the St Thomas More Society on its excellent work.

SEAFOOD INDUSTRY

The Hon. MARK BANASIAK (14:23): From 7 July 2017 a temporary ban on the importation of uncooked prawn products was lifted by the Federal Government and replaced with supposedly stringent import restrictions. Detections of white spot disease at three prawn farms on the New South Wales North Coast is proof that those measures were consequently inadequate, falling well short of protecting our decapod crustaceans from

decimation. White spot disease is Christmas lunch genocide, posing a profound risk to supplies of our home-grown prawns, crabs, bugs, yabbies and lobsters. The Government's recent response to the outbreak, extending a control order preventing movement of any decapod crustaceans or fittings from the Clarence River system for a further two years, has local fishers and prawn farmers reeling.

Announcing a \$21.4 million package comprised largely of fee waivers and then labelling it as a recovery effort is a slap in the face to the hardworking men and women that rely on the Clarence River system to keep their families afloat. The \$21.4 million package would not even be necessary with appropriate control measures in place. If the department would like to talk about risk management, banning the importation of raw prawns and decapod crustaceans into Australia would completely mitigate that risk. Australia has some of the best seafood products the world has to offer, including high-value exports like lobsters, Moreton Bay bugs, crabs and freshwater crayfish. This could eliminate decades of effort to re-establish populations of Murray crays. Why should that be sacrificed by filling our plates with sub par, inferior products that endanger the future of our seafood industry and natural environment?

I encourage members to look at the growing conditions in overseas countries where white spot disease originates and see the lack of control measures, poor standards around water quality and growers skimming brown muck off the surface of what are essentially ponds full of excrement and breeding grounds of bacteria. If that becomes established in Australia, our seafood industry will be burdened with substantially increased costs, a greater dependency on closed-system aquaculture and treatment of water taken from the sea and tidal areas. Don't come the raw prawn with me, Madam Deputy President. A profound number of other biosecurity risks are constantly knocking on our door, and here is one that we can slam the door on right now. As proud Australians, we should be investing in our own backyard and supporting our local fishermen and farmers.

TEMPORARY WORKFORCE TRANSITION INITIATIVE

The Hon. ANTHONY D'ADAM (14:26): Neoliberalism is characterised by an imperative towards relationships that are contingent, ephemeral and transactional. We must ask ourselves whether that is the type of society that we want to live in. Increasing employment insecurity is a marker of that phenomenon. Things can creep up. What started as a temporary job here and there soon morphed into an endemic problem in the economy and in society. Without a conscious agenda to push back against it, increasing casualisation soon becomes pervasive. That is why I congratulate the Government on the announcement and implementation of the Temporary Workforce Transition initiative. It is an initiative that runs counter to the dangerous trend towards insecure work.

The program is anticipated to result in an offer of permanent employment to at least 10,000 eligible temporary teachers and at least 6,000 eligible temporary support staff during 2023. Eligible staff will include teachers, administrative and support staff, school psychologists and other school-based government sector roles. New South Wales has been waiting 12 years for a comprehensive plan to address the worsening teacher crisis, a product of the former Liberal Government's policy failure. The casualisation of teaching has forced thousands of talented teachers to leave the profession. For young teachers without a permanent position, it makes it more difficult to lay down roots, finance a car or get a home loan. Since 2017 just 63 per cent of the teaching workforce in New South Wales public has had the security of a permanent position. That not only poorly impacts retention rates but also worsens the quality of education that students receive.

The people teaching our kids deserve to know that they will have a job next term or next year. That piece of mind, delivered through the Government's initiative, will give teachers the security they need to stay in the profession and help turn around teacher shortages. Already more than 5,000 teachers and support staff across nearly 1,000 schools have accepted offers to take permanent positions in under two months. That rapid uptake stands in stark contrast to the former Liberal-Nationals Government's desperate election pitch to match Labor and convert 10,000 teachers to permanent positions. Despite making that promise in October 2022, the Coalition made little progress on achieving it. It is anticipated that the remaining permanent appointments under the program will be filled by the start of the 2024 school year. That is important not only for our current teachers but also for those students who may one day think about becoming a teacher.

Knowing that teaching is once again a secure and stable career will make it far more attractive for new graduates and people considering a career change. I congratulate the education Minister and the Premier on fulfilling Labor's election promise. We must send the message to teachers that they are appreciated for the invaluable work they do. Ending the precarious nature of teaching and ensuring that more teachers and support staff have steady employment is an important start.

Condolences

HUNTER VALLEY BUS ACCIDENT

Debate resumed from an earlier hour.

The Hon. SCOTT FARLOW (14:29): I start by thanking the Hon. Emily Suvaal for bringing this motion before the Chamber today and for the work that she has been doing to support the victims, the families and a grieving community in the Hunter. As has already been remarked by the Deputy Leader of the Opposition, I also convey our thanks to her husband in his work as the Mayor of Cessnock and to Sue Moore as the Mayor of Singleton. From the discussions we have had, there is no doubt that the whole community is grieving. The bus crash at Greta in the Hunter Valley on the evening of 11 June was a heartbreaking tragedy, one which devastated an entire State and an entire country with the lives lost and the impact upon families forever. Whilst the community in the Hunter Valley is understandably shaken by this terrible crash, they have rallied around the families of the victims. Everyone is pulling together right now in the best way they possibly can.

Dave Layzell, the member for the Upper Hunter, whose community has been tragically hit by this tragedy, has remarked to me about the small things in the community. Barbecues are popping up in the evening where people can come together and share stories. There are things that fly under the radar—a town pulling together; that support that everyone in the community is providing in silence; and that support to loved ones and friends on the other end of the phone, and to know that it is okay not to be okay. Sadly, as we know with these tragedies, it is often not immediate that the impact is felt but down the path. I am sure that that community will be supported throughout the time whenever it may hit.

I pay tribute to the incredible medical staff at the hospitals that treated the victims—John Hunter Hospital, Maitland Hospital and Calvary Mater Newcastle—who rose to the call of duty to face such a terrible situation. Our heroic emergency services personnel always rise to the challenge and make us proud every single day—and, in this case, the pitch-black of night—in situations of such horror that it is hard to fathom: the paramedics who responded to the first calls for help and rendered critical first aid; the Fire and Rescue officers who assisted to overturn the bus to save more lives; and the police who were the first on the scene and raced back and forth to bring critical supplies, including blood and specialist doctors, to help the injured.

The response of the paramedics is particularly inspiring. By midnight, six helicopters, 11 ambulances and three ambulance rescue units were on their way. It is particularly tragic that this crash happened on a day that was supposed to be full of joy, new beginnings and a happy future—a wedding, no less. Members have remarked how this really brings the tragedy of the situation home. This crash is a sad reminder of how fragile lives are, and how we must value our friends and families every single day. I know that parents and loved ones across Australia held their children and loved ones a little tighter that day. I thank the Premier, Chris Minns, for his support of the community during this time. I also thank the local members: Clayton Barr in Cessnock, Jenny Aitchison in Maitland and Dave Layzell in the Upper Hunter.

The Hon. EMILY SUVAAL (14:32): In reply: I thank honourable members for their contributions. I particularly note the Hon. Natalie Ward's contribution in which she spoke about first responders. I had the opportunity to meet a number of first responders after the incident. They are just amazing. Words cannot describe the gratitude and thanks for their service and what they do. A number of those who responded were retained firefighters who received the call in the middle of the night. Others were crews of NSW Ambulance, helicopters from Bankstown and Tamworth, RFS crews, and police crews from across the Hunter. They all really pulled in together in such an amazing effort. I thank the honourable member for her words and for mentioning them.

I thank the Hon. Tania Mihailuk for her contribution in which she spoke about how we can prevent road tragedies such as this occurring in the future, and we must do all that we can. The Hon. Sarah Mitchell spoke about the bride and groom, as did the Hon. Tania Mihailuk, and I join them in extending my heartfelt thoughts to those two in particular and their families. It is unimaginable to have a day that should be filled with so much joy and so many happy memories just end like this. The Hon. Scott Farlow talked about the sense of community in the Upper Hunter, the pulling together and the barbecues. There is a really strong sense of community in the Upper Hunter, and I thank the honourable member for mentioning that. Thank you, Mr President.

The PRESIDENT: To show their support of the motion, I ask all honourable members and officers to rise in their place and observe a few moments of silence.

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

Motion agreed to.

Motions

FIRST LAP VOUCHER PROGRAM

The Hon. NATALIE WARD (14:36): On behalf of the Hon. Taylor Martin: I move:

- (1) That this House notes that:

- (a) since its launch by the Coalition Government in the 2021-22 financial year, the First Lap learn to swim voucher program has resulted in the creation of 180,000 \$100 vouchers helping parents offset the cost of fees for children aged between three and six years for swimming lessons;
 - (b) Royal Life Saving has expressed its "deepest concern and disappointment regarding the recent announcement of the potential discontinuation of the Active Kids and First Lap voucher program by the New South Wales Government";
 - (c) an average of three children aged five to 14 years old die from drowning each year in New South Wales;
 - (d) last year New South Wales experienced the highest drowning toll in more than 25 years; and
 - (e) without the support of the \$100 First Lap swim vouchers many families in New South Wales would struggle to afford to continue meeting the costs of their children's participation in swimming lessons, resulting in children not learning skills such as general swimming techniques and treading water, survival techniques and strategies, floating and rescue skills.
- (2) That this House calls on the New South Wales Government to immediately assure parents, Royal Life Saving, and the learn to swim business in New South Wales that the \$100 First Lap voucher program will not be cancelled.

I speak in support of the motion. The First Lap voucher program instigated by the former Coalition Government and launched during my time as sports Minister is a truly amazing program. I acknowledge and put on record the great work of Sinclair Hill in my office, who came up with the name "First Lap". We were given some pretty average names to look at, but it is a clear indication that it is about kids doing their first lap of a pool, which is a monumental achievement in their lives and leads to saving lives. I thank him for his great work on this program. First Lap accomplishes three things that I think every member in this House would support. It provides cost-of-living relief, it gets young children active and it helps support the lifelong skill of learning to swim.

Much has been said and will continue to be said about the Labor Minns Government's choice not to fund programs that support families with cost-of-living pressures. I would rather discuss what happens should the union-led Labor Government not continue to fund this important program. Fundamentally, good government policy should be about outcomes, and that is what this program is about. Summer in Australia is all about swimming at your local pool, beach or river, wherever it maybe. The First Lap program is about ensuring family budgets are not stretched, so that our kids have those crucial skills of learning to swim and are supported in undertaking that vital training. The Government's own agency, the Office of Sport, agrees. It says:

Water safety education is key to ensuring children learn vital safety and survival skills from a young age – a skill they will keep with them for life.

...

By making swimming and water safety education more accessible for families, the First Lap program will help keep NSW children healthy, happy, and safe in and around the water.

This is a crucial program. I know families who have suffered the tragedy of their children perishing because they could not swim. This saves lives and prevents tragedy. Young children near the water is a concern for all parents. I know that from personal experience. I also know the importance of teaching my own kids to swim and giving them these lifesaving skills. I thank Zaza of Dee Why for hours and hours in her backyard pool, for teaching my kids, putting up with us and getting us across the line. That first lap that they achieved by themselves was incredibly important. That is why it is puzzling that this Government is so quiet about the future of this important program. Why would any government not want to support a policy that provides such a positive outcome?

While I acknowledge the Minister for Sport and Minister for Multiculturalism is in the other place, I know from my own experience as former Minister for both portfolios, that culturally and linguistically diverse communities have challenges when it comes to swimming skills and getting children swimming lessons. In fact, not only do I know it but Royal Life Saving Australia agrees. A 2022 Royal Life Saving report states that 85 per cent of children drowning deaths occur in areas of moderate or high disadvantage. In the cases where swimming ability was recorded, more than 60 per cent were either a poor swimmer or non-swimmer. The First Lap program makes swimming and water safety education more accessible for those key groups, and that is in line with the recommendation of the Royal Life Saving report which says, "promote the pledge to enrol younger children in learn to swim programs". Fundamentally that is what the motion is about.

The Government needs to be clear with the community and families about what outcomes it supports. The First Lap program produces those positive outcomes. It saves life and helps families get those kids into those lessons. I note the cost-of-living pressures at the moment. Managing a family budget is incredibly important and families should not have to make choices to forgo some things, particularly when this Government seems to be able to find \$16 million to fund the Ultimate Fighting Championship cage fighting. I am not sure why that is happening at the expense of programs that save lives, like First Lap.

It is important to understand the program is aimed at helping families get their young children into swimming lessons quickly and efficiently to gain a vital life-saving skill. A child's first few years is a crucial time

for them to learn how to swim, particularly those who missed out on having lessons due to COVID. Some children even become lifesavers. Some children are the first to swim in their families; their parents might be immigrants who never had the opportunity to learn those vital skills. We want to support kids and their families so they can access important lessons such as the ones offered by First Lap.

We know health and safety of families is important but it transfers across the community because it is not only being able to swim that is important but also people who have the ability to swim may save other lives. I commend the motion to the House. I thank the Hon. Taylor Martin for giving notice of it. The motion raises the issue that last year New South Wales experienced the highest drowning toll in more than 25 years. That is a very serious issue which needs support from the Government to provide certainty to parents. Without the support of the First Lap vouchers, families will struggle to afford the programs. The Opposition calls on the Government to immediately assure parents, Royal Life Saving and the learn-to-swim business that the First Lap vouchers will not be cancelled. I leave the House with the Royal Life Saving 2017 report funded by the former Government. No family should have to drown in tears. I support the motion and commend it to the House.

The Hon. DANIEL MOOKHEY (Treasurer) (14:41): The Government opposes the motion. If the former Government supported the program, it should have funded it. Nothing was stopping it from funding the program, but it chose not to fund it. The Liberal-Nationals Government left no funding for the First Lap program, nor did it tell anybody there was no funding for the program. I am glad the Minns Government is able to extend it.

The Hon. Sam Faraway: Or the Treasurer can. It is your job to find the money.

The Hon. DANIEL MOOKHEY: And it will continue for 12 months.

The Hon. Natalie Ward: You can.

The Hon. DANIEL MOOKHEY: I hear the interjections of those opposite. Again, I point out that if they liked the program, they could have funded it. There was nothing to stop them from doing that. The Government supports making sure kids learn how to swim and has made sure that the program continues for another 12 months with a voucher of \$50. The program will be properly evaluated so we can see whether or not it is making a difference to kids' ability to learn how to swim. I have some preliminary advice the Government has received. I am advised that the percentage of the eligible population that has redeemed their voucher for First Lap varies across local government areas [LGAs] from 2.4 per cent to 46.4 per cent, which is quite a wide variation.

The average redemption rate is 18 per cent across the 129 LGAs in New South Wales, and 35 LGAs have a below average uptake. Of those, 26 LGAs are in regional or remote New South Wales and seven are in west and south-west Sydney. Across New South Wales the lowest 23 LGAs are all located in regional or remote New South Wales. Regional uptake seems to be significantly impacted due to many of the pools only being opened seasonally as well as a significant teacher shortage. Lack of pools, shortage of swim teachers, cost and inadequate service provision capacity are reported as barriers to the First Lap voucher uptake. It is no surprise that some communities have access to swimming infrastructure and others do not.

It would be prudent for the Government to continue the program, given that it was the left on the edge of a fiscal cliff, to allow us to evaluate and work with Royal Life Saving Australia and the community to ensure that we are delivering targeted programs that make sure kids learn how to swim. That is much better than what was offered by the former Government and what we inherited. The former Government scheduled the First Lap program to expire in nine days. I am really glad that in the first three months of this Government coming to power it has found a way to continue the program. Not one of the members on the previous Expenditure Review Committee [ERC] spoke up.

The PRESIDENT: Order! The member's time has expired.

The Hon. DANIEL MOOKHEY: Every member on the previous ERC could have spoken up but they failed. As a result, they left the First Lap program unfunded.

The PRESIDENT: Order! The Treasurer will resume his seat.

The Hon. AILEEN MacDONALD (14:45): I support the motion moved by the Hon. Natalie Ward on behalf of the Hon. Taylor Martin. I add my voice to the calls for the Government to carefully consider the great importance of the First Lap program and its lifesaving effects. In Australia everyone needs to know how to swim. Swimming is a part of our culture and identity in a way that is unique to our nation, with a love of the beach, surf and inland waterways that is unparalleled. Swimming is one of the most popular sports people participate in and one we have dominated in global competitions for many decades. For members who grew up in Australia, swimming lessons were an accepted part of our childhood as it was for our children and grandchildren.

The First Lap voucher program is a successful program that incentivises parents through monetary savings to ensure their children learn to swim, which has lifelong and lifesaving consequences. A child's first year of swimming lessons gives them the essential survival skills necessary to save themselves from drowning. Royal Life Saving Australia noted in its *National Drowning Report 2022* that swimming skills are critical to the safety and enjoyment of water activities. It noted concern that children had missed swimming lessons due to the pandemic and also noted the importance of doing everything possible to ensure that the children of today do not become a generation of non-swimmers. During the COVID-19 years, more than three million learn-to-swim lessons were lost in New South Wales, and currently 43 per cent of children now leave New South Wales primary schools unable to swim 50 metres or float for two minutes.

The timing could not possibly be worse for New South Wales if the vouchers are discontinued because the cost of living continues to rise and last year this State experienced its highest drowning toll in 25 years. For low-income families the vouchers mean their children can learn to swim. If they do not, it will have lifelong consequences for their social, health and physical wellbeing. I hope that when the New South Wales Government goes through the budget line by line it will put the program back in. I hope it understands the crucial importance of children learning to swim and that the survival skills taught through the First Lap program will prevent drownings and save lives. I hope it supports all children in New South Wales and gives them the opportunity to learn to swim no matter their economic position, and that it listens to the urging of Royal Life Saving Australia and continues the First Lap program beyond what it has mentioned.

The Hon. MARK BANASIAK (14:48): On behalf of the Shooters, Fishers and Farmers Party, I contribute to the debate on the motion. We support the motion. I note the Treasurer's comments about concerns of uptake. He referenced data that stated the average uptake rate is 18 per cent. That is obviously a concern he will need to look at. I do not envy the Treasurer's position of having to make some tough decisions about what the Government does and does not fund. As a parent I put my three kids in swimming lessons to prioritise them having the skill to save themselves. If the choice was between my kids having swimming lessons so they could save themselves in a tricky situation and spending money on Crayola crayons or art books, I know what decision I would make.

I would not cut funding for this swimming safety program, particularly when it is halfway through being assessed. The Government should raise the value of the vouchers back up to \$100 and then assess the program over the two-year period it has been running. It should not cut it halfway through and reduce the value of the vouchers. If the Government wants to find funds, it should take them out of other non-essential voucher programs. Teaching kids to save themselves when they fall into a pool is far more important than whether they have an art book or can attend a drama or music lesson. I am not saying that music or art lessons are not great or important, but if tough choices are going to be made about what needs to be cut then the arts and crafts should be cut.

I do not envy the Treasurer's position. Historically, many governments have come to this place and done the Old Mother Hubbard trick and said, "Oh, the last government has left us with nothing." It has happened so often that I am surprised it is not a tactic written in the standing orders. However, there might be some merit to this Old Mother Hubbard claim, but I am not too sure. The Government should prioritise swimming safety over other vouchers if those tough decisions have to be made.

The Hon. MARK BUTTIGIEG (14:51): I oppose the motion because it is fundamentally disingenuous in nature. As of 1 July this year, as a result of the budgeting of the former Government, who now sit opposite, the First Lap voucher program will not exist. For the benefit of members, the motion states:

- (a) since its launch by the Coalition Government in the 2021-22 financial year, the First Lap learn to swim voucher program has resulted in the creation of 180,000 \$100 vouchers helping parents offset the cost of fees for children aged between three and six years for swimming lessons;

Members opposite know very well that when a government does a budget, it does so for the forward years, presumably because it may stay in government.

The PRESIDENT: Order! The Hon. Sam Faraway will come to order.

The Hon. MARK BUTTIGIEG: Was the previous Government's logic "we may as well cut everything we can because we're on a hiding to nothing and we're not going to get re-elected"? If the motion and the Opposition's intentions were serious, it would have budgeted for the program to continue in perpetuity. Labor has come into government and the Treasurer has looked at the books. The previous Government left us a legacy of \$190 billion of debt and a \$12 billion deficit. The Treasurer has looked around for where the Government can save money to prioritise its election promises. In response to the motion, the Treasurer said that the vouchers would continue at a rate of \$50 for another 12 months. To keep the program going is a compromised position.

The concerns enunciated by the Hon. Mark Banasiak are very real and valid. The Government has taken his position onboard and said that the program is valuable, but at a rate of \$50 for the next 12 months. The

Government has reinstituted the funding for the program, which the previous Government cut, yet members opposite have the temerity to say, "Why aren't you keeping the project going?" They did not budget for it. Had members opposite won the election—in the unlikely event that the poor old people of New South Wales had voted to put up with another four years of them—there would have been no money left for this program. The fact is now there is.

The Hon. SARAH MITCHELL (14:54): It is so lovely to see spirited debate on private members' day. That is what it is all about.

The Hon. Daniel Mookhey: You were on the expenditure review committee [ERC]. Weren't you the deputy leader?

The Hon. SARAH MITCHELL: No, I wasn't on the ERC.

The Hon. Daniel Mookhey: Why didn't you fund it? You were in the Cabinet.

The PRESIDENT: Order!

The Hon. Daniel Mookhey: You should've asked questions.

The Hon. SARAH MITCHELL: This is a really serious motion.

The Hon. Daniel Mookhey: You kept quiet. You let Matt Kean do what he wanted.

The Hon. SARAH MITCHELL: We are talking about having a voucher system in place to allow young people to learn how to swim.

The Hon. Daniel Mookhey: You funded everything else. You found money for Barra for New York but couldn't find money for this.

The Hon. SARAH MITCHELL: I appreciate the continued interjections from the Treasurer. I am pleased that he thinks this can be made light of when we are talking about saving lives. I will refer my comments largely to what the Hon. Rod Roberts said during his private member's statement earlier today. Royal Life Saving New South Wales has said that the First Lap vouchers program works.

The PRESIDENT: Order! If the Treasurer and the Hon. Sam Faraway wish to continue their conversation, they will do so outside the Chamber.

The Hon. SARAH MITCHELL: In his contribution the Treasurer talked about the different statistics around the uptake of the program. It should not be a surprise to members opposite that premium aquatic facilities cannot be accessed every day of the year in rural, regional and remote New South Wales. However, many communities do have access to fantastic swimming opportunities. My home town of Gunnedah has a heated pool, which has been there for many years. I learnt to swim in that wonderful pool. From speaking to other parents at the pool when my kids have been there for swimming lessons, I know the difference that the First Lap vouchers have made for kids aged three to six. As a parent I know that there is no more important skill for a child than the ability to swim. Given that we live in a country where we are in the water day in, day out, and a lot of people during the hot summer months—and even in the winter—go swimming, our children need to have that basic skill. I agree with the Hon. Mark Banasiak that the number one thing as a mum or dad is making sure that your children are able to swim.

It is really important that programs like this continue. The Treasurer has said it will continue but with \$50 vouchers rather than \$100. This will mean that every family in New South Wales who accesses the program—if it continues—will be worse off under this Labor Government because of the choices that it makes about where money is invested. The Government can go on and on—as it is doing ad nauseam—about black holes. But when in government, every time there is a budget Treasurers must make decisions about where money is spent and what priorities receive funding. That is part of being in government. Welcome to government—choices must be made that determine a government's priorities. This Government is clearly walking away from families in New South Wales. Whether it is First Lap, Active Kids or Creative Kids, it is not interested in helping people's household budgets. During the election campaign the Opposition warned that when Labor cannot manage the budget, it will come after yours. The sad thing is that, in this instance, kids learning how to swim will miss out.

The Hon. ROD ROBERTS (14:57): One Nation supports the motion. Mr President, you were not in the chair during private members' statements, but my contribution was on the First Lap voucher program. I will save members the torture of listening to my voice all over again for too long, but I will reiterate a couple of points that I made to the Treasurer. I noticed that he nodded along, so I hope he is sincere in taking them onboard. The point that I want on record—and those who are reading this debate can refer to my earlier statement—is that there is anecdotal evidence that the vouchers are working. According to the latest annual Royal Life Saving Society

Australia report, in 2022 New South Wales saw a decrease in drowning deaths in two of the youngest age groups: zero to four and five to 14. Deaths actually went down compared with the general population, in which swimming drowning deaths increased. There is anecdotal evidence that the vouchers have been successful in reducing deaths in the targeted age groups.

I had a conversation with the Minister for Sport's chief of staff and I was very sympathetic towards some of the issues that he raised. I implore him to research the accessibility of the vouchers. In the meantime, he should not cut them. We are talking about children's lives here. Since the Opposition took this side of the Chamber, we often hear "cut, cut, cut, cut, cut" during debates. I am glad that this Treasurer is in charge now and will be doing some cutting. When Matt Kean was at the helm of the SS Treasury, he spent like the proverbial drunken sailor on vouchers that were neither required nor necessary. I implore the Government to, and will reward it for, means-testing the program. Why should I, on my salary and given my financial circumstances, be given swimming vouchers when I clearly do not need them? Making the program more targeted is a budgetary saving that can be made, and I am sure the Treasurer will do that.

I implore the Government to make cuts. It needs to make cuts, just like we and our families do. We have wants and needs, and the Government has wants and needs as well. When planning the cuts, I urge the Treasurer to remember one phrase: What price is a life? I have provided the evidence, and I do not want to be in this Chamber discussing it again.

The Hon. Dr SARAH KAINE (14:59): I thank the Treasurer for the midyear economic statement that he made yesterday, from which we learnt why the Government has had to make and will have to make difficult choices, including choices about the types of programs that we are discussing today. Yesterday we also heard about how the Government is managing to keep those important programs in some capacity for those who need them most, despite being saddled with record-breaking debt to the tune of \$187 billion—the largest in this State's history. But we are not talking about the \$7 billion black hole; we might get to that later. When I was reflecting on the Treasurer's briefing yesterday, the case that came to mind, which I am sure many in the House will know of, was that of the US energy company Enron and the accounting methods it became—

The Hon. Natalie Ward: Point of order: I appreciate the honourable member's passion and her entitlement to make a contribution, but I would ask that you draw her back to the substance of the motion. She is a minute into her contribution and is straying beyond the subject of the motion.

The PRESIDENT: There is no point of order. Wide latitude is extended to members in this debate.

The Hon. Dr SARAH KAINE: I was reflecting on the US energy company Enron, which became known in the late nineties and early 2000s for accounting methods by which it was able to conceal billions of dollars of liabilities. It got me thinking that we are talking about that kind of thing—the governmental equivalent of Enron. The discovery of the situation that the Treasurer outlined yesterday is serious and relates directly to the types of programs that we are talking about and our capacity to pay for them. We are taking it seriously. Our new Government needs to address it so that we do not saddle with crippling intergenerational debt the generation for which we want to ensure access to sport and swimming lessons through those programs. There is much more to say about how to most effectively target swimming programs and we will consider that over the next 12 months. Obviously we understand the importance of children's safety—in the pool, on the beach and in all recreational activities. Any suggestion otherwise is ludicrous.

The Hon. WES FANG (15:03): I make a brief contribution to debate. What the "First Lap" is Labor thinking? It is prioritising its union mates and their pay rises over kids and swimming lessons. We should not be debating this motion; we should be seeing this Government supporting kids learning to swim. I cannot believe it is so mean-spirited that it would cut a program that helps children learn to swim in this country where swimming is such a huge part of the culture. Those opposite need to have a good hard look at themselves and think about the priorities that they are bringing to government because members on this side of the House support kids learning to swim. That is why we put the First Lap program in place.

From those opposite we see an escalation of wage offers to union mates and cuts to voucher programs like Active Kids and now First Lap. What is next? Will they means-test First Lap as well? Will they choose winners and losers by deciding who gets to learn to swim? I cannot believe that we had to bring this motion to the House. This is the mean-spirited and tough, unionised Government that we expect from the Labor Party. Its union mates will get the benefit of the cuts that New South Wales families will experience. It is doing that by cutting swimming lessons for kids.

Cuts to voucher programs are the tip of the iceberg as to the priorities of the Government and what it will bring. I want to know what it will cut next and what New South Wales families will have to make choices about. The Government has made choices about what it will fund and has decided to prioritise its union mates over

New South Wales kids. That is an absolute tragedy. Members on this side of the House will continue to advocate and fight for New South Wales kids. We will continue to fight for every family to have access to programs like Active Kids. A married couple of a policeman and a nurse probably does not qualify for Family Tax Benefit Part A and would not even be eligible for an Active Kids voucher. Shame on Labor!

The Hon. NATALIE WARD (15:06): On behalf of the Hon. Taylor Martin: In reply: I thank all honourable members for their contributions. The invented allegation that the First Lap program was not funded by the former Liberal-Nationals Government is a lie. It set up and launched First Lap, Creative Kids and Active Kids voucher programs and helped hundreds of thousands of families. As part of the normal budget process those items continue, and that was our intention. I place that on record unequivocally. We put those fantastic vouchers in place. The Government clearly does not understand how a budget works. It has been clear that it is committed to Ultimate Fighting Championship [UFC] funding. It has found \$16 million to fund cage fighting by domestic violence perpetrators but cannot seem to find the money for kids' swimming lessons. I urge the Government to rethink that. Kids do not know what local government area they live in or the status of infrastructure in their area. They just know that they need those lessons, and their families know they need those lessons. It is important we back them in.

I thank the Hon. Aileen MacDonald and the Hon. Mark Banasiak for their contributions. The Hon. Mark Banasiak said there are tough choices to be made, and I agree with him. It is hard being in government. There are tough choices to be made but the First Lap program should not be on the list of things to cut. I thank the Hon. Mark Buttigieg for his contribution. He spoke about finding funding. The Government seems to be able to find \$16 million for UFC. Again I urge him to think seriously about that decision. I also thank the Hon. Sarah Mitchell and the Hon. Rod Roberts for their contributions. I also thank the Hon. Rod Roberts for his private member's statement earlier today, which was based on statistical evidence. It is clear: What price a life? I commend him and thank him for his support. I thank the Hon. Dr Sarah Kaine for her impassioned contribution. I have to confess I am not sure I followed it. I am not sure that kids care about Enron; they care about saving lives. I thank the Hon. Wes Fang for his ongoing passion, and I agree with him: Fighting for all kids and families is important.

I urge all honourable members to consider priorities. This is a bipartisan issue about saving lives. We can talk about budgets, do the razzle-dazzle in this place and throw words at each other, but it is a serious matter. We must consider the implications of cutting a program like First Lap and reaching into family budgets without thinking about the implications for children and families. There can be horrific outcomes. I urge all honourable members to consider carefully what is at stake: the lives of children and the impact on families. The Treasurer should consider that carefully. I commend the motion to the House.

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

The House divided.

Ayes16
Noes20
Majority.....4

AYES

Banasiak	MacDonald	Munro
Borsak	Maclaren-Jones	Rath (teller)
Carter	Merton	Roberts
Fang (teller)	Mihailuk	Tudehope
Farlow	Mitchell	Ward
Farraway		

NOES

Boyd	Graham	Moriarty
Buckingham	Higginson	Murphy (teller)
Buttigieg	Houssos	Nanva (teller)
Cohn	Hurst	Primrose
D'Adam	Kaine	Ruddick
Donnelly	Lawrence	Sharpe
Faehrmann	Mookhey	

PAIRS

Martin
TaylorJackson
Suvaal**Motion negatived.****RESOURCES FOR REGIONS PROGRAM****The Hon. SARAH MITCHELL (15:17):** I move:

- (1) That this House affirms its support for the Resources for Regions program.
- (2) That this House notes that:
 - (a) since 2012, the Resources for Regions program has allocated \$560 million to 355 projects in regional New South Wales;
 - (b) this funding supports the ongoing prosperity of mining communities in regional New South Wales by providing vital infrastructure, economic opportunities and positive social outcomes; and
 - (c) the former Government committed additional funding to support the Resources for Regions program to help local government areas in gas exploration areas, to continue to drive economic and social success in regional communities impacted by mining.
- (3) That this House calls on the Government to commit to funding future rounds of Resources for Regions.

As members would be aware, since 2012 the Resources for Regions program has allocated \$560 million to 355 projects supporting the ongoing prosperity of mining communities in regional New South Wales. Those projects have restored towns, upgraded roads and built essential community infrastructure while also increasing economic opportunities and local amenities, fostering positive social outcomes. The former Liberal-Nationals Government began this program and committed additional funding for it to also assist those local government areas in gas exploration regions, once again to drive economic and social success in regional communities impacted by mining.

All members of this House would be well aware that our mining towns make a significant contribution to the New South Wales economy. However, the Liberals and Nationals recognise that this success can put extra pressure on local infrastructure. Therefore, it only makes sense to provide programs such as this that give that financial benefit to those communities making a contribution to the State's economy. It is only fair they receive funding in recognition of that contribution. The projects funded through Resources for Regions help create new jobs and drive economic growth but also deliver lifestyle improvements and enrich the wellbeing of those communities for generations to come. The last round of the program delivered \$75 million in funding to support 93 projects.

For the benefit of the House, I call out a number of successful projects under this particular program. The Bylong Valley Way upgrade improved the movement of freight for mining activities. It addressed the condition of the road due to heavy vehicle usage. The works to the road will ensure that it is safe and smooth for additional traffic generated from local mining activity associated with coalmining in the region. The Denman community received \$2.5 million to allow the council to further develop its master plan for the upgrade of the Denman town centre. This included safer pedestrian features, street art, caravan parking and an expansion of the memorial park. As major recipients of the program, Singleton Council, Muswellbrook Shire Council and the CEO of the Minerals Council recently called on the Government to commit to keeping the funding running.

As I have said, we know that mining plays an important part in the economy. It supports tens of thousands of jobs across the State, and it will continue to play a role for many years to come. That is why we need to make sure we invest in the future of the regions. Full disclosure: It is something that I have seen in my own community of Gunnedah, which had \$5.6 million go towards our Gunnedah Koala Sanctuary. We are very well known for koalas in Gunnedah—they and Miranda Kerr are the two reasons we are famous. We are the koala capital of New South Wales. Do not listen to people from Port Macquarie; it is not. The money that came through Resources for Regions supported the building of the koala sanctuary, ensuring the local koala population can be cared for and helping to stem its decline in the Gunnedah shire.

We talked earlier about swimming. I am happy to say that the Liverpool Plains aquatic centre in Quirindi received part funding to rebuild the Quirindi pool to give locals a widened 50-metre pool. If only the kids could use their First Lap vouchers in that pool that was upgraded under the Resources for Regions program. Also in Gunnedah, \$1.6 million went towards the aerodrome runway upgrade to bring Gunnedah's airport runway up to Civil Aviation Safety Authority regulation and make opportunities for domestic air travel possible again from Gunnedah, which I know our local council is looking at.

The funding that goes to communities who have heavy mining activity in their area is really about making a better way of life and investing in significant infrastructure. It is a program worth continuing. I would appreciate hearing from the Minister for Regional New South Wales on this. I know her public comments have been that things are being considered. As the Minister, she should be standing up today and backing in this program. She should be making sure that hardworking regional communities are not penalised by city-centric thinking and making sure that regional communities do not miss out on her watch. We have to continue to support our regional mining towns. We have to make sure that they are well supported through programs like Resources for Regions. The Coalition Government was very committed to this program, and it is up to the Labor Government to continue it.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (15:22): I will not be lectured to by the National Party on funding for regional New South Wales, regional programs or the budget and what it looks like going forward, given the mess that we have inherited. We have to work our way through that to get the budget back on track while ensuring that regional New South Wales does not miss out. We will be doing that across government. I will be doing that as Minister for Regional New South Wales. I am incredibly proud of the Government's unwavering commitment to the regions and to regional people. A cornerstone of that enduring commitment is our pledge to support regional communities and their economies because they do the heavy lifting, especially our mining communities.

The Government acknowledges the importance of investment that supports the ongoing prosperity of mining communities in regional New South Wales. I am listening to our mining communities in the regions, as is the Minister for Natural Resources and the whole Government. We understand that their needs are complex and demand our attention. We are working with them on what the future should look like and how they can be financially supported. As we have outlined repeatedly in this place and will continue to do, this Government is taking time to consider and evaluate programs run by the previous Government because, frankly, the National Party rorted the system. We know that. It is a fact. That is part of the reason that they lost the election. That is part of the reason that they are going backwards in regional New South Wales.

We will deal with these things in an appropriate way that ensures that regional New South Wales gets its fair share. That includes this program. I will support the motion. However, I will move an amendment to paragraph (3). Accordingly, I move:

That the question be amended by omitting in paragraph (3) "to commit to" and inserting instead "to consider".

We are committed to supporting regional New South Wales and these communities in particular. I acknowledge the history of the fund, but I will not be instructed by National Party members, given how they conducted themselves in the previous Government. This Government will consider carefully how money should be spent in regional communities and particularly in mining communities, and it will do it in a proper way. That will include giving them the proper resources that they are entitled to and making sure that the budget is properly considered. That will include going through the money that has been spent before now because of the history of the previous Government. I will support the motion with my amendment. This Government will not be held to ransom by the National Party given that we are cleaning up the previous Government's mess in this matter.

Ms SUE HIGGINSON (15:25): It is important to note that we are talking about the extraction of resources and the profits generated from those returning to regions. We need to remember what the real costs are to regions right now. The average annual cost of extreme weather events—which we know are caused by resources projects and the extraction of fossil fuels from New South Wales—per household between 2011 and 2021 was \$880. From 2021 to 2022, it was \$1,532. It is now expected to be \$2,500 per year per household by 2050. When we are talking about investments in regions commensurate to the resources extracted and the harms they cause to households and communities of regional New South Wales, let's talk about the real prices.

Lismore lost \$508 million from floods last year according to the Insurance Council. Insurance claims from Lismore averaged almost \$80,000; Ballina, \$64,000; Ballina and Richmond Valley, both around \$50,000. The July 2022 severe weather that inundated parts of Western Sydney and surrounds resulted in almost 22,000 claims at a cost of \$244 million. The insurance bill for storms and floods from January 2020 through to November 2022 topped \$12.3 billion. When we are talking about resources and regional communities, The Nationals, the Liberals and Labor need to get real and consider what the real costs are from resource extraction and its unwavering continuation that all State governments have committed to. We seek to amend the motion. Accordingly, I move:

That the question be amended by omitting in paragraph (3) all words after "Government" and inserting instead "to consider funding programs for regional communities independent of fossil fuel projects".

The Hon. SAM FARRAWAY (15:27): I support the motion put forward by my colleague the Hon. Sarah Mitchell. This is an important motion that spells out the Resources for Regions program. The numbers speak for themselves. There were 355 individual projects in communities where resources are extracted in this State—an

over half a billion dollar commitment. Let's be clear: That is part of the royalties that are collected and reinvested into those communities. The clincher is the third paragraph of the motion. The Minister for Regional New South Wales does not support that part of the motion and sought to amend it. She talks about not being held to ransom by The Nationals, but at the end of the day she is holding mining-impacted communities to ransom. That is who she and this Government are holding to ransom. I have spoken to multiple mayors who have met with the Minister for Natural Resources. They did not get a very good reception and got no commitment for these programs.

I reiterate that 355 individual projects worth over half a billion dollars are being invested back into communities like Lithgow, Blayney, Singleton, Cobar and Broken Hill. They are great communities, with mining as part of their regional economy. Our projects have built legacy infrastructure in those communities, like repairing the pipe network, building new youth centres and the great Cobar museum in Cobar; building adventure playgrounds in Orange; or building the enabling infrastructure for more housing development in Parkes. Those meaningful projects create legacy infrastructure for those communities. The motion is about making sure that part of the royalties collected and derived from those areas is reinvested back into those communities.

Members opposite speak about being disingenuous. It is disingenuous for the Labor State Government and the Minister for Regional New South Wales to talk about being held to ransom. The Minister is holding the mining communities in regional New South Wales to ransom. Resources for Regions is an important program for those communities, and they want to know if it is on the chopping block. The Minister for Finance and Natural Resources would not answer questions when mayors met with her recently. They cannot see the Minister for Regional New South Wales because she does not turn up to meetings with country mayors. The mining communities across regional New South Wales are the ones left for ransom. Shame on the Labor Government.

The Hon. STEPHEN LAWRENCE (15:31): I contribute to debate on the motion and the amendment to the motion. I acknowledge that, since its inception in 2012, Resources for Regions has allocated \$560 million to 355 projects that have supported the ongoing prosperity of mining communities in regional New South Wales. Those projects have contributed to our regional towns to upgrade roads and build community facilities while improving economic opportunities and local amenities, and supporting positive social outcomes. The success of many aspects of the program is self-evident, but the Government is also looking into how to further maximise our investments and guarantee sustainability into the future.

I will elaborate. To ensure the viability and efficacy of its funding programs and to identify opportunities to maximise investment, the New South Wales Government is currently reviewing those initiatives and their suitability as it looks to supercharge growth in our mining communities. Members will recall that the Labor Government went to the election with some exciting and specific policies around clean energy transition authorities. I have been involved in a number of meetings about those matters with a variety of regional representatives. They are exciting and positive, and a good way to invest government money. As part of that wider review, current funding programs have to be examined to ensure that they are administered with the highest levels of integrity and that they deliver value for money for taxpayers. The context surrounding that includes the constant rorting of grant programs by the previous Government. We heard a lot about the bushfire fund, but we can go back year by year and look at all the pork-barrelling controversies exposed by media and government authorities. That is important context.

Grant money in my local community was given out but is still sitting in the bank. The money cannot be spent because it was given to programs with applications that were not eligible. In those circumstances, one has to suspect some sort of improper executive interference in those grants. We have been forced to embark on this comprehensive review to ensure that all government money is administered with the highest levels of integrity and delivers value for money for New South Wales taxpayers. We are determined to deliver funding programs that are hardworking and high performing, and that deliver on their promises, unlike the previous Government.

The Hon. WES FANG (15:34): I contribute to debate on the motion. I was reflecting with my colleagues as I was listening to the contributions of those opposite about how I miss the Hon. Mick Veitch. Bring back Mick. If he was here, he would say to this lot opposite, "We need to support Resources for Regions. We need to support the motion." But instead we see the Tsar of Opals opposite telling us how things are. Where is the lawyer from Goulburn/Sydney who is supposed to be the regional member who took Mick's spot? Members on this side of the House provide genuine support for the mining communities where money is made and then returned.

Those opposite have absolutely abandoned that. They have made no commitments and they have not said to the community, "We're going to support you and the communities that have provided the resources and the economic benefit to the State, and here's the return that you're going to see." The community knows that we have supported them and made sure that they got a return on those funds. I hope the communities of those opposite are listening to this debate because it will send a shiver through every single one of them. They saw the funding that was rolled out to them by the Nats and the Libs when we were in government. They saw how—

The Hon. Tara Moriarty: And they voted accordingly. They changed the government.

The Hon. WES FANG: No, that is not true. Those seats are still in the hands of The Nationals. Members opposite have very short memories.

[Government members interjected.]

I will just keep talking through the cacophony of interjections by those opposite. That is how embarrassed they are about how they treat rural and regional communities and how they continue to cut, cut, cut the programs that we put in place to support the communities that we represent. They are embarrassed to come into the Chamber and try to defend their record because they have no record. They are going to deliver cuts and reduce services to those communities. They should reflect on the cuts that they are enforcing on the good people of rural and regional New South Wales and apologise and return the money.

The Hon. EMILY SUVAAL (15:37): The New South Wales Government is fiercely committed to delivering on its promises to regional communities, including mining-affected towns across the State. We on this side recognise that investment is needed to support the ongoing prosperity of mining communities in regional New South Wales. But we recognise a level of need across all of regional New South Wales and acknowledge that we do not have access to unlimited funds to achieve our policy goals. We want to ensure the sustainability and efficacy of funding programs going forward and the best use of our limited resources. To identify opportunities for further investment, the Government is currently reviewing the previous Government's grants programs and will reflect on their suitability as it looks to kick some ambitious goals in the mining regions.

That is not cause for alarm; it is normal practice for Government agencies to pause and review their expenditure following an election so that incoming Ministers can be briefed and consider current spending against the Government's new priorities. The Government is actively reviewing investments made through the \$3.3 billion Regional Growth Fund, including the Resources for Regions program, to ensure they are fit for purpose and maximise positive outcomes for all people in the regions. Some program activities have been paused while the Government undertakes that review process. That will ensure that the greatest amount of funding can be made available for future programs aimed at achieving this Government's priorities. I assure our communities that the New South Wales Government is committed to delivering responsible investment programs that will supercharge our regions and inspire the ambitions of our mining communities.

I am proud of the New South Wales Government's unwavering commitment to our mining towns. A cornerstone of this enduring commitment is the Government's pledge to support regional communities and their economies through transformative investment. To honour this commitment the New South Wales Government is supporting funding that will buoy our transitioning economies, address housing and cost-of-living pressures, protect the environment and support the critical role regional communities play in the transition to net zero emissions. The Government is careful that its aspirations are tempered by the prudence of sound fiscal management. While the Government's investments are ambitious, its future programs and funding will be made carefully to ensure that the support is enduring. The New South Wales Government is committed to sponsoring meaningful programs and investment that will foster the prosperity of our mining communities and deliver a better future for the people, businesses and communities of regional New South Wales.

The Hon. AILEEN MacDONALD (15:40): I support the motion moved by my colleague the Hon. Sarah Mitchell. The Resources for Regions program is a policy of the previous Government which demonstrated an understanding of the need to support regional communities, especially mining communities, that have contributed and continue to contribute so much to the New South Wales economy. In particular I look at the town of Denman as an example and the incredible impact the revitalisation project funded through the Resources for Regions program has had on this town, its businesses and its community. I have visited Denman on many occasions and have seen the town prior to the significant revitalisation. The changes that have been brought about by the \$2.5 million that the program provided are quite remarkable.

The shops, footpaths, parking and amenities in the town centre have been greatly improved, in addition to the functionality and safety of the strip. The streetscape works have made the street much more aesthetic, with the addition of street art giving the community a town centre with a real charm. The improvements have attracted more food outlets to set up shop in town, which in turn of course attracts tourists, who not only spend time but also money in the town. Upgrades to the memorial park were also undertaken with this funding, including improved amenities and an all-inclusive play space. With these upgrades more community events are able to be held in this space, improving the social cohesion of the town. My son and his partner live, work and play in Denman. They say the difference these works have made to the lifestyle of living and working in Denman is significant.

I hope that this story can be repeated in many more regional towns across New South Wales. Think of the positive impacts these kinds of infrastructure improvements will have on regional communities for years into the future, ensuring that they are not forgotten and that their towns attract people to live, work, tour or raise a family. It is not only the right thing to do but it is also an essential part of keeping New South Wales moving forward. We must ensure that we continue to support regional communities where gas exploration and mining occur.

The Hon. SARAH MITCHELL (15:43): In reply: I thank members for their contributions to the debate. I say at the outset that the Opposition will not support either the amendment moved by Minister Moriarty or the amendment moved by Ms Sue Higginson. We back the motion as it is. It is important that there is a commitment to continue to fund this program. I note that many members on this side of the Chamber talked about the difference that the program makes to regional communities. We live and breathe it. We understand the difference this sort of investment makes in regional New South Wales.

I appreciate the Minister saying that the Government will look at these issues and she is listening, but there comes a time when, as the Minister, you have to act and make decisions, particularly as the Minister for Regional New South Wales. This is not a case of being lectured to by the National Party. We do not apologise for standing up and strongly backing in our regional communities. Indeed, it is the very reason we have been elected to this place, for the party that we represent to make sure that regional communities are heard and have a voice in this Chamber. It is important that programs that provide direct investment into regional New South Wales continue. The Hon. Stephen Lawrence made a contribution to the debate about making sure that the money is going to areas that need it. To say that these programs do not fund communities who deserve it is, frankly, embarrassing. The fact is we know that the amount of money that was invested to support these communities under the Liberal-Nationals Government was significant and it should continue.

I mention some facilities from the Central West that have benefited from the program: Mendooran Oval, Bowen Oval in Coolah and the No. 3 Oval in Coonabarabran. They received upgrades to provide better amenities, increased storage for local sporting teams and expansion of facilities in a local park. This money has made a real difference to regional communities in Central West New South Wales where the member lives. The same for those in the Hunter. I mentioned the mayors of Singleton and Muswellbrook are very keen to see this program continue. Labor members who live outside Sydney should also be backing this program in. I am sure they have seen the benefits of it in their communities but, once again, politics gets in the way. It is a shame, because it is important that regional communities are backed in. They were every day of the week when The Nationals were in Government.

This program makes sense. The program gives financial support to communities who are making an incredible contribution to the State's economy from mining and resources. The Government should support the program and commit to funding it, not just considering it. Again, this leaves a big question mark over the program for the next few months until the budget is delivered. It is not good enough for regional communities. The Hon. Sam Faraway was dead right when he said in his contribution that the mayors are furious about this because there is so much uncertainty that they do not know whether there will be opportunities to continue these sorts of programs. The Government has to do better and a very good start would be to support the motion as it is, without any amendments.

The PRESIDENT: The Hon. Sarah Mitchell has moved a motion, to which the Hon. Tara Moriarty and Ms Sue Higginson have moved amendments. The question is that the amendment of the Hon. Tara Moriarty be agreed to.

The House divided.

Ayes 18

Noes 16

Majority.....2

AYES

Boyd
Buckingham
Buttigieg
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Hurst
Kaine
Lawrence
Mookhey

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

NOES

Banasiak

MacDonald

Munro

NOES

Borsak
Carter
Fang (teller)
Farlow
Farraway

Maclaren-Jones
Merton
Mihailuk
Mitchell

Rath (teller)
Roberts
Tudehope
Ward

PAIRS

Houssos
Jackson

Taylor
Martin

Amendment of the Hon. Tara Moriarty agreed to.

The PRESIDENT: Paragraph 3 of the motion now reads, "That this House calls on the Government to consider funding future rounds of Resources for Regions," to which Ms Sue Higginson has moved an amendment. The question now is that the amendment of Ms Sue Higginson be agreed to.

Amendment of Ms Sue Higginson negated.

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

Motion as amended agreed to.**SHORT-TERM RENTAL ACCOMMODATION****Ms CATE FAEHRMANN (15:55):** I move:

- (1) That this House notes that data released by the Department of Planning to *The Guardian* Australia dated at 31 December 2022 shows that:
 - (a) the number of properties listed as short-term rental accommodation [STRA] across New South Wales has surged by 42 per cent or 13,000 properties since December 2021 to 45,029 short-term rentals with the number of "non-hosted" STRA properties increasing from 20,999 in December 2021 to 29,289; and
 - (b) the top five Local Government Areas for STRA in New South Wales are:
 - (i) Shoalhaven with 4,175 listed properties representing 7.5 per cent of private dwellings;
 - (ii) Central Coast with 3,307 listed properties representing 2.3 per cent of private dwellings;
 - (iii) Northern Beaches with 2,514 listed properties representing 2.5 per cent of private dwellings;
 - (iv) Byron Shire with 2,440 listed properties representing 16 per cent of private dwellings; and
 - (v) City of Sydney with 2,258 listed properties representing 1.9 per cent of total private dwellings.
- (2) That this House notes that a healthy rental vacancy rate is considered to be 3 per cent and above; however, most of New South Wales is experiencing record-low rental vacancy rates, with rental vacancy in April 2023 in:
 - (a) Sydney at 1.4 per cent;
 - (b) Central Coast at 1.6 per cent;
 - (c) North Coast at 1.8 per cent;
 - (d) Northern Beaches at 2.1 per cent; and
 - (e) South Coast at 2.6 per cent.
- (3) That this House acknowledges that:
 - (a) due to the poor regulation of STRA in New South Wales, many property investors are highly incentivised to list their investment properties as STRA instead of long-term rental accommodation; and
 - (b) the proliferation of STRA has contributed significantly to the rental crisis with homes that would otherwise provide rental stock being used for holiday letting.
- (4) That this House calls on the Government to commit to regulating short-term rental accommodation in order to reduce its impacts on housing affordability and rental availability.

Short-term rental accommodation [STRA], driven by apps like Airbnb and Stayz, has exploded in New South Wales, pouring fuel onto the housing crisis while the New South Wales Government has been asleep at the wheel. Whole communities have seen vital housing stock gobbled up by property investors looking to make a quick buck. STRA properties have increased by a staggering 42 per cent across New South Wales in the 12 months since December 2021. Even worse, the number of non-hosted properties—whole homes that otherwise could have been long-term rentals—has grown from 21,000 in December 2021 to almost 30,000.

A short-term rental property is essentially a business. It is really no different to operating a hotel, yet owners do not face anywhere near the level of regulation that a hotel operator does. A hotel not only requires development consent but it also has to pay considerably more in commercial property rates as well as on-costs for insurance and compliance. We would not allow someone to open a cafe or a hardware store in their home, so why do we allow them to operate a short-term rental business without having to apply for development consent? Short-term rentals deprive communities of much-needed housing, make it harder to draw essential workers for local businesses and disrupt the very fabric of towns by displacing the people who actually live there. Under our current STRA regulatory framework, communities are virtually powerless. There is nothing to stop individual investors or corporations from simply buying up whatever property is available in town, putting it up as an Airbnb and making significantly more money than they would by putting it on the market as a long-term rental.

The situation is so desperate that earlier this year councils across New South Wales and the country sent letters to ratepayers calling on them to make their investment properties available for long-term rentals. That included Noosa in Queensland, where the median weekly rent has jumped from \$490 in December 2019 to \$700 in December 2022. Just this Monday, Hobart City Council voted to double rates for owners of short-term rentals and vacant residential land in a bid to increase housing supply in that city. Last year Brisbane City Council introduced rates that were 50 per cent higher for short-stay owners and last week increased that again to 65 per cent more. Just yesterday the Victorian Government announced it is considering increasing taxes on short-term lets and vacant properties if The Greens support its budget—not a bad idea.

Nowhere has been hit harder by short-term rentals than the Byron shire and the Shoalhaven. The Shoalhaven has 4,175 properties listed as STRA, representing 7.5 per cent of all private dwellings. In Byron, a whopping 16 per cent of private dwellings are listed as short-term rental accommodation in a town where rents have soared so high that local businesses cannot find workers because no-one can afford to live in the region. Byron Shire Council has a long history of attempting to tackle the issue and most recently put a proposal to the Independent Planning Commission after three months of consulting with the community.

In May the IPC released 12 recommendations in response to the proposal, including limiting the cap on non-hosted STRA from 180 days to 60 days, requiring property owners seeking to exceed the 60-day cap to be limited to areas already zoned for tourism, and requiring development consent from the local council. It has been nearly three months since the IPC released its recommendations and the planning Minister has yet to make a final ruling. In a meeting one month ago, up to 12 other councils told the Minister they too want greater planning controls over STRA.

The Government is rushing headfirst into planning changes to increase housing stock, but it is totally ignoring the low-hanging fruit that could put thousands of houses back into the rental market right now. There is no excuse for how STRA has been allowed to grow unchecked and barely regulated, drastically reducing housing supply in New South Wales in the midst of a housing crisis. There is even less excuse for the Government's continued failure to act on one of the simplest fixes for the housing crisis, with so many regulatory options on the table. I urge members to support the motion and send a message to this Government that it is not doing enough to fix the rental crisis in New South Wales.

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) (16:00): The housing crisis is affecting all areas of our State, especially our regions. It is clear that we need to look at a range of solutions to address this crisis and that includes looking at short-term rental regulation. The Government will not oppose the motion because it recognises that it must look at those options as part of its suite of reforms to address the housing and rental crisis. Resolving our housing challenges is a shared responsibility, and I am all too aware that some parts of regional New South Wales are doing it particularly tough. The housing crisis is a profound problem, and we know that unless action is taken it will get worse. Unlike the former Government, we in the Labor Government intend to act. We are committed to working across government and with industry and local communities to improve housing and rental affordability in our regions.

We know that short-term rental accommodation is an important part of many regional economies. In parts of regional New South Wales tourism is the largest industry and it is really important to us that those areas continue to see the economic growth that comes from being fantastic tourist destination hotspots. We should be so proud of the awesome parts of regional New South Wales that tourists from Sydney, Australia and the world flock to. We want to support those areas so they can have the tourism infrastructure that will enable their regional economies to grow and flourish. But we cannot ignore the fact that the consequences of the short-term letting market in some of those communities mean that locals are struggling to find permanent affordable housing. We cannot close our eyes to that challenge. It is not just locals who currently live there; it is the essential workers that those communities rely on to keep going. We hear stories about nurses, doctors, teachers and police officers who

cannot move to regional New South Wales to become integral parts of those communities because they cannot find housing. We know this issue needs to be addressed.

The Department of Planning and Environment is undertaking a review of our short-term rental policies to better understand where changes need to be made and what those changes should be. I will be clear that that review includes a consideration of caps on short-term rental accommodation. This Government is taking a serious look at the housing crisis. It is deeply considering all of the challenges and the way they fit together. We in the Labor Government support the motion. There is nothing in it that is not consistent with our approach to this challenge. It takes time to work through the myriad of complex challenges that are caused by 12 years of neglect, but we are getting on with the job.

The Hon. SCOTT FARLOW (16:03): Serious challenges exist in the housing market in New South Wales due to a supply shortfall, which has fuelled the housing crisis in our State. With record-low vacancy rates, strong demand, a rising population and increasing rental prices, we need to work to increase supply in the market of new housing to address the undersupply of rental properties throughout Sydney and across broader New South Wales. We must also support new home buyers, which will help relieve pressure on the rental market. When we have new first home buyers, this often releases a property for rent. Supporting new mum-and-dad investors allows new properties to come onto the market for rental.

The Coalition acknowledges the pressure that short-term rental accommodation [STRA] has placed on rentals in both metropolitan Sydney and regional communities—notably in the Shoalhaven, the Central Coast, Byron Shire and other popular holiday and tourism destinations. In many ways that is nothing new. The former Coalition Government made notable reforms in the STRA market by implementing a statewide regulatory framework for STRA, with a planning framework and mandatory code of conduct to support home owners wanting to pursue holiday rentals whilst ensuring communities had more certainty about the impact on those areas.

Under the former Government, changes were made by creating statewide planning rules for short-term rental accommodation to create a cap for up to 180 days on some short-term holiday rentals in an effort to generate more long-term rental supply. The Coalition stands ready to work with stakeholders, the community and the Government to further investigate paths to increase supply in the rental market and the regulation of short-term rental accommodation market. Short-term rental accommodation cannot just be switched off overnight, which would have sizeable negative impacts on other areas of the economy. It is important we have healthy competition within the accommodation market to not create a monopoly for hotels and to give tourists a more competitive deal and allow them to find options that suit them when looking to holiday in our beautiful State.

Prior to COVID, in 2019-20 tourism contributed \$37.1 billion to the New South Wales economy and employed more than a quarter of a million people. That is one in every 21 jobs in our State. We want this economic benefit to our State to grow as the tourism market rebounds after the pandemic. We want to see it as a pathway, particularly for regional communities. Affordable accommodation in the rental market is vital for a vibrant tourism industry. Accommodation is often the most expensive part of booking a holiday for interstate and international tourists, so competition is essential.

The Coalition is open to further investigating the impacts of STRA on the rental market whilst also protecting the economic benefits of tourism in New South Wales. That is why I move the following amendment to the motion:

That the question be amended by omitting paragraphs (3) and (4) and inserting instead:

(3) That this House acknowledges:

- (a) the pressure on supply in the rental accommodation market throughout both metropolitan Sydney and regional New South Wales that can be caused by short-term rental accommodation;
- (b) that tourism plays a significant role across the New South Wales economy, particularly in regional communities, and is supported by short-term rental accommodation in many communities; and
- (c) the need for further investigation into the regulation of short-term rental accommodation in New South Wales, which respects the decisions of property owners, the needs of local communities for more rental accommodation, and the sustainability of the tourism economy throughout New South Wales.

The Hon. ROD ROBERTS (16:06): On behalf of One Nation, I express that we will not support the motion in its original format, but we will support the amendment moved by the Hon. Scott Farlow. For a number of reasons it is a bit rich that The Greens come to this Chamber and lecture us about housing affordability. I can tell members I am no cheerleader for Anthony Albanese—let me get that clearly on record. However, the Federal Greens in Canberra are blocking attempts to ease the housing crisis at the moment. Ms Cate Faehrmann said in her speech it is "low-hanging fruit", and that is all this is. When my one of my staff members—I put it on *Hansard* that his name is Jordan Knight—looked at this motion, he said, "This is like putting a bandaid on a bullet

wound." Attacking the short-term rental market will do nothing to severely ease the housing accommodation shortage that we have.

We do not support the motion for a number of reasons. Australia is not a socialist State and nor is New South Wales. Governments should not be dictating to people what they can and cannot do with their assets. Restricting short-term accommodation will do nothing but impact severely upon our tourism. New South Wales has let manufacturing go. We sat in this Chamber last night and reminisced about Email Limited at Orange and its manufacturing of whitegoods. We just about have no manufacturing in New South Wales anymore. We turned ourselves into a service economy and that service economy is based around tourism. If those homes are full all the time, which they clearly are, there is obviously a demand. That demand has to be filled somehow. Tourism and its economic drivers are very important to our State economy, so we need to look at that.

Let us look in my hometown of Goulburn. The Greens will be interested in this because Goulburn is a targeted area for wind farms. No-one can get hotel accommodation in Goulburn, or any short-term accommodation, because of the itinerant workforce that comes into town to build the renewable energy projects. Short-term rental accommodation is needed. I know numerous people who own holiday homes and let them out at times when they are not using them. It is a fallacy to think people are sitting around with 10, 20, 30 holiday investment properties that they do not utilise. Further to that, the motion would be restricting people's choices. It is much cheaper for families to rent a home than it is to take three or four hotel rooms, because they can cook breakfast, lunch and dinner inside the accommodation and use the laundry facilities. For that reason, One Nation does not support the original motion but supports the amendments of the Hon. Scott Farlow.

The Hon. JACQUI MUNRO (16:10): Last night I explained the need for a dwelling use and vacancy audit to accurately represent the current landscape of housing. This morning I spoke to Sarah Macdonald on ABC Radio Sydney about the State's housing shortage. I referred to vacancy and dwelling use because we know that people across New South Wales are experiencing the pressures of limited housing. It is a demand and supply issue. People's personal experiences reflect a broader environment that at this point is relatively opaque. I draw the attention of members to some of the listeners' messages on the issue:

East Lindfield is full of empty houses that were bought with suitcases full of cash by overseas buyers. They sit empty until they're developed and sold on.

Jaffa Street empty for seven months and counting.

I saw a family living in a cage in my apartment building's underground carpark last night. Perhaps it's temporary but I was shocked.

I read water meters all along the North Shore as part of my job. People would be shocked to see the number of beautiful homes that are sitting empty at the moment.

This is an issue across New South Wales. I believe that short-term rental accommodations have a place, and my colleagues have spoken about the value of them. It has boomed as an industry because people are looking for great and homely holiday locations and owners have enjoyed the flexibility of booking and the structure that short-term rental services like Airbnb offer. The short-term rentals have been a great addition to the property landscape and were regulated for the halcyon days of carefree international travel when major trading partners lived in peace and when our triple-A credit rating was safe and secure because of responsible government management.

Today, however, we are facing a confluence of factors that have seen New South Wales reach a crisis point in housing. Demand is far outstripping supply and we must put additional effort into addressing the problem of housing shortages. In my inaugural speech I spoke about a number of policies that would ease housing pressures in this State. They included extending long-term rentals to 12 months without DA approvals, using the existing State registration approval process that is associated with short-term rentals. Currently there is a three-month limit, and anecdotally I heard that somebody in the Goulburn council area was told to not even consider offering longer stay accommodation compared to the short-term rentals because the approval process is so long and costly. In Brisbane, the council is working with Deckard Technologies to reveal database discrepancies between short-term rental records and accommodation actually being advertised in the local market. We need to undertake an audit to diagnose the problem from the beginning.

Ms CATE FAEHRMANN (16:13): In reply: I thank all of the members who made contributions to the debate: the Hon. Scott Farlow; the Minister for Housing, the Hon. Rose Jackson; the Deputy President, the Hon. Rod Roberts; and the Hon. Jacqui Munro. I thank the Minister for indicating that the Government will be supporting the motion. It is extremely encouraging that there is a review into short-term holiday letting. The Government is considering the Independent Planning Commission's report and recommendations. It is extremely heartening that something will come from the Government at some stage in the near future on the issue. That is so necessary given how many councils and communities are calling for action on short-term rentals. I note the Hon. Rod Roberts suggestions that houses are always full and that it is not like there are empty houses everywhere. The statistics from the most recent census were shocking. For example, in the Shoalhaven at places

like Callala Bay and Culburra Beach, vacancies were at 70 per cent to 80 per cent. We might know lots of people, and have privileged friends, who have holiday homes—

The Hon. Wes Fang: I don't know anyone.

The Hon. Scott Farlow: I don't either.

Ms CATE FAEHRMANN: The Hon. Rod Roberts mentioned having lots of friends who have holiday homes. The issue is that those holiday homes are now coming at the expense of essential workers like nurses, doctors and cafe workers being able to live in towns and provide services to those communities. The issue is that short-term holiday lets are still seen as investments. We need to disincentivise that as much as possible. We need to disincentivise every second person in this State thinking it is their God-given right to own an investment property or a holiday home on the beach. That is simply unsustainable. We cannot continue to do it. The Government needs to regulate the industry so that some sense is brought back to the rental market and so that tens of thousands of homes are made available to young people and families who need them. They should be homes, not holiday homes. I commend the motion to the House and I do not support the Opposition's amendment.

The PRESIDENT: Ms Cate Faehrmann has moved a motion, to which the Hon. Scott Farlow 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.

Ayes 19

Noes 17

Majority.....2

AYES

Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Higginson
Houssos
Hurst
Jackson
Lawrence
Mookhey

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

NOES

Banasiak
Borsak
Carter
Fang (teller)
Farlow
Farraway

MacDonald
Maclaren-Jones
Merton
Mihailuk
Mitchell
Munro

Rath (teller)
Roberts
Ruddick
Tudehope
Ward

PAIRS

Graham
Taylor

Martin
Kaine

Motion agreed to.

PUBLIC SECTOR WAGES

The Hon. DAMIEN TUDEHOPE (16:24): I move:

That this House notes that:

- (a) prior to the election held on 25 March 2023, the Labor Party's stated policy on public sector wages, as submitted to the Parliamentary Budget Office for costing on 15 March 2023, included a commitment to identify offsetting productivity savings to preserve budget neutrality on any public sector wage rise beyond the existing targets;
- (b) the Parliamentary Budget Office estimated that to maintain budget neutrality while offering a pay rise of 1 per cent above the existing target for 2023-24 of 3 per cent, new productivity savings of \$425 million would need to be found;

- (c) the Parliamentary Budget Office warned that under Labor's policy there is a material risk of some combination of:
 - (i) productivity savings not fully offsetting the increased cost of wages, so that the net operating balance and net lending both decrease;
 - (ii) staffing levels across the public service being maintained, but other costs being reduced and the quality of services lowered; and
 - (iii) staffing levels across the public service being lowered.
- (d) on 5 June 2023 the Treasurer and the Minister for Industrial Relations announced a public sector wage offer of a 4.5 per cent rise for 2023-24, which is 1.5 per cent above the existing target;
- (e) the proposed wage rise would increase expenditure on public sector wages by \$618 million above the budgeted expenditure if the existing target was met; and
- (f) the announcement did not identify any new offsetting productivity savings but did state that the wage offer is "supported by savings being identified through the ongoing comprehensive expenditure review", including reforms to:
 - (i) return-to-work policy;
 - (ii) out-of-home care; and
 - (iii) labour hire policy.

Yesterday we saw a disgraceful performance by the Treasurer in his economic statement, when he sought to undermine the strong economy that he has inherited. The job of a Treasurer is to manage the State's finances and sell our State's strength. Instead, we saw the Mookhey method of budgetary management: misdirect, mislead and mismanage. It is clear why the Government is doing this. It is begging the ratings agencies to downgrade the State's triple-A rating to conjure up a confected budget black hole and run cover for its plans to blow out the single biggest expense on our State's balance sheet: wages.

Despite S&P Global's commentary that the former Government's wages policy struck a pragmatic middle ground, and despite its warning that higher overall spending on public sector wages potentially presents a downside risk, this Government is pressing ahead with—and I quote the industrial relations Minister—"busting the wages cap" to repay its trade union paymasters for their campaign efforts. The proposed 4.5 per cent wage increase will come at a cost of \$618 million in 2023-24. If replicated over the forward estimates, it will cost \$2.5 billion. That is despite the Parliamentary Budget Office costing Labor's wages policy with a price tag of \$0. The Government has stated that the \$618 million price tag will be paid out of reforms to labour hire, return-to-work policy and out-of-home care.

The Government has already banked the savings from a 25 per cent reduction in labour hire in its Parliamentary Budget Office costings, so those savings are either not available or are being double counted. On return-to-work policy, the Government has provided no detail on whether its reforms will adopt Victoria's model and restrict the number of available weeks of compensation payments. It is unclear how savings will be found immediately in 2023-24 if that is not the model the Government intends to adopt, as long-term reforms require longer lead times. The Government is clearly not keeping up with its own spin because it says that out-of-home care is both a pool of savings and an unfunded black hole. Which one is it? It is clear that its wage rise offer remains unfunded and is therefore a risk to the State's balance sheet.

Despite Labor's big promise that it would give the union movement the wages policy it wanted, the unions are already reneging on their pre-election deal by asking for more. The NSW Teachers Federation is still demanding 15 per cent over two years and the Health Services Union is engaging in rolling strikes to press its demand for a 6.5 per cent wage rise in 2023-24. This industrial conflict is so bad that health workers are refusing to collect laundry in our hospitals and they are being hauled into the Industrial Relations Commission by the Government. Their own Government is coming for them. The dirty laundry between Labor and the unions is being aired in public, and the stench is only going to get worse.

The economic statement that the Treasurer delivered yesterday was a complete withdrawal from any suggestion that there are black holes in the budget. The terminology now is "fiscal headwinds". There is no black hole and the Treasurer knows it. The only black hole that has been identified is unfunded wage rises, a black hole that Labor created. Government members are creating the myth of what the former Government left them. The former Government left them an economy with a triple-A credit rating. We have a Treasurer who seeks to undermine the great economic position this State was left in and lose the triple-A credit rating. If he does so, he should consider his position.

The Hon. DANIEL MOOKHEY (Treasurer) (16:29): I welcome the contribution by the mover of this motion, the Leader of the Opposition, who is the former Minister for Employee Relations and the former Minister for Finance. I believe he may well have been the finance Minister when the State lost its triple-A credit rating from Standard and Poor's. I could not help but notice he did not resign from the ministry at that point in time.

The Hon. Damien Tudehope: I wasn't the Treasurer.

The Hon. DANIEL MOOKHEY: He was the finance Minister who presided over the loss. He makes the point that he was not the Treasurer, but I did not see Dominic Perrottet resign either. Anyway, I will return to the motion. The Government has worked cooperatively and respectfully with our essential workers to offer the biggest New South Wales public sector pay increase in more than a decade. We have done this within our first weeks of government. We stand by the fact that it is in the interests of the public, our workers and the State to have a cooperative relationship with our public servants and essential workers who deliver so many of the services we depend upon.

Equally, we are proud to have announced the establishment of an industrial relations task force, to be led by former deputy president of the Fair Work Commission Anna Booth and former president of the NSW Industrial Commission Roger Boland. Former Commissioner Booth is the world's leading expert in interest-based bargaining. Mr Boland is a former president of the Industrial Relations Commission from the employer side who brings tremendous expertise in the operations of a New South Wales industrial relations framework. This task force will bring workers, unions and Government agencies together to create this new cooperative-based approach.

The motion omits any reference to the Parliamentary Budgetary Office costing issue, which was the other key part of what the Government said in respect to this motion. The motion does not give the full picture of what exactly is the Government's policy. By introducing a cooperative, interest-based bargaining process modelled on a non-adversarial approach towards bargaining, we will get further productivity gains that we will then share with the public, through better services, and with the workers who provide them. That is crucial. Incidentally, that framework has already delivered in various parts of the public service across the rest of the country and, incidentally, in the private sector too. That is what we want access to here in New South Wales to avoid many of the other issues that have taken place. This motion is offered in bad faith to make a political point. A proper and fair reflection of the Government's policy would note that it is looking forward to introducing a cooperative, interest-based bargaining approach.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Before I call Ms Abigail Boyd, I point out that during the Treasurer's contribution I noticed a conversation across the table between the Leader of the Government and the Leader of the Opposition in terms of interjections. During various contributions I did note the interjections, and at that time I chose to allow them to continue because I felt they added to the theatre and the verbal jousting that takes place in this Chamber. They had not approached the level which would cause me to bring down the hammer, but they were noted. I remind members that some form of interjection is allowed but urge them to keep it within the realms of play. Ms Abigail Boyd has the call.

Ms ABIGAIL BOYD (16:33): On behalf of The Greens I speak to this motion and state that I am fed up with this conversation. I am fed up with continuing to relitigate the issues that were debated during the election campaign. The Coalition lost that election but continues to bring the same old tired talking points and issues to this place in the form of motions. It is really boring. I would love it if members could debate some actual policy instead of continuing with this political pointscoring. It is really tedious, but more so because we are talking about people's lives. I know what it is like to be in this place. Members spend a lot of time in this place and it might be hard for some of them to get out and see what it is like in the real world and talk to people. If members took a handful of people off the street and asked them, "Do you think our nurses and teachers are getting paid enough?" I guarantee the vast majority would say, "No, they're not getting paid enough."

All members have to do is look at the rate of inflation versus the rate of pay rises. Look at the way the wages were capped—of course they are not getting paid enough! Yet members listen to the Leader of the Opposition in this place talk about these essential workers—the most essential of our workers—as though they are somehow greedy to be asking for something more than what is really a bit of a slap in the face. A 4½ per cent wage increase is still a pay cut in real terms. People know that. They listen to discussions like the one we are having in this Chamber and they are just tired of it. If the only way you can balance the budget is by underpaying public sector workers, you are not a very good financial manager.

If you want to show some decent economic management of this State, you can start by not expecting public sector workers to bear the brunt of lower wages and cuts when you continue to prop up the fossil fuel industry and everybody else. It is absurd. This is not the conversation we should be having in this Chamber today. We should be talking about revenue raising. We should be talking about how to create a much fairer economic system within New South Wales where we are putting up a fair budget. I move:

That the question be amended by inserting at the end:

- (g) a 4.5 per cent wage increase is still a pay cut in real terms, and our public sector workers deserve better.

The Hon. CHRIS RATH (16:36): When members look at this motion and consider how things panned out during the election, in many ways the Labor Party got all the available support that it could from the trade union movement by stringing it on, saying, "We're going to abolish the public sector wages cap." Labor was pretty light on the detail of what that actually looked like. Finally we are starting to get some of that detail through, and probably the unions rightly feel betrayed about what detail they have seen. They probably feel a bit lied to.

In response to Ms Abigail Boyd's point in her contribution about why public sector wages are important to balancing the budget, I say that they are vitally important. Over 40 per cent of the budget is comprised of public sector wages. You can start looking at all the other line items in the budget—the different grants, programs, infrastructure and services—but when over 40 per cent of budget expenditure is public sector wages, every slight percentage increase made to that public sector wages bill, whether 0.5 per cent, 1 per cent or 1.5 per cent, actually equates to hundreds of millions of dollars. The most recent announcement from the Treasurer equates to \$618 million.

The easiest budget cut you will ever make is the expenditure you have not yet gone into. Not lifting the public sector wages cap is a very easy budget saving. Not abolishing the public sector wages cap is an important way to keep the triple-A credit rating and bake an extra \$618 million into the budget. If you are going to rule out the public sector wages cap and you are going to rule out asset recycling, you will never, ever pay for infrastructure into the future. All of the infrastructure that we built when in government would be under threat if the public sector wages cap was abolished and asset recycling ruled out. I welcomed the Treasurer's comments yesterday about combating inflation, but the Reserve Bank has also said recently that increased public sector wages would be inflationary unless offset by productivity increases. We all eagerly await those productivity savings in the budget because if they are not met it will mean more inflation for New South Wales families.

The Hon. EMILY SUVAAL (16:40): In contributing to debate on this motion, I highlight the Minns Labor Government's commitment to better outcomes for our public sector workers. The Government is delivering on its election promises and introducing a 4½ per cent wage increase for public sector workers in 2023-24. Comprising a 4 per cent wage rise and a 0.5 per cent superannuation increase, it represents the biggest increase to public sector wages in over a decade. It is a sorely needed initiative after 12 years of Liberal-Nationals wage suppression, which has had devastating impacts on our public sector workforce. We went to the election promising to scrap the unfair public sector wages cap and we have done that. It is a huge win for public sector workers who are struggling under the cost-of-living crisis gripping our nation and a huge win for unions, which have fought strongly on behalf of their members. We would expect nothing less.

The 4½ per cent pay increase means that a first-year registered nurse will receive an additional \$2,694 per year; a qualified firefighter, an additional \$3,491 per year; a second-year paramedic, an additional \$3,189 per year; a second-year correctional officer, an additional \$2,799 per year; and school support staff officers, an additional \$2,484 per year. Labor was elected with a clear mandate to scrap the wages cap and negotiate in good faith with our essential workers. It is a commitment that is central to the Government's agenda and to rebuilding essential services in New South Wales.

That is why the Government has announced the establishment of the Industrial Relations Taskforce, which will bring together workers, unions and Government agencies to create a new, cooperative, interests-based approach with oversight from the Industrial Relations Commission. It provides for a modern industrial relations framework to replace the former Government's wage-suppression agenda and complete disregard for our essential workers and the vital work they do every day in this State. The 4½ per cent pay increase for public sector workers offered by the Minns Labor Government represents the end of 12 years of neglect of the former Liberal-Nationals Government, and it is just the start. The Industrial Relations Taskforce opens the door for ongoing negotiation and consultation with workers and their unions. We cannot undo 12 years of neglect of essential services and essential workers overnight.

The Hon. MARK BUTTIGIEG (16:42): I can only wonder what is going on in the heads of those opposite. Are they suffering from some sort of psychological trauma after losing the last election? They are doubling down on failed policies that put them on that side of the House. It was never clearer. If there was an emblematic policy that this Government took to the election, it was public sector wage raises, yet those opposite double down on their policies. Once again the vanguard of neoliberalism, the Hon. Chris Rath, bells the cat. He actually questioned how on earth a government can pay for everything unless it cuts workers' wages and recycles assets by selling them off. The Opposition is doubling down on the policies that put them on the other side of the Chamber. No-one could make this stuff up unless they had been hiding under a rock.

My colleague the Hon. Emily Suvaal articulated the wage rises. This is the former Government's legacy: In the March quarter of 2023, public sector wages grew by 2.6 per cent in New South Wales and 2.9 per cent for the whole of Australia, whereas private sector wages grew by 3.8 per cent. That was their legacy, yet members opposite bemoan the 4½ per cent increase to public sector workers' wages, which we on this side campaigned on.

That is why we were elected. Is the Opposition seriously saying to the people of New South Wales that we were wrong to do that? The Treasurer has lifted the cap and offered the 4½ per cent. He wants to move to a productivity-based system where people actually talk to each other, and where unions and their members work with employers to find common interests that serve them both and trade-offs to increase productive capacity. What is wrong with that program? It is exactly what we went to the electorate with. It is why Labor members are now on the Government benches and members of the Liberal Party and The Nationals are on the Opposition benches. I welcome them continuing to double down on their abject failure; it will keep them there for another 10 years.

The Hon. SARAH MITCHELL (16:45): I support the motion moved by the Leader of the Opposition. It is clear from the debate that the issue is one of honesty. Before the election, those opposite said they would get rid of the public sector wages cap. We know that; we do not deny it. They also said it would be met by offsets and productivity savings, but they would not put a figure on it before the election. They would not say how much more people would get paid. They were happy to talk it up when certain unions were saying that pay rises should meet the cost of inflation. There was no 4½ per cent figure until after the election, no transparency about what would be offered and a guarantee that it would all be met by offsets and productivity savings. But now we see that is not the case. The concern is that every action has a reaction. If the Government is going to put more money into public sector wages, which it has said it will do, it has to be honest about where that money will come from and what those savings will be.

I speak on behalf of some teachers I had a recent conversation with in my role of shadow spokesperson for education. When they were asked whether they would like to get paid more, of course they said yes, as everyone would. We went deeper into what that would mean in terms of productivity savings. The interesting thing about education is that it is hard to identify what those productivity measures may be. Those opposite seem to have a conveniently selective memory, because we looked at that when we were in government. It means having larger class sizes or fewer staff members, or staff development days in school holidays. Those are the kinds of measures that have to be put in place to find productivity savings.

The teachers who I speak to want to know what the give is. Does more pay for teachers mean larger class sizes or fewer support officers to help them in the classroom? Will vital programs not be funded anymore? Putting to them "Would you rather this or that?" opens up some interesting conversations about what they would prefer. The budget decisions that the new Government will make, as is its right, will have real-world impacts on all people, not just people employed in the public service. Earlier today we talked about programs like First Lap. Programs will be cut as a result of decisions this Government makes about public sector wages. People who are not public sector workers will miss out and will be worse off under this Government. That is a choice those opposite are making as a new government, but they should be honest and up-front with the people of New South Wales about how they will pay for it and what cuts will be made in each portfolio. All this motion asks for is that the Government show a bit of honesty and integrity by being up-front with the people of this State.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:48): I make a brief contribution to debate on the motion. I have heard some interesting things by members opposite, and I highlight two things in particular. There is a crisis in relation to recruiting and retaining the essential workers needed to run the State, whether it is the cleaner in the hospital, the nurse on the ward, the midwife in the birthing suite, the teacher in the classroom or the school assistant in the front of the class. Those essential workers are finding it hard to make ends meet because their wages have been stagnant for a long time. As a result, they are looking for work elsewhere.

We must be aware that we are operating in an economy with very low unemployment. Workers are leaving the professions that they love because they are not being paid enough money. The working conditions and the way that they are forced to operate after 12 years of neglect means that they are leaving in droves. The State cannot afford for them to do that. For all of the hand-wringing on the other side of the House and the very naked hatred of unions, we need to understand that essential workers have come together to make the case for their commitment to public service in the professions that they love. But they cannot do it anymore because they are struggling to make ends meet.

Members opposite seem to be unaware that households throughout the State have seen more interest rate rises in the past 12 months than they have in the past 20 years and that rent is spiralling out of control. They can faff around with the inflationary measures that they were constantly calling on the Government not to proceed with. But they had not funded those measures, even though they keep saying they are so important. We can keep stoking inflation or we can take the job of budget repair seriously. We can take the job in the Labor way by ensuring that the best services, including health care and teachers needed in front of the classroom, are able to be there. The best way to deal with that is through the wages arrangements that we are putting in place. I have heard a lot of misinformation today about that.

We are committed to this and we went to the election on a very clear platform about this. We will deliver it by undertaking a very careful budget process that puts the people of New South Wales at the top of the pile. The best thing that we can do is deal with the inflationary pressures in the economy so that the community does not have to feel pressure in every item that they purchase throughout their entire weekly budget. Continuing to say, "You can fund everything," is not on.

The Hon. DAMIEN TUDEHOPE (16:52): In reply: Members opposite are passionate about this issue. The motion was brought before the House because we as a Chamber of the Parliament of this State should demand that those who represent us speak honestly about the commitments that they make. That is the purpose of the motion. In the lead-up to the election, the Treasurer made commitments to wage rises. When he lodged the Labor policies with the Parliamentary Budget Office, he said that there would be nil impact on the budget. That was either right or wrong, and it is becoming evident that it was not true. There will be a \$2.5 billion impact over the next four years.

The purpose of the motion moved today is to say that we have a responsibility to speak honestly in this place about the position, not to gild the lily and say that it is going to cost nothing when it will cost something and it will cost the budget. If we lose our triple-A credit rating, a significant interest bill will come with it. The triple-A credit rating makes us a borrower of some resort and attracts lower interest rates in relation to our borrowings. The Treasurer is trashing our reputation by making election commitments that he cannot fund. He is using this House and the economic statement that he delivered yesterday to continue his misleading election commitments. All he had to do was say, "We got it wrong that there will be zero implications on the budget."

The Greens say that they are tired of this. I urge them not to be tired of it because public sector wages make up 40 per cent of the budget that they are dealing with. It is fundamental to the workings of government that we know how we pay people. This is not trivial. This is important because we expect a better standard from the Treasurer and those opposite, who took this commitment to the election. I commend the motion to the House because it represents what we should stand for as a Parliament.

The PRESIDENT: The Hon. Damien Tudehope 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.

Ayes 13

Noes 23

Majority 10

AYES

Carter
Fang (teller)
Farlow
Farraway
MacDonald

Maclaren-Jones
Merton
Mitchell
Munro

Rath (teller)
Ruddick
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Buckingham
Buttigieg
Cohn
D'Adam
Faehrmann

Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Lawrence
Mihailuk

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

PAIRS

Martin
Taylor

Moriarty
Donnelly

Motion negatived.

CANNABIS CAUTIONING SCHEME

The Hon. JEREMY BUCKINGHAM (17:04): I move:

- (1) That this House notes that:
 - (a) the Cannabis Cautioning Scheme was introduced in New South Wales in April 2000 in response to a recommendation from the 1999 New South Wales Drug Summit to formalise police discretionary powers regarding the issuing of cautions for minor drug offences;
 - (b) the New South Wales Cannabis Cautioning Scheme is designed to keep individuals out of court for minor cannabis offences, instead directing them towards treatment and support;
 - (c) prior to the introduction of the scheme, police could either informally warn or charge individuals who were caught with small amounts of cannabis. The scheme created a formal diversion pathway for adult offenders who met all the eligibility criteria;
 - (d) research released by the NSW Bureau of Crime Statistics in June 2023 found:
 - (i) a 32.2 percentage point difference in cautioning rates between all Indigenous and non-Indigenous people for minor cannabis offences;
 - (ii) the cautioning rate for Indigenous offenders was 11.7 per cent compared with 43.9 per cent for non-Indigenous offenders; and
 - (iii) during the five-year period of 2017 to 2022, 82.55 per cent of all Indigenous people found with a non-indictable quantity of cannabis were pursued through the courts, compared with only 52.29 per cent for the non-Indigenous population.
 - (e) over a three-year period examined by the bureau, more than 6,000 Aboriginal people caught with cannabis were ineligible for the scheme, a trend described by the NSW Bureau of Crime Statistics as "concerning" who warned of an "indirect bias" created by the scheme's eligibility criteria which requires that offenders have no prior offences.
- (2) That this House calls on the Government to:
 - (a) recognise that without addressing factors which cause higher levels of Aboriginal involvement in the criminal justice system or amending the strict eligibility criteria, the Cannabis Cautioning Scheme will likely remain inaccessible to a large proportion of Aboriginal people caught in possession of cannabis in New South Wales; and
 - (b) consider relaxing or removing the requirement that offenders must have no prior offences.

The Cannabis Cautioning Scheme has been operating in New South Wales since 2000. The Cannabis Cautioning Scheme was one of the recommendations of the 1999 New South Wales Drug Summit that reset the drug law reform landscape in New South Wales and Australia. It was a very progressive and informative process, and the Cannabis Cautioning Scheme was one of the great recommendations that came out of that and was actually implemented. Under the Cannabis Cautioning Scheme, police are given the discretion, in certain circumstances, to issue a caution for cannabis possession rather than issue a court attendance notice. For adults, the caution can relate only to possession of cannabis, not supply. A caution is much better than being charged. It diverts minor cannabis users away from the criminal justice system and towards education programs and the like.

Offenders can receive up to two cautions under the scheme, and the scheme is used by police, as I say, at their discretion. The first caution will come with a notice that aims to provide education about the effects of cannabis use. The second notice requires a person to undergo a mandatory education program on cannabis use. The maximum amount of cannabis a person under the scheme can have in their possession is 15 grams. That is a very small amount. You would agree, Mr President, that 15 grams is a very small amount of cannabis for people to be caught with. The bar is still very low in regard to the amount, and the Legalise Cannabis Party, of course, is arguing that there should be no offence for personal possession. But, under 15 grams, you are eligible for this scheme.

The scheme has some difficulties. Despite the availability of cautions, in the 12 months to June 2022, 4,922 adult offenders appeared in New South Wales local courts for possession and/or use of cannabis. For some people, this is the first time they are appearing in court. It is the first time they are potentially being convicted and getting a criminal record. We maintain that it is a waste of taxpayer money to be charging and putting these people through the court process, but that is the situation. Police cannot use the Cannabis Cautioning Scheme for users who have a previous conviction for drug, violent or sexual assault offences or—and this is important—who are involved in any other offence at the time. That may be a minor property offence, indecent language, abusive language or the like. If someone is charged with those offences, they are not eligible for the Cannabis Cautioning Scheme.

The NSW Bureau of Crime Statistics and Research found that 78 per cent of Aboriginal people caught with less than 15 grams of cannabis were ineligible to receive a caution compared with 45 per cent of non-Aboriginal people. This is partly explained by an indirect bias created by the scheme's eligibility criteria.

Aboriginal people have higher than average rates of contact with the criminal justice system and therefore longer criminal histories. They are also in communities that are policed a lot more. The Cannabis Cautioning Scheme is being implemented in places like Dubbo, Grafton and Taree; it is not in Rose Bay, Mosman or Hornsby. That is because the police are policing more in, and, we believe, discriminating against, Aboriginal communities.

Even considering only eligible offenders, the NSW Bureau of Crime Statistics and Research found there was still a difference of 39.5 per cent for Aboriginal offenders versus 73.9 per cent for non-Aboriginal offenders being offered a caution. Overall, the scheme could be improved by broadening the eligibility criteria. As *The Guardian* recently reported, there is "a glaring discrepancy in the way police hand out cautions to Indigenous and non-Indigenous offenders, with Indigenous offenders far more likely to be pursued through the courts". We believe that the eligibility criteria needs to be amended. On behalf of the Legalise Cannabis Party I commend the motion to the House and hope the Government sees this as an area— *[Time expired.]*

The Hon. DANIEL MOOKHEY (Treasurer) (17:09): The Government supports paragraph (1) (a) to (e) inclusive of the motion. I move:

That the question be amended by omitting paragraphs (2) (a) and (b) and inserting instead:

- (a) recognise that there are factors which cause higher levels of Aboriginal involvement in the criminal justice system which affect their eligibility for the Cannabis Cautioning Scheme and as such the scheme remains inaccessible to a large proportion of Aboriginal people caught in possession of cannabis in New South Wales; and
- (b) support the consideration of barriers to the Cannabis Cautioning Scheme as part of the Government's upcoming Drug Summit.

To be very clear, the only way the Government can support the motion is if the amendment passes. Should the amendment fail, the Government will oppose the motion. The New South Wales Government has been clear about its intention to host a drug summit. It has been over 20 years since the last drug summit. Following that, New South Wales' first medically supervised injecting centre was opened at Kings Cross. As a year 11 legal studies student at the time I had to write an essay on it. I digress.

The Hon. Sarah Mitchell: What did you get?

The Hon. DANIEL MOOKHEY: Quite good, actually. The upcoming drug summit will be held in the Government's first term and will bring together medical experts, police, drug user organisations, families and other stakeholders to provide a range of perspectives and build consensus on the way New South Wales deals with drug use and harm. In addition, the terms of reference for the future summit will be finalised in due course. What can be firmed at this time is that the summit will be broad. The Government will be flexible in its approach and will take seriously the summit and the advice provided. In order to appropriately consider the range of issues and implications arising it is important the Government not pre-empt the future summit. That is why the Government is proposing the amendment. The Government considers that the implications and changes to the Cannabis Cautioning Scheme are most appropriately dealt with by legal and health experts as well as police. The summit should consider questions surrounding the impact of drug-related policies on different communities.

I make a point about the amendment that there are parts of the motion as moved which would require the Government to relax one of the existing criteria, specifically that the offender must have no prior convictions for drug, violence or sexual offences. Of course, that is a big move to make when it comes to the Cannabis Cautioning Scheme and why the drug summit is important to properly test that as an evidence-based proposition. The Government cannot commit to such a position without hearing from experts as well. We also need to make sure that the public has access to all advice relevant to the consideration of that particular question.

The Hon. SARAH MITCHELL (17:12): I speak on behalf of the Opposition and say at the outset that we do not oppose the motion moved by the Hon. Jeremy Buckingham and will not support the amendment moved by the Government. It is interesting for me because, having been a former Minister for Aboriginal Affairs, I am very well aware of the over-representation of Aboriginal people in the criminal justice system. That is something that the member has elucidated well in the motion with his references to the Bureau of Crime Statistics and Research. I also have an interest in the Cannabis Cautioning Scheme. It is not an interest from personal experience. I put that on the record. I have never been caught with cannabis and needed to receive discretion.

[Opposition members interjected.]

This is serious. Some members in the House were here at the time and I know that Mr Deputy President was when I used to chair what was then called General Purpose Standing Committee No. 4. That committee conducted an inquiry into medicinal cannabis. The only member still in the Chamber who was part of that committee is the Hon. Robert Borsak. He was the deputy chair and I was the chair. The committee consisted of members from the Shooters through to The Greens. I acknowledge Dr John Kaye, who was a very strong advocate for medicinal cannabis when he was in this place.

The committee produced a unanimous report, which members would know is somewhat unusual in this place, particularly on something as controversial as medicinal cannabis. As part of that we looked at the Cannabis Cautioning Scheme and how we could make sure that people who were accessing cannabis for medicinal purposes—those who had a terminal illness, who had moved from HIV to AIDS—were not unfairly discriminated against when it came to accessing it. This is something I know a little bit about.

In relation to the motion, there was always the ability for the police to use their discretion. The member notes that in his motion. Clearly, with the statistics that are presented here, this is something that needs to be looked at. I acknowledge, as the Treasurer has, that paragraph 2 (b) of the motion talks about "consider relaxing or removing the requirement that offenders must have no prior offences". I have concerns about that—I will be up-front about that—and I am sure members of the Opposition do as well. The key word there is "consider". Let us have a look at what is going on here. Are there ways that the system or the scheme could potentially be improved to ensure that there is not an unfair over-representation? The honourable member when moving the motion talked about people who, for instance, may have a minor offence that they are currently being investigated for. All he is saying is consider, have a look at it and see whether anything more can be done.

The Opposition does not support the amendment moved by the Government that this be referred to a drug summit. There are terms of reference in due course. Who knows when that summit will be. Government cannot be outsourced and Ministers have to make decisions and govern. The member has brought forward a serious motion that should be considered and we will— *[Time expired.]*

Ms CATE FAEHRMANN (17:15): I support the motion moved by the Hon. Jeremy Buckingham. The Cannabis Cautioning Scheme in New South Wales is designed to divert individuals for minor cannabis offences and keep them out of the criminal justice system. The scheme was introduced in response to the 1999 New South Wales Drug Summit, which recognised that drug-related issues presented particular challenges for First Nations communities. Unfortunately—or should I say unsurprisingly—enforcement of cannabis offences are still targeting our First Nations population the harshest.

The Bureau of Crime Statistics and Research's [BOCSAR] most recent data on the Cannabis Cautioning Scheme shows that only one in 10 First Nations adults was diverted from court under the scheme, compared to 44 per cent of non-Aboriginal adults. BOCSAR specifically called out the eligibility criteria of the scheme as a major source of this disparity. Unfortunately, this is not the whole story. According to BOCSAR, even in the case of those eligible for a caution, only 40 per cent of First Nations people were cautioned by police, compared to a massive 74 per cent of non-Aboriginal people. Even where the option to caution was available, New South Wales police opted to proceed against more than half of the First Nations people they encountered in possession of a minor amount of cannabis.

Currently 2,000 First Nations adults caught with minor amounts of cannabis are proceeded against by police each year. This behaviour not only undermines the intent of the Cannabis Cautioning Scheme, which is designed to keep people out of the justice system, but it also condemns First Nations people to a cycle of continued contact with the criminal justice system. It is discrimination. This is just another reason why The Greens support the legalisation of cannabis. The prohibition against cannabis for personal use is not only archaic, baseless and ignores harm reduction efforts but also it has affected and will continue to disproportionately affect our most vulnerable citizens. The Greens support the motion. We will continue to champion and support sensible drug law reform every vote, every time.

The Hon. STEPHEN LAWRENCE (17:18): I speak in support of the amendment moved by the Treasurer. I commend the Hon. Jeremy Buckingham for bringing the issue to the House. I put on the record that I too have never been caught with a small quantity of cannabis.

The Hon. Jeremy Buckingham: Just large quantities.

The Hon. STEPHEN LAWRENCE: No, I haven't been caught with large quantities either—I acknowledge that interjection. I speak about the perceived logic of the barrier in the existing scheme that the person has a prior drug matter. One can see why in a superficial way that might be logical. The policy may have been premised on the idea that if there was a serious disposition then the offender should not be entitled to a less serious disposition, that is, a discretionary diversion. That policy is probably quite flawed in the sense that a lot of people who have a drug matter on their record might in fact have been found guilty of a matter that is much less serious objectively than the one they might be diverted in relation to.

I note also that people can have two or three diversions under the scheme. So it would be quite anomalous, for example, if a person had not had the benefit of the scheme at all—it being a discretionary scheme—and was then disentitled to future diversions simply because of that fact. That is an example of how we can create policies on the assumption of a rational and consistent system, but the system is not always rational and consistent. That

is certainly true in respect of the way that police deal with cannabis diversions. It is also true, frankly, of the way that our courts sometimes deal with cannabis matters.

In my time as principal solicitor at the Aboriginal Legal Service in western New South Wales, I represented children who were sentenced to imprisonment for possessing a small amount of cannabis. I have represented people who have been brought before courts. I recall the facts of one case that involved a juvenile who, on an application to exclude evidence, had been unsuccessfully searched for cannabis by police for cannabis on 26 previous occasions. That is an example of the insidious array of circumstances that mean that many Aboriginal young people do not have the same opportunities to live lawful and productive lives. Cannabis laws, as applied through those sorts of schemes, are part of that. I commend the amendment because it refers the matter to the drug summit. The scheme originally came out of a drug summit, and that is the place to properly consider the array of important and complex matters— *[Time expired.]*

The Hon. CHRIS RATH (17:21): As the Hon. Jeremy Buckingham knows, I am quite sympathetic to the motion and to his greater agenda within Parliament, as is the Opposition, as outlined by the Hon. Sarah Mitchell. It was Evan Mulholland who changed my thinking about a lot of this. He is a member of the Victorian Legislative Council; he is the Opposition Whip, so he is my counterpart down there. He wrote a chapter for a book called *Markets and Prosperity*—which I also wrote a chapter for—in which he advocates for greater rehabilitation, as opposed to prison sentences, for perpetrators of low-impact crime, which includes possession of illicit drugs. There has to be a better way of dealing with people in possession of small amounts of cannabis than the way we currently handle those types of offenders.

To look at it as an issue of both social policy and economic policy, we have made a lot of mistakes over many years, such as, through an economic lens, the sheer cost involved in enforcement and imprisonment. I spoke to the Hon. Jeremy Buckingham about two-year prison sentences for people in possession of small amounts of cannabis. Surely there needs to be a better way. But the amendment put forward by the Government basically tries to outsource the decision to the drug summit, to another review. There was already a review in the previous Parliament. I will look at some of the comments the experts have made. The President of the New South Wales Bar Association said:

It would be a superfluous and unnecessary public expense in light of the ice inquiry's clear road map for reform ...

Procrastinating on drug reform means valuable opportunities for much-needed treatment and support are missed, and that significant time and resources of police and courts are spent on low-level drug offending rather than ... organised crime and serious domestic violence offending.

The Government needs to take this action seriously. The Opposition has put a bunch of questions on notice, which will come back to us tomorrow, about what the drug summit looks to achieve, where it will be held, when it will be held and what sort of stakeholders will be invited. We are still waiting for that information. *[Time expired.]*

Ms SUE HIGGINSON (17:24): At its heart, the New South Wales Cannabis Cautioning Scheme has good principles. The scheme was designed in 1999 to divert people with low-level cannabis possession offences out of the criminal justice system and to instead provide those people with suitable treatment and support programs. The Greens have always supported drug harm reduction and want to see an end to the unjust war on drugs. Ultimately, we believe that we should legalise cannabis and ensure that no-one is convicted simply for possessing it. Last year, when US President Joe Biden pardoned federal cannabis convictions, the disproportionate impact of the war on drugs on people of colour was somewhat addressed. The pardon saw thousands of people overcome unfair barriers to employment, housing and education opportunities. Australia should follow suit and ensure that First Nations people are no longer disproportionately impacted by unfair, biased drug policy.

The motion recognises the discriminatory way in which New South Wales police use the Cannabis Cautioning Scheme. The scheme, whilst good in theory, provides police with another discretionary power to discriminate. It is not news to hear that police officers are not trying to divert First Nations people out of the criminal justice system. It is yet another example of racist police bias and over-policing in First Nations communities. Currently the Cannabis Cautioning Scheme has extremely strict and often unattainable criteria, including having no prior serious convictions. Those criteria are incredibly strict and, as mentioned in the motion, indirectly biased. Due to First Nations people having higher rates of contact with the criminal justice system, it is extremely difficult for them to be eligible for the scheme. Even when First Nations peoples are eligible for the scheme, research undertaken by the NSW Bureau of Crime Statistics and Research in June 2022 shows that only 39.5 per cent of them are handed a caution, whereas 73.9 per cent of eligible non-Indigenous offenders are handed a caution.

No-one should ever be convicted simply for possessing cannabis. Right now, the scheme is not accessible or effective for First Nations people. It is imperative that the Government improves the Cannabis Cautioning Scheme by holding the police accountable to actually giving cannabis cautions and diverting First Nations people

out of the criminal justice system, as well as reviewing the strict criteria by relaxing the requirement that offenders must have no prior offences. Also, I note that this speech was not written by the AI program ChatGPT but by an amazing young person who is undertaking work experience in my office and who is participating in the Youth Parliament program. Alex is the youth member for Oakley and the chair of the justice committee. I acknowledge that Alex is in the Chamber today and I thank him very much for his hard work, his convictions and his support. [*Time expired.*]

The Hon. ROD ROBERTS (17:27): One Nation does not support the motion originally moved, nor does it support the amendment. As previously stated, the Cannabis Cautioning Scheme has been in place since the year 2000. It was developed and came about as a result of the drug summit held in the late 1990s. Evidence was taken from experts and, as a result, the cannabis cautioning system evolved. That is what we have in place today. It gives people a chance. I will not argue about people being given a chance. In fact, it gives people two chances to be cautioned under the scheme, and no-one should argue against that. However, a person can only be cautioned twice and cannot be cautioned at all if they have a prior conviction for drug offences or offences of violence or sexual assault. On 7 June this year the widely read journal *The Guardian*, which I do not often read or quote, stated regarding a recent report regarding differences in cautioning rates between Indigenous and non-Indigenous people:

The report found the major reason for the discrepancy was the varying eligibility rates for the scheme, rather than any "overt differential treatment".

In other words, it was not race-based. It continued:

About 78% of Indigenous Australians who were pursued for low-level cannabis offences were ineligible for a caution, compared with 45% for non-Indigenous offenders. Ineligibility for a caution was usually due to a prior drug, violent or sexual offence, which explicitly prevents police from issuing cautions.

Further, in its June 2023 report—this month—the Bureau of Crime Statistics and Research said:

We find that the difference in the cautioning rates is explained by:

- higher levels of prior offending and imprisonment amongst Aboriginal offenders ...

There is no notion, no evidence or anything to support that this is a race-based statistic. It is purely the fact that people cannot be given continual cautions if they have criminal offences and are recidivists. Therefore, we will not support the motion.

The Hon. JEREMY BUCKINGHAM (17:30): In reply: I thank all members for their erudite contributions to this important debate: the Hon. Daniel Mookhey, the Hon. Sarah Mitchell, Ms Cate Faehrmann, the Hon. Stephen Lawrence, the Hon. Chris Rath, Ms Sue Higginson and the Hon. Rod Roberts. I will not throw rocks at the Government's drug summit. The Government announced that policy and took it to the election, and it can only deliver better outcomes for the State. I note the comments of the Hon. Chris Rath, who said the President of the Bar Association has been critical of it, but it is going ahead and it can only deliver good outcomes. The Legalise Cannabis Party's position is to work collaboratively in that regard.

To the substance of my motion, I will not support the Government's amendment. I concur with the Hon. Sarah Mitchell in her support for paragraph (2) (b), which merely states "consider relaxing". I do not think the Government's amendment is really that different to the original paragraph in my motion. It is just to give consideration in due course to this issue. I thank Ms Cate Faehrmann and Ms Sue Higginson for the contributions from The Greens and acknowledge their long work in this space on cannabis reform and on this issue. I concur entirely with their contributions about the concerning element that 50 per cent of the time police opted to proceed with a conviction.

I particularly acknowledge the contribution of the Hon. Stephen Lawrence and support his comments entirely that there is a suggestion in this research and from others that this is a flawed policy, and that we need to deal with some of the inherent bias in it. The reality is that in New South Wales right now people are going to jail, children are going to jail, for repeated offences of possessing small amounts of cannabis. In 2023 the maximum penalty in New South Wales for possession of cannabis is two years' jail time or 20 penalty units—\$2,000—which is absolutely ridiculous. It is an absolutely medieval penalty for not a low-impact crime but essentially a no-impact crime. It is a victimless crime. I commend the original motion to the House. I urge honourable members to support my motion unamended.

The PRESIDENT: The Hon. Jeremy Buckingham has moved a motion, to which the Hon. Daniel Mookhey has moved an amendment. The question is that the amendment be agreed to.

Amendment negated.

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

The House divided.

Ayes19
 Noes15
 Majority.....4

AYES

Boyd
 Buckingham
 Carter
 Cohn
 Faehrmann
 Fang (teller)
 Farlow

Farraway
 Higginson
 Hurst
 MacDonald
 Maclaren-Jones
 Merton

Mitchell
 Munro
 Rath (teller)
 Ruddick
 Tudehope
 Ward

NOES

D'Adam
 Donnelly
 Graham
 Houssos
 Kaine

Lawrence
 Mihailuk
 Mookhey
 Moriarty
 Murphy (teller)

Nanva (teller)
 Primrose
 Roberts
 Sharpe
 Suvaal

PAIRS

Martin
 Taylor

Buttigieg
 Jackson

Motion agreed to.*Committees***SELECT COMMITTEE ON BIRTH TRAUMA****Establishment, Membership and Chair**

The Hon. EMMA HURST (17:41): I move:

- (1) That a select committee be established to inquire into and report on the prevention of birth trauma in New South Wales, and in particular:
 - (a) the experience and prevalence of birth trauma (including, but not limited to, as a result of inappropriate, disrespectful or abusive treatment before, during and after birth, also referred to as "obstetric violence");
 - (b) causes and factors contributing to birth trauma including:
 - (i) evaluation of current practices in obstetric care;
 - (ii) use of instruments and devices for assisted birth e.g. forceps and ventouse; and
 - (iii) the availability and uptake of trauma-informed care training for obstetric clinicians.
 - (c) the physical, emotional, psychological, and economic impacts of birth trauma, including both short and long term impacts on women and families;
 - (d) exacerbating factors in delivering and accessing maternity care that impact on birth trauma generally, but also in particular:
 - (i) people in regional, rural and remote New South Wales;
 - (ii) First Nations people; and
 - (iii) people from culturally and linguistically diverse [CALD] backgrounds.
 - (e) the role and importance of "informed choice" in maternity care;
 - (f) the role and importance of "continuity of care" in maternity care;
 - (g) the information available to patients regarding maternity care options prior and during their care;
 - (h) whether current legal and regulatory settings are sufficient to protect women from experiencing birth trauma;
 - (i) any legislative, policy or other reforms likely to prevent birth trauma; and
 - (j) any other related matter.

- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of eight members comprising:
 - (a) three Government members;
 - (b) two opposition members; and
 - (c) three crossbench members, being the Hon. Emma Hurst, the Hon. Mark Banasiak and Dr Amanda Cohn.
- (3) That the Chair of the committee be the Hon. Emma Hurst.
- (4) That, unless the committee decides otherwise:
 - (a) all inquiries are to be advertised via social media, stakeholder emails and a media release distributed to all media outlets in New South Wales;
 - (b) submissions to the inquiry are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration;
 - (c) attachments to submissions are to remain confidential;
 - (d) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement;
 - (e) the sequence of questions to be asked at hearings is to alternate between Government, Opposition and crossbench members, in order determined by the committee, with equal time allocated to each;
 - (f) transcripts of evidence taken at public hearings are to be published;
 - (g) supplementary questions are to be lodged with the committee clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness;
 - (h) answers to questions on notice and supplementary questions are to be published, subject to the committee clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration; and
 - (i) media statements on behalf of the committee are to be made only by the Chair.
- (5) That the committee report by 1 February 2024.

This motion seeks to establish a select committee to inquire into and report on the issues of birth trauma in New South Wales. Since I was elected, I have been contacted by advocacy groups, individual women, doctors, midwives and researchers who have raised concerns about the rising rates of birth trauma, including inappropriate, disrespectful or abusive treatment before, during and after childbirth, also referred to as obstetric violence. The latest research from Western Sydney University shows that more than one in 10 women feel they have experienced some form of birth trauma. Birth trauma can have significant physical and psychological consequences, both in the short and long term. It can leave women feeling confused and disempowered at a vulnerable and important moment in their lives.

Some members may have seen the recent media surrounding Wagga Wagga Base Hospital, or heard my notice of motion this morning, about the complaint made to the Healthcare Complaints Commission over the treatment of women in their maternity care unit. They are truly shocking stories which must be responded to urgently. But that is not just a problem at Wagga Wagga. Birth trauma is a growing problem recognised around the world. When talking about birth trauma, it is important to acknowledge the broader systemic factors at play, including safe staffing levels and access to continuity of care for patients. To solve the problem, we need a whole-of-system reform that acknowledges the immense pressures facing obstetricians, nurses, midwives and other staff in the health system, particularly in regional, rural and remote areas, and that also prioritises the fact that women have a fundamental right to be respected and supported in making informed decisions about their own maternity care.

By supporting the creation of this select committee, the Parliament will be sending a strong message to the people of New South Wales, particularly women and families affected by birth trauma, that it is taking the issue seriously. I understand that Labor will be moving an amendment to move the inquiry to Portfolio Committee No. 2 - Health, rather than establishing a select committee.

The Hon. Penny Sharpe: No, we are not going to do it.

The Hon. EMMA HURST: Great. Thank you. I also understand some amendments will be put forward by The Greens and the Opposition, which I will support. Birth trauma is a significant issue affecting women's basic human health rights and health in New South Wales. It deserves its own select committee. I urge all members to support the motion. I commend the motion to the House.

Dr AMANDA COHN (17:44): I thank the Hon. Emma Hurst for raising the important topic of birth trauma and for the opportunity to speak to the issue and participate in the proposed inquiry. As a GP I have cared for dozens of people who have experienced birth trauma and who carry its physical and mental health impacts for months, years and even decades. It compounds the suffering of so many of my patients that people often think they are the only ones with their experiences. The narrative that exists in society around birth being natural, beautiful and instinctive has meant very few people have shared their experiences, whether publicly, with their family and friends or even with their GP. That is compounded by the fragmented nature of our healthcare system. Even when someone decides to seek support, it is not clear where to go and services might be unaffordable, geographically inaccessible or not culturally safe for First Nations people, young people, LGBTQIA+ people or people who speak a language other than English.

Patients and their families are not the only ones who suffer as a result of birth trauma. Midwives, nurses, obstetricians and GP obstetricians are compassionate and tireless workers who choose their professions to be able to competently and safely care for parents and newborns on their brightest and most difficult days. Not being able to do that work to the standard they have been trained causes health workers both moral injury and vicarious trauma. It is critical that any government response to address and prevent birth trauma takes into account not just obstetric and psychological best practice but the systemic barriers within our health system that prevent that level of care from being provided. For those reasons, I support the motion. I move:

That the question be amended as follows:

- (1) Omit paragraph (1) (b) (iii) and insert instead:
"(iii) the availability of, and systemic barriers to, trauma-informed care being provided during pregnancy, during birth and following birth."
- (2) In paragraph (1) (c) omit "women and families" and insert instead "patients and their families and health workers;"
- (3) In paragraph (1) (d) insert after subparagraph (iii):
"(iv) LGBTQIA+ people; and
(v) young parents."
- (4) Omit paragraph (1) (f) and insert instead:
"(f) barriers to the provision of "continuity of care" in maternity care;"

The Hon. SARAH MITCHELL (17:46): The Opposition also supports the motion to create a select committee on birth trauma. I commend the Hon. Emma Hurst for moving it. I know she feels incredibly passionate about the issue, as we saw during the giving of notices of motions. Committees on serious issues are important so that we can talk about something that is normal, as Dr Amanda Cohn said. A lot of women have quite traumatic experiences when giving birth to their children, and I am sure all members who have given birth have their own stories about particular care or treatment. I had a 23-hour labour with my eldest daughter, which resulted in an emergency caesarean. I remember every single one of those 23 hours. But I had exceptional care at my hospital.

We hear many traumatic stories from women. To have an inquiry specifically set up for this particular issue is important. When we are calling out areas where care is potentially not as good, such as in paragraph (1) (d) of the motion, we must be careful that we do not talk down the regions. As someone who lives in the regions, one can have babies and have great maternal care in regional New South Wales. I had exceptional care with both my children at Gunnedah Hospital. If we can make sure we find the positives as part of this inquiry, that will be an important part of the work that is done. We are very happy and very keen to be involved in this inquiry. I commend the Hon. Emma Hurst for moving the motion and for taking the time to meet with a lot of people who have been through birth trauma. This inquiry will be an opportunity for the Parliament to do some good work in a bipartisan way. We look forward to the inquiry and the outcome of the report. I move:

That the question be amended as follows:

- (1) In paragraph (2) (b), omit "two" and insert instead "three".
- (2) In paragraph (3), omit all words after "Ms Hurst" and insert instead "and the Leader of the Opposition is to nominate the Deputy Chair in writing to the Clerk of the Parliaments".

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (17:49): I make a contribution on behalf of my colleague the Minister for Health, the Hon. Ryan Park, as I represent him in this House. At the outset I say that the Government strongly supports the Parliament looking into birth trauma. I commend the Hon. Emma Hurst for her advocacy on this issue. I could not help but be deeply moved by her notice of motion this morning, about which I know a number of members have had conversations. Mothers particularly would have found it incredibly and deeply moving. As the Deputy Leader of the Opposition acknowledged, debate on an issue like birth trauma always causes reflection on one's own experiences. It is

certainly a deeply traumatic way to start what should be an incredibly moving and positive experience in a mother's life.

This House must inquire into and report on the prevention of birth trauma to understand the causes and factors that contribute to it and the impact it has on women and families, and the prevalence of obstetric violence throughout New South Wales. I will leave it to the Leader of the Government to speak in more detail about this, but it is the Government's view that this inquiry would be more appropriately conducted through the portfolio committee process. The Government will not amend the motion, as has been foreshadowed, but I make the point that the Government has done a lot of work to establish the extensive network of portfolio committees and they would be the appropriate place to conduct an inquiry into birth trauma.

I note that Minister Park has met with the Hon. Emma Hurst on multiple occasions to discuss this issue, as well as with the member for Wagga Wagga, Dr Joe McGirr; the Murrumbidgee Local Health District; and the Maternity Consumer Network, which has been instrumental in bringing this issue to light, particularly through some of the moving stories that the Hon. Emma Hurst outlined this morning. I also understand that the Minister's office has worked closely with the Hon. Emma Hurst to support the way the inquiry's terms of reference are drafted. The Government wants this process to be collaborative.

This House is excellent at dealing with very complex and difficult issues, taking a really deep dive into them and then coming up with productive solutions. The Government looks forward to this important work. It will be a very difficult inquiry but, hopefully, it will assist in ensuring that birth trauma can be prevented from happening in the future. On the specific concerns that were outlined in the other notice of motion that relates to this inquiry, I say that Minister Park is deeply across those issues. They have been conveyed to him and he is taking action on them. I can provide further detail on that, if required.

The Hon. JEREMY BUCKINGHAM (17:52): I make the briefest of contributions to put on record that the Legalise Cannabis Party supports the motion of the Hon. Emma Hurst, as amended. I congratulate her on her work over many years on this issue, and on her powerful and compelling contribution this morning.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:52): I make a couple of quick comments on the motion. As has been foreshadowed by Minister Houssos, the Government does not support the inquiry being conducted by a select committee. However, we are still very interested in, and committed to, supporting it. I can also count, and note that the Hon. Rachel Merton's inaugural speech is due to commence at 6.00 p.m., so the Government will not force a division on the motion. The first point I make is that during the last Parliament, Opposition members made a big fuss regarding select committees. I note their change of position and I look forward to it changing again.

The Hon. Chris Rath: As yours has too.

The Hon. Sam Faraway: You're changing your position, Leader of the Government.

The Hon. PENNY SHARPE: We reap what we sow, and that's fine.

The Hon. Sarah Mitchell: We sure do.

The Hon. PENNY SHARPE: Well, you can enjoy that from opposition. The second point I make is that the issue of birth trauma is very serious. The last Parliament did extensive work—particularly in, but not isolated to, regional New South Wales—on the challenges that women face around birthing and access to doctors and midwives, and the impact that has on them. It is appropriate that this issue is dealt with through this important inquiry. In a previous life I was involved in some of the aspects relating to birth reform and the desire to support women through the birthing experience and make it much better than it currently is. It is disappointing that birthing issues continue, but I believe the select committee will be able to deal with them. The Labor Government supports the nature of the inquiry but has a different view on how it should be conducted. I commend the motion for stitching together members from all sides of the House. The Government will not oppose the motion.

The Hon. EMMA HURST (17:55): In reply: I thank the Hon. Sarah Mitchell, Minister Houssos, the Hon. Jeremy Buckingham and the Hon. Penny Sharpe for their contributions to debate. I also particularly thank Dr Amanda Cohn. It was really important to include her in the inquiry and I look forward to her contributions. I recognise the comments of Minister Sharpe and Minister Houssos around my work putting together the inquiry's terms of reference. I thank Minister Park for working with my team to make sure that the terms of reference were supported.

As I said earlier, my team and I have been meeting with Minister Park. I appreciate that he has also met with various groups regarding my earlier notice of motion concerning Wagga Wagga Base Hospital, along with Dr Joe McGirr. Women's health, maternity care and birth trauma have been key areas of focus for my office over the past four years. We have worked with advocacy groups, such as Maternity Choices Australia and

Maternity Consumer Network, attended community events on birth trauma, asked questions in budget estimates hearings and worked with leading researchers at the Western Sydney University. I look forward to seeing what comes out of this inquiry.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Emma Hurst has moved a motion, to which Dr Amanda Cohn has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Emma Hurst has moved a motion, to which the Hon. Sarah Mitchell has moved an amendment. The question is that the amendment be agreed to.

Amendment agreed to.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question now is that the motion as amended be agreed to.

Motion as amended agreed to.

The PRESIDENT: According to the resolution of the House, it being 6.00 p.m., proceedings are interrupted to allow the Hon. Rachel Merton to make her inaugural speech.

Members

INAUGURAL SPEECHES

The PRESIDENT: This evening I welcome into my gallery the family and friends of the Hon. Rachel Merton, including Wayne Merton, former member for the electorates of Carlingford and Baulkham Hills; Nathaniel Smith, former member for Wollondilly; Kerry Chikarovski, the former member for Lane Cove, former Leader of the Liberal Party and former Leader of the Opposition; and Chris Stone, the New South Wales Liberal Party State Director.

The Hon. RACHEL MERTON (17:59): Firstly, Mr President, I congratulate you on your election as President of the Legislative Council. I have known you for many years prior to this place and I know you will be as fair as you will be hardworking. I wish you the very best. It has been an exciting and humbling experience for me to join this Chamber as the very last person elected to the Fifty-Eighth Parliament. As members know, the NSW Electoral Commission did not push the button to distribute preferences for the Legislative Council until some 3½ weeks after election day. It was very unclear for that entire time whether I would be in or out, but as you can only refresh Antony Green's peerless election website so many times a day, I would like to say it was a thrill when the declaration was finally made that I was elected. But having forgot my glasses, I could not see the Electoral Commission's screen and could only ask my friend sitting next to me, the Hon. Jacqui Munro, who told me the good news. "Really? Are you sure, Jacqui?" I asked. She was right, and here I am. My own excitement aside, I am conscious of the enormous privilege it is to serve here and to follow a long line of distinguished members. Despite our political differences and our political views, I join with my fellow freshmen forever bound as the class of 2023.

Whether it is finding a good school, saving for a home or seeking care for a loved one, to name three issues I will touch on in a moment, the people who have sent us here have great hopes and face many challenges. They expect from us hard work and results. Churchill famously quipped that "democracy is the worst form of government, except for all the others". Most Australians agree, according to a recent Lowy Institute poll. But there are voices, particularly amongst our youngest voters—some 30 per cent of them—who question whether our form of government, democracy, really is better than all the rest. Let that sink in—30 per cent. That same cohort, sadly so cynical about our constitutional inheritance, is also more likely to vote in favour of the so-called Voice, which I firmly believe is contrary to our system of responsible government and parliamentary sovereignty that has served us so well. I will campaign and advocate for a no vote to the Voice in the months ahead. My opposition to the Voice is grounded in the liberalism that gave rise to our democratic institutions that are now under threat.

Such pessimism we are witnessing, particularly from our young, about our democratic institutions is not unique to Australia. That does not mean that we cannot do better in this place to help restore and strengthen faith in our public institutions. Yes, there is work yet to make the fair go all it should be. But the way is not to entrench racial division or muck about with Parliament. It is to face all our flaws honestly and together—if not always as a harmonious chorus of voices—to work practically towards equal opportunity for all. This evening I pledge to work with my fellow freshmen and the other members of this place to do my best to make our great Parliament work just a little better, especially when we disagree—as we shall.

Of the many strands that have made our democracy better than all the rest, it is hard to calculate the contribution of Her Majesty Queen Elizabeth II. I believe it would be fitting, and I hope all members will agree,

that this Government should invite proposals for a truly significant memorial to honour our late Queen's untiring dedication to our country and State. I also wish to reiterate my steadfast allegiance to our new sovereign, His Majesty King Charles III, long may he live. His Majesty's remarkable record of service, together with his great regard and love for Australia and New South Wales over many decades, is well known. It is splendid that our King will visit Sydney next year to celebrate the bicentenary of this place, Australia's oldest and most venerable parliamentary Chamber.

I stand before you this evening as a lifelong Liberal, a proud conservative, a proponent of liberty, a staunch defender of our constitutional monarchy and a Christian. I hope that in the years ahead I am able to draw on my beliefs, values and experiences to make a meaningful contribution to the Council for the good of New South Wales. Family has been and remains an enormous part of my life. Its values of courage, community service and faith shaped my upbringing. My maternal grandparents were loyal officers of the Salvation Army and served as missionaries in New Guinea. My mother, Olwyn, attended a dozen different schools as her parents established new churches to spread the word of God. My mum is the personification of kindness, service and sacrifice. She continues today, as she has for decades, giving her time selflessly to others through the Salvation Army and the Golden Years, which provides fellowship for older Australians who are alone.

My paternal grandparents, Ted and Nancy Merton, were children of the Great Depression. Nancy was raised on a Toongabbie dairy farm where a housing estate sits today. She and Ted worked full-time until they were nearly 80. People of great faith and self-sacrifice, they helped my father, Wayne, a proud product of Granville South Public School and Fairfield High School, establish a legal practice in Parramatta as a young man. Wayne is known to many of you for his 23 years of service in the New South Wales Parliament in the other place. It was his involvement in the Liberal Party that many years ago first opened my eyes to the ideals of liberalism and the cause of public service. It was quite a journey.

Like many thousands of Australians, Wayne joined the Liberal Party in the turbulence of the Whitlam era. Typically, he threw himself into the party. Our household was a hive of suburban Sydney liberalism. Branch meetings in the Merton lounge room involving casks of Lindeman's moselle, wooden bowls of cheese and concerned discussions about the harmful Government of Neville Wran is an early memory. The wine, as I understand, might have been ordinary but the debates were better. When my twin brother and I were 12, my father came home one Saturday to say he had been preselected for the electorate of Carlingford at the upcoming election. This was surprising news to all of us, including my mother, as we thought he had stepped out for his weekend newspapers. We then discovered he had defeated test cricketer and New South Wales captain Dirk Wellham by a single vote. Close-run things are a family tradition.

Macquarie Street has changed a lot since my father arrived with Nick Greiner's 1988 landslide, when there were 59 Liberal and National Party members elected in the other place but just two were women. Today the Coalition not only has gender parity in the Legislative Council but a majority of female members. In other ways, the Parliament has not changed so much. For example, my illustrious and very kind next-door neighbour, the Hon. Peter Primrose, was part of that same Legislative Assembly class of 1988 as my father when he was the then freshman member for Camden. It is an honour to serve in this Parliament alongside him.

Mr President, I am sure you recall that 1991 was the year of MC Hammer, Dannii Minogue and Vanilla Ice for most teens. For me, it was a Young Liberal Movement branch secretary, with a fax machine for weekly meeting notices. Somehow, there was no spill motion against me. By university, I was an avowed anti-Marxist. I joined the Macquarie University Liberal Club, serving for a time as its president and as a National Union of Students [NUS] delegate. The driving issue for me then, as for so many Liberals over many years and still today, was freedom of association. I was outraged that as a condition of enrolment I was forced to hand over my wages—hard-earned at Castle Hill Target and Dural Macca's drive-through—to fund the political projects of left-leaning student unions. I became a firm and vocal advocate for voluntary student unionism.

Many members in the Chamber took part in the battle of ideas as students. I feel a little *deja vu* looking around the 2023 Parliament. I believe there are four former NUS office bearers on the Government frontbench in this Chamber. I vaguely remember the Deputy Leader of the Government in this place at a conference being elected NUS president. We Liberal delegates may have voted for him! I certainly remember my friend the Hon. Tania Mihailuk at Macquarie, who was part of Student Unity. The Labor right at Macquarie tended to caucus with the Liberals much more than with the Labor left. Who knows? Maybe we will see more of that again now. I encourage any student and any young Australian, whatever your politics, to get involved in political debate and to stand up for your convictions. The Liberal Party needs more of that today.

I was privileged to have had the opportunity to cut my teeth in national politics as a young staffer in the Government of John Howard, working for some 6½ years in the Western Sydney heartland seat of Parramatta. Helping Ross Cameron's constituents, often to cut through treacle-thick government bureaucracy, was a rewarding experience. Ross, together with my very good and long-time friend the Hon. John Ruddick, has pitched his tent

elsewhere these days. I wish both of them all the best. Western Sydney swung heavily towards Mr Howard and the Liberal Party's optimistic and sensible policy platform of economic liberalism, reward for effort, mainstream conservatism and keeping our borders strong. I remain a proud John Howard Liberal today.

During those Howard years, whilst young and dead keen, I did make an attempt to join this Parliament at the 1999 election. Some of the people who were part of that adventure are in the Chamber this evening, including our then leader, the outstanding Kerry Chikarovski. The electorate was the then new and semi-marginal seat of Wentworthville, which happened to be next door to my father's Baulkham Hills electorate. The father-daughter axis attracted a bit of media attention, including from a young Ben Fordham at Channel 9, who came to our home to record our campaigning clan. Despite my supreme confidence, the result was not what I had expected. I won just one booth and tied another out of 40. Pam Allan won on primaries, Labor won the election in a landslide and we incurred our greatest campaign expense when our campaign van sideswiped a Mercedes.

In early 2005 I joined KPMG and in April that year I married Justin. As those who know me are aware, I have an equestrian background. Three weeks later to the day of my marriage, I was towing one of my horses over Bells Line of Road near Lithgow. I do not need to tell any member in this place who has travelled to the Central West of the dangers of that road still today. I hit a pool of oil and collided in a head-on with a truck. On waking from an induced coma over a week later in the Nepean Hospital intensive care unit, I discovered that my bones were broken, my horse was dead and I faced a painful months-long rehabilitation before I could go home, let alone return to full-time work.

Family and my faith in Jesus Christ as my saviour sustained me during that testing time. I remain grateful for the dedication of healthcare professionals, as well as for the kind support provided to my family by both sides of politics, particularly by then Premier Bob Carr and the Hon. Tony Abbott. I also learnt about the power of resolve, to be determined, to not let the accident destroy my hopes to build a professional career, have a family and make a difference in public life. There is not much point in getting into politics without the resolve to fight for your convictions.

Before having another big crack at public life, I spent 14 years working in professional services at KPMG and went through the usual challenges working women face of balancing a full-time career, returning to work far too early, raising children and paying a mortgage. In addition to a stint on the Australian Classification Board, I was particularly pleased to be able to join the Hon. Natasha Maclaren-Jones in the ministry as her deputy chief of staff and focus on homelessness and social housing. It was inspiring to witness the extraordinary work of frontline departmental staff, volunteers and community providers. I am honoured to now be in this place, where as a parliamentarian I can advocate for commonsense policies on behalf of the people of New South Wales.

As I noted earlier, I want to touch briefly on schooling, housing and health care, which are issues I intend to focus on in my time in Parliament. As the mother of two primary school-aged girls, I am particularly pleased to have the opportunity to serve as Deputy Chair of the Legislative Council's Portfolio Committee No. 3 – Education. Every child is unique, with differing educational needs. Australia is blessed to have a globally distinctive commitment to school choice that responds to that diversity. New South Wales families and students benefit from the many options provided by government, Catholic and independent schools, a system we know is a driver of quality and a preserver of equity.

Non-government schools are mostly faith based, hailing from a pre-Federation tradition of Australians of faith making early sacrifices to build an educational future for their children and community, often before government schooling was available. That continuing contribution of parents and differing faiths not only provides appropriate alternatives but also saves the New South Wales taxpayer the full obligation of providing suitable school places for every student. There are many good reasons why, in a pluralistic democracy such as ours, government support for faith based and other independent schools makes sense, a policy setting that has been honoured by Labor and Coalition governments alike.

Regrettably, there are early signs that this Government might abandon that consensus in favour of emboldened ideological teacher unions which loudly claimed a triumphal stake at this election. Already the new Labor Government is refusing to continue the modest needs-based capital works funding for non-government schools and has committed to zero new dollars. Schools such as Wollondilly Anglican College, Regents Park Christian School, Penrith Christian School and the low-fee Catholic parish schools throughout Western Sydney have been put at the back of the queue for much-needed help, as the education Minister's ear is turned away from the voices of south-western Sydney and towards the ideological demands of Teachers Federation headquarters in Surry Hills. The Minister needs to realise that she has been appointed Minister for Education and Early Learning for all of our State's schools, not just those whose teachers are represented by the Teachers Federation. And what about what is taught in our schools? G.K. Chesterton wrote:

Education is simply the soul of a society as it passes from one generation to another.

What are we passing on to our next generation? Unfortunately, our schools have become a front line in the so-called culture wars. Our classrooms are meant to be centres of learning and knowledge, where students are taught how to think, not what to think. Instruction and teaching should not take the form of activism. I will have much more to say about that in the time ahead.

Housing access, ownership and affordability is a big concern for south-western Sydney, where I have representative duties for the Liberal Party. The ability to own one's home was an Australian hallmark. Our home ownership rates are well above those of the rest of the world. Beyond a roof over one's head, home ownership provides broader benefits, including family and social stability in addition to long-term financial security. Sir Robert Menzies said:

The home is the foundation of sanity and sobriety; it is the indispensable condition of continuity; its health determines the health of society as a whole.

...

The material home represents the concrete expression of the habits of frugality and saving "for a home of our own." Your advanced socialist may rave against private property even while he acquires it; but one of the best instincts in us is that which induces us to have one little piece of earth with a house and a garden which is ours ...

How true. But home ownership levels have been trending down over the past two decades. Some of the suggested fixes pose dangers for those aspiring to get into their own home and for those who already have a freehold stake. In Sydney this Government has told councils and residents to get out of the way of developers who want to bulldoze the backyard and the box hedge and replace them with row upon row of high rise. In Canberra, the Albanese Government's answer to the growing housing crisis is to cut build-to-rent tax and create forever renters rather than aspirational home owners. Meanwhile, Federal Labor has flagged cuts to infrastructure investment and an increase in net overseas migration of over 700,000 people in the next two years—nearly 15 per cent of the population of Sydney.

Sydney's population is 5½ million. By 2050 it is forecast to be eight million—double what it was at the time of the Sydney Olympics when Bob Carr declared the city full. That is no way to solve our housing crisis. First, we must continue to invest in infrastructure, including in regional areas, to support future housing and the amenity of existing residents. In the Coalition we know about this, having over the past 12 years accomplished the greatest and most far-reaching infrastructure investment in this State's history. Second, we cannot meet the State's housing needs by destroying the prosperity and autonomy of the individual by creating generations of Australians who will never own their own home. Already the mobility gap between home owners and renters is amongst the highest of OECD countries. We need to focus on build-to-own, not on build-to-rent. Low- and medium-density developments that are sympathetic to our way of life need to be supported. Yes, apartments also have a place in this landscape. More land needs to be released by government and land-banking developers, not drip-fed by large developers to push up prices. And last, red tape must be cut.

Even modest developments must run a gauntlet of State and local planning regulations, some of which are little more than expensive box-ticking exercises. I will mention just one example of a two-bedroom addition to a Sydney-area home that required no excavation or extension of the house footprint. Besides what one might reasonably expect a council to require, such as architectural and engineering plans, the home owner was obliged to lodge countless redundant plans and reports. These included landscape plans for the same garden; an acid sulphate report for undisturbed soil; an arborist's report, even though no trees were to be cut; and a stormwater plan for the same roof and gutters. Surely it is not beyond our wit to find commonsense ways to lift some of the regulatory burden that adds unnecessary cost and delay to modest housing stock improvements for growing families who may wish to stay in their home and neighbourhood near schools where their children attend.

Home ownership builds wealth, autonomy and stronger communities. That is the society we created when, under Menzies, Liberals built modern Australia. It is one of the main reasons people from every corner of the globe seek to join us. It is a society I will fight to preserve and uphold. I will fight for policies that build houses and homes for families in which to grow, not just rental flats for foreign investment funds. I will fight for policies to encourage stronger communities, not new Labor political constituencies.

The final matter I want to touch upon this evening is the vital role of faith-based hospitals. Before I do, I want to acknowledge the extraordinary work of our frontline healthcare workers and public officials who kept our hospitals running throughout the COVID pandemic. As is the case with non-government schools, faith-based hospitals play an indispensable role serving our community. They include St Vincent's Hospital Sydney, which was founded in 1857 by the Sisters of Charity to care for all, regardless of belief, and operates as both a public and private hospital; the Mater Misericordiae Hospital—the Mater—begun by the Sisters of Mercy; and the Sydney Adventist Hospital—the San. Those faith-based hospitals have been serving our community since the Federation era.

Like many, I was appalled by the Australian Capital Territory Labor Government's compulsory acquisition—the nationalisation—of Calvary hospital. It is no accident that Calvary, a faith-based hospital, was targeted. A Labor-dominated ACT Legislative Assembly report earlier this year outrageously claimed Calvary's religious ethos breached human rights. I commend the bishops of the Catholic Church, especially Sydney's Archbishop Fisher, who have spoken out about one of the most serious attacks on the role of faith in Australian public life to date.

What are the chances of that sort of socialist ideology travelling up the Federal Highway? The ACT has long been Labor's ideological laboratory from where it launches its corrosive ideals across wider Australia. Members would have seen ACT Labor has even announced a ban on the sale of petrol and diesel cars. Faith-based healthcare services are simply the latest victims of this ideology. I hope the Premier will reassure New South Wales that our faith-based hospitals, including Calvary Health Care Kogarah in his electorate, are safe from a similar Labor asset grab.

There is much more to say about commonsense policy, but as we know there is a State of Origin series to be saved tonight. Every member is here thanks to our families, supporters and volunteers. I also wish to thank the Liberal Party, without which I would not be here. This election, I campaigned in Western Sydney with some amazing candidates and party members. In particular, I want to congratulate Courtney Nguyen in Cabramatta and Calvin Biag in Prospect on your impressive performances—amongst the best in the Liberal Party in a tough election. I know we will see you both again, as I am sure we will see Wendy Lindsay back in East Hills. Her determination was inspiring. It was a privilege to be part of Wendy's campaign along with her conference president Richard Noonan and her hardworking volunteers. I will miss my dear friend Nathaniel Smith after his Wollondilly loss. I am pleased, however, to see him in his new role as CEO of the Master Plumbers Association, so we will see him around this place and hopefully back in the other place.

I would also like to place on record my thanks for the advice and support of two of my wonderful friends in the other place: the Father of the House, and member for Lane Cove; and the member for Willoughby. Robbo and Tim, you have been great compadres in the trenches for decades and I am thrilled to be here to work alongside you for our State. I also thank my colleague and long-time friend the Hon. Natasha Maclaren-Jones. It is almost a quarter of a century since we campaigned together for the Republican Party in the United States—the only republicanism you will see us support.

I want to call out Dallas McInerney. Dallas is one of Australia's brightest minds, most insightful policy professionals and a loyal Liberal, who I have known, along with his wife, Zoe, for many years. I will always value his advice and support. I also extend my sincere thanks to all of you who have been with me along the way: Zorica Kaye-Smith, Chris Stone, Alexander Drake, Catherine Ellis, Alexandra Rafael, Zaya Toma, Wade McInerney, Tom Switzer, James Flynn, Brett Whitford, the Hon. Donna and Scott Faragher, Damien Jones, the Hon. Larry Anthony, the Hon. Matthew Guy, Sophie Mirabella, Tony Barry, the Hon. Mathias Cormann, the Hon. Ross and Kyla Cameron, Jo Liddell, David McLean, the Hon. Scott Ryan, Katherine Deves, the Hon. Peter Katsambanis, James Morrow, Chris Hall, Angelo Rozos, Byron Hodgkinson, Nathalie Samia, Professor Michael Fearnside, David Miles, Ruth Gibson, David Heffernan, Alan Anderson, the Hon. Scott Morrison, Natalie Campbell, Alan RM Jones, the Hon. Tony Abbott and, of course, the Hon. John Howard.

To my parents, my sister, Alexandra, and twin brother, Andrew, your love and support have been my lodestar. To my husband, Justin, whom I met a quarter of a century ago in a beige lecture theatre—oh, the romance of student politics—where he was chairing a hostile Macquarie University Liberal Club AGM when I was running for treasurer; I won the ballot and won the chairman. It has been quite a journey, Justin. Thank you for all you have done and continue to do. I recognise your tireless commitment to our family and to public service, whether it be in the field of Commonwealth administrative law or getting the North Sydney Bears back in the National Rugby League—a particularly worthy public good.

To our beautiful girls, Amelia, who is 11, and Alexandra, who is seven, you are the joys of my life and every day you make me very proud. You have visited more polling booths, listened to more political ranting and handed out more how-to-vote cards than a child should ever have to. You are clever, patient and remain great spokeswomen for the Liberal Party at the netball courts, the hockey fields and the hill at North Sydney Oval. I love you both very much. Honourable members, thank you for your indulgence this evening. I shall always be grateful for the genuine kindness and collegiality that I have experienced from across the Chamber and from our hardworking officials since my arrival. I look forward to working with you all in the years ahead to make our great State of New South Wales even greater. Thank you, and go the Blues.

Members and officers of the House stood and applauded.

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

*Business of the House***POSTPONEMENT OF BUSINESS**

The Hon. CHRIS RATH: On behalf of the Hon. Natalie Ward: I move:

That private members' business item No. 157 be postponed until the next sitting day.

Motion agreed to.

*Motions***WORKPLACE FALLS FROM HEIGHTS**

The Hon. MARK BUTTIGIEG (20:02): I move:

- (1) That this House notes that:
 - (a) on 23 May 2023, His Honour Judge David Russell, SC, noted in the District Court of New South Wales that since 2016, 83 fall from heights related cases have resulted in sentencing in the District Court of New South Wales; and
 - (b) on 18 May 2023, Minister for Work Health and Safety Sophie Cotsis launched a year-long campaign with SafeWork NSW to reduce the number of fatal falls in building sites by conducting unplanned inspections.
- (2) That this House supports and commits to eliminating the number of deaths and reducing the number of injuries caused by falls from heights in workplaces in New South Wales.

On 23 May a decision was given in the District Court of New South Wales in a case between SafeWork NSW and the construction company Coplex. The case surrounded the fatal 19-metre fall of 38-year-old Mohamad Riche at a construction site in Jordan Springs in August 2019. Coplex pleaded guilty in the case and was fined over \$400,000 for putting Mohamad Riche and other workers at risk by not fulfilling obligations under the Work Health and Safety Act. Last November, Leda Form, the company subcontracting Mohamad Riche to work on Coplex's site, was fined \$450,000 for also putting Mohamad Riche and other workers at risk of injury or death. In the decision on 23 May His Honour Judge David Russell, SC, noted that, since 2016, 83 cases related to falls from heights have resulted in sentencing in the District Court of New South Wales. That number is extremely concerning.

Safe Work Australia data shows that falls from heights were the third highest cause of fatalities in Australian workplaces between 2011 and 2021. SafeWork NSW reports that falls from heights cause the highest number of severe injuries and fatal incidents in the construction industry in New South Wales. In an earlier judgement on 8 February 2023 His Honour Judge David Russell, SC, noted that the number of cases in the District Court of New South Wales surrounding deaths or serious injuries from falls from roofs has increased over the past two years. His Honour also requested a copy of the judgement to be sent to the next Minister responsible for work health and safety.

After receiving that judgement, Minister Cotsis launched a year-long "anytime, anywhere" campaign, with SafeWork NSW to conduct unplanned inspections at building sites. The purpose of the surprise inspections is to prevent incidents relating to falls from heights. SafeWork inspectors conducting unannounced inspections will stop work, issue fines and consider prosecution when workplace safety has been compromised, with no tolerance. There is also the opportunity for businesses with under 50 employees to book a visit with a SafeWork inspector to consider risk management in their workplaces. The Minister for Work Health and Safety, Sophie Cotsis, is already working to combat the rising number of fatal falls on building sites in our State.

The former Liberal Minister only initiated an independent review of SafeWork after significant campaigning from the then shadow Minister and now Minister for Work Health and Safety, Sophie Cotsis; unions; and those impacted by workplace deaths or work-related injuries. The interim report has been released, the McDougall report, and the final report is due in November this year. It is important that the Government addresses head-on the issue of workplace falls from heights. The culture in the regulator SafeWork under the previous Government was a relatively hands-off laissez-faire approach to workplace health and safety. As someone who has a trade background, I saw that develop over the years. Workplace health and safety was a passive regime with a tick-and-flick approach to filling out paperwork and creating paper trails to make people feel good about workplace inspections instead of a proactive, penetrative inspection regime where inspectors would undertake proactive inspections of sites.

In the early eighties and even into the nineties, during my time as an electrician, we would be worried about the quality of work because we knew that an inspector from the relevant supply authority could inspect that job at any time. The same should apply across the building industry. That starts with the Minister's campaign. She should be congratulated for doing it. We hope the McDougall report creates recommendations that the

Government can implement to give SafeWork more teeth and institute a more proactive inspection regime. I commend the motion to the House.

The Hon. AILEEN MacDONALD (20:08): I thank the Hon. Mark Buttigieg for moving his motion to support the campaign to reduce the number of fatal falls in building sites. I note the Opposition supports the motion. Falls from heights are the number one cause of traumatic fatalities in the New South Wales building and construction industry. It is incumbent on all employers in the construction industry to ensure their workers are protected from falling at work at any level. Working at heights remains the biggest risk on New South Wales construction sites. Reducing deaths from falls in building sites was a focus of the previous Coalition Government, and the worksite visits and assessments provided great insight into the factors contributing to workplace risks.

I am aware of a similar blitz to the one mentioned in the motion, which occurred in October 2019. SafeWork NSW inspectors visited 348 construction sites statewide to secure compliance and talk with site supervisors, principal contractors, health and safety representatives and workers about how to work safely from heights. During that particular blitz 467 notices were issued, resulting in on-the-spot fines totalling approximately \$155,000. I am pleased that the Government is undertaking the important work of carrying out unplanned site visits to ensure that compliance and improvements in safety are maintained.

Sadly, we continue to hear in the news of fatal falls on construction sites. One death is one too many. It should be a fair expectation that when our husbands, wives, sons, daughters, brothers, sisters and friends leave for work in the morning, they will return safely in the afternoon. Several weeks ago there was news of a fatal fall from a 10-metre height. As long as these tragic but avoidable accidents occur, site inspections must continue. As the Hon. Mark Buttigieg said, the site visits will occur statewide. The campaign will run throughout the year. It will remind employers and workers alike that the majority of fatal and serious falls occur from a height of four metres or less and that employers must manage the risk of a fall by a person from one level to another, regardless of the height. Inspectors will be looking for safe work method statements, especially in situations where there is a risk of a person falling more than two metres. The statements are plans to keep workers safe. Falls from heights are completely preventable if key safety measures are followed. The site visits are necessary to eliminate deaths. Each time a site inspection— [*Time expired.*]

The Hon. CAMERON MURPHY (20:11): Falls from heights are one of the most easily preventable incidents in any workplace. More should be done to prevent them, and that is what the Government will do. On 28 April this year I was at Darling Harbour for the International Day of Mourning. It was incredibly tragic to listen to the stories of the families of workers who had been killed in preventable workplace tragedies. I have spent much of my career at the bar representing injured workers and dealing with family members, work colleagues and other people who are severely affected when one of these tragedies occurs. It is not just the incident; people end up in the legal system for years afterwards, having to go through repeated trauma as a result of their workplace injuries. Workers have to fight for compensation, for medical treatment, for their recovery. Their colleagues end up being interviewed by SafeWork, where they have to explain again and again what happened, and they can also end up with mental health issues as a result. I have also had colleagues at the bar who have been traumatised after dealing with deaths of workers. We absolutely have to do more on this.

Falls from heights are easily preventable. I have visited worksites after one of these incidents, where simple things like the failure to place signage appropriately to warn workers of a risk or the failure to plan for health and safety issues around heights have led to these preventable tragedies. I am proud that the Government is taking this issue seriously by launching a SafeWork campaign of unannounced inspector visits for 12 months to try to prevent falls from happening in the future. I hope one year, on the International Day of Mourning, we can say that there have not been any deaths that year. It would be wonderful if that could happen. These deaths are easily preventable. There is no excuse for failing to take work health and safety seriously. I am very proud that the Government is doing something about these incidents.

Ms ABIGAIL BOYD (20:14): On behalf of The Greens I support the motion. The Hon. Mark Buttigieg has rightly pointed out the importance of addressing the issue of falls from heights, which are the number one cause of worker fatalities in New South Wales. Most deaths occur not at high-rises but simply by falling from a roof on a worksite. They are entirely preventable tragedies, and I commend that businesses are being held accountable for any oversights. Although the member correctly pointed out the number of prosecutions for workplace fatalities from falls, it is also important to note the thousands of workers who have suffered catastrophic, life-altering but non-fatal injuries after a workplace fall who are unable to access workers compensation.

Between 2014 and 2017, 25 workers died and more than 240 were permanently disabled after falling from a height. On top of this, more than 12,000 were injured. Since 2017 the number of claims and executive expenses has increased, while approved claims for injured workers and return to work rates have massively declined. Seventy-three per cent—almost three-quarters—of workers making compensation claims experienced suicidal

ideation as a result of the way their cases were handled by icare. That level of trauma inflicted by an organisation is unacceptable, especially when that organisation's sole purpose is to help people. The Greens welcome the Government's move to continue unannounced site inspections to prevent falls from heights, as well as any future commitments to protect workers and reform our workers compensation system for the better.

The Hon. EMILY SUVAAL (20:16): I associate myself with the motion and commend the Hon. Mark Buttigieg for moving it. I also commend the work of the Minister for Industrial Relations, and Minister for Work Health and Safety, the Hon. Sophie Cotsis, in the other place, for the proactive and positive lead she has taken on addressing many issues within her portfolios, including implementing the very easy preventive measures that will reduce and hopefully eliminate falls from heights. It is a harrowing statistic that, between 2018 and 2022, 16 people were killed on construction sites in New South Wales as a result of falls from heights, representing the number one cause of fatalities. Workers aged between 20 and 29 experienced the highest number of falls and those aged over 50, sadly, made up the highest number of fatalities.

Obviously, as a paediatric nurse I did not look after many people aged between 20 and 29, but as a trainee nurse I distinctly remember doing a placement on a rehabilitation ward and looking after a worker who had been impacted by a fall from a height. Their rehabilitation was lengthy, and I dare say their ability to work was forever impacted as a result of their easily preventable workplace injury. I again commend Minister Cotsis for the launch of the "anytime, anywhere" campaign, which is a much-needed measure to mitigate against this largely preventable harm. There has been an increase in serious falls from heights in recent years, so I welcome the Minister's commitment to taking decisive and urgent action by equipping SafeWork with the tools needed to launch a 12-month campaign of unannounced inspections with the hope of reducing fatal falls on New South Wales building sites. One life lost at work is one too many. Like the Hon. Cameron Murphy, I would love to see the day when we could attend an International Day of Mourning and no workplace deaths had occurred in the previous year.

The Hon. STEPHEN LAWRENCE (20:19): I speak in support of the motion. Indeed, it is both a sign of the election of a Labor government and a credit to that Government that a campaign of this nature has been launched by the Minister for Industrial Relations, and Minister for Work Health and Safety, the Hon. Sophie Cotsis. I commend the Hon. Mark Buttigieg for moving the motion. I was familiar with him prior to being elected to this Parliament and knew he was a tireless advocate on a whole range of industrial issues, particularly on issues of work health and safety. I have now had the opportunity to observe up close his involvement in and passion for those issues. It seems that almost every sitting week the honourable member is introducing some item of business on an important industrial issue. There is no more important industrial issue than people dying at work. It should not occur.

I note that a key aspect of this campaign is unplanned inspections. Having in the past prosecuted a number of occupational health and safety prosecutions in the Australian Capital Territory, I can personally attest with a certain degree of knowledge to the absolute importance of that form of regulation. There are many actors in the industrial space who, if confronted with planned inspections, well and truly have the capacity to not present an accurate picture of what is occurring at a workplace on a day-to-day basis. It is excellent to see that unplanned inspections will be a key part of this industrial campaign.

It has already been said by other members, but I repeat that a fall from height is entirely avoidable. It is pertinent to highlight that the incident data from SafeWork NSW indicates, perhaps surprisingly, that most serious and fatal falls are from a height of less than four metres. That is approximately a single storey. Certainly that is an alarming statistic. I am very happy to speak in support of the motion and hope that the campaign is a successful one.

The Hon. DANIEL MOOKHEY (Treasurer) (20:22): I speak in favour of the motion and thank the Hon. Mark Buttigieg for moving it. When Government members were on the opposite side of the House, we spent a lot of time working with the construction industry and various people within it who have been dealing with this problem for many years. It is appropriate to acknowledge the work done on this particular issue by not only the Hon. Mark Buttigieg but also the Hon. Adam Searle. He worked relentlessly with many families who had lost loved ones in the construction industry to get reform.

At that time we were wise to focus effectively on a supply chain-based approach when it comes to construction, knowing full well that so many of the practices that take place in the construction industry are a result of the way in which that industry is economically structured. There are a lot of contract chains and subcontracting chains. There is a lot of devolution of responsibility when it comes to workplace health and safety. Almost certainly poor workplace safety records arise because of a complexity around who precisely is responsible for making sure that the workplace is safe.

This is particularly the case in construction, which of all industries has a statistically higher rate of bankruptcy, phoenixing and all the other practices sometimes associated with the evasion of law but also with industries that are under economic pressure. We have to grapple with that issue. For example, in the construction industry I think 5 per cent of construction companies fail and go bankrupt every year. That is a problem. It is 2.5 per cent higher than the standard industry margin. All of that is my way of saying that when the industry is economically structured in a certain way there is not the requisite investment in safety, which often means falls from heights happen. I also know this from the trucking sphere, which has the same subcontracting chains. That is why there are chain of responsibility principles in the transport sphere. It is why workplace health and safety also features a chain of responsibility-based approach. That is required, necessary and has to be enforced.

I am glad to be part of a government that is acting in this respect. Already the Minister for Workplace Health and Safety has released the interim McDougall review, which we inherited from the previous Government. We look forward to Mr McDougall completing that work. Fixing SafeWork NSW is an important part of what is required to make sure we can deal with incidents by investigating them properly. Ultimately, we have to get some of these industries on a better economic footing if we want to avoid injuries.

The Hon. PETER PRIMROSE (20:25): I speak in this debate simply to be associated with this very important motion before the House. I am pleased that my colleague the Hon. Mark Buttigieg has chosen to move it. One simple policy objective relates to anything to do with workplace health and safety: Any worker who goes to work in the morning has a right to return home safely to their family in the evening. I cannot talk as a lawyer but I can talk as a former social worker. As part of my practice I had to deal not only with those who had been injured—visiting them in hospital and doing a whole range of things—but also dealing with the families of those people, particularly when deaths had occurred. Not all of those cases related to falls from heights, but certainly it made me believe incredibly strongly in that principle. Our sole objective here is that someone who is put into a situation of harm is protected.

A very simple mechanism is a government statement that if workers are expected to work at heights then an employer is expected to provide the necessary safety and security for that person to return home safely. It is not enough to say, "Look, we'll be there in six months on this date to have a look." It is about SafeWork NSW inspectors being able, as the Government proposes, to go in without employers knowing they are coming and throw the book at anyone who is prepared to treat their workers so badly that their lives are put at risk. A person can be seriously injured and killed from a fall from two metres. I have dealt with people who have fallen from roofs, and I am not talking about high rise; I am simply talking about someone on a residential construction site who has fallen. Usually it is a young guy who has been killed or seriously injured. That not only affects their life but the lives of their friends and family. It is a wonderful, critical thing that the Government has proposed to guarantee the achievement of the policy objective I enunciated at the beginning of my contribution.

The Hon. MARK BUTTIGIEG (20:28): In reply: It is gratifying to see unanimous support across the Chamber for this important motion. I thank the Hon. Aileen MacDonald and my colleagues the Hon. Cameron Murphy, Ms Abigail Boyd, the Hon. Emily Suvaal, the Hon. Stephen Lawrence, the Hon. Daniel Mookhey and the Hon. Peter Primrose for their excellent contributions. The concept of surprise inspections is important. That is, workers can be on a work site working at a height and not know when an inspector from SafeWork is going to come and make sure they are doing the right thing. This is not only important for falls from height but also right across the whole of industry in order to prevent workplace accidents.

A campaign of education is also important, and part of the campaign that Minister Cotsis is running is also educative. That is, SafeWork will go to worksites and talk to workers and building companies about how they can better manage safety on the worksite. The psychology of safety is just as important, if not more important, than things like workplace inspections and punitive actions that may come down the track. If we can prevent accidents by educating workers to put safety first, not just by filling out a form and ticking and flicking but knowing safety as second nature on worksite, that will go a long way.

I particularly thank the Hon. Daniel Mookhey for mentioning our former colleague the Hon. Adam Searle, who was instrumental in introducing industrial manslaughter in this place in the last term. I am sure the Government will pursue that in due course. That is also important because the heads of organisations who are employing workers need to understand that if they do the wrong thing and they do not put worker safety front and centre in the way they run their business then they could be subject to legal prosecution in the courts. This is a case of proactive inspections and educating workers to make sure that safety is second nature to avoid punitive court action. That will eventually allow us to eliminate workplace deaths. That should be our aim. I congratulate the Minister and I thank members for the unanimity of support for the motion.

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

Motion agreed to.

Bills

PARLIAMENTARY REMUNERATION AMENDMENT BILL 2023
STATUTORY AND OTHER OFFICES REMUNERATION AMENDMENT BILL 2023
STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2023

Returned

The PRESIDENT: I report receipt of messages from the Legislative Assembly returning the bills without amendment.

Motions

HERITAGE PROTECTION

The Hon. PETER PRIMROSE (20:32): I move:

- (1) This House notes that:
 - (a) communities across New South Wales value heritage sites as places to celebrate, preserve and reflect upon history;
 - (b) places of heritage value bring communities together, tell stories, keep communities vibrant and bring in tourists from interstate and abroad; and
 - (c) the New South Wales Heritage Awards is the premier event that celebrates and acknowledges diverse heritage projects from across New South Wales.
- (2) That this House commends the Government for restoring funding to the Australian Heritage Festival and awards.

Heritage is an integral layer in the fabric of our State's identity. The importance of preserving, interpreting and celebrating our heritage places cannot be overstated. Organisations such as the New South Wales National Trust of Australia, and Museums and Galleries of NSW play a key role in the protection of our State's heritage. They, along with local councils, First Nations-run and volunteer-run museums as well as historical societies are some of the custodians of the stories, places and events from our past. Volunteer-run museums, such as Adelong Alive Museum in the beautiful Snowy Valleys, continually give to their communities, running street stalls to raise necessary funds to cover the cost of electricity at the museum; hosting the town's biggest event, the Adelong Gold Antique Fair; hosting bus tours of visitors to the town; and sharing the rich gold mining history of the area, including Adelong Falls.

Volunteers like Margaret Bentley and Jayson Sullivan have been tirelessly volunteering their time to the museum because they know it makes a difference. It makes a difference for them, the communities, visitors and, most importantly, future generations. Volunteers in historic houses, museums and historical societies across the State develop and host events in celebration of our history as part of the National Trust's Australian Heritage Festival. Without the advocacy of organisations such as the National Trust promoting the preservation of our history, many significant buildings and sites would be lost.

Can members imagine what a kick in the guts the previous Government's removal of funding for the National Trust Heritage Festival was to the thousands of museum and historical society volunteers across our State? The previous Government's decision to punish the National Trust for doing its job in advocating for heritage shows how petty and vindictive it was. After the National Trust criticised development—the Barangaroo redevelopment, the relocation of the Powerhouse Museum and other State projects—the previous Government was set for payback. Thankfully, the Minns Government has righted that wrong, restoring funding to the festival that last year saw more than 74,000 people attend over 210 events. That schoolyard bullying by the previous Government is a textbook case of its approach. Dare to speak against it and you will regret it. The consequences for those caught in the firing line were significant. Volunteers across the State were discarded as cannon fodder because someone hurt the feelings of the previous Government.

It was with much relief to hear of the Minns Government's reinstatement of funding for the 2023 Australian Heritage Festival and awards. In fact, one of the first acts of the new heritage Minister was to restore that funding. Faced with the daunting task of preserving our State's heritage, volunteers around New South Wales, like those at Adelong Alive, work tirelessly to preserve and care for their collections. Their contribution to preserving our State's heritage is valued. Without their efforts, those collections would fall into disrepair and be lost.

Acknowledging and celebrating initiatives such as Museums & Galleries of NSW's Storyplace project at last month's National Trust Heritage Awards is crucial to not only acknowledging the work of those who preserve our heritage but also raise awareness of their efforts. Museums & Galleries of NSW helps small and medium museums, galleries and Aboriginal cultural centres create exciting experiences for visitors and, through that, thriving local communities. Through the Storyplace project, objects, records and artworks cared for by museums,

galleries and Aboriginal cultural centres located throughout regional New South Wales are interpreted as stories by various authors.

Another notable winner is the restoration of the famous Niagara Cafe in Gundagai. The 120-year-old Niagara was recently restored by owners Luke Walton and Kym Fraser. The project won the President's Prize in this year's awards. Famous for its midnight visit by then Labor Prime Minister John Curtin, the Niagara continues to be an example of outstanding cultural value. The Minns Government's restoration of funding for the Australian Heritage Festival and awards means that through its involvement thousands of volunteers get the recognition they justly deserve.

The Hon. SUSAN CARTER (20:38): I support the motion, which notes that communities across New South Wales value heritage sites as places to celebrate, preserve and reflect upon history. Our heritage is our past and it lays the foundations for our future. Our heritage is physical, recorded in monuments and buildings, and it is metaphysical, shaping our understanding of our place in this land and our fundamental understanding of what it is to live in New South Wales and to be Australian. Our creative paths recorded in art, song, poetry and other creative forms are a living part of our heritage and inform our creative present and future. I am delighted to note that funding for that has been restored. I, like many of the volunteers who are involved in this community celebration of the Australian Heritage Festival, are waiting with bated breath to see whether this funding too is part of the line-by-line review and whether it will be given again or whether perhaps it too will be subject to cuts.

I celebrate the creative past recorded in art, song, poetry and other creative forms while being aware that many of our children will not have the opportunity that the Creative Kids vouchers gave others to develop those skills. I celebrate the recently concluded Australian Heritage Festival, which is a great umbrella event that brought together communities from all over this great State. Some of the ways in which the festival was marked were static displays, such as the celebration in Yass on 19 April marking the 150th anniversary of the death of Hamilton Hume. A great explorer, he, with William Hovell, opened up much of the south of this State to settlement, forging a path to what was eventually to become Melbourne.

While many may have marked this occasion by travelling on his eponymous highway, those fortunate enough to be in Yass had the opportunity to go to Cooma Cottage to share his stories, celebrate his life and tour the cottage garden and stables. I join the honourable member in noting that the National Trust Heritage Awards recognise outstanding practice in the field of heritage. I note that while the Judges' Choice award went to the restoration of Bondi Pavilion, the top honour of the President's Prize went to Gundagai for the restoration of the Niagara Cafe, reinvigorating the cafe while staying true to its 1938 art deco style. While the oral tradition that forms part of Australia's rich heritage is Banjo Patterson's poem of love and loss, *On the Road to Gundagai*, the great Niagara Cafe will be equally as well known and endure as a Gundagai landmark.

Ms SUE HIGGINSON (20:41): I speak in support of the motion moved by the Hon. Peter Primrose. Heritage in New South Wales is valuable and diverse. Heritage includes the places, objects and stories that we have inherited from the past and want to protect for future generations. It gives us a sense of our history and provides meaningful insights into how earlier generations lived and developed. It also enriches our lives and helps us to understand who we are. Our heritage includes tens of thousands of years of Aboriginal culture and landscapes, historic buildings, monuments, gardens, archaeological sites, shipwrecks, bridges, industrial structures, streetscapes, conservations precincts and intangible heritage from post European settlement. Any amount of support, investment and direct funding that goes into heritage is money incredibly well spent. It is spent for us here and now, and for future generations.

It is important to recognise that what we understand very deeply as one of the values right now is the living culture and experience of First Nations interacting with colonial history. Places across our State hold very deep value, such as Ravensworth and the Ravensworth homestead. We know it is deeply significant to the culture of First Nations, often for reasons that are not pleasant. It is known for its hard stories of dispossession, taking from First Nations people, and harm. At the moment we are being asked as a State to protect those places and invest in them as acts of reconciliation. Heritage in New South Wales is starting to take a new and very important meaning, particularly as we now have a government that is talking about truth and treaty in this State. We must understand that heritage plays a significant and particular role. This motion comes in a welcome form to The Greens. It sends a strong signal that we have a government that wants to recognise and invest in heritage for a number of important reasons, including reconciliation.

The Hon. EMILY SUVAAL (20:44): I am honoured to speak on the motion in support of the new Australian Heritage Festival and National Trust Heritage Awards and to commend the work of the Government and the Minister for Heritage in restoring funding to this important cultural event. The Heritage Festival and heritage awards are among the country's largest community-driven heritage events. Restoring funding to this event was one of the first decisions of the Minns Government in the heritage space. But, as noted by others tonight, it certainly will not be the last.

I congratulate the National Trust and its wonderful, dedicated volunteers on their hard work in delivering this annual celebration of our State's unique and precious heritage. I extend heartfelt congratulations to the winners of the 2023 heritage awards in each category and thank them for their commitment to protect our State's heritage. I particularly make note of a couple of the regional winners recognised in the heritage awards. Some have already been mentioned because there is a long list of people. First, I give my heartfelt congratulations to Tweed Shire Council for its work on the Tweed section of the Northern Rivers Rail Trail and for winning the landscape category. The Northern Rivers Rail Trail and the work of the Tweed Shire Council has had an immense cultural impact on the Northern Rivers. The trail celebrates local heritage, cultural history and provides wonderful opportunities for the local economy. This is particularly important in the wake of the devastating floods the Northern Rivers community has faced.

I also congratulate the Clarence Valley Council on its work on the Building Bridges Emu Projection and corresponding win in the heritage awards events, exhibitions and tours category. This project incorporated art work by local Indigenous artists to raise awareness of current efforts by Clarence Valley Council, landholders and other local organisations to protect the coastal emu and its habitat. I mention those two projects tonight to highlight the importance of investing in our local heritage projects. For too long the former Government neglected investing in our State's heritage. New South Wales is indeed lucky to have a rich, complex heritage and Government members know it is only with investment and work in this space that we can truly protect it. It is why we have delivered on our commitment to fund the Heritage Festival and heritage awards. It is why we have committed to developing the State's first heritage strategy and it is why we will continue to do so much more to properly conserve the unique heritage of New South Wales for generations to come.

The Hon. CAMERON MURPHY (20:47): Heritage as part of our arts is the most important thing that any civilisation has to offer. When we go back and look at civilisations throughout history, nobody ever remembers what the economy was like, how people invested in assets and those sorts of economic measures. The thing that matters most to people is the arts, the heritage, the architecture, what made up the civilisation and the way it conducted itself. Even in modern history when we look back, the only things that people ever remember are things like hairstyles for a decade and wonderful architectural buildings. In the end it is the only thing that ultimately matters when we look at the history of a civilisation. In my view, it is the most important thing.

When I wander around our wonderful city of Sydney, there are little parts of it that I find fascinating. There seemed to be an Egyptian theme in the period from about 1830 to 1880. If we walk through the corridor between Parliament House and the library, we will see Egyptian motifs on the back of the State Library. If you go to Elizabeth Street at Hyde Park, at the intersection of Bathurst Street, there is an obelisk there, which was erected by G. Thornton, who was the mayor some time in the 1880s. It is a phase that probably came from the United Kingdom and the interest at that time in archaeology and the newly discovered tombs in Egypt. It is just a wonderful, intricate part of Sydney. It is these undiscovered elements of our heritage that make it such a wonderful city. It is not just the internationally renowned buildings like the Opera House or icons like the Harbour Bridge that people should explore; it is all the small things that we can find around the city when walking and paying attention to this wonderful place that we live in. For that reason it is one of the most important things. We should always fight for and protect the arts—and heritage is part of the arts—and this Government will do that.

The Hon. STEPHEN LAWRENCE (20:50): I speak in support of the motion, which is concerned with the important topic of heritage. I acknowledge the Minns Government's commitment to developing the State's first heritage strategy, in which the Government will develop options to recognise and protect significant trees, urban bushland and wildlife corridors. It is also on the Government's agenda, as an important priority, to support and deliver standalone Aboriginal cultural heritage legislation in partnership with First Nations people. We are working with the Federal Government to progress a World Heritage listing nomination for the Female Factory in Parramatta. Properly valuing, protecting and conserving our State's unique history and heritage for generations to come is of utmost importance.

Paragraph (1) (a) of the motion states that "communities across New South Wales value heritage sites as places to celebrate, preserve and reflect upon history". I can certainly attest that in my community of Dubbo that certainly is the case. I am sure many members will be aware of the Old Dubbo Gaol, which plays a crucial role in our community. Obviously, in the past it was the jail of Dubbo. It has long been closed. I think it shut its doors in the seventies, but it is now probably our second main tourist attraction.

The Hon. Rose Jackson: The kids love it.

The Hon. STEPHEN LAWRENCE: The kids love it. It is not just old buildings; it is an incredible exhibition of social history. It is fascinating to look through the records and the visual exhibits that tell the stories of the people who progressed through that jail, some of whom were hanged there. It has been a site of significant investment, and one particular investment of late has been the purchase of a building that was previously owned by a bank. It was built by the council with some State funding in the seventies and then owned by the State

Government to house a government department. The building was demolished, which has revealed on Macquarie Street in Dubbo the beautiful old wall of the jail. It has opened up Macquarie Street and provided an installation place for what will be the largest piece of inland art in Australia. That will stimulate our tourist industry and our economy and really beautify the main street of Dubbo. It is a great example of the value that communities across Australia place on heritage.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:53): I thank the Hon. Peter Primrose for moving this important motion and thank everyone who has contributed to the debate. I reflect on some issues in the heritage space and on the heritage history in New South Wales. We should remember that in 1977 the Wran Government introduced the Heritage Act. It was not simply because the Wran Government wanted to do that. It came off the back of many years of protest, of the green bans and of communities coming together to defend what they thought was important and under pressure from rapacious development—which is the whole story of Sydney since colonisation. It was the work of people like Jack Munday and the Builders Labourers Federation and the many community members who banded together and saved Kelly's Bush, saved us from having a car park overlooking the Opera House in the middle of the botanic gardens and saved the Queen Victoria Building—the idea that we could have lost the Queen Victoria Building! We lost some of our exhibition buildings because of a failure to care for heritage.

The Heritage Act is important as an agreement between the community and the Labor Government and Parliament of the day that was a settlement in relation to the issue of housing and what was going on at The Rocks. It was partly about all those working-class communities at Millers Point who were being moved out. They were moved out and there were massive protests. We should remember that the Sirius building was built as a result of those protests and of the settlement between the Wran Government and the community in relation to heritage. When I drive past the Sirius building it still infuriates me. We built an incredible building so that working-class people could live in the heart of the city and age in place in social housing for the rest of their lives.

The previous Government sold it for \$20 million. Those opposite did not want to heritage list it because they said it would cost too much. The penthouse at the top of the Sirius building will probably cost \$20 million. That is another example of failed privatisation and a tragedy in understanding the importance of heritage, people and place and the stories we tell ourselves. The sell-off of the Sirius building tells us that we do not care about the working class, aged and disadvantaged people who were living in the building. We just sold it off for a quick buck. That is an example, writ large, of the problems if we fail to care for heritage. As the heritage Minister, I look forward to trying to turn that around.

The Hon. MARK BUTTIGIEG (20:56): As reflected by previous speakers, the Australian Heritage Festival and National Trust Heritage Awards are two of the country's most significant heritage-related events. They are community focused and recognise and celebrate history all around our State. The National Trust has been delivering those events for over 40 years. The Heritage Festival ran from 10 April to 14 May in New South Wales, with over 190 events scheduled. The festival's theme was "Shared Stories". Events took place all over New South Wales, from Dubbo to Leura and in the CBD. The Heritage Festival included exhibitions, arts, workshops and tours. Events like the art and weaving workshop with Muruwari artist Virginia Keft in Hurstville were great for the whole family, while other events, like the True Crime Walking Tour in the CBD, were designed for adults.

Considering the importance of the Heritage Festival and heritage awards, it was a regrettable move by the former Liberal-Nationals Government to cut \$65,000 of funding for them. This left the National Trust with only \$10,000 in funding to hold the Heritage Festival and heritage awards. Why? The Liberals and Nationals were accused at the time of cutting the funding to punish the National Trust for being outspoken against actions that were damaging New South Wales' heritage, like the Barangaroo casino development. The reinstatement of funding for the Heritage Festival and heritage awards is the first election promise the Minns Labor Government delivered for the Heritage portfolio. It will not be the last. Heritage policy was stagnant under the former Government, but no more. A heritage strategy will be developed for New South Wales and will be the first of its kind in our State. The Government will establish ways to recognise and protect important trees, urban bushland and wildlife corridors.

One of the most significant priorities is to support and deliver standalone Aboriginal cultural heritage legislation in partnership with First Nations people. The Government will continue to work to ensure that the heritage of our State is valued, protected and conserved for future generations. I acknowledge the Minister for Heritage, the Hon. Penny Sharpe, for her work to restore funding to the Australian Heritage Festival and awards, and the National Trust and its volunteers for their work in putting together the heritage festival and awards.

The Hon. PETER PRIMROSE (20:59): In reply: I am having a good run this evening. It is wonderful to be able to speak in reply to something that everyone agrees with and thinks is a good thing. A lot of members have spoken about the inner city in their contributions, and members have spoken correctly about rural and

regional New South Wales. I would also like to speak about suburban areas—for instance, where I come from. Originally, as the convenor of the Minto community arts group, many years ago I focused on an area through Campbelltown council that was under threat of losing its heritage. Minto, as part of Campbelltown itself, is historically significant in terms of its heritage.

We put in place moves to look at preserving and acknowledging the heritage that was slowly disappearing under suburbia, even looking at protecting historic and heritage copses of trees that brought meaning to the local community because of significant events that occurred during the development of Campbelltown and also because of their significance to the Aboriginal community that originally resided there. I commend all members who contributed to debate. I acknowledge, as does the motion, that communities across New South Wales value our heritage sites as places to celebrate, preserve and reflect upon history. Places of heritage value bring communities together, tell stories, keep communities vibrant and bring in tourists from interstate and abroad. Therefore, I commend the Government for restoring funding for the Australian Heritage Festival and awards. I commend the motion to the House.

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

Motion agreed to.

INNOVATION, INDUSTRY AND SCIENCE GRANT PROGRAMS

The Hon. JACQUI MUNRO (21:02): I move:

- (1) That this House notes that:
 - (a) the following grants programs supporting innovation, industry and science in New South Wales have been suspended by the Government:
 - (i) the Minimum Viable Product Ventures program;
 - (ii) the NSW Future Industries Investment Program;
 - (iii) the National Collaborative Research Infrastructure Strategy program;
 - (iv) the Small Business Innovation and Research program;
 - (v) the NSW Biosciences Fund; and
 - (vi) the Infrastructure Build Out Program.
 - (b) these programs were fully funded under the 2022-23 budget;
 - (c) at the time the Government suspended these programs applications under some programs had already been received and were being assessed, leaving applicants in limbo for at least six months;
 - (d) grants programs supporting innovation, industry and science contribute to job creation and economic growth; and
 - (e) comments from affected applicants and experts include this observation from Ben Zyl, co-CEO of payments startup Waave: "The Government's disregard for vital, emerging businesses is short-sighted and greatly disappointing".

Five minutes is not long enough to explain the impact of the suspension of innovation grants. The motion raises awareness about the serious negative consequences that the Government's decision to suspend grants supporting innovation, industry and science will have on innovation in New South Wales. The way the grant applicants have been treated is completely disrespectful. The programs were fully funded under the Coalition's 2022-23 budget, and it was the Coalition's policy to continue funding for those programs to promote growth in the startup sector—alas for the founders today.

The reality is that private investment is drying up, making certainty through Government funding even more valuable. The Minimum Viable Product Ventures program, which offered early-stage startup founders matched funding of up to \$200,000 to support the commercialisation of their products, has been suspended. Martin Karafilis, director of Fishburners, has said that under-represented founders, including women, Indigenous people and those from the regions, benefit most from that type of early-stage investment. The suspension has not only barred new applicants but has effectively left companies awaiting funding in limbo—some of them having spent tens of thousands of dollars in fees and forgone time just to prepare and submit these applications. The communication to founders who applied for this funding is misleading at best and absolutely non-existent at worst. The thousands of dollars in time and money down the drain for the many companies that have already submitted applications, or that are in the process of doing so, is enormous.

Ben Zyl, the co-CEO and co-founder of payment startup Waave, noted that the former New South Wales Government recently had been publicly praised for its industry-leading programs. Should this Government not reinstate funding for these programs urgently, the impact of grants like the MVP Ventures program suspensions will be felt by the local startup community for years to come. Soaring costs and the difficulties accessing private funding are just some of the challenges that Australia's future rising stars face. Without government support

through the funding of grants, these potential future unicorns will not traverse what is known as the valley of death. We risk losing hundreds, if not thousands, of jobs to places like the United States and Singapore. We know that reliable government support is crucial in ensuring that more startups can develop successfully by promoting the potentially multimillion-dollar companies, if not billion-dollar firms, from the beginning.

The overarching sense in the minds of so many in the startup community is that the Labor Government is now entirely out of touch. Waave is currently spending \$6,000 per day alone on regulatory compliance with everyday matters. Tilitier was founded by Martin, of whom I spoke earlier. He told me that the MVP Ventures program was literally vital to the company's success; they would not have been able to found the company without it. In six years they are now reporting an annual revenue of over \$10 million. I also refer to Mutinex, which is a scale-up that has gone from 12 to 14 staff in such a short time frame. They work in the artificial intelligence space and help businesses grow and make better growth decisions. It is a great New South Wales and Victorian success story. The majority of the staff are here in New South Wales. I quote from the co-founder, Henry Innes:

We had selected NSW as our scaleup destination based on being a part of Tech Central, with both the support and community it provided and accommodated for. This has been ripped away by the Government and has caused considerable uncertainty in a challenging time.

Start-ups can deal with operating alone, but what we can't deal with is the chaotic and constant change without communication that is impacting the Investment NSW Grants. It makes it impossible to plan, let alone operate, as a business in NSW and we implore the Government to bring some stability, consistency and communication to how they operate.

The reality is that the company will be paying over \$150,000 per annum in payroll tax with plans that will see this grow to possibly \$240,000 per annum in payroll tax. This does not include the other types of economy boosters—discretionary spend, property taxes and taxes paid by its employees residing in New South Wales. The company was actually eligible for a grant in Victoria but chose to operate in New South Wales because of the grant funding available here. The Government has disregarded this startup community and demonstrated its disregard for some of our most brilliant minds.

The Hon. CAMERON MURPHY (21:08): I am moved to speak to this motion because this is yet another example of what we have seen day after day: Opposition members crying crocodile tears over programs that they failed to budget for. Day after day, I see Opposition members muster the courage to speak. They feign outrage and dismay that their particular program or initiative might be cut or changed. They pretend they care about these programs, but they do not. If they really did care about these programs, they would have funded them when they were in government. All the programs that they have been complaining about—everything from Active Kids through to other sports, swimming and innovation programs like this one—are programs they failed to fund when they were in government. If they were serious about preserving those programs into the future, they would have funded exactly those programs past 1 July this year. They did not fund them because they did not care about preserving them.

We will have difficult decisions to make as a government. My colleague the Hon. Daniel Mookhey, the Treasurer, will have to find the money and a way to preserve as many of those programs that the Opposition cut by not funding them past 1 July as he can. We will have to make difficult decisions about what we prioritise—things like paying the 1,100 nurses that the Opposition did not fund. Those 1,100 nurses that were unfunded are working people who would lose their jobs because of the decisions that the now Opposition made when it was in government.

It takes an extraordinary level of guts—and I commend Opposition members for it—and gall to come to this place, day after day, and say, "Oh, this is terrible. This program is being cut", or, "That other program is being changed." The fact is they could have saved all those programs by funding them when they were in government, but they failed to fund them past 30 June. That task now falls to Labor to do what we can to prioritise the interests of the people of New South Wales by making difficult decisions and finding the money to preserve as many of those important programs as we can. We would not have to if the Opposition had funded them when it was in government. Because it did not, that task now falls to us.

The Hon. Daniel Mookhey: Point of order: I did not want to take a point of order whilst the Hon. Cameron Murphy was speaking, but the member sitting at the table was accusing him of allowing kids to drown.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order! I cannot hear the Treasurer.

The Hon. Daniel Mookhey: The Hon. Natalie Ward was accusing the Hon. Cameron Murphy of allowing children to drown in the context of this debate. That is well beyond what is acceptable. I ask her to withdraw those comments.

The Hon. Natalie Ward: To the point of order: I am not quite sure what the member's point of order is.

The Hon. Daniel Mookhey: I heard it.

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

The Hon. Natalie Ward: I am not sure if the member has a particular point he would like to raise. The Hon. Cameron Murphy was speaking about programs that were being cut and we on this side of the Chamber are entitled to respond to those accusations. The motion relating to First Lap vouchers that was before the House today dealt with those very issues and the risk of children not being able to learn how to swim and, therefore, the risk of them not having those skills and potentially losing their lives.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): That is all well and good—

The Hon. Natalie Ward: We do not resile from that. It was the subject matter of—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): That is all well and good, but the member is addressing the point of order at the moment.

The Hon. Natalie Ward: Sorry. My point is that it was the subject matter of a motion before the House today where we dealt with those particular items and the substance and implications of them. I think the member was referring to those comments during the course of the day and our concern about the implications of those particular programs being cut by this Government. It was no more and no less than that. I do not resile from those comments because there are risks attached to cutting those items.

The Hon. Daniel Mookhey: To the point of order: The actual claim was, "You want kids to drown." That is not the point that was just addressed. There are, of course, robust exchanges in the House. It is, of course, legitimate for the Opposition to make the point that the Hon. Natalie Ward just made in her point of order. But to go so far as to say, "You want kids to drown," is not parliamentary. I ask the member to reflect on whether that is within the bounds of the dignity of the House. Her comments should be withdrawn.

The Hon. Wes Fang: To the point of order: I am loath to do this, but in reality if a point of order was to be taken, the Treasurer should have taken it at the time that the member made the comments. Mr Deputy President, you clearly did not hear the comments. Unless the Treasurer can identify a standing order that has been breached and the member has said that there is an issue with what she said—and the Hon. Natalie Ward says that she does not resile from the comments—then I do not believe there is a point of order.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I did not hear those particular comments. Notwithstanding the fact that I did not hear the comments, all members should reflect on how they conduct themselves. This is no reflection on the Hon. Natalie Ward, because I did not hear the comments; I direct this ruling to all members in the Chamber. We should all reflect on how we behave and the comments we make. For the past couple of hours, whilst I have been in the chair, I have been allowing some forms of interjection. That is probably to my detriment. All members will reflect on that, and we will continue.

The Hon. WES FANG (21:15): I will contribute to the debate. It was not something I was planning to do three or four minutes ago, but I was driven to make a contribution—to rise to the despatch box—by the contribution of the Hon. Cameron Murphy. In the member's contribution, which did not address any of the points raised in the motion, he sought to attack members on this side of the House for the contributions that we have made over the past couple of days.

I will address those points by identifying the fact that Opposition members previously talked about heritage and the love of the arts and culture and all the other things that the Hon. Cameron Murphy also espoused during his contribution to the debate. Yet we see, from that side of the House, the cutting of Creative Kids vouchers. While Government members espouse a love of creativity and the arts and all the wonderful things that heritage creates, they are cutting that program.

The Government is also cutting the innovation program that we put in place to support startups. We are now seeing startups that were planning to move to New South Wales to receive the grant funding—to make our State the innovation capital—being cut out. We heard from the Hon. Jacqui Munro that there are companies in places like Victoria that were planning to move to New South Wales to invest, to access the grants and to hopefully expand and end up being viable, profitable and tax paying organisations in this State. What we are seeing now is that program being cut, cut, cut by those opposite. Not only was there a good company trying to escape Chairman Dan down there, but we now have Stingy Minnsy cutting the programs here—and gone is the innovation fund. We are supposed to be the smart State. We are supposed to be better than every other State in this country. And we were, right up until those opposite got into government.

The Hon. Cameron Murphy: Point of order—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Wes Fang will resume his seat. I will hear the Hon. Cameron Murphy on the point of order.

The Hon. Cameron Murphy: I heard a comment referring to the Premier, who is a member of the other House, in an unparliamentary and undignified manner. It ought to be withdrawn.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): There is no point of order. The comment was not offensive or derogatory—I certainly would not allow such comments in the Chamber. I will allow the comment in the spirit it was made. As the member's time has expired, we will let the matter rest.

The Hon. DANIEL MOOKHEY (Treasurer) (21:18): I lead for the Government on this motion. The Government will not support the motion. I simply point out that the Government is undertaking a comprehensive expenditure review because those members now in opposition left quite the budget black hole. We have been up-front with the people of New South Wales about the economic challenges we have inherited from the former Government. It handed us the largest debt in our State's history, with the State on track for a record \$188 billion of debt. If Opposition members want to understand what is motivating the Government, they should reflect on their own legacy. Better yet, rather than engaging in these tactics, they should perhaps be constructive in helping us address these budget challenges at a time of high inflation.

I note that the Minister for Innovation, Science and Technology has been meeting with stakeholders across academia and industry to champion the Government's commitment to supporting our innovation community. There is, indeed, great innovation taking place in New South Wales that can lead to industry development, skills, growth, increased productivity and more jobs. I note that the mover of the motion made mention of Fishburners. I worked at a Fishburners for a very short period, as did my brother. I know the community very well, and I know the big difference that they make and have been making for a long time. I can absolutely assure those at Fishburners and elsewhere that our Government intends to create an economic environment where effort, innovation, community-mindedness and fairness are encouraged and rewarded.

Of course, in the circumstances, we have to make tough decisions. That is true. I would have much preferred to be in a position where we had low inflation, low interest rates, healthy budget surpluses and lower levels of debt. That is not the situation that we inherited, and so we are calmly and methodically working through and testing each of the spending decisions we inherited according to three criteria: Does it help us fight inflation? Is the spending helping us fix our essential services? Is the program working? We will apply those tests to the programs that are mentioned in the motion, and we look forward to being in a position in the September budget to explain to people what will happen with those programs and other programs in that space. I point out that this particular program is from the Department of Enterprise, Investment and Trade cluster, which has been a focus of this House in the last year or so. I cannot help but note that, for example, this is meant to be in parallel to the strategy that saw John Barilaro go to New York. We are looking at that strategy too.

Ms ABIGAIL BOYD (21:21): On behalf of The Greens, I oppose the motion. Members might ask why. Like so many of the motions that the Opposition is moving on private members' day, it sounds like a you problem—because you lost an election. What happens when you lose an election is that a new government comes in and does things differently. We have a new Government. It has come in because it is not the old Government. Voters have elected it because it is not the old Government and yet, the Opposition, the previous Government, now wants to harass the new Government for not doing the things that the old Government was doing. Of course it is not doing the things the old Government was doing. No-one wanted it to. That is why it was voted out. So this is very much a you problem.

On merit, The Greens of course support increased expenditure for research and science, but the previous grant programs almost solely served to fund private and commercialised research. We should not be directing government grant programs to funding private business. Government funding should instead be prioritised to bolster and restore our public sector and scientific agencies. Again, if people wanted to continue with the lousy neoliberal agenda of the Opposition, they would have voted it back in. Newsflash: You lost the election. I would love it if we could come to private members' day where the Opposition could actually assess its loss and think that maybe it should do something different in the next four years in order to get voters back in the future. Instead, what we have is this constant bleating every private members' day—

The Hon. Wes Fang: Point of order—

Ms ABIGAIL BOYD: Why don't you like sheep, Wes?

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Ms Abigail Boyd will resume her seat.

The Hon. Wes Fang: The point order is that there are Liberals as well as Nationals in Opposition. I will take the bleating comment, but I would ask you to refer to my Liberal colleagues as well.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): There is no point of order. Ms Abigail Boyd will continue.

Ms ABIGAIL BOYD: The moments of humour on these days are at least a welcome relief from the lack of agenda from the Opposition. The point is that this is the sixth week of private members' day. Please come up with some new policies and new talking points. Members opposite should accept that they lost the election, and let the new Government get on with doing what the people of New South Wales elected them to do.

The Hon. SUSAN CARTER (21:24): There are some names that we all know like Canva, Afterpay, ClassBento, Cochlear and ResMed because they are all based in Sydney and they are all, or they began as, startups. Cochlear, which is now one of our largest public companies, major employers and exporters, began as a startup with research from Professor Graham Clark at the University of Melbourne. It was commercialised in Sydney and is now headquartered in Sydney where it exports to the entire world. It was named by *Forbes* as one of the world's most innovative companies, and it began as a scientific idea that was later commercialised. Conry Tech is a name that is not as familiar. That is because it is an Australian startup that could not get funded locally, so had to move overseas. Conry Tech was offered \$26 million by the Canadian Government, much more than is on offer in any New South Wales program. In the words of its Australian founder Sam Ringwaldt:

We turned that into billions for the North American economy, revolutionised a global industry and created thousands of highly skilled industry jobs along the way.

...

This success could and should have been achieved here, and this loss can still be felt today.

Waave is a name we may never hear because it is one of the startups whose application for grant funding is not even being considered because of the suspension by this Government of the MVP Ventures program and other grants supporting innovation, industry and science. Suspending the programs is not neutral. Cutting them is not cost-saving. Stopping the programs will cost the Government and the people of New South Wales money. It will cost our workers the opportunity to work in innovative, highly skilled and emerging industries. It is short-sighted government policy. The six programs in the motion were all fully funded until the 2022-23 budget.

Ms Abigail Boyd asked us to do things differently. Are we expected to have a crystal ball and know that a new government is going to push its budget back so that there will be months where everything is unfunded by any budget that was prepared as a 2022-23 budget? To suggest that the programs were unfunded is disingenuous and ignores that they were fully funded to the normal budget time and that the money is and should be there to support industries. The programs are apparently part of one of this Government's many reviews. The innovation companies do not have the time to wait for those reviews; they need investment now.

The Hon. JACQUI MUNRO (21:27): In reply: I thank honourable members for their contributions. Despite the levity, the issue is serious. I thank the Hon. Cameron Murphy, the Hon. Wes Fang, the Hon. Daniel Mookhey, Ms Abigail Boyd and the Hon. Susan Carter for their contributions. Fundamentally, I think the Government has misunderstood its role. It is responsible for the budget and programs, and it is failing on accounts of communicating policy clearly to its constituents. Over 2,900 startups exist in New South Wales. They have a combined value of \$283 billion. When the Liberals and The Nationals were in government, we were praised for our commitment to entrepreneurship and the economic growth that comes from it. That economic growth funds the social programs that we all hope to deliver, like the arts, and wages for public servants.

Unfortunately, the current Government is resting on a complete non-decision. Those opposite talk about making an effort to produce new policies. They talk about us being an unproductive Opposition. But the reality is that we must hold this Government to account because it is not communicating with the people its policy decisions affect most. What we have heard tonight is that the founders of startups and the founders of what could be this State's next billion-dollar companies, the next unicorns, are completely left in the cold. They are disregarded. They have been disrespected by the current Government. We are being helpful. In fact, this is not a problem about us. This is not a problem about the members in this Chamber.

This is a problem for the people out there who are trying to start businesses, who are trying to be productive, who are looking for certainty. Henry Innis, the founder of Mutinex, noted that they are inherently in a risky environment but they expect some certainty and clarity from the Government to support their actions. They have made serious business decisions based on what they believed to be the policy environment for them. There has been wrong communication, there has been misleading communication and there has been no communication about a variety of grant programs that have been suspended. This is not about us. This is about the people of New South Wales who are trying to be productive, who are trying to contribute to our State. When we support the startups and the next million- or billion-dollar companies, we are making a market that is more vibrant, that is contributing to the success of our nation, that is delivering people in AI, in quantum computing, in the space industry, who will be the foundation of our future State.

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

Motion negatived.

Adjournment Debate

ADJOURNMENT

The Hon. DANIEL MOOKHEY: I move:

That this House do now adjourn.

EUTHANASIA AND SUICIDE

The Hon. DAMIEN TUDEHOPE (21:31): It is four years ago tomorrow that euthanasia became legal in Victoria. It was claimed during the parliamentary debate that this would prevent 50 suicides each year. Not only has there been no such decline, but there were 62 more suicides in Victoria in 2022 than in 2017, when this claim was made. The suicide rate among those aged over 65 years increased in Victoria between 2019 and 2022 by 42 per cent—five times the increase in New South Wales. It is over a year since this House voted 23-15 to create an exemption to the laws on murder, and on aiding and counselling suicide, to allow the supply and administration of a lethal substance to a person for the purpose of causing his or her death.

The misnamed Voluntary Assisted Dying Act 2022 will come into effect on 28 November 2023. NSW Health is busily preparing for this State-sanctioned killing by setting up pharmacy services to supply the deadly drugs and a "care navigator service" to connect people with medical practitioners willing to end their lives. Expressions of interest for the Voluntary Assisted Dying Review Board have closed and appointments are expected to be made shortly. The members of this board are being given the ultimate power over the lives of vulnerable people. Under the Act, only the board can issue a voluntary assisted dying substance authority—a VADSA—the legal authorisation for a specified medical practitioner to terminate the life of a named person with a specific lethal substance. Who can want this power over the lives of others so much as to seek appointment to this death board? We will see.

It is clear from the Victorian data that State-approved suicide for some evidently leads to more suicide overall. As the first State to legalise euthanasia and assisted suicide, Victoria included some restrictions to win over the final votes needed for the legislation to pass, including a default practice of self-administration, with practitioner administration permitted only when self-administration was not possible. There was also a complete prohibition on medical practitioners suggesting voluntary assisted dying before a patient initiated a request for information on it. Western Australia abandoned those restrictions, with predictable results: In the first year, 190 people had their lives ended—147 by administration of a lethal poison by a medical practitioner and 43 by self-administration of a lethal poison. Those deaths accounted for 1.14 per cent of all deaths in Western Australia, nearly double the rate of 0.58 per cent in Victoria in its third full year of legalisation.

If the same impact is seen in New South Wales, around 2,175 deaths can be anticipated under the Voluntary Assisted Dying Act in its first year of operation. Rather than offering death by lethal substance to vulnerable people, we should be saying, "We respect you, we value you, we love you and we will wrap around you all those services that see out your dying days in a proper and dignified manner."

SHARK NETS

The Hon. EMMA HURST (21:35): New South Wales is known for its coastline, but for eight months of every year 51 of our beaches are hiding something terribly dangerous. I am talking about shark nets, which kill thousands of marine animals yet repeatedly fail to protect beachgoers. According to a new report, the Government's shark meshing program is in desperate need of change. The Envoy Foundation is an environmental charity that works to protect marine ecosystems and animals. This month it released its latest research report, which investigates the New South Wales shark meshing program. The findings of the report spell bad news for people, animals and our precious marine environment.

The current government program is a lethal management system intended to deter, catch and kill certain marine animals. A similar program operates in Queensland. In both jurisdictions, drum lines and shark nets float offshore from popular beaches in a misguided attempt to protect beachgoers. The problem is that the method does not work. It was first introduced in the 1930s and has not been updated properly since. Looking at the statistics, we see that 82 per cent of shark encounters in Sydney occur at beaches that already have shark nets installed. The nets simply do not work. Instead, they serve to indiscriminately kill all kinds of marine life, obstruct natural ocean migrations and damage sensitive local underwater ecosystems.

The nets used are usually six metres high and 150 metres long, which does not cover the full depth or length of most of our amazing beaches. As a result, expert advocacy groups describe the nets as essentially flapping pieces of fishing gear. That sounds wasteful and irresponsible, but it gets worse. Those flapping pieces of fishing gear pose a deadly threat to local marine animals. The Envoy Foundation's report outlines the extent of

the problem for both shark and non-shark species. The shark meshing program primarily targets large sharks, but they account for only 10 per cent of the shark net catch. That means that 90 per cent of the animals killed by the nets are non-target species.

The report identified that the majority of sharks killed by the program are either non-target species or too small to be considered a threat to human safety, meaning that thousands of non-target individual sharks have suffered slow and painful deaths. Of the other animals killed by the nets, many species are endangered or protected, including federally protected species listed under the Environmental Protection and Biodiversity Conservation Act such as hundreds of white sharks, green turtles, leatherback turtles, common dolphins, bottlenose dolphins, silky sharks and scalloped hammerheads. The number of animals killed by the nets has intensified in recent years, leading the report to conclude that the New South Wales shark meshing program is operating in breach of Federal environmental protection laws.

The unintended death list continues. Animals that are not considered endangered are also killed, including whales, seals, seabirds, rays and countless fish that become caught and die in the nets or on baited drum lines. It is also concerning that the numbers may be significantly underestimated. The report highlights inaccuracies, inconsistencies and omissions in the data reported from shark-meshing contractors. It also highlights distressing case studies of pregnant sharks that have been killed by nets but whose litters of multiple pups are not counted towards any kill data. In addition, the kill data fails to account for the many animals who would likely suffer stress, injury and death once released from nets. The approach is clearly indiscriminate and callous.

According to research from April 2022, "Australia wiped out a genetically distinct population of south-east Australian tiger sharks before it was even known they existed." These are fundamental shortcomings of the Shark Meshing Program. That is combined with the complete lack of evidence for the efficacy of shark nets in any jurisdiction. Even the in-depth New South Wales parliamentary inquiry in 2016 and 2017 concluded that lethal shark control measures should end. The public agrees, with surveys showing strong community opposition to shark nets. That is backed by local governments, which unanimously oppose the Shark Meshing Program. How can the New South Wales Government justify a program that completely fails to serve its intended purpose? New South Wales has already invested heavily in alternative, modern and scientifically backed shark mitigation technology that keeps people safe and does not harm marine life. It is well and truly time to transition to that new technology and leave shark nets in the past.

GENDER DYSPHORIA

The Hon. GREG DONNELLY (21:40): This evening I draw to the attention of members of this House and the other a significant and detailed paper titled *Gender questioning children and family law: an evolving landscape, Paper for the Australian Family Law profession*, published in May by Ms Belle Lane. Ms Lane has worked in family law since her admission to legal practice in 1994. She has worked as a barrister at the Victorian and Western Australian bar associations and as a solicitor in Victoria, Western Australia and the Northern Territory. Ms Lane has practised in all States and Territories. In summarising the content of the 135-page paper, I draw directly from its conclusion. It states:

517. It has not been easy to find, read, and understand all of this information. While there is easy access to information which promotes gender affirming medicalisation, it is difficult to find information about contrary views. This paper would not have been possible without the website operated by the Society for Evidence-Based Gender Medicine (SEGM). In a 2022 Family Law case, a treating paediatrician was critical of SEGM. I note the comments of the Westmead Hospital researchers about the politicisation of information in this area:

"The fifth challenge pertained to the issue of research. In this context, we had set up research as part of the clinic's routine activity, enabling us to contribute to the evidence base regarding children who present with gender dysphoria. In the process of writing up data from our clinic, we became aware that the process of knowledge development—ours and that of other researchers—was at risk of being thwarted by ideology (Singal, 2020). In 2019, in response to this issue, the Society for Evidence-Based Gender Medicine was founded 'to promote safe, compassionate, ethical and evidence -informed healthcare for children, adolescents, and young adults with gender dysphoria' (Society for Evidence-Based Gender, 2020)."

518. Unfortunately for children and young people, and families who are trying to work through complex issues around identity during a time of distress, this is a highly politicised area. Polarisation and the inability to fully discuss these issues comes at a cost, to young people and theft families.

519. As the Westmead researchers conclude:

"One of the biggest challenges for clinicians working with children who present for assessment of gender dysphoria is the effect of polarized socio-political discourses on their daily clinical practice. Polarization happens when people become divided in this case with reference to their views about gender dysphoria in children into sharply opposing groups. Complex phenomena are then often simplified along a single dimension that disregards other dimensions, that dismisses the lived experience of others, and that closes off questioning, hypothesizing, and consideration of, and engagement with, opposing viewpoints. We have seen these processes at work throughout our clinical practice, as described in the present article. Polarized views are unhelpful to clinicians who are at the front line trying to provide holistic clinical care to a distressed group of children and such views are just as unhelpful to the children and families themselves. To provide adequate care, clinicians need to understand and confront the complexity of the clinical presentations. They need, in particular, to use a broad, holistic, systemic (i.e., biopsychosocial) framework that takes into account the full range of interacting factors social, economic, relational, family, psychological, and biological that have defined the life circumstances of the child and the family seeking care for gender dysphoria."

520. The area is complex, and it is important to ensure that the child / young person, parents and the Court have all relevant information.

521. There are 3 immediate questions for the Australian family courts to consider:

A. Given the above, what is the status of *Re Kelvin* (2017) is it time for reconsideration?

B. How does the Court address keeping updated about evolving medical evidence in an adversarial system?

C. What is the obligation of treating medical professionals to bring alternate views and contrary evidence to the Court's attention?

522. The long-term implications for young people are profound. During the case of *Bell v Tavistock*, Kiera Bell, said: "It is only until recently that I have started to think about having children and if that is ever a possibility, I have to live with the fact that I will not be able to breastfeed my children. I still do not believe that I have fully processed the surgical procedure that I had to remove my breasts and how major it really was. I made a brash decision as a teenager, (as a lot of teenagers do) trying to find confidence and happiness, except now the rest of my life will be negatively affected. I cannot reverse any of the physical, mental or legal changes that I went through. Transition was a very temporary, superficial fix for a very complex identity issue."

MYALL CREEK MASSACRE

The Hon. AILEEN MacDONALD (21:46): Over the long weekend I attended the 185th anniversary of the Myall Creek massacre. As a first-time attendee I was stuck by the peacefulness of the setting, the way the descendants of the survivors embraced all in attendance and the warm welcome afforded all. I was inspired by the people who had made the memorial happen and carried the flame for so long. Frankly, they had nothing to be thankful for and every reason to dislike non-Aboriginal people for what had occurred 185 years ago, yet I was embraced by love and forgiveness all that day. Before attending, I read the news stories of the day and the articles in *The Sydney Morning Herald*. Two days prior I attended an online forum hosted by the Armidale Friends of Myall Creek, trying to gather as much information as possible to understand what had occurred. However, I cannot comprehend the actions of the 12 men in a murderous rampage who killed 28 Aboriginal men, women and children.

In an inaugural address delivered to the University of St Andrews on 2 January 1867, John Stuart Mill stated: "Bad men need nothing more to compass their ends, than that good men should look on and do nothing." The Myall Creek massacre could have been one of those events where men turned a blind eye to evil and continued to go about their business as if nothing had happened. However, in this case some of the evil men were brought to justice because good men acted, such as William Hobbs, the overseer at Myall Creek Station, and George Anderson, a hut keeper. Both lost their jobs at Myall Creek Station. Davy, an Aboriginal man, paid the ultimate price and lost his life because of his willingness to tell the truth.

Others who intervened included men such as Andrew Burrowes; Charles Reid; Edward Denny Day; James Dowling, Chief Justice at the time; Judge William Burton, who presided over the second trial; John Hubert Plunkett, Attorney General and a President of the Legislative Council whose name is engraved above us in the Chamber, assisted by Roger Therry; and, of course, Governor George Gipps. It is worth noting that Governor Gipps, who had been in the colony only a few short months, was anxious to carry out the British Government's instructions to protect Aboriginal peoples.

These were the good men responsible for reporting the atrocious crimes, investigating and bringing them to trial, attending as witnesses and prosecuting them so that seven of the 11 men arrested were convicted and hanged on 18 December 1838. The trial was historic in that, for the first time, non-Aboriginal men were sentenced and convicted for their part in the killing of Aboriginal people. That was unheard of at the time. It came against a backdrop of articles in *The Sydney Morning Herald* that supported those on trial and suggested they should be set free, and a concerted effort to stop witnesses from giving evidence and jurors from attending the trial.

I now have a better understanding of the journey undertaken and have immense respect for Auntie Sue Blacklock and her family, who are descendants of one of the boys who escaped the massacre. I see that while truth-telling can be painful and hard for us to hear, it is essential to healing. That healing, in turn, allows us to walk together—a walk where we share the journey with respect and commit to reconciliation. We must do all we can to close the gap so that our brothers and sisters are not over-represented in the criminal justice system, in poor

health, in receipt of substandard education and subject to lower socio-economic outcomes, but are empowered and recognised.

As I walked the trail from the amphitheatre to the memorial site, I walked with young families—mothers holding their babies on their hips and children playing around them—and saw the significance of what was happening. At this spot exactly 185 years ago a similar scene of peace and innocence was brutally destroyed. Yet as I looked at the eyes of the children and their mothers, I saw hope for a better future. I saw forgiveness and reconciliation, and that, more than anything, was a very powerful message to me on that day. We can and must do better. Lest we forget.

LOCAL GOVERNMENT

Dr AMANDA COHN (21:50): Local government is the closest level of government to the communities it represents. Far from the oft-quoted roads, rates and rubbish, councils provide essential local services like libraries, sports facilities and community centres, and make decisions that shape the future of our built and natural environments. Effective local democracy is critical for communities to be empowered to participate in the decisions that impact them. Councils in New South Wales are facing an attack from the Labor State Government on multiple fronts, from a huge increase in the emergency services levy to the shocking recent reports that forcibly amalgamated councils might have to foot the bill for their own demergers. The Minister for Local Government has justified this in part by accusing councillors of poor financial management.

The New South Wales Auditor-General's recent report showed that 70 per cent of councils received unqualified audit opinions. Forty-three councils had qualified audit reports, a figure cited by the Minister as a demonstration of the so-called gravity of the situation that local government has found itself in. This position is arguably unhinged, when the Auditor-General clearly states that those qualified audit opinions were due to not recognising vested rural firefighting equipment under section 119 (2) of the Rural Fires Act 1997. This is only required because the State Government dumps the depreciation of assets that councils neither own nor control onto council accounts to make State Government budgets look better. When the State Government shifts costs onto local councils and rates are pegged, councils are forced to cut essential local services.

Local councillors should not be forced to choose between maintenance of roads and footpaths, local sporting facilities or public libraries. Councillors have reached out to tell me how these decisions are impacting their local communities. In the words of Tweed Shire Councillor Nola Firth:

Our Council is very careful about budgeting. As a result of the floods and increased costs ... we had already presented to our community why we would need a Special Rate Variation or loss of key services such as Kingscliff Library. And then this was suddenly dropped on us! Even if we have a Special Rate Variation, we will now be looking at losing core services unless the ESL is withdrawn.

The Minister for Local Government has also accused councillors of being "very good at putting their hand out" in the context of accepting a below-inflation 3.5 per cent pay increase. Many New South Wales residents will be surprised to know that the maximum salary for a metropolitan councillor is \$43,440, and for a rural councillor it is only \$13,030—far less than the median wage. I proudly served my community as Deputy Mayor of Albury from 2016 to 2021, and I took a pay cut to do so. Low and inequitable pay is a deterrent to potential councillors, yet they are the kinds of people we need more of in rooms where decisions are made. If one cannot live on a councillor's allowance, the role only attracts people who are retired or have passive income sources. This limits the diversity we need for councils to be truly representative.

In a detailed submission to the Local Government Remuneration Tribunal, Associate Professor Jakimow of the Australian National University argued that not only does current remuneration for councillors inadequately reflect the hours and complexity of their work but low remuneration is also a barrier to participation and diversity and places an unacceptable burden on councillors and their families. I do not deny that a local council may make a spending decision that is disagreeable to others. But the integrity of local government depends on councillors being held accountable by the communities that elect them. In the words of Woollahra Councillor Matthew Robertson:

After fighting for years to save our local democracies in Woollahra and across NSW I am aghast that this Minister appears to be fighting not for us, but against us. The value of local government in serving its communities at the grassroots should never be underestimated. After failing to amalgamate all councils and shires in NSW by force, the Coalition government proceeded with a death by a thousand cuts approach... The Minns government must step up, and that demands a Minister willing to fight for and fund this most important level of government. Our local democracy, and its ability to reflect the values of communities across NSW in local decision making that ultimately shapes our urban, environmental and social character, will otherwise be lost.

The Minister must reconsider his recent decisions to force the increased emergency services levy and costs of de-amalgamation onto local communities. When local councils foot the bill, it is local communities that pay the price.

DISASTER READY FUND

The Hon. PETER PRIMROSE (21:55): The Hawkesbury and Blue Mountains have been left out of the first round of funding for the Albanese Labor Government's new Disaster Ready Fund.

The Hon. Jacqui Munro: Shame!

The Hon. PETER PRIMROSE: I agree. The reason for that glaring omission is that the previous State Government failed to coordinate a project from the region to be funded. That is despite the fact that those regions are amongst the most vulnerable to natural disasters in Australia. The Federal Government's new Disaster Ready Fund was announced in the 2022-23 Federal budget and provides up to \$2 billion over five years to help States and Territories prepare for and respond to natural disasters. The Hawkesbury is one of the most flood-prone areas in New South Wales and, like the Blue Mountains, is also one of the most vulnerable bushfire areas in the country. In recent years those regions have been hit by major disasters, including the 2021 floods and the 2019-20 bushfires. It defies belief that the former Liberal-Nationals State Government did not coordinate one single project from the Blue Mountains or Hawkesbury region to be put forward for funding to assist in the planning for and response to natural disasters.

The New South Wales Liberals and Nationals ran this State into the ground. They handed over to us the largest debt in our State's history, with the State on track for a record \$187.5 billion in debt. Yet its members still claim they did everything right and the electorates got it wrong. If there was an award for kicking the can down the road, then it would go to those opposite, except the promised road probably was not funded in their budget. It is pleasing to note that the Albanese Labor Government has committed to working with the new Labor Government in New South Wales to ensure that in future evidence-based decisions and investments are made for the Hawkesbury and Blue Mountains. The Minns Government will work closely with the Federal Government to advocate for the projects that will benefit the community. When future rounds of the Disaster Recovery Fund open, the people of New South Wales can have confidence that this Government will leverage every opportunity to contribute to a more resilient community.

Reassuringly, the Albanese Government has already committed additional funding for the Rural Fire Service and the State Emergency Service in the Blue Mountains and Hawkesbury. The Disaster Ready Fund is providing up to \$1 billion over the next five years from 1 July 2023 to improve Australia's resilience and to reduce risk to natural disasters. Up to \$200 million in funding was available through the fund for 2023-24, with projects to commence from 1 July. States and Territories were the applicants for round one and were expected to work with local communities and organisations to identify suitable projects.

Under the Australian Government guidelines, eligible project activities include two streams: infrastructure or systemic risk reduction. Both infrastructure and systemic risk reduction are badly needed in the Hawkesbury and Blue Mountains to assist those communities to become more resilient to the ever-growing threat of natural disasters, yet the previous New South Wales Liberal-Nationals Government turned its back on them. The New South Wales Labor Government will do what members opposite failed to do and work tirelessly to make those regions more resilient so that they can continue to thrive. It really is atrocious that not one of the many vital projects identified in strategic and long-term plans for the Blue Mountains and Hawkesbury was championed by the former State Government for the Commonwealth program. With such disdain for those vulnerable communities, it really is fitting that the legacy of the former New South Wales Liberal-Nationals Government is a \$7 billion black hole.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 21:59 until Thursday 22 June 2023 at 10:00.