LEGISLATIVE COUNCIL

Thursday 21 September 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.

Motions

ELEPHANT MOTHER DOCUMENTARY

The Hon. EMMA HURST (10:01): I move:

(1) That this House notes that:

(a) on 6 September 2023, the Hon. Emma Hurst attended the Sydney premiere of the documentary *Elephant Mother*;

(b) the film follows the story of Lek Chailert, an award-winning conservationist, who has been working for over two decades to protect elephants from the exploitative Thailand tourism industry;

(c) Lek runs Elephant Nature Park in Chiang Mai, where she cares for over 100 rescued elephants in a sanctuary environment;

(d) in Lek's care, these elephants are free to roam—they are no longer ridden or forced to perform tricks, or controlled by hooks and chains—and are able to heal from their physical and psychological injuries and live the life they deserve;

(e) while thousands of Australians travel to Thailand each year, many remain unaware of the dangers and cruelty associated with elephant shows, elephant rides and other forms of animal tourism, noting much of the cruelty occurs outside of public view; and

(f) all Australians need to educate themselves before going overseas, and ensure they do not inadvertently support or contribute to animal cruelty while on holidays.

(2) That this House congratulate Lek and her team at Elephant Nature Park for the vital work they are doing to protect elephants and promote a kinder world for all species.

Motion agreed to.

AUSTRALIAN STIHL TIMBERSPORTS

The Hon. MARK BANASIAK (10:02): I move:

(1) That this House notes that:

(a) Stihl Timbersports series is a high-powered, high-octane woodsman and woodchopping competition, where the athletes compete in the use of axes and saws in a manner typical of a lumberjack;

(b) Stihl Timbersports series had humble beginnings back in 1985, first broadcast from a field in Wisconsin, United States, using a single camera on a forklift;

(c) whilst there was no overall championship at the time, Stihl had a vision of creating a series that would bring the best athletes from around the world together in an international event;

(d) the Australian series of the Stihl Timbersports returned to New South Wales over the weekend at Wollongong Harbour, offering a substantive boost to local tourism;

(e) after competing in the sport for 29 years, Jamie Head was crowned Australian Pro Champion, defeating 11 of Australia's best Stihl Timbersports athletes, beating Brad De Losa by a mere two points in the gripping grand final;

(f) Jamie Head will now go on to represent Australia in Stuttgart, Germany, at the world championships on 3 November 2023, leading team "Chopperoos";

(g) fellow competitors Brad De Losa, Laurence O'Toole, Mitchell Argent and Brayden Meyer have also qualified to chop alongside Jamie for the Chopperoos;

(h) the sport of woodchopping as we know it originated in the 1870s in the town of Ulverstone, Tasmania; and

(i) some records also date the sport back as far as the sixteenth century, where a man participated in a marathon, then chopped 10 logs to propose to his future wife in the Basque Country of Northern Spain, further affirming commitment to his partner, and to his axe.

(2) That this House calls on the Government to acknowledge the centuries old tradition of woodchopping as an iconic sport, noting the history that has been passed down from generation to generation.

(3) That this House congratulates all the highly specialised Australian athletes that competed in the Australian Stihl Timbersports over the weekend.

(4) That this House wishes Jamie Head and the Chopperoos the best of luck in the world championships in Germany later this year.

Motion agreed to.

TRIBUTE TO MR HAROLD HUNT, OAM

The Hon. JACQUI MUNRO (10:02): I move:

(1) That this House notes with sadness the passing of Mr Harold John Hunt, OAM, on 14 September 2023, aged 97 years.

(2) That this House recognises:

(a) Mr Hunt's significant contribution to health and justice services across New South Wales, particularly in Indigenous communities, for which he was awarded a Medal of the Order of Australia in 2014; and

(b) that Mr Hunt was Australia's second Aboriginal probation and parole officer.

(3) That this House notes:

(a) that Mr Hunt, a Malyangapa man, was raised in New South Wales Corner Country, worked as a champion shearer across the State, particularly residing in the town of Bigga, and overcame alcoholism over 50 years ago to become a counsellor alongside medical professionals, a lecturer in the Aboriginal and multicultural unit in the NSW Police Academy and a consistent advocate for outcomes-based treatment for addiction to alcohol and other drugs;

(b) Mr Hunt's work as an author, preserving biographical stories of Aboriginal women and his own experience of living in Australia as an Aboriginal person throughout the 1900s; and

(c) Mr Hunt's support of the Australian Marriage Equality movement, particularly through a video that has been watched over 100,000 times.

(4) That this House expresses its condolences to Mr Hunt's extensive family throughout Australia.

Motion agreed to.

AFRICULTURES FESTIVAL

The Hon. MARK BUTTIGIEG (10:03): I move:

(1) That this House notes that:

(a) on 2 September 2023, the fifteenth annual Africultures Festival was held at the Cathy Freeman Park in Sydney Olympic Park, and the Hon. Mark Buttigieg, MLC, was honoured to attend and make a speech representing the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;

(b) the Africultures Festival celebrates the vast and varied cultures of the African continent, seeking to bridge the cultural gap;

(c) this year was the biggest Africultures Festival yet, with thousands of attendees travelling from all over Sydney to enjoy the incredible food, music, dancing, sports games, stalls, workshops and fashion;

(d) the official ceremony was MC'd by the super talented Kween G and featured a welcome to country by Uncle Roger Jarrett, a board member of the Kinchela Boys Home Aboriginal Corporation, along with a number of interesting speeches from guests, including:

(i) Councillor Sameer Pandey, the Lord Mayor of the City of Parramatta;

(ii) Ms Donna Davis, MP, member for Parramatta;

(iii) Ms Julia Finn, MP, member for Granville, Parliamentary Secretary to the Premier, and Parliamentary Secretary for the Arts;

(iv) Ms Sally Sitou, MP, Federal member for Reid;

(v) Ms Rachel Perkins, Co-chair of Australians for Indigenous Constitutional Recognition; and

(vi) Inspector Brett Harris, Auburn Police.

(e) Councillor Philippa Scott, Deputy Mayor of Inner West Council, and Councillor Mark Drury of Inner West Council, were also in attendance.

(2) That this House congratulates the Africultures Festival organising committee, volunteers, stallholders, the Somali Welfare and Culture Association and the hosts, Ms Fatma Mohamed and Ms Adama Kamara, for creating such a vibrant event celebrating different African cultures.

Motion agreed to.

Petitions

PETITIONS RECEIVED

Kosciuszko National Park Brumbies

Petition requesting the Legislative Council call on the Government to immediately ban the killing of brumbies in Kosciuszko National Park and to cease trapping brumbies while an independent and transparent count of the brumby population is undertaken and while the Kosciuszko National Park Wild Horse Heritage Management Plan is reviewed, received from **the Hon. Emma Hurst**.

Business of the House

WITHDRAWAL OF BUSINESS

Ms SUE HIGGINSON: I withdraw private member's business item No. 473 on the *Notice Paper* for today relating to the establishment of a select committee on NSW Police Force practices.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. PENNY SHARPE: I postpone business of the House notices of motions Nos 1 and 2 to a later hour of the sitting.

The Hon. PENNY SHARPE: I postpone Government business notice of motion No. 3 to the next sitting day.

Documents

MINISTER FOR TRANSPORT OFFICE STAFFING

Production of Documents: Order Amended

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) (10:20): I seek leave to amend Government business notice of motion No. 1 for today by inserting at the end of paragraph (d) (i) "not including ministerial correspondence concerning private individual constituents or representations on behalf of private individual constituents by members of Parliament".

Leave granted.

The Hon. JOHN GRAHAM: Accordingly, I move:

That the resolution of the House of 13 September 2023 relating to an order for papers regarding departmental liaison officers in the Office of the Minister for Transport, as varied on 20 September 2023, be further amended by omitting paragraph (d) and inserting instead:

(d)

(i) all documents generated by a departmental liaison officer, sent between the departmental liaison officer and the Minister for Transport or between the department liaison officer and staff in the office of the Minister for Transport, that contravene the requirement for departmental liaison officers to be politically neutral and impartial, not including ministerial correspondence concerning private individual constituents or representations on behalf of private individual constituents by members of Parliament; and

(ii) where documents captured by paragraph (d) (i) include attachments, those attachments are not to be included in the return to order but are to be available to members on further request.

First, I thank the members of the House who have been involved in quite an intensive discussion to get it in a form which will not only allow the House to do its job but also allow the Executive to comply. It is the call for papers relating to the activities of departmental liaison officers. I will explain why it has been—I will not use the word controversial—the subject of close discussions. On the advice that I have received, it is because it will be the first time that the Executive has complied with a call for papers which has had no subject matter. That is, a person has been specified but no subject has been specified. This call for papers has asked the "who", and been quite specific about who, but it has not been specific at all about the "what" that is being sought. That is why it has caused some consternation, as the Government has sought to work out a way to work with the House on it.

However, I am pleased that with some amendments—that are likely to come in debate—we have found a way to bring those two positions much closer together. To describe that to the House, what we have agreed is that a sample will take place over a shorter time than was originally sought and that will allow a judgement to be made by the House about whether there are concerns. I am certain that if concerns develop at that point the House will be pressing the matter further. If there are no concerns, the view of the Government is that that is where the matter might lie. That is the background to where we have landed. I thank the shadow Minister and particularly Ms Abigail Boyd for sorting through the issue. We have got to a landing which I think is helpful for all parties.

I place on record a number of issues from the Government's point of view, based on advice from the Cabinet Office. The first is that we are going to once again restrict the time scope of this to 4 October via an amendment which is shortly to come. The Government will not be objecting to that amendment, but I advise the House that it is going to be very difficult to comply with the number of documents in that time. The directive to the agencies will be to comply as much as possible, and as soon as there is any advice that it is going to take slightly longer, we will update the House in the usual way, which has occurred many times with previous calls for papers. I indicate that the request to those agencies will be that we should comply. That is the first point.

Second, I place on record the concerns of the Cabinet Office about the validity of an order for papers which names a group of staff within the public service and seeks all documents they have generated without reference to any identifiable topic or subject matter of relevance to the House. One of the principles of the House to exercise its significant power to call for papers is that any call for papers is clear and specific enough for the House to properly consider whether the call for papers is reasonably necessary for House to exercise its functions. Secondly, the burden on the Executive is far greater than is reasonable when orders are cast so broadly. The Cabinet Office, in its letter of 19 September 2023, indicated that in the original request there would be more than 12,000 records captured by the relevant paragraph that the discussions have occurred around—that is, paragraph (d). It is for that reason that we have moved to this sampling process.

The other point that I have been asked to make is that members have other opportunities to seek preliminary documents from the Government. As members know, the Government has unilaterally applied a protocol to assist members to target calls for papers. If there is an opportunity to provide early advice and members want to seek that advice from the Executive about the best way to target a call for papers, we would like to apply that across the board. I can indicate that has not occurred in this case. I reflect that while there have been very productive discussions with the shadow Minister, that has not been the case in this instance in that there is no subject matter. We have still fallen short of that and that is one of the reasons that this has caused significant angst at this end.

As I indicated on 19 September 2023, the Cabinet Office wrote to the Clerk seeking to vary the order on the basis that the preliminary searches of Outlook accounts of departmental liaison officers had identified there are approximately 12,000 potentially relevant records captured by paragraph (d), as it was then currently drafted, representing 4.6 gigabytes of data. That did not include briefing notes that might be attached. The advice was that this would take up approximately 1,000 hours of officer time, or the equivalent of one officer working full-time over 28 weeks. Those are familiar views placed before the Parliament. I am pleased we have found a way to address that. The strongest view I put forward is the idea of not specifying a subject matter. Those are the key views I needed to place on record. Again, I thank members for their work on this. While there has not been total agreement, we have got to a much better position. I particularly thank the shadow Minister and Ms Abigail Boyd for their assistance.

Ms ABIGAIL BOYD (10:28): I move:

That the question be amended by omitting all words after "be further amended" and inserting instead "as follows":

(1) Omit paragraph (d) and insert instead:

(d) (i) all documents generated, as a sample, between 1 July 2023 and 30 August 2023 by a department liaison officer, sent between the department liaison officer and the Minister for Transport or between the department liaison office and staff in the Office of the Minister for Transport, not including ministerial correspondence concerning private individual constituents by members of Parliament;

(ii) where documents captured by paragraph (d) (i) include attachments, those attachments are not to be included in the return to order, but are to be available to members on further request.

(2) Insert at the end:

(2) That, notwithstanding previous variation to the scope of this order, all documents are required to be returned by 4 October 2023.

I hope this amendment gets us to where we need to be. It has been an interesting discussion. The process by which we are now look at Standing Order 52 motions in this House has evolved. In the last term of Parliament we brought in what is now Standing Order 53, where we can agree to variations to scope after an order for papers has been passed. That is important because it is beneficial for both the department and for the member seeking the papers. After the House has expressed its will that the Standing Order 52 motion be passed, it is useful to be able to have a discussion to narrow down the scope, given the initial searches from the department or whatever else. In this term of Parliament we have Labor's new protocol to try to have transparency and a process for narrowing the scope so that what a member gets back is what they wanted and not something more, without putting an unnecessary burden on the department.

However, it is still completely within the powers of this House to pass an order for papers that puts a department to great expense and requires it to hire a person—I dread to say it, but apparently consultants are brought in to do this work occasionally. But this is within the powers of this House and it is vital for its function of holding the Executive accountable, even when it creates a large burden on government departments by requiring them to return large numbers of documents. We saw that a lot in the last term of Parliament.

I would love the protocol to work all the time. It works sometimes. We have had some good results from it. But sometimes it simply does not work, and we need to pass onerous Standing Order 52 motions. We will continue to do so and make no apology, in circumstances where we genuinely require it. We have now reached a good compromise between those two objectives with this motion. I thank the Hon. Natalie Ward and the Minister for spending time to come up with something that makes everyone feel a bit happier. I do not think that anyone is completely happy, but this strikes a good balance. I commend the amendment to the House.

The Hon. NATALIE WARD (10:32): I speak both to the motion and to the amendment as proposed by Ms Abigail Boyd. I thank her for her role, and I thank the Minister as well. There has been a lot of work behind the scenes. The manner in which I brought the Standing Order 52 motion to the House and in which we have managed to work together is a demonstration of good faith. As Ms Abigail Boyd rightly recognises, not everybody is happy with the end result, but that is usually the case with a good mediation. That said, I place a couple of responses on record.

An extraordinary amount of work has gone into amending the Standing Order 52 motion, having been passed by the House and now subsequently proposed to be amended. Given the amount of work that went into the first motion, it is somewhat perplexing that so much energy is being put into a call for papers—motions that the now Government was so energetic about before the election. The outcries about the amount of work and volume of documents reveal that the Government has discovered a whole new world that it was not open to when we were in government. Perhaps it might reconsider how energetic it was about calls for papers before the election.

That said, we have sought to not only narrow the scope of the request but also extend the time for compliance. That is a demonstration on our part that we are prepared to work diligently with the Government. Nonetheless, to be honest, a lot of work has been done by way of compromise on our side, and that says to me that there is perhaps something more to see. We have not only narrowed the scope but also offered that the Standing Order 52 motion as amended be complied with in two tranches. We then offered that compliance be made with a third tranche.

We are now at the point where we are asked to accept only a sample of documents within a limited period. While we have agreed to that, it is an extraordinarily long way from what this Government prosecuted in opposition. We have made that agreement on the basis of assurances made by the Minister that, if there is more to see and if we see documents within that sample and have more to ask, the Minister will be open to considering us requesting further documents. I want to make very clear that we have agreed on that basis. I believe there have been honourable discussions, but I do not want those assurances overlooked because we have been amenable to the amendments.

In relation to the amount of documents, in opposition members opposite said that there is no limitation on this House's ability to seek documents. They were very clear about that only some time ago. They said, "If the Government has nothing to hide, then it should tell us and show us. The key reason they support the papers being revealed is transparency. Why is Transport for NSW concerned?" They are their words. I expect full and frank compliance, given the spirit in which Standing Order 52 motions have been prosecuted by those opposite, both in opposition and now in government.

The Minister referred to a person being named. With respect, that is not the case. No person has been named in the order. We have deliberately tried not to name staff. We have been clear about that, because it is important to us to be respectful of staff. They do a magnificent job. In my experience, they did so when we were in government and continue to do. We have been quite clear about that, so I do not want anyone in this place to be under any misapprehension. The amendment moved by the Minister this morning is precisely the amendment that I proposed in good faith over a week ago. Give or take a word, it is precisely what I had proposed some time ago to limit the scope. I am pleased we have got to this place, but it was offered over a week ago in the spirit of getting here. It is somewhat disappointing that it was not at the time seen for the success it was.

I was somewhat startled by a proposal in the amendment—although I accept that it has now been subject to amendment—that the Government itself should identify documents that contravene the requirement for departmental liaison officers to be politically neutral and impartial. I would have thought that was obvious. If there is nothing to hide and there is no problem, then documents should be produced in the ordinary course. It seems that there is a lot of flurry. It will be interesting to see what the documents reveal.

I am pleased that we have moved past that, because it is essentially the Government saying that it will identify the documents that show if it has done anything wrong. Obviously, that is not in the spirit of motions for the production of documents or the transparency and accountability that the now Government was so hot to trot on before the election. So I am pleased we have moved past that. In my respectful submission, it is not for this House to identify what specifically in the documents it should be able to find. This House is entitled, and has an obligation, to hold the Executive Government to account and through this course can do so.

We offered more time to comply. We agreed with that early and often. We did not need to bring that back to the House. We also offered the two tranches and the three tranches. I believe we have been respectful in this process. Nonetheless, we seek the documents in full, and we reserve the right to come back again should there be further indication in those documents that there is more to see. The information produced under Standing Order 52 motions is for the House to do its job as a house of review.

The call for papers is about this House holding the Executive's relationship to the public service to account. That is our job. We are entitled to do that and we have an obligation to do that. We will prosecute that fully in time. But, respectfully, the amount of flurry and work that has been undertaken in this matter says to me that there is something to see here and that we are on the right track because, if it was not, those documents would have been produced fully with no issue at the earliest instance. We will see what is there, and I flag that we may be coming back.

That said, the Opposition supports the proposed amended motion. I genuinely thank the honourable members—the Minister and Ms Abigail Boyd—for their work. We had agreed to the two tranches and, indeed, offered a third tranche for compliance. Given the very limited scope of the documents referred to in the amendment—a period of just under two months and very specifically contained with the addition of the sentence that I proposed earlier—we now seek, as part of the agreed amendment, to have all of the documents returned by 4 October, essentially eliminating the second tranche. I accept that the advice from the Cabinet Office is that there may be some issues with compliance. If so, in the ordinary course it would come back to us and indicate that. But given that there is now not five months' worth of documents but, by agreement, two months' worth—a mere sample of the documents—it is fair and reasonable that that sample be returned by 4 October.

In the spirit of the amendment and in trying to eventually get these documents so we can get on and do our job, I will be supporting the amendment moved by Ms Abigail Boyd and will seek to elicit my colleagues' support for same so that we can move on and have the documents produced. I thank the Minister for his good work in doing so also. I commend the motion.

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) (10:41): In reply: I thank the members for their contributions. I make a couple of general observations about the processes of the House, and I thank the members for their comments about those. Firstly, the Government has brought the unilateral protocol to the table in a genuine attempt to make this House work better—to allow members to do their job—and allow the Executive to get on and do its job.

From the Government's point of view, at this moment it is working imperfectly, as Ms Abigail Boyd indicated, but I do see it as a real step forward. Perhaps further improvements are coming. We all have to get used to working with it, but certainly from a government point of view, it has been an improvement. I recognise that this step we take today is an extra step in the process, as the member accurately observed. We already have the process for variation of an order, where we work with the member seeking the order. Today we are perhaps adding another step, where the House makes a further variation. That is the step we take today. It is a welcome one as we evolve these processes.

I make some observations for the record about this specific call for papers. The shadow Minister indicated that the Labor Party in opposition perhaps took a different view. That charge has been thrown around the Chamber in both directions during debate on this matter. Firstly, the Government has made genuine attempts to deal with this issue and to have more transparency. I want to place that on the record. The Government has put the protocol in place. We are attempting, and we will attempt, to get the process under the Government Information (Public Access) Act to work more smoothly. I see that as the original source of some of the problems this House has had.

Secondly, I reject the view put previously by the then Opposition that there is no limitation to the call for papers power. That is clearly not the case. A reasonableness test applies. Certainly, that has always been my view. Thirdly, I note that the agreed specific wording of the amendment indicates that the documents are requested to be returned by 4 October. From a Government point of view, I take that as the House ordering their production. It is a view that the Clerk has drawn to my attention. I am under no illusion about the House ordering those documents by that date. However, I have indicated up-front the view that has been put to the Government that it will be very difficult to comply fully in that time frame, but we will update the House in the usual way, should that be the case, when we know the specifics.

Finally, I make two further points. The shadow Minister raised the point about a person being named. I recognise and welcome the fact that the Opposition has taken great steps to avoid doing that in this order. That has been the case consistently. I was making a slightly different point, which is that the framing of this call for papers has caused an issue because while a class of persons, the "who", has been identified, the subject matter, the "what", has not. That is why it has caused particular difficulty.

It is bad practice, in the view of the Government, and something that the House should reflect on. But we have found a way through. Has there been a "flurry"? That is one way to put it. The shadow Minister has raised hopes that such a flurry might mean there is something to see behind the scenes. We will wait for the papers. I believe that will not be the case but, as always, the House is welcome to test the matter. From my point of view, any flurry that has occurred relates to the unusual scope of the order. But members are entitled to speculate otherwise, and the House can act accordingly. With those comments, I commend the motion to the House.

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

Amendment agreed to.

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

Motion as amended agreed to.

Bills

APPROPRIATION BILL 2023

APPROPRIATION (PARLIAMENT) BILL 2023

TREASURY AND REVENUE LEGISLATION AMENDMENT BILL 2023

First Reading

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

The Hon. JOHN GRAHAM: According to standing order, I table a statement of public interest for the Treasury and Revenue Legislation Amendment Bill 2023.

Statement of public interest tabled.

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. JOHN GRAHAM: I postpone Government business notice of motion No. 2 until a later hour of the sitting.

The Hon. JOHN GRAHAM: On behalf of the Hon. Penny Sharpe: I postpone Government business order of the day No. 1 until a later hour of the sitting.

The Hon. JOHN GRAHAM: On behalf of the Hon. Courtney Houssos: I postpone Government business orders of the day Nos 1, 3 and 5 until a later hour of the sitting.

The Hon. JOHN GRAHAM: On behalf of the Hon. Tara Moriarty: I postpone Government business order of the day No. 4 until a later hour of the sitting.

Bills

ELECTORAL FUNDING AMENDMENT BILL 2023

First Reading

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.

Second Reading Speech

The Hon. JOHN GRAHAM: I move:

That this bill be now read a second time.

I will indicate briefly to the House what is going on. As a result of the committee inquiry, the Government is restoring the Electoral Funding Amendment Bill 2023 to the *Notice Paper*. We are doing that in a routine way that will then allow it to be considered by the House at a later time. I refer members to the second reading speech, which was given on 3 August 2023.

Debate adjourned.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2023

First Reading

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

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

Statement of public interest tabled.

Second Reading Speech

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (10:53): I move:

That this bill be now read a second time.

I am delighted to bring the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2023 to the Parliament. The bill continues the statute law revision program which has been in place for nearly 40 years. As a result, members will be very familiar with it. Statute law bills have featured in most sessions of Parliament since 1984. They are an effective method for making minor policy changes. They are also significant in maintaining the quality of the New South Wales statute book.

Schedule 1 to the bill contains policy changes of a minor and non-controversial nature. The schedule gives effect to proposals that are too inconsequential to warrant the introduction of a separate amending bill. The schedule contains amendments to 21 Acts and a related amendment to one instrument. Among the two amendments to the Interpretation Act 1987 are an amendment to clarify what is meant by references in legislation to the Minister administering another Act and to an amendment inserting a standard definition of "personally insolvent". The new definition removes the need for the term to be separately defined, where an Act or instrument does not already define the term, to ensure consistency and certainty in the interpretation of the term across the statute book.

The schedule includes amendments that reflect contemporary practices in the service of documents and provides for an evolving use of technology. As one example, the Community Land Development Act 2021 and the Conveyancing Act 1919 are amended to require the electronic lodgement of certain court orders. The Conveyancing Act 1919 is also amended to provide for the possibility of other electronic plan lodgement systems. The schedule also includes amendments to replace certain references to Ministers with reference to the relevant Minister administering an Act.

These amendments are intended to avoid future changes to ministerial titles affecting the operation of the relevant Acts. For example, the Animal Research Act 1985 is amended so that a reference to the Minister for Primary Industries is replaced with "the Minister administering the Biosecurity Act 2015". Members will recall that, on numerous instances in the past, those changes have inadvertently caused legislative problems. The schedule includes amendments removing outdated references from legislation. As one example, the Coastal Management Act 2016 is amended to correct outdated cross-references and to correct references to former local government areas that may have now been amalgamated or perhaps renamed.

Schedule 2 to the bill deals with matters of pure statute law revision, consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. The schedule includes amendments to update references to renamed portfolios and positions and to remove a reference to a body that has been dissolved. Other examples of amendments as usual include correcting typographical errors, removing duplicate punctuation, inserting missing punctuation and correcting cross-referencing errors.

Schedule 3 makes amendments consequential on the Government Sector Finance Legislation (Repeal and Amendment) Act 2018. That Act repealed the Annual Reports (Department) Acts 1985 and the Annual Reports (Statutory Bodies) Act 1984. The requirement to prepare annual reporting information is now in the Government Sector Finance Act 2018. The amendments reflect that updated reporting requirement. The amendments also reflect the renaming of the Public Finance and Audit Act 1983 as the Government Sector Audit Act 1983.

Schedule 4 amends legislation consequential on administrative arrangement orders such as the Administrative Arrangements (58th Parliament) Order 2023. For example, reflecting the changes made by that order, certain references to the Department of Premier and Cabinet appropriately have been replaced by "the Premier's Department" or "the Cabinet Office", reflecting that rearrangement in the administrative arrangements of the incoming Government.

Schedule 5 repeals Acts that are redundant or are spent and have no ongoing effect. The schedule repeals the Associated General Contractors Insurance Company Limited Act 1980 and the Bishopsgate Insurance Australia Limited Act 1983, which are spent and have no ongoing effect. The schedule also repeals the Workers Compensation Amendment Act 2015, which contained a single un-commenced provision, to insert proposed regulation-making powers in the Workers Compensation Act 1987. The proposed regulation-making powers are now redundant, as a broader regulation-making power has now been provided under section 32A (2) of the Workers Compensation Act 1987. Finally, schedule 6 contains general savings, transitional and other provisions. On this occasion, that includes a provision that deals with the effect of amendments on amending provisions. This schedule also includes a provision allowing for regulations that are of a savings or transitional nature to be made.

I hope that members will appreciate the uncontroversial nature of the provisions contained in the bill. However, if that is not the case, if any amendment causes concern or requires clarification, it should certainly be brought to the Government's attention. If this causes any tremors or any quaking of the heart, the Government is certainly keen to know. If necessary, in the first instance, we will arrange for the government staff to provide additional information on the matters raised. If at that point any particular matter of concern cannot be resolved and it is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill. Withdrawn proposals can also be dealt with in a second bill, using the procedure for splitting bills in the Legislative Council, which can be dealt with in each of the Houses in the same way as an ordinary bill. I commend the bill to the House.

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

Questions Without Notice

STATE BUDGET AND INSURANCE INDUSTRY

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Minister for Finance. How does the Minister respond to criticism from the Insurance Council of Australia that the budget is a missed opportunity to progress much-needed reform of insurance taxes in New South Wales? How does the Minister respond to its call for legislators to address the growing coverage gap due to global and domestic pressures that have led to affordability and availability challenges?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:00): I thank the Leader of the Opposition for his question. I am amazed. It is budget week. The shadow Treasurer and the Treasurer are in this House. I stood next to the Treasurer on Tuesday and watched as he expertly answered question after question—

The Hon. Scott Farlow: Point of order: The question was directed to the Minister. The Minister is clearly debating the question. She is also debating the fact that she is even getting a question. I ask for the Minister to be directly relevant to the question.

The PRESIDENT: I uphold the point of order. I struggle to see how even the preliminary comments of the Minister were directly relevant to the question. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I thank the honourable member for his question about the excellent New South Wales budget that was handed down earlier this week. I had the opportunity to stand next to the Treasurer at the press conference—

The Hon. Sarah Mitchell: Point of order: The Minister is now deliberately going against your ruling. She is making the same comments about standing next to the Treasurer that were pointed out in the previous point of order taken by the Hon. Scott Farlow. You said they were not relevant to the question. The Leader of the Opposition asked a specific question about the Insurance Council of Australia's views of the budget. We would like to hear her answer.

The PRESIDENT: The Minister will be directly relevant to the question. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I welcome the question about the budget. I confess I have not read that particular release. However, I have read the release about the budget from Business NSW, which represents almost 50,000 businesses, and I would be delighted to provide the House with an update about what it said. It stated, "this budget is fiscally responsible and predicts a much-needed surplus next year". I am happy to talk about some of the other responses we have seen about the budget and early childhood education. We have had a large array—

The Hon. Sarah Mitchell: Point of order: My point of order goes to relevance. It was a very specific question relating to criticism from the Insurance Council of Australia about insurance taxes. It did not have anything to do with early childhood education. The Minister is again flouting your ruling and straying well away from the substance of the question.

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

The Hon. COURTNEY HOUSSOS: Those opposite have asked about the reaction to the budget and I am updating the House about the reaction of the budget. There has been a large array of reactions to the budget. I note amongst all of—

The Hon. Scott Farlow: Point of order: It is not a question broadly about the reaction to the budget. It is a question about the Insurance Council of Australia's views of the budget. The Minister is responsible for insurance matters, as we have ventilated extensively in this House. I ask that she be directly relevant to the question asked by the Leader of the Opposition.

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

The Hon. COURTNEY HOUSSOS: I am delighted to answer more questions about our budget. We spent months carefully and methodically working on it to put us on a different trajectory. Those opposite, who had 12 long years to solve the problem—

The Hon. Damien Tudehope: Point of order: I direct your attention back to the question. It is not a question about reactions to the budget. She is the Minister responsible for the insurance industry and she should have the ability—perhaps she does not—to direct her attention—

The Hon. Cameron Murphy: Point of order—

The PRESIDENT: No, there is no point of order. The Leader of the Opposition will resume his seat. He knows better than to make that sort of comment when taking a point of order. The Minister was being directly relevant when she was broadly discussing the reaction to the budget. She is now straying into territory about the former Government, which is not directly relevant to the question. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I am delighted to report the reaction to the budget. I am delighted to talk about the Business NSW response to the budget. I am delighted to update the House. I might have the opportunity a bit later in question time to provide more detail about the early childhood industry's response to the budget, but I will save that for later on. What I will be clear about is that there is no doubt we could not solve every single problem that was created over the last 12 years after we have been in government for a mere six months. Indeed, we have changed the trajectory of this budget. We have started to improve our public services, but there is much more work to be done.

EARLY CHILDHOOD EDUCATION

The Hon. BOB NANVA (11:06): My question is addressed to the Minister for Finance, representing the Deputy Premier and Minister for Education. Will the Minister update the House on the significant investments that the Minns Government is making in early childhood education?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:06): I thank the Government Whip for his excellent question about early childhood education—

The PRESIDENT: The Minister will resume her seat. I thank the members of the crossbench for not interjecting at that particular moment.

The Hon. Jacqui Munro: They are not even listening.

The PRESIDENT: I beg your pardon? They were the only members not talking in the Chamber. I encourage all members to follow the lead of the crossbench and act with some decorum. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I thank the member for his question. I acknowledge that, as a father of four not-so-small children, he has a deep and abiding interest in early childhood education, as we all do on this side of the House. To clear up some facts about early childhood education, let us talk about the previous Government. It allocated $5 billion over 10 years to the Childcare and Economic Opportunity Fund. We will spend that amount. The former Government allocated $775 million of the fund to be spent from 2022-23 to 2025-26. We will spend the same amount. The former Government allocated $5.7 billion over 10 years to deliver universal preschools for four-year-olds. The current Government will spend the same amount.

The former Government promised that it would build 500 preschools in four years. Let us put that into perspective. Coming from those opposite, who in 12 long years managed to build—sorry, create—exactly one new public preschool by splitting The School of the Air preschool into two. That is how it created a new preschool. The former Government went to the election, after 12 long years of having an opportunity to build new preschools, but its one new public preschool was created by splitting an existing one in half. Instead, they thought that they could turn this around. Indeed, the former Premier used to say that the best indicator of future performance is past performance. They were going to turn this around. They were going to build 500—

The PRESIDENT: The Hon. Sarah Mitchell will cease interjecting.

The Hon. COURTNEY HOUSSOS: They were planning on building one every three days for four years. Let me be really clear: We were very honest and up-front before the election. We said that we would build 100 public preschools located with new public schools. We said that we would build 50 preschools within non-government and independent schools. This is an important investment. The previous Government allocated $1.3 billion over four years to affordable preschool.

The PRESIDENT: I call the Hon. Natalie Ward to order for the first time.

The Hon. COURTNEY HOUSSOS: We will not only maintain this funding, we will increase the funding to $1.6 billion. There are no cuts to early childhood education in this budget. We are incredibly proud of what we are doing. [*Time expired.*]

UNIVERSAL PRE-KINDERGARTEN

The Hon. SARAH MITCHELL (11:10): My question is directed to the Minister for Finance and continues on that theme. Given that the Government has said it will maintain the $5.7 billion for universal pre-kindergarten allocated by the Liberal-Nationals Government to support all preschool communities including the not-for-profit community preschools, which actually make up the bulk of preschool provision in this State, as the Minister well knows, will the Minister explain why the budget papers list reallocations and offsetting measures related to early childhood including universal preschool reprofiling?

The PRESIDENT: Order! Members will cease interjecting. The Minister has the call.

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:11): I welcome the question from the former education Minister in relation to early childhood education. As a Labor Opposition, we did support the legislation as it went through the Parliament. Yesterday those opposite wanted to remind me that I led for the Labor Opposition at the time.

The Hon. Penny Sharpe: Point of order: We know the Deputy Leader of the Opposition feels very strongly about this, but she continually interrupts and makes assertions about the way in which the Minister is answering the question. She needs to do it by substantive motion or take a point of order. Otherwise, she has to stop interjecting.

The PRESIDENT: There is too much interjection on all sides of the Chamber, including from the Hon. Sarah Mitchell. I have already asked members to cease interjecting. If the Hon. Sarah Mitchell does not cease interjecting I will call her to order. I will also call other members to order if they continue to interject.

The Hon. COURTNEY HOUSSOS: I was just reminding the House of the position of the Labor Opposition. Indeed, we moved amendments to ensure that such a huge bucket of money to improve early childhood education—

The Hon. Sarah Mitchell: Point of order: My question was in relation to universal pre-kindergarten. It was not in relation to the Childcare and Economic Opportunity Fund, which is the legislation the Minister is addressing. I would appreciate it if she could respond to my question about universal preschool and that funding allocation. They are separate. They are not the same thing.

The PRESIDENT: The question was narrow in its scope. I understand that the Minister is being relevant at this stage, but the question was very specific. I ask her to come directly to the question.

The Hon. COURTNEY HOUSSOS: The question was in relation to universal preschool, and the only way we can deliver universal preschool is by finding the staff in the childcare centres and preschools, whether they be public, whether they be community—

The Hon. Sarah Mitchell: Why are you only spending $22 million instead of $280 million? You've cut it by 90 per cent.

The Hon. COURTNEY HOUSSOS: I am really keen to answer the question, if those opposite would just listen to the answer for a briefest moment. Do not take my word for it. Let's talk about Michele Carnegie—

The Hon. Sarah Mitchell: Point of order: I asked a very specific question related to the budget and where it addresses the reprofiling of universal preschool. It is in *Budget Paper No. 01*. I am not here for the stakeholder views on this question. I am asking the Minister about her Government's budget and why it indicates reprofiling of universal preschool money. That is what I want answered.

The PRESIDENT: There is no point of order.

The Hon. COURTNEY HOUSSOS: Let me be incredibly clear: We have said that this budget is about delivering our election commitments.

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

The Hon. COURTNEY HOUSSOS: We are about delivering the promises we made to the electorate before the election. That is what we are doing. We are repurposing this money in order to build 100 public preschools and 50 preschools in non-government and independent schools. We will absolutely do that. Unlike those opposite, who had 12 long years to build public preschools and they delivered one. They delivered one public preschool in 12 long years and then, before the election, they came out and said they were somehow miraculously going to wave a magic wand, like some kind of fairytale, and be able to deliver 500 new preschools in four years. This is where we are prepared to be up-front and honest with the people of New South Wales. We are going to deliver what we say. That is exactly what our budget does. It delivers on the promises that we have made to the people of New South Wales.

COMPANION ANIMALS ON PUBLIC TRANSPORT

The Hon. EMMA HURST (11:15): My question is directed to the Hon. John Graham, representing the Minister for Transport. Despite the important role companion animals play in our society, they are still not allowed to travel on trains or the metro in New South Wales and are only allowed on buses and ferries in very limited circumstances. This prevents those without a car from getting around the community with their animals, including going to the vet, the dog park and other important appointments, and is a disincentive to using more environmentally-friendly public transport. It also puts New South Wales behind major cities like London, Auckland and Melbourne, all of which allow animals on public transport. Will the Minister please advise if the New South Wales Government will consider amending the Passenger Transport (General) Regulation 2017 to allow animals on public transport and, if not, why not?

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) (11:16): I thank the member for her question. She has raised these issues in the House and publicly over quite some time. As the member is well aware, but I will inform the House, under the Passenger Transport (General) Regulation 2017, companion animals are not permitted on trains, in stations or on station grounds and infrastructure. They can, however, travel on local buses, ferries and light rail, with the permission of the driver. In these circumstances, the animal must accompany the customer, be confined in a box, basket or other container and be under control. Of course these rules do not apply to registered assistance animals or to police or security dogs, who may travel on all forms of public transport.

The incoming Government understands that there are many benefits to allowing pets to travel on public transport in New South Wales. I note that recent research has acknowledged the scale of the problem that the member is raising. In Sydney, up to 2.4 million dog-related trips are taken by private car each week, whether it be trips to dog parks, to the vet, to visit family or to access other pet-related services. Of the two-thirds of people with a dog who visit dog parks three or more times a week, half of them are travelling by car. That obviously has an impact on those people and on congestion, but think of the tolls.

Think of the heavy burden that the former Government, with its toll mania, has put on the dog owners, pet lovers and cat fans of this State. Think of the tolls. We acknowledge that there are some pet owners who may be restricted from travelling on public transport. However, while it is clear that there are benefits to pets and their owners travelling on public transport, the benefits must be carefully weighed with the needs of passengers. Think about the passengers and transport workers with disability, allergies or phobias.

As a result, the issue is complex and requires broad consultation. The Government's view is that it must prioritise passenger safety and access for all passengers across the public transport network. I note that the Commonwealth Government is currently leading a national working group to develop options for a nationally consistent approach. I can inform the member that the Minns Labor Government is seeking advice regarding the current policies and procedures concerning the conveyance of pets on public transport. We will continue to give the issue active and careful consideration.

STATE BUDGET AND HOUSING

The Hon. MARK BUTTIGIEG (11:19): My question is addressed to the Minister for Housing. Will the Minister inform the House what first steps the Government is taking to address the housing crisis in this week's budget?

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) (11:20): I thank the honourable member for his question. I am really pleased to talk about one particular element of the housing package in the budget, which is the money put towards modular housing.

The Hon. Damien Tudehope: The tiny houses.

The Hon. Sarah Mitchell: I hope you don't have any big families.

The Hon. Scott Farlow: They're going to be tiny too.

The Hon. ROSE JACKSON: The comments from some of those opposite are demonstrative of the attitude that they took when they were in government, which was a limited, close-minded, uncreative, give up on the problem attitude. There was no effort from those opposite to even acknowledge that the housing crisis existed, let alone to do anything about it.

The PRESIDENT: Order! I call the Hon. Scott Farlow to order for the first time.

The Hon. ROSE JACKSON: That is in complete contrast to this Government. As the Minister for Finance said, the idea that we could, within six months, undo all of the damage done to this State in 12 years is obviously preposterous, which is unfortunate. We are very committed to that task, but it is going to take a little longer. But we are doing everything that we can, as urgently as we can, to bring solutions online. Modular housing should not be derided or dismissed but should be actively explored as part of the solution. Other jurisdictions are doing just that. Once again, New South Wales was the laggard under those opposite, who did not engage with the solutions. The Government has put money aside in the budget to explore the possibilities of modular housing as part of the housing solution. There are a range of benefits. Modular houses can be more environmentally friendly—that is obviously a benefit.

The PRESIDENT: Order!

The Hon. ROSE JACKSON: I know that the Minister for Climate Change, and Minister for the Environment is keen to talk about the impact of the built environment on our net zero targets. I am very interested in that conversation as well. Modular housing can make a contribution. It is cheaper than ordinary housing to deliver. That is a benefit that I am sure—

The Hon. Daniel Mookhey: Point of order: I am a clear metre away from the Minister and I cannot hear her at all because of the din coming from those opposite. The Minister is speaking about an interesting innovation and I would like to hear more.

The PRESIDENT: I uphold the point of order. For the sake of Hansard, if not for the sake of other members, members will cease interjecting. The Minister has the call.

The Hon. ROSE JACKSON: This is sad. I try to be really open to solutions. When members opposite, such as the Hon. Jacqui Munro, put an idea on the table, I embrace it. I do not dismiss it; I acknowledge that all solutions are needed. Yet when I am putting an idea on the table, they are not even interested in listening to it, let alone engaging with it. That is part of the contrast. Government members acknowledge that there is a problem and we want to work with everyone on solutions; those opposite did not want to even acknowledge the problem and now want to block our solutions. Modular housing has environmental and financial benefits, and the Treasurer is interested to see how we can deliver more housing in a cheaper way.

The PRESIDENT: Order! I call the Hon. Scott Farlow to order for the second time.

The Hon. ROSE JACKSON: But the critical benefit is time. Modular housing can be delivered quickly and we need urgency. We need action. The fact that quality modular homes can be delivered in two to three months is something we absolutely have to explore. I thank the Treasurer for giving us the opportunity to look into this creative solution, and I look forward to engaging with communities and stakeholders on what we can do with modular housing as part of the solution to the housing crisis.

STATE BUDGET

The Hon. MARK LATHAM (11:23): My question is directed to the Treasurer, which is a novelty from this side of the Chamber during budget week. Will the Treasurer explain why the Government, in the policy changes outlined in its measures statement in *Budget Paper No. 01*, has cut the health budget by $282 million over the next two years, while at the same time funding a new $150 million pork-barrelling scheme for Labor MPs to personally allocate $400,000 per annum in their electorates—the so-called local small commitments allocation? Is this really a fresh start, or just the same old political tactic of using public money for party political advantage instead of essential services like health?

The Hon. DANIEL MOOKHEY (Treasurer) (11:24): I welcome all questions, even the bad ones that have come. I have made myself available throughout the budget week to take questions from the crossbench and the Opposition and even from the Government. I am really thrilled that I got a question. Even though I respectfully disagree with everything that the member has said and I think that he might be wrong in a few respects, I look forward to telling him how in the next two minutes and 34 seconds. Firstly, when it comes to the health budget—

The Hon. John Graham: It's up.

The Hon. DANIEL MOOKHEY: —it is up. Secondly, the Government is certainly putting an end to some of the programs that were in place and necessary during COVID, but are not necessary now. One example is the $100 million allocated for personal protective equipment [PPE] despite the fact that we have a stockpile. We have warehouses full of PPE that we are literally having to give away because it is now expired. In addition, we are rightly giving it to other countries that need it and also giving it to community groups that can repurpose it for other uses that are not in line with health standards. Incidentally, that follows the Auditor-General finding, for example, a literal $750 million writedown in PPE two State accounts ago. It is sensible to repurpose it. As for the allegations the member made with respect to the local commitments program, the first thing is that they were election promises made by this side of politics to 93 electorates that every electorate would get an identical amount of money regardless of whether or not Labor won the election.

The Hon. Damien Tudehope: Who identified the projects?

The Hon. Sarah Mitchell: Who identified them? Unelected Labor candidates? What happened in Dubbo? Who picked them in Dubbo?

The Hon. DANIEL MOOKHEY: I hear the interjections from those opposite, who are taking the bold position that the Liberal-Nationals Coalition should be making election pledges on behalf of the Labor Party. That is hilarious. If they could keep their own election commitments, then they could get started on making some for us too. We were far more interested in those opposite keeping their promises. It is a radical proposition. I look forward, at the next election, to making commitments on behalf of the Liberal-Nationals Coalition as well. I look forward to making commitments about what they will do for essential workers.

It is a bold claim that we should welcome the Coalition into the platform committee of the Australian Labor Party. I must say that those opposite should be careful what they wish for, having been through that process with my party. They should be careful what they wish for if they want to start getting engaged in that space. What a bold position from them. Not only do they want to pork-barrel with their policies, they would also like to pork-barrel with ours as well. No, we have cracked down on that. I am being heavily lobbied by lots of members in the other place about the future of the Community Building Partnership program, which is dearly beloved by lots of communities as well. I affirm that that will continue unchanged.

The PRESIDENT: I welcome to the public gallery students from Sarah Redfern High School who are participating in the Legal Studies and the Legislature program conducted by the Parliamentary Education and Engagement team. They are very welcome. I also welcome another intern from the University of Technology Sydney, Sophia Skarparis, who is interning in Ms Sue Higginson's office. She is very welcome.

STATE BUDGET AND HOMELESSNESS

The Hon. NATASHA MACLAREN-JONES (11:28): My question is directed to the Minister for Homelessness. Noting that before the election the St Vincent De Paul Society called for the specialist homelessness services sector to be given "an additional $100 million over the two-year contract extension to meet current service levels", but the budget only allocated an additional $5.9 million, how does the Minister respond to criticism from Homelessness NSW that the budget's housing package amounts to crumbs and barely scratches the surface of the State's homelessness crisis?

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) (11:28): I thank the Hon. Natasha Maclaren-Jones for her question, and I respond to those in the homelessness sector who are completely understandably describing the circumstances that they are seeing on the ground every day. I am seeing those circumstances too. We know that we are dealing with increased homelessness and that the consequences of 12 years of inaction and neglect are serious. I respond to St Vincent de Paul, Homelessness NSW and every one of the homelessness organisations that have raised extremely legitimate concerns by saying that we hear them, we understand them and we are taking steps to stop the bleeding.

The Hon. Damien Tudehope: Well, talk to the Treasurer.

The Hon. ROSE JACKSON: I have never pretended otherwise to any organisation, and the Treasurer has acknowledged that we are on the long road of reform, that there is more to do and that we will do it. But in this budget, we have put over $200 million into emergency funding to stop the bleeding and respond to the crisis. That includes money for specialist homelessness services, temporary accommodation and to continue funding Together Home—another important program that was on the fiscal cliff, with funding due to run out and no long-term funding. It was about to fall off the edge of the cliff, and we have grabbed it and pulled it back over.

Have we put in place every single element of the long-term plan to respond to and confront the housing crisis? No, we have not. There is more work to do with Planning and more work to do once Homes NSW gets off the ground. I have been clear to every one of those organisations that we hear their concerns and know they are genuine, but in this budget we have taken the first steps to respond to the severity of the issues that we are facing. That is the way that we have approached it—by delivering emergency funding and trying to do something. Members opposite responded to homelessness organisations by fining them when they tried to support homeless people in Martin Place. That was their response. I listen, hear their concerns and try to deliver emergency funding. They had the police out there giving them parking tickets when they tried to give food, jackets and health services to homeless people.

The Hon. Damien Tudehope: That was the City of Sydney, you goose.

The Hon. Daniel Mookhey: Point of order: The Leader of the Opposition just described the Minister as a goose. That is unparliamentary and should be withdrawn immediately. The Minister was offended, and I was certainly offended on her behalf. It is unparliamentary in the extreme, and he should withdraw it immediately and apologise.

The Hon. Natalie Ward: To the point of order: It is clear that members opposite can dish it out but cannot take it. In my humble submission, it was in response to the interjections made by the Treasurer across the table. In the cut and thrust of parliamentary question time, he feels free to throw out allegations but cannot take the response. There was no offence caused.

The Hon. Daniel Mookhey: Further to the point of order: First, there were no interjections coming from me. Secondly, I did not call any member on the other side of Parliament a goose, and certainly not a Minister standing at the table and answering a question. To the extent that such a standard prevails among those opposite, it is unparliamentary. It has never happened on this side; we do not call each other gooses.

The Hon. Natalie Ward: Isn't it "geese"?

The Hon. Daniel Mookhey: To call this Minister a goose, while she is providing an excellent answer, is outrageous and should be withdrawn. The Leader of the Opposition should apologise for it. It is unparliamentary in the extreme.

The Hon. Damien Tudehope: To the point of order: Unfortunately, it is a habit of mine that I use that expression. I think you have ruled previously, Mr President, that the use of that expression was not unparliamentary.

The Hon. Penny Sharpe: So you will be using it more.

The Hon. Damien Tudehope: Probably more. Regarding the assertion made that the former Government was out fining homeless people, the Minister knows that that was done by the City of Sydney council, so the interjection that I made was legitimate.

The PRESIDENT: I make three points. The first is that in the cut and thrust of politics, is "goose" the hill that we will die on? It is pretty mild. The second is, as has been noted by a couple of members in this Chamber, the plural of goose is "geese". The third is that, as has been referred to by the Treasurer, the only circumstance where such a point of order would be upheld is if the Minister herself takes offence. Does the Minister take offence?

The Hon. ROSE JACKSON: I am not a goose; I am a swan.

The PRESIDENT: On that excellent point, the Minister will continue her answer.

The Hon. ROSE JACKSON: The fines were issued by New South Wales police, and I thank the then Minister for Finance for waiving those fines after representations were made. I acknowledge that, but the record is clear: Government members engage, listen and acknowledge there is more to do, whereas members opposite ignored the sector and underfunded it for 12 years.

The Hon. NATASHA MACLAREN-JONES (11:34): I ask a supplementary question. Can the Minister give any reassurance to Vinnies and other providers of specialist homelessness services that future funding will be provided this financial year to meet demand? Did the Minister know there would be no additional funding in this budget when she asked them to sign up to two-year contracts?

The Hon. Penny Sharpe: Point of order: The Minister is perfectly capable of answering, but members must ask questions that are within the standing orders. The question is outside the standing orders because it is a new question.

The Hon. Natasha Maclaren-Jones: To the point of order: The original question referred to the two-year contracts.

The PRESIDENT: I have consistently ruled that I give wide latitude for supplementary questions. This is within a bull's roar, and I therefore call the Minister to answer the question.

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) (11:36): I thank the Hon. Natasha Maclaren-Jones for her question. The problem with the question is that it is factually inaccurate in that there is additional money in the budget for specialist homelessness services.

The Hon. Chris Rath: Point of order: The Minister is clearly debating the question.

The PRESIDENT: No, that does not hold true. The point of order would suggest that the Opposition can make any claim, which the Government then cannot refute. That is obviously not the case. The Minister has the call.

The Hon. ROSE JACKSON: As I was explaining, there is additional money in the budget for specialist homelessness services for this financial year. That money exists. If members opposite read the budget, it is right there. Is it enough in the long term to respond to the crisis? No, and that is why we are doing the work over the next two years to renegotiate those contracts. Three-year contracts were signed by the previous Government, and we have extended those exact same contracts for two years with additional funding in the budget in order to chart a new way forward. The new way forward will involve things like five-year contracts—something called for by the sector for a long time and delivered by this Government.

We are delivering on the sector's demands for longer term funding and increased funding. We are listening to the sector and are deeply engaged with its representatives. I understand that they are dealing with increased homelessness and that the situation is serious, which is why we have delivered more time to negotiate longer term funding contracts. But this Government is deeply committed to confronting the housing crisis. We know that that will take time and effort right across government, and that is what we are committed to doing. It stands in such stark contrast to those opposite, who ignored the sector, denigrated it, kept it at arm's length and did not listen to it for 12 years.

STATE BUDGET

The Hon. PETER PRIMROSE (11:38): My question is addressed to the Leader of the Government. Will the Minister respond to some of the questions that have been asked regarding the budget papers?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:38): I thank the Hon. Peter Primrose for his very timely question.

The Government released its first budget this week. It is the first budget in 12 years to confront the housing crisis, rebuild essential services, rescue the renewable energy road map and pay down the former Liberal-Nationals Government's debt. Some new members in this place and some who are now in opposition are seeing the papers for the first time and have had some questions, so I am very happy to respond to the questions they have asked. For example, on Tuesday the Hon. Bronnie Taylor asked where half a billion dollars had gone in the budget papers. This is the key take-out for those opposite: When reading the budget papers, you need to make sure you are reading the right year.

In response to the Hon. Bronnie Taylor's question, the supposedly lost half a billion dollars is not referenced in this year's budget papers because it was already announced and allocated to agencies in a previous financial year. Actually, the Hon. Bronnie Taylor was the Minister at the time—and she was not aware of it. This Government remains committed to the rehab facilities and they are being rolled out. It would really help though if people would read the budget papers. I note also that the member for Manly and the member for Vaucluse from the other place were tweeting on Tuesday that the budget overview did not include the words "environment", "conservation" or "biodiversity". Here is lesson number two when it comes to understanding the budget papers: Do not just look at the CliffsNotes version. You need to look at the website—

The PRESIDENT: I call the Hon. Bronnie Taylor to order for the second time.

The Hon. PENNY SHARPE: And you cannot just look at the website. You have to actually read the budget papers. You do not have to read very far: *Budget Paper No. 01* will get you there. I refer the member for Manly and the member for Vaucluse to page A1-12 of *Budget Paper No. 01*, which sets out that this Government is investing over $2 billion on environmental protection. I would have thought that was pretty hard to miss. *Budget Paper No. 01* contains all the words the shadow Minister for the Environment was looking for and was so worried about.

But, more importantly—and quite shockingly for those opposite—the budget contains actual money for the environment, for conservation and for biodiversity. This budget contains just under half a billion dollars in new money in the Environment portfolio. This includes saving the 85 biodiversity public servants who were on the chopping block under the previous Government. They were due to be sacked in June. We have ensured that they will continue in their vital roles. It is such a good budget for the environment that the media have heralded it as a win for koalas. On the topic of koalas, The Greens spokesperson for the environment claimed incorrectly via social media that the Government had not funded the creation of the Great Koala National Park. As the Treasurer indicated yesterday, the $80 million for the Great Koala National Park is fully funded in the budget.

Members need to look at both capital and operating expenditure, and at the forward estimates—please, learn to read the budget papers. Capital expenditures are funds that are used to acquire, upgrade and maintain physical assets. Operating expenditures are costs incurred through normal government operations. For those opposite and those in the other place who have other questions on the budget, I wish they would ask them, particularly to the Treasurer. But in the meantime, I recommend that they read the *How to Read the Budget Papers* document before they read all of the budget papers.

HUNTER REGION WIND FARM ZONE

The Hon. TANIA MIHAILUK (11:41): My question is directed to the Minister for Energy, Minister for Climate Change, Minister for the Environment, and Leader of the Government. On Tuesday 19 September, the Federal Minister for Climate Change and Energy, the Hon. Chris Bowen, met with community leaders from Port Stephens and the Hunter regarding his decision to ram through the five gigawatts offshore wind zone, with offshore wind turbines covering an area of 1,800 square kilometres between Swansea and Port Stephens. In light of the South Australian Government's decision to oppose the proposed Southern Ocean offshore wind farm zone, why is the Minns Labor Government still backing in the Federal Labor Government's unpopular and environmentally damaging proposal?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:42): I thank the honourable member for her question. The first thing I would say is, at the moment, this is the feasibility process for looking at offshore wind in New South Wales. The Commonwealth is responsible for regulating the offshore renewable energy infrastructure in Commonwealth waters, under the Offshore Electricity Infrastructure Act 2021. The Commonwealth waters start three nautical miles from the coastline and extend to the boundary of Australia's Exclusive Economic Zone. The offshore wind zone has been declared and, the honourable member is right, it covers 1,854 square kilometres between the Central Coast and Port Stephens. It is 20 kilometres from the coast in the north and over 30 kilometres from the coast in the south. It does have the potential, if it comes to life, of up to five gigawatts of renewable wind energy—enough to power an estimated 4.2 million homes.

Public consultation was underway, and it closed on 28 April. I acknowledge the many concerns people have had in relation to this proposal. I have met with people including professional fishers, environment groups and locals in the Port Stephens area who have raised issues. Those issues are now being worked through. As it rolls out, there will be more discussions to be had. But, no, we are not going to follow South Australia and just say no to it altogether. Our commitment to making the energy transition that we need to make, our commitment to taking action on climate change, means that we have to explore all options that are on the table.

Offshore wind is one option with potential. It is not without significant questions to be answered, and we will work through them carefully. In New South Wales we are a long way from having the necessary approvals. A whole range of approvals would also have to occur in New South Wales if we were to get to that point. But we are leaving this option on the table. I will meet, and do meet, with anyone who wishes to speak to me about it. I am also the Minister for the Environment. I understand that we are talking about the edge of a marine park, and it is very important that all of those issues are carefully addressed and worked through.

The Hon. TANIA MIHAILUK (11:44): I ask a supplementary question. I ask the Minister to elucidate her answer. Will the Minister speak with her counterpart in South Australia to understand why they are standing up against Chris Bowen and saying no to wind farms?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:44): I am always happy to talk to Tom Koutsantonis. He is one of my favourite energy Ministers. The energy Ministers meeting is coming up in Perth in a couple of months and I am sure that we will speak about a range of issues—this one will probably be on the table.

MINING INDUSTRY

The Hon. BRONNIE TAYLOR (11:45): My question is directed to the Minister for Finance, and Minister for Natural Resources. What financial support will the Government be offering the 26 mining local government areas in regional New South Wales to offset the axing of the Resources for Regions program?

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (11:45): Following on from the Leader of the Government, can I too say that I appreciate advice from the South Australian Minister, the Hon. Tom Koutsantonis? He is an excellent mining Minister, as well as a good friend, and I think cross-government relationships of that kind are really important. But the question that was asked to me was in relation to the support that we are providing for mining communities. I can update the House that we have taken a new approach to funding regional New South Wales. I thank the Minister for Regional New South Wales for her advocacy and for the creation of the new Regional Development Trust Fund. As I said yesterday in the take-note debate, let me be really clear about what we are not signing on to for regional New South Wales.

The Hon. Bronnie Taylor: Point of order: My point of order is on relevance. I have asked a question. This is question time. Please, Mr President, can you ask the Minister to be directly relevant to the question? It is within our rights to ask questions in this place, and I would ask that you ask the Minister—who constantly strays away from the question—to please answer the question. If she cannot, she should take the question on notice and sit down.

The PRESIDENT: There is no point of order. The question asked what support will be offered to the mining LGAs. The Minister is being directly relevant. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I absolutely commend the Minister for Regional New South Wales for her advocacy, publicly and privately, on behalf of regional New South Wales. The creation of the new Regional Development Trust Fund will apply some transparency and honesty into the way that we are funding regional New South Wales, because we are not prepared to sign on to the way that the previous Government pork-barrelled and politicised funding. For those opposite who for the first time politicised bushfire emergency funding, taking it away from communities who were affected on the Central Coast and the Blue Mountains—

The Hon. Bronnie Taylor: Point of order: Again, my point of order is on relevance. We are not talking about bushfire grants. We are not talking about what the previous Government did. The question is there for the Minister to answer. I urge you—

The PRESIDENT: Thank you. The Hon. Bronnie Taylor is quite right on this occasion. I uphold the point of order. The Minister has the call.

The Hon. COURTNEY HOUSSOS: I am delighted to provide some information to the House about the support that we are providing to regional New South Wales. Let me be clear. The challenges that we are facing in regional New South Wales and in our mining communities are very similar—indeed, exactly the same in many instances—to the challenges that we are facing in metropolitan New South Wales. We need nurses and doctors and health professionals in our hospitals. We need teachers in our schools. We need police officers on the beat. Indeed, the people across regional New South Wales and our mining communities—

The Hon. Bronnie Taylor: Point of order: I find myself here again. The question was specific. It was about what the Minister would do, because the Government was axing the particular fund. We are talking about nurses, teachers and police officers. I ask you to direct the Minister to answer the question and, if she cannot, to take it on notice.

The PRESIDENT: There is no point of order. The question was about what support the Government will offer to local government areas in regional New South Wales. The Minister is being directly relevant.

The Hon. COURTNEY HOUSSOS: The regional road repair program that will deliver almost $400 million this year is the kind of support we are providing to regional New South Wales and our mining communities, not to mention the $4 billion worth of disaster relief that we are providing. If we want to talk about disgraces, we can talk about the National Party, which politicises bushfire emergency funding but left bills unpaid that we are now paying. [*Time expired.*]

The PRESIDENT: Before I call the Hon. Cameron Murphy, I welcome students from Sarah Redfern High School, who are participating in the Legal Studies and the Legislature program conducted by the Parliamentary Education and Engagement team.

STATE BUDGET AND COST OF LIVING

The Hon. CAMERON MURPHY (11:50): My question is addressed to the Treasurer. How much is the New South Wales Government providing to households in fair and sustainable measures to help with the growing cost-of-living pressures?

The Hon. DANIEL MOOKHEY (Treasurer) (11:51): I thank the member for his question. I, too, welcome the students from Sarah Redfern High School who are studying legal studies. I am a graduate of high school legal studies. If you do better than me, you might end up in the other place.

The Hon. Sarah Mitchell: You were there briefly.

The Hon. DANIEL MOOKHEY: I made a cameo appearance. I am pleased to inform the member that there are 130 separate cost-of-living measures in the budget, totalling $8.2 billion. They are absolutely necessary, given the pressure households are under. If members met with anyone who happens to be renting or have a mortgage right now, they would understand how important the measures are. In addition to providing that $8.2 billion worth of measures, which include, amongst other things, toll relief for 700,000 motorists—which has been opposed by those opposite, and is currently being opposed by those opposite, who consistently want to oppose it and will not miss a single opportunity to oppose it—I was equally pleased to accompany the budget with some analysis about precisely how the cost-of-living impact is being internalised. I think it is a good thing that our budget papers contain more analysis about the distributional benefit of programs as well as the distributional need. Those budget papers pointed to the fact that working people who earn income through labour are doing it tough, as are age pensioners.

The PRESIDENT: I call the Hon. Bronnie Taylor to order for the second time.

The Hon. DANIEL MOOKHEY: I was very keen to make sure that that was front of mind in how the Government tailored its assistance. I have been looking and listening out for any better or alternative ideas that may have been coming. Given how much we have heard from those opposite about Active Kids, First Lap and many of the other difficult decisions, I would have expected the Leader of the Opposition to have stood in the other place an hour ago and pledged to bring them back. He did not pledge to bring them back. Those opposite ducked the hard decision about Active Kids. They duck hard decisions about toll relief. They duck hard decisions about housing reform, because they are fundamentally a bunch of geese.

The Hon. Damien Tudehope: Point of order—

The PRESIDENT: Order! I suspect the Leader of the Opposition has a very serious point of order.

The Hon. Damien Tudehope: I am deeply offended.

The PRESIDENT: Unfortunately, the Leader of the Opposition cannot be offended on behalf of someone else. The Treasurer has the call.

The Hon. DANIEL MOOKHEY: To be clear, no individual is a goose; collectively, they are a bunch of geese. They are a gaggle of geese with nothing to say about the future of this State. [*Time expired.*]

RENEWABLE ENERGY

The Hon. ROD ROBERTS (11:54): As much as I was enjoying that, for the benefit of the students from Sarah Redfern High School, the House should attend to proper business. My question is directed to the Leader of the Government in her capacity as Minister for Energy. I draw the Minister's attention to an opinion piece in last Thursday's *The Australian Financial Review* by Cameron O'Reilly, pointing out that the construction industry, due to labour shortages, supply chain problems and other capital priorities, is incapable of building the electricity grid according to ambitious government timetables. Given that problem, plus delays in establishing easements and transmission links for the New South Wales renewable energy zones, will the Government abandon Matt Kean's timetable for 100 per cent renewables by 2030, pushing it back to a more realistic and achievable target over 20 years to 2040?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:56): I thank the honourable member for his question. The short answer is no. The longer answer is that we do not have time to waste in taking strong action on climate change. Every morning, my media monitoring—which I probably get too much of—is filled with stories of the impacts of climate change on our planet right now. It is filled with the entreaties of climate scientists telling us that we need to act and to act swiftly. This side of the House made a strong commitment to the people of New South Wales to do exactly that. Before the end of the year, I will bring before the House our net zero and climate change bills that will legislate the reduction in greenhouse gas emissions and set up the net zero commission.

I thank Cameron O'Reilly for his wise, thoughtful and nuanced advice, which kicked the tyres on the energy policy we inherited—which was delayed and over budget—and helped us bring it back on track. We have brought it back on track through the budget, where we have announced over $3 billion worth of initiatives: $1 billion for the Energy Security Corporation and $800 million to bring forward renewable energy investment and get renewable energy in the ground as quickly as possible. We are doing everything we need to do. We are very up-front about the challenges that it involves. One of the things I have done, which the previous Minister refused to do, is to be open and honest about our challenges.

We will communicate with the people of New South Wales about the bumps in the road and do everything in our power to smooth those bumps as we make the necessary transition. We need to decarbonise our electricity system. The best and fastest way to do that is through renewable energy, and that is exactly what we are going to do. We are committed to the road map. We hope those opposite remain committed to the road map, because it is a little unclear, and we are not sure what The Greens are doing. But I understand that it is a serious question. Another thing which those opposite would never admit to is that we are not going to risk reliability as we make the change. We need to manage the exit of coal-fired power and get renewable energy into the grid as quickly as we can. That is the task. We are absolutely committed to it. We are absolutely committed to taking action on climate change. Nobody could hear the reports of El Niño, the Indian Ocean Dipole, the hotter and drier weather, the floods and the unprecedented weather around the world and pretend that we can do nothing.

AFFORDABLE HOUSING

The Hon. SCOTT FARLOW (11:58): My question is directed to the Minister for Housing. When asked by 2GB's James Willis yesterday about how Landcom could afford to deliver homes for just $65,000 each, the Minister said, "Landcom is able to access government-owned land, which is why it is able to deliver that housing at that cheaper rate." Given that BMT Quantity Surveyors' latest construction costs report shows the average cost to build a three-bedroom, low-finish, brick veneer house in Sydney is $1,904 per square metre, can the Minister confirm that under her plan Landcom by 2040 will have built 4,697 34-metre square tiny homes?

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) (11:59): I thank the Hon. Scott Farlow for his question. It is so great to see some interest—finally, after 12 years—from those opposite in how we are going to respond to the housing crisis. The former Government created the housing crisis through 12 years of inaction. It did almost nothing to respond to that situation as it got worse and worse. Now that we are in government, the Opposition's contribution has been to block our efforts to do something about it. Opposition members voted against our efforts to deliver the infrastructure that we need to bring housing online. We cannot build a house if the toilet cannot flush and the tap cannot turn on. The Government is trying to respond to that through its housing and infrastructure contribution scheme, which is opposed by members opposite. We put some propositions in the budget on top of all of the other work we did before for the budget, such as the planning reform that we announced and the changes to the—

The Hon. Scott Farlow: Point of order: My question was very specific. It was about the Government's outlined provisions regarding Landcom and delivering affordable homes under those, and the fact that yesterday on 2GB the Minister said the homes could be built for $65,000. I ask that she be directly relevant to the question that was asked.

The PRESIDENT: The scope of the question was quite narrow. I ask the Minister to come back to it.

The Hon. ROSE JACKSON: The $300 million for Landcom in the budget is just one of the multiple points in the constellation of policies—the starry sky of policies—that we are putting together to try to confront the housing crisis. That $300 million is in addition to the money that Landcom already has and is generating towards delivering both private market and affordable housing. A number of contributing factors go into the cost of building a home. The fact that those opposite cannot understand that is probably why they have struggled so much to come up with any policies to do anything about the housing crisis. One factor is the cost of land. If government land is being used, that obviously has a major impact on how much it costs to deliver housing. But it is more than just the cost of land. Obviously there is the cost of labour, the cost of supplies, and those things are a little bit unknown at the moment.

As we project how much it will cost over the years to come, will we be able to have the skilled labour that we need? Will we be able to get the supplies that we need? All of those things feed into the work that is being done to try to figure out how we can use every single lever to deliver the housing. That is what this Government is trying to do, unlike those opposite. The one idea they have managed to come up with is to give money to local government. I have not seen a full budget reply. What is the contribution of their local government leaders? The Liberal mayor of the Hills has been saying that our efforts to deliver housing are an assault on his community. The contribution of those opposite is to describe housing as a punishment, an assault. The member for Willoughby, Tim James, has been attacking us and is worrying about how much money we are spending on social and affordable housing. [*Time expired*.]

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

EARLY CHILDHOOD EDUCATION

The Hon. SARAH MITCHELL (12:03): My supplementary question for written answer is directed to the Minister for Finance. Given that in her answer today the Minister outlined the importance of supporting the early childhood education workforce, will she explain why the budget allocated only $22 million over five years to recruit and retain early childhood workers?

HUNTER REGION WIND FARM ZONE

The Hon. TANIA MIHAILUK (12:03): My supplementary question for written answer is directed to the Leader of the Government, and Minister for Energy. Earlier in the Minister's answer she indicated she had met with a number of residents and community groups in Port Stephens. Will the Minister please provide further details in relation to that?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. BRONNIE TAYLOR: I move:

That the House take note of answers to questions.

DRUG REHABILITATION

STATE BUDGET

The Hon. BRONNIE TAYLOR (12:04): What a week it has been in question time. Oh my goodness, this Labor Government! As I said the other day, it is the worst first-term government we have ever seen, on so many levels. Firstly, I take note of what was said by the Leader of the Government. I asked a question about the $500 million that was meant to be going into rural and regional drug and rehabilitation centres. The Minister so eloquently—the big thing is to get personal about every member, which is 101 for Labor members when they do not know what they are doing, and say we could not read the budget papers and we did not know what we were talking about. I ask this question: Why put in $26 million for Cooma hospital when it has been opened? It has actually been done. The plaque is on the wall at Cooma hospital for the new maternity unit and the new emergency department unit, but the Government has included it as a line item in the budget. It is absolutely ludicrous. The hypocrisy from this Government is incredible.

The answers given by the Minister for Finance—oh dear. If the Minister cannot answer the question, the best thing is not to say a few sentences so much but to sit down or take it on notice. This budget has dealt the biggest cuts to regional New South Wales we have ever seen, but "Oh no, it's okay because with this Government it's going to be a fresh start. There's going to be transparency and openness." A whole section of the budget papers is missing. The section of the budget papers that shows the outcomes that we need and what we need to do is not there. It is absolutely zero again from the Government. I wonder why that is? That is what happens when a government wants to hide things. The Snowy Hydro Legacy Fund is now being used for health, infrastructure and things that should be in the health budget. The Government tells us, "Oh no, that's okay. We won't do things to regional people. We don't have seats there."

Honest to goodness, the Government is promising things that it cannot deliver, not putting in sections of the budget and not being open and transparent. I look forward to the next couple of weeks as the budget is slowly unpacked. I have never seen a budget received as badly. I have never seen a budget lead to so few conversations and so little media. It is an absolute joke. The New South Wales Labor Party is the same old Labor. Government members talk about pork-barrelling, but this Government has the biggest pork-barrelling scheme we have ever seen, with unelected people deciding where funding should go. Shame on this Government. This will be a really short ride. They should make the most of it as it will be over before they know it.

MINING INDUSTRY

The Hon. JEREMY BUCKINGHAM (12:07): I take note of the answer given today by the Minister for Finance regarding the Government's plans for future jobs and investment authorities and the use of the royalties for rejuvenation funds and the royalties for rejuvenation panels that have been established across the Hunter, the Central West, the mid-west and the north-west of the State. This is a particular area of interest for me because we are not only transitioning our electricity infrastructure in this State but also the communities that have built, run and depended on that infrastructure and who have kept the lights on. Of particular concern to me is the community of Lithgow, which is exposed more than any other community in this State to the transition because Lithgow does not export its coal. Springvale colliery provides coal to Energy Australia through Mount Piper. There is nowhere else for that coal to go.

Lithgow is a fantastic community. It one of the most resilient and resourceful communities, which, through its small arms factory, defended the nation and kept the lights on with its two power stations. It runs its own public hospital. Lithgow is an amazing community, and it has started the work of the transition through the Lithgow Emerging Economy Project. The community is seeking two and a half million dollars to begin the transition by bringing in tertiary education and other industries. It needs that money and it needs it now because Energy Australia said it will close Mount Piper as early as 2031. With that goes 40 per cent of the Lithgow workforce—in eight years.

If the Government is going to prioritise anywhere in the State, it should be Lithgow, a community which has for so long been unfairly forsaken. Mayor Maree Statham and her community have done the work. They have put in a special rate variation to begin the work on planning their leap. I commend them for that. I encourage anyone who is interested in the coal transition to look at what Lithgow has done. It is an incredibly complex, strategic, well-thought-out plan for how they move away from coal. I have raised with the finance Minister and the Treasurer it is incumbent on the Government to work with Lithgow to expedite its transition out of coal. Because it is not just about stopping the coal coming out of ground and about turning off the power stations; it is also about making sure the people working in those communities have something else to go to. Lithgow is incredibly socio-economically disadvantaged. That should not be the case as we transition out of coal.

STATE BUDGET AND COST OF LIVING

EARLY CHILDHOOD EDUCATION

The Hon. CAMERON MURPHY (12:10): I take note of the answers given today by the Treasurer and the finance Minister in relation to the budget and thank them for the wonderful work they have done. This is a great Labor budget and a budget delivered in extraordinary circumstances, where the Government inherited the highest debt in the State's history: $188 billion. We are in an environment of rising interest rates, which means that more and more money must be found to meet the interest payments on that debt. Yet the extraordinarily good work of the Treasurer and the finance Minister has meant that we are able to deliver a budget with these important cost-of-living measures and wage rises for our public sector in the difficult circumstances we inherited.

I want to talk a bit about some of those 170 responsible cost-of-living relief budget measures that the Treasurer talked about in his answer. He said that there were more than $8.2 billion worth of measures the residents of New South Wales will benefit from. I have spoken over the past couple of days about some of these, but I will mention some others today. Private rental assistance through Rent Choice, advance rent, Bond Loan and other programs help eligible people, including those escaping domestic violence, to maintain a tenancy in the private rental market. The Pensioner Concession Rebate Scheme provides a rebate of up to $250 on ordinary council rates and charges for domestic waste and other items. That is jointly funded by the State Government and councils.

Of course there is also Energy Accounts Payments Assistance for people experiencing difficulty in paying their energy bills because of short-term financial hardship, crisis or emergency, which is on top of the one-off $500 payments to eligible households through the National Energy Bill Relief program. We are also providing ambulance services free of charge for certain concession holders and victims of sexual assault, domestic violence or child abuse. As the Minister for Finance mentioned today, we are making preschool more affordable by providing fee relief of $500 per child for three-year-olds attending eligible preschool programs and long day care centres from January 2024. It is a great budget. It is full of cost-of-living relief. It is a Labor budget that reins in debt but provides direct assistance to people who need it. [*Time expired.*]

EARLY CHILDHOOD EDUCATION

The Hon. SARAH MITCHELL (12:13): I take note of some of the answers given by the Minister for Finance about early childhood education. As members of this House would know, this is a policy area that I am really passionate about. I was the Minister for six years. We did a lot of good work in this space. Prior to the election, there appeared to be bipartisan support for some of these reforms, and that is how it should be. We should all want our kids to get the best start in life. When good things are delivered, I will be happy to acknowledge that fact.

My concern is in the detail of the budget and what is not forthcoming from those opposite about the many initiatives the Coalition Government had under its $15.9 billion Early Years Commitment. That is why I have asked a series of questions about the specific funds allocated. It is important that early childhood educators and families know whether the money will flow, which funding is coming from which bucket of money, where the funding source is for, for instance, the preschools that the Labor Party says it will build and where the fee relief is coming from, because we must be forensic in our analysis. It is important that not a dollar is shifted out of this incredibly important policy space. There is literally no better work that governments can do than support children in those first five years of life.

The Minister commented today that the Coalition built only one public preschool when it was in government. I take exception to that, because I know she knows better. I have young children; I know that she does and that others on the other side of the table also do. The reality is that most children who attend preschool attend a community-run preschool. The provision of preschool for those children aged three to five years old on department sites is a small part of the sector. It is about 100 preschools out of 700. It is very convenient for the Minister to say that we only delivered one on-school site. The reality is we spent more than $60 million on building new preschools. We created more than 1,800 additional places. If that is only one preschool then it must be a big one to fit 1,800 people and cost more than $60 million. We need to be honest here. This is not something to play games about.

It is also important that the Government is up-front about how it is supporting this sector. I submitted a written supplementary question, and I look forward to the answer. In the budget papers and in all the overviews and glossy brochures these guys opposite put out, all they talk about is $22 million over five years. The former Government had a $280 million allocation over four years. If their $22 million is in addition, why are they not talking about a $300 million investment in the early childhood workforce? We know they like to take credit for the work we did. To me it seems curious that it is not in addition to the former amount, and that is listed nowhere. All they talk about is the $22 million. I will continue to prosecute this. I note that they are crying about the 10 new preschools they have committed to. They are part of new school builds that are several years away and will not be delivered to communities within the next 12 months. We will be watching this closely. I will keep prosecuting it because it matters to our kids and to the next generation. [*Time expired.*]

HUNTER REGION WIND FARM ZONE

The Hon. TANIA MIHAILUK (12:16): I speak further on the question I asked the Leader of the Government about the meeting that took place on Tuesday 19 September between the Federal energy Minister, the Hon. Chris Bowen, and 12 community and business leaders at Port Stephens, while about 100 people who were not permitted to attend protested outside. The meeting was about the Federal Labor Government's decision to ram through a five-gigawatt offshore wind zone for the Swansea and Port Stephens region. That was announced in July, despite over 2,000 submissions from local residents and business and tourist groups opposing this draconian proposal. Despite its unpopularity, the Federal Minister has decided to still pursue it. It is no surprise to me that the residents are upset.

I acknowledge the work of Mark Watson, the One Nation spokesperson for Port Stephens, and many of the different tourist and business groups who are angry with the Federal Labor Government. It is important that the State Labor Government listen to the views of these residents, and community and business groups, and understand how valuable this pristine coastline is to the Port Stephens region. The Federal Labor Government understood that there would be some pushback. It took the Central Coast out of the original proposal so that it would not lose the seat of Robertson down the track. The Federal Government takes the Labor region of Port Stephens and the Hunter for granted and so is still pursuing this project and not caring about the reaction from local residents and groups.

I note that the South Australian Labor Government is pushing back and saying no to Chris Bowen and the Federal Labor Government's decision to try to build a wind farm in the Southern Ocean near South Australia. It is unfortunate that the New South Wales Labor Government does not have the backbone and the guts to say no here too. Bowen is incredibly unpopular. I note an article from *The Australian*, "Boos for Chris Bowen amid Hunter offshore wind fury". There were plenty of boos at this meeting, and the Prime Minister has now had to step in to defend his Minister, as reported in another article in *The Australian*. In the initial article, Imagine Cruises chief executive Frank Future is reported to have said:

> To park it off Port Stephens … well our tourism industry brings in over $660m-a-year, it employs thousands of people and we're worried. It seems to be pushed through with haste.

James McArthur of Moonshadow Cruises is also reported to have said:

> That original consultation … we weren't satisfied with it.

There will be a rally on 7 October. I hope that the Leader of the Government and backbenchers turn up. [*Time expired.*]

STATE BUDGET AND INSURANCE INDUSTRY

The Hon. STEPHEN LAWRENCE (12:19): I firstly take note of answers given by the Minister for Finance to a question about an Insurance Council of Australia press release about the budget. Since the question was asked I have had a quick look at that press release. It is true; an Insurance Council of Australia press release on 19 September raised some pretty mild-mannered statements or criticism about the impacts of stamp duty and the emergency services levy [ESL] on insurance levels. It is interesting to put that in context and go back in history a bit.

On 24 June 2019, after the State budget delivered by those opposite, there was a similar press release, but it was nowhere near as mild-mannered. That press release referred to a 14 per cent increase in the ESL in that budget, and its statement indicated that there was a further 22 per cent increase in the ESL for 2020-21. The then CEO of the council said that those increases were "a massive burden, being carried by responsible property owners who take out insurance to cover themselves". Those opposite leaping on the very mild-mannered press release and to raising it as a criticism needs to be put in context.

A similar thing happened in 2021 when the Insurance Council of Australia put out a press release about the State budget of that year. It mentioned that the failure to address insurance taxes meant that many home owners would remain without adequate cover of their most important asset. It was much more scathing than the one issued in response to this year's State budget. It talks of the failure of the New South Wales Government—the previous Government—to reform State insurance taxes, which remain the highest in the country. It further went on to state:

> In addition to imposing stamp duty on every policy purchase or renewal, New South Wales is the only mainland state that taxes insurance policyholders to fund fire and emergency services and policyholders pay almost three times more in state insurance taxes than Victorians.

It is a bit rich for those opposite, in an acontextual way, to rely on a mild-mannered press release that is barely even criticism when the years of a failure to act and a far more scathing criticism by the Insurance Council of Australia is considered. [*Time expired.*]

STATE BUDGET AND HOMELESSNESS

The Hon. NATASHA MACLAREN-JONES (12:22): I take note of the answer given by the Minister for Homelessness. It is unfortunate that the Labor budget this year has failed the most vulnerable people in this State. They have rewarded their union mates but have failed to provide adequate funding for frontline services dealing with the homeless sector. When the Minister was the shadow Minister for Homelessness, she said, "It is so hard to sit in opposition with no resources, no staff and no capacity to make decisions knowing that people are hurting." She went on to say that if she were in government, "The Government has resources and the power to do that. We do not. We could fix tenancy laws and we could invest in social housing and we could fix the homelessness crisis in this State." Her answer is, pretty much, that she is trying.

The Minister has the ability to provide that funding and she has the ability to work with the sector to provide the resources it needs but, instead, the Government has signed up to contracts for two years without additional funding. I have been on the ground and I am sure she has as well. I was out there when I was Minister and, more recently, I was speaking to the sector and the people on the ground, who are saying that they do not have enough money to provide that support to the most vulnerable. There are families dealing with living pressures while trying to feed their children and stay in their homes. Those organisations support people who are living on the street but the Minister is doing nothing to support the sector. She is providing $5 million when they need $100 million. She has the power now to actually do something but she is doing absolutely nothing. The Government has been here for six months but all we can hear is, "I am trying."

In 2020, when we were in government, we invested in the new Together Home program. In last year's budget we included an extra $55 million to provide additional homes for people sleeping on the streets and a further $18 million to ensure that people who were not yet ready to transition out of the program had additional wrap-around support. We did an evaluation. We worked with the sector. We knew it was working so we continued to invest. This Government just supports their union mates but delivers nothing to support our most vulnerable people. I ask the Government to step up now.

STATE BUDGET

HUNTER REGION WIND FARM ZONE

Ms SUE HIGGINSON (12:25): I take note of two answers provided by the Leader of the Government in this House. The first is the comments she made about a post I made on social media. It is pleasing to know that somebody is looking at my social media posts from time to time. The post criticised the budget allocation for the Great Koala National Park. Please excuse me for being a tad suspicious about the Government's commitment to the park. That suspicion arose when we learnt very early on that the Great Koala National Park would not be a great koala national park until a heck of a lot of the koala habitat within the park had been logged. The Government may create the park in this term, or it may not. The post was actually about the opaque nature of the item in the budget and the fact that only $1.5 million has been allocated to the Great Koala National Park this year, and $28.5 million is forecast to 2027.

It was only when someone from the Treasurer's office generously came and waved around a bit of paper and assured us that there is some $80 million somewhere in a line item—but it does not appear in the budget papers—that I understood that it is in the budget. I apologise for not having seen in the budget papers what is not in the budget papers. However, what is concerning is that it is uncertain. The budget papers do not explain how the heck we will create the Great Koala National Park. I do not know where the money for the buybacks of timber licences is. There are some important parts of the plan that are just not apparent—not in the budget, not in the Government's discussion and not in the conversations that are happening.

I also take note of the answer from Leader of the Government about the money allocated for renewable energy. In her answer she said that she was not sure what The Greens were doing about renewable energy. I put on the record in no uncertain terms that we are pushing the Government to do something more than what it is currently committed to doing. Net zero by 2050 will not cut it. We will not survive it. Just today, the Australian Academy of Technological Sciences and Engineering said net zero by 2035 is "technically feasible". This is what we need government to do: To be bold, brave and lead the way. [*Time expired.*]

STATE BUDGET

The Hon. TAYLOR MARTIN (12:28): I have been provoked into speaking in the take-note debate by the Treasurer's response to the Hon. Mark Latham's question. He claimed record levels of health spending into the future, but how much of that is due to double counting of completed projects, accounting trickery and not being honest with the people of New South Wales? In his answer the Treasurer said that he looks forward to making commitments in Liberal and Nationals seats into the future, but he need not imitate Marty McFly from *Back to the Future*—everyone's favourite eighties film.

In his very first budget he is claiming record spending in Health, for building hospitals that were built by members on this side in our term of government and which have been operating for quite a while. The budget papers—particularly the glossy marketing brochures that accompany them—claim hundreds of millions of dollars for regional hospitals that we built and that had been operating for quite a while before the election. I was not the only one scratching my head when reading the budget papers. The marketing brochures claim $200 million for Wyong Hospital Redevelopment stage 1.

The Hon. Natasha Maclaren-Jones and I turned that first sod quite a long time ago. In fact, my family made use of the emergency department there earlier this year, and I can contest that it is certainly working. The budget papers claim $471 million for Maitland Hospital. Brad Hazzard opened Maitland Hospital in January 2022, but it is included in this record spending in Health. To have the gall to include those sorts of figures and then wave them around saying that there is record spending in Health is an absolute embarrassment.

STATE BUDGET AND HOUSING

AFFORDABLE HOUSING

The Hon. SCOTT FARLOW (12:30): I take note of answers given by the Minister for Housing today, both her Dixer and her response to me. The Minister came to the Chamber with great flourish, talking about modular homes. We welcome modular homes; they are great. In fact, the Hon. Natasha Maclaren-Jones had already outlined modular homes for flood-affected communities when she was the Minister responsible for this area. The Government has provided $10 million for modular homes over the forward estimates. In this financial year we have seen $1.5 million allocated to modular homes. It is not a huge investment from the Government to address supply with modular housing. I would have expected more from this Government because it talks a big game when it comes to housing. The Hon. Natasha Maclaren-Jones talked about the frustration the Minister had when she was in opposition. I have no doubt the Minister is still frustrated now she is in Government because, sadly, the Treasurer's budget papers have not allocated enough money to allow her to get on with the job to match the rhetoric she has used since being responsible for housing.

When we talk about rhetoric, we can talk about the budget papers and Landcom's ability to be its own developer so it can deliver affordable and social homes. We already know that project extends to 2040 and that it will deliver 88 affordable homes a year. But we have also seen it is an allocation of only $300 million. The Minister was on James Willis' program on 2GB yesterday and I asked her today about the $65,000 allocated per home. The Minister believes that $65,000 can deliver a home. If that is the case, Landcom is a genius, because according to the Australian Bureau of Statistics the average price to construct a dwelling in New South Wales is $475,000. As outlined in my question, it costs $1,904 per square metre a low-quality build, $3,185 per square metre for a townhouse and $2,947 per square metre for a two-bedroom walk-up. We see a lot of rhetoric and promises in this budget, but there is no reality when it comes to the money allocated to housing.

TAKE NOTE OF QUESTIONS TO ANSWERS

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) (12:33): In part, I welcome the road to Damascus moment from those opposite. They have suddenly realised there is a housing crisis in this State and now they want to engage with the Government to do something about it. It is not a road they could have travelled when they were in government because the road had not been built and there was no funding for infrastructure to support housing. Nonetheless, we have taken action on that. One of the first things this Government did was try to get a system in place to deliver the infrastructure funding necessary to unlock housing supply. It was opposed by members opposite. We put in place a system to build the roads to Damascus that members opposite can travel on after finally realising that housing is an issue in this State.

Nonetheless, I welcome the engagement. I am pleased to finally see some ideas on housing from the Opposition in their speeches on the budget. Their idea is to give money to local government. That was the solution to the housing crisis proposed by the Leader of the Opposition. In terms of putting your shoulder to the wheel kind of solutions to getting housing supply moving, it is not the kind of idea that is at the level needed. Nonetheless, giving money to local government is the idea of members opposite. Again, at least there was something there, unlike the sound of silence that surrounded some of the other issues that have been top of mind in the cost-of-living crisis.

The obvious one is the toll cap. It was so interesting to see the heehawing, and geesing, galahing and peacocking when the Treasurer mentioned the fact that the Leader of the Opposition did not commit to backing in the toll cap in his speech on the budget. There was absolute silence in here from members opposite. There was no commitment to backing in some of those cost-of-living measures. But one of the things that has become increasingly obvious is that members opposite have a view and expectation that, after 12 years of faffing around, it is going to take us six months to fix the housing crisis.

Any person in the community that was anticipating the most from the Labor Government would have seen the work that we have already done on planning, on abolishing the wages cap and on social and affordable housing. It is far from doing nothing. I cannot even take those criticisms seriously, with the changes that I have made to temporary accommodation and to funding for the Together Home Program for specialist homelessness. There is obviously more work to do. The community accepts that. The Government accepts that. Members opposite should just stick to the sound of silence.

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

Motion agreed to.

Written Answers to Supplementary Questions

STATE BUDGET AND THE ENVIRONMENT

In reply to **the Hon. MARK LATHAM** (20 September 2023).

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

This question is best answered by the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage.

However, I am advised the Intergovernmental Panel on Climate Change [IPCC] assessment reports provide information on the near-linear relationship between cumulative CO2 emissions and the increase in global surface temperature. It can be accessed at https://www.ipcc.ch/.

The New South Wales Government's climate change election commitments are on the public record and its policies, targets, and programs supported by the 2023-24 Budget, align with the objectives of the United Nations Framework Convention on Climate Change and the IPCC. We are acting on the best available scientific advice and wish to ensure New South Wales plays its part to meet the challenge of global heating.

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

Bills

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2023

Second Reading Debate

Debate resumed from an earlier hour.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): It is my great pleasure to call the Deputy Leader of the Government.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (14:01): Deputy President, it is a delight to have you in the chair as I commend the Statute Law (Miscellaneous Provisions) Bill (No 2) 2023 to the House.

Debate adjourned.

Bills

APPROPRIATION BILL 2023

APPROPRIATION (PARLIAMENT) BILL 2023

TREASURY AND REVENUE LEGISLATION AMENDMENT BILL 2023

Second Reading Speech

The Hon. DANIEL MOOKHEY (Treasurer) (14:01): I move:

That these bills be now read a second time.

Before I refer members to my Budget Speech, I add the following remarks. I have been asked certain questions on one aspect of the cognate bills to do with the NSW Generations Fund [NGF] Debt Retirement Fund [DRF]. Through the cognate bills, the Government seeks to rescind approximately $4.6 billion of unused appropriations hypothecated to the NGF's Debt Retirement Fund. In essence, we are tidying up the books. Those are notional funds that were appropriated to the DRF between 2021 and 2022 but have not been transferred in cash terms to the DRF because the previous Government, under two Treasurers, paused contributions to the DRF. To give effect to the Government's decisions, an amendment is required to the NSW Generations Funds Act 2018. Given the cash was never transferred to the DRF, the amendment is simply a legal reversion of a hypothecated balance and not a cash transfer.

I refer members to my Budget Speech, which was incorporated in *Hansard* on 19 September 2023. I commend the bills to the House.

Second Reading Debate

The Hon. DAMIEN TUDEHOPE (14:03): I contribute to debate on the Appropriation Bill 2023 and cognate bills. I thank the Treasurer for the clarification he has made, as it was something that did concern the Opposition in relation to the cognate bills. I also thank the Treasurer for submitting himself to two examinations of his homework in the space of one day. It is a bit like being in school. His homework has been—

The Hon. Daniel Mookhey: Trial exams and the HSC.

The Hon. DAMIEN TUDEHOPE: Trial exam, that's right. The unfortunate thing is that I do not think he gets an ATAR. It is one of those things that is part of this business. In May last year, as Minister for Employee Relations, I attended the 150th anniversary of the Labor Council of NSW dinner. It was held at Doltone House and was a very fine event. On reflection, those opposite do a lot better at celebrating their heroes than we do on this side of the House.

The Hon. Daniel Mookhey: You need to have some heroes first. You expel all of yours.

The Hon. DAMIEN TUDEHOPE: Be nice. In fact, I attended a dinner last Friday night for Tony Abbott. That was also a wonderful dinner. But the camaraderie that exists at Labor Party functions and the manner in which they celebrate their achievements—

The Hon. Daniel Mookhey: We stab each other in the front.

The Hon. DAMIEN TUDEHOPE: Yes. The manner in which they celebrate their achievements and celebrate the people who have worked to make those achievements possible is to be noted and praised. This year, however, I received another invitation that read, "You are invited to attend the 168th anniversary of the Labour Day Dinner on Wednesday 18 October 2023." Where is that dinner to be held? It is at Parliament House. This year the unions are coming into this place to celebrate their achievements. It is fitting for the event to be held here because the key fact about the 2023-24 budget is that it is a budget to satisfy the union masters of the Minns-Mookhey Labor Government.

The budget papers show that the Treasurer's claims of fiscal discipline and cuts to waste were what has become a hallmark of this Government: pure spin. This first Labor budget involves a whopping $17.6 billion uplift in taxation revenue over the forward estimates compared with before the election. That is an extra $2,150 in tax for every man, woman and child in New South Wales. The vast majority of those taxes are imposed on employers and on home buyers and owners, with flow on effects to renters, both residential and commercial, and small businesses.

The Government seeks to raise another $250 million in the budget by way of increased taxes achieved in schedule 3 of the cognate bill, the Treasury and Revenue Legislation Amendment Bill 2023. It appears that an historical error by a former Valuer General in the calculation of the value of land for the purpose of land tax has recently come to light. The plan is to "correct" that historical error by lowering the land tax threshold from 2024 onwards so that people who had no reason to anticipate that their property would become liable to land tax in 2024 will suddenly be hit with a land tax bill. A less greedy, money-grabbing government may have let this historical error pass, but instead the Treasurer wants to slug property owners across the State. I foreshadow that the Opposition will move an amendment to stop that unjustified land tax grab.

Under the Minns Government, taxes, measured as a share of gross State product, will hit their highest level since last century—that is since 1999. We have the largest-taxing Government anywhere in Australia. In spite of that tax windfall, the Treasurer is still ripping money out of the hip pockets of everyday people to pay for Labor's promises to the union movement. The budget increases the number of homeowners paying land tax, bumps up fees and fines, and increases public transport fares. The cost-of-living relief offered in the budget is a drop in the ocean compared with the massive hike in tax revenue that will hurt home owners, renters and small businesses all across the State.

A fair and responsible Treasurer would have used this taxation windfall to either provide real cost-of-living relief, such as significant stamp duty reform, or to pay down debt—or to honour the promise that he made before the election to retain the Active Kids voucher program. Instead, the Treasurer has set in motion a significant and permanent uplift in the cost base through a reckless approach to wages. When the rivers of taxation gold dry up, the State will be left with a huge structural deficit requiring major cuts to services and projects. This typical Labor big-taxing, big-spending budget rewards the unions and gives crumbs to everyone else.

The Treasurer might think he is a Paul Keating or a Michael Egan, but he has Jim Cairns written all over him. It is quite clear to anyone reading this budget that this is a government for the few at the expense of the many. Apart from the big hikes in tax revenue and the public sector wage increases, there is not much to say about the contents of this year's budget papers. They are so full of obfuscation and omission that the headline numbers are a fantasy, and the supporting facts and figures are non-existent. The Treasurer is hamstrung by fellow Ministers who are beholden to their unions and a do-nothing Premier who only cares about political virtue signalling. In response, he has let go of the reins. The best he can do is talk tough and try to hide the details of a budget that abandons the basic principle that a strong Treasurer is needed to control the State's finances, because otherwise we all end up paying.

The biggest new expenditure item in the budget is increased public sector wages. I make clear that I do not begrudge or criticise an increase in wages for our frontline workers, but it has to be a fair and responsible increase, and it has to be paid for transparently. The final Coalition budget lifted the public sector wages cap from 2.5 per cent to 3.5 per cent, including an incentive to secure higher wages in return for agreed productivity-enhancing reforms such as those that we successfully negotiated with the Police Association. Given the sustained level of inflation since that last budget, a further increase in wages is not unreasonable. What is irresponsible and has laid the foundations for an unfunded public sector wage spiral is the manner in which the Treasurer has relinquished any control over wage increases and completely abandoned his pre-election promise to fully offset the cost to taxpayers of those increases by negotiating productivity improvements with the unions.

Productivity reform is the circuit breaker for inflation. Failure to tie wage rises to productivity enhancements simply adds petrol to the inflationary fire. The Governor of the Reserve Bank of Australia made it clear earlier in the year that wage rises above 3.5 per cent, unaccompanied by real increases in productivity, would simply drive inflation up. Rising inflation begets rising interest rates, with the Reserve Bank warning it would need to continue raising interest rates to tackle inflation. That means that the inflationary measures spearheaded by the Treasurer will have a real impact upon families, who can thank him for future mortgage rate rises. Someone who was so keen to slay the inflation dragon has instead had his sword taken away from him by his union bosses.

The framework now in place is ripe for manipulation, as it takes the Treasurer out of the game in relation to nearly half the annual budget expenditure. The idea that a notional $3.6 billion Essential Service Fund will cover the wages bill for the next four years is just laughable given the Treasurer has already handed over $5.6 billion in less than six months. The Treasurer's core promise before the election was higher wages for public servants but no cost to taxpayers to pay for it, and that point cannot be overlooked. The Labor Party went to an election promising offsets, but there is not a single productivity measure in sight in its first budget. That was an out-and-out lie to the people of New South Wales, and now the taxpayers of this State will be picking up Labor's bill.

With the right policies and people in place, one could potentially find a way to fund those wage rises with no impact on the budget. It would be challenging, but it would be achievable. To do so would require genuine negotiations on wages and conditions. They have to be negotiations between equals, with give and take on both sides and the Treasurer actively representing the taxpayers who pay for those deals. But judging by his actions, there is no prospect of the Treasurer doing his job on that front. He has handed over control of half the budget to his fellow Ministers and the union puppetmasters pulling their strings.

As a result, the cost to taxpayers does not come from a genuine negotiation but from a bidding war in which the ceiling on wages is his Government's weakest or most compromised Minister. The jury is still out on who that will be, but a lot of Ministers are having a red-hot crack at winning the prize. At the first sign of pressure from the teachers' union, the education Minister has blown the Treasurer's 4 per cent wages policy out of the water, handing over immediate 10 per cent wage increases with an open invitation to the union to ask for more and more in each coming year.

The education Minister's list of cuts to pay for that $1.9 billion largesse is not credible. It includes $411 million in cuts to contractors. We have seen how poorly that has been managed, with risks to student safety only averted through the watchfulness of the Deputy Leader of the Opposition in this place. What other essential work will be cut? How can health, police or emergency services workers be denied what was handed to the teachers' union without a single concession in return? And who will go higher? The police Minister? The transport Minister? The next scandal-plagued Minister desperate for union support? The Government likes to say it is negotiating methodically, but the union movement is methodically picking off Ministers to drive the wages bill for taxpayers higher and higher.

One can guarantee that whatever so-called bargaining framework the Minister for Industrial Relations sets up for next year will have been designed by Unions NSW to maximise outcomes for itself with barely a fig leaf of cover for the interests of taxpayers. It will involve the complete abandonment by the Treasurer of any control over the spiralling wage bill and therefore over the budget bottom line. Clearly, the Treasurer has lost control, and his fellow Ministers do not take his election commitment to fiscal discipline seriously. Why should they? The Treasurer treats the budget like Monopoly money.

In opposition, the Treasurer made an art form of twisting figures and claiming that Treasury officials were cooking the books. He dragged career public servants in front of inquiries and accused them of being part of some grand conspiracy to deceive the public. In government, all he has done is more of the same, playing games with supposed black holes and spruiking fantasy savings. To arrive at the $7 billion black hole figure, the Treasurer sent a memo out to every department effectively saying, "If you want more funding or aren't meeting your budget, call it a black hole and the money is yours." As a result, just about every agency in the government has fronted up with an excuse for additional funding. If it can go into one of the Treasurer's media releases then it will get funded.

The total net additional expenditure from the new measures announced by the Houssos-Mookhey razor gang is $9 billion. The other area where the Treasurer has directed his energies is loading up the budget with fake savings that will never be realised—$700 million from freezing executive pay, $1.6 billion from cutting labour hire and $4.5 billion from fiddling with the accounting treatment of the Transport Asset Holding Entity. None of them have ever been explained in any detail, and it is no wonder they do not appear as advertised in the budget papers. Nowhere in the budget papers does the Treasury account for the supposed $13 billion in reprioritisation savings claimed by the Treasurer. This is because they simply do not exist at anywhere near that scale.

If the Treasurer of New South Wales treats the budget like monopoly money, why should his fellow Ministers take any note of his commitments to the taxpayers of New South Wales? No doubt, he has made some cuts. He has made cuts to cost-of-living relief for families, to kids sport and swimming lessons, to child care and early learning. And he has added taxes to mining and home building, hiked government fees and charges, increased public transport fares and reinstated stamp duty for tens of thousands of first home buyers. But that is just the tip of the iceberg. When you factor in plugging the gap for his fake $13 billion savings figure, the extra taxes required or cuts to services and projects will be a huge burden on our State's economy in years to come.

But you will not read about it in the budget papers manipulated by the Treasurer. The Treasurer likes to quote the debt levels he inherited. We make no apology for using the fiscal strength built up over the previous decade by the Coalition to keep the economy afloat during COVID, invest in its recovery afterwards and to continue building to give the people of New South Wales world-class infrastructure and services. In fact, what the Treasurer inherited was an economy that fared remarkably well by any measure during the pandemic and was set up for reform and growth. Our last budget focused on essential infrastructure delivery, tax reform to curtail the enormous barrier of stamp duty to first home buyers and a nation-leading investment to deliver 500 new childcare centres. The state of the books was independently assessed by the credit ratings agency and our two triple-A credit ratings were secure.

Under the current Treasurer, that solid foundation is at terminal risk. Seemingly, this is deliberate, with the Treasurer and his Government talking down the ratings agencies and the Treasurer's duty—legislatively enshrined in the Fiscal Responsibility Act—to maintain the triple-A credit rating. Any downgrade of our credit rating will be the result of the Treasurer giving up on fiscal management and relying on fudges to sell this clunker of a budget. Just remember: if it is in the budget, Mookhey has fudged it. The more you look, the more apparent the obfuscation and omissions of this budget become. Like future wages increases, these hidden costs lie in negotiations yet to be commenced by the Government but in which the Premier has already shown his hand by setting up a $3.6 billion fund as the starting point.

There is no provision in the budget for the ongoing operation of Eraring power plant, promised toll reforms to be negotiated with the operators, or the upcoming negotiation with the Commonwealth on GST distributions. I note that yesterday the Victorian Treasurer, Tim Pallas, conceded that GST distributions would impact the Victorian budget. Given the Premier's form in putting politics before genuine negotiation, these counterparties must be laughing when the Treasurer claims that they will "feel his wrath" or suffer "grave consequences" if they do not bend to his will. What a joke! The Premier will have put out a media release or make an announcement on 2GB about the Government's concessions before the Treasurer has even thought about going to the bargaining table.

The weakness of the Treasurer is a reflection of the weakness of his leader. Both are career unionists and political staffers. They have never had to balance a real budget or do a deal in the public interest. So it is no surprise that their first budget is hiking taxes while setting us up to lose the triple-A credit rating, cancelled projects and cut services—all to advance the interests of the unions they have served and continue to serve. This is a budget that has broken the hearts of the people of New South Wales, as well as just about every single commitment that the Labor Party made before the election. I had hoped we would get better from this Treasurer. I can say that I am disappointed; but, unfortunately, I am not surprised.

Ms ABIGAIL BOYD (14:23): As The Greens NSW Treasury spokesperson, I contribute to debate on the Appropriation Bill 2023, the Appropriation (Parliament) Bill 2023 and the Revenue Legislation Amendment Bill 2023—the cognate budget bills. After 12 long years in the wilderness, the Labor Party has returned to government in New South Wales, serving up its first budget not with a bang but with a muted thud. Sure, it is the thud of hard decisions made to restore the State's finances into a comprehensible and stable shape after 12 years of conservative contortions and obfuscations. But it is also the thud of deflated expectations, of services for the most vulnerable in our society remaining largely underfunded—a thud followed by the echoing silence of a lack of ambition on the most pressing issues facing our society.

The Minns small-target strategy relies solely on being better than the Liberals. Like that is hard; it simply requires not being a complete ghoul. After 12 years of disrespect and denigration at the hands of the former Government, the public sector has finally broken free of the cruel and counterproductive public sector wage cap, which was arbitrary, mean-spirited and guided by ideology rather than by any sort of sound fiscal strategy. The removal of this arbitrary cap has been something that The Greens have been campaigning on ever since it was first introduced, and the people of New South Wales are well shot of it. Beyond delivering vital cost-of-living relief via an upwards movement in wages for over 400,000 workers in the New South Wales public sector—although the improvement still falls short of the rate of inflation—the removal of the wage cap sends an important message to the workers of the public service that their work is valued and important.

The message that was sent by the previous Government was "to hell with the public service". This has resulted in a much-degraded public sector, with plummeting job satisfaction and reduced capacity, causing an increasing reliance on external workers. The use of external workers, consultants and contractors soared under the previous Government. The use of contingent workers increased in 2022, recording an average of 8,877 contingent workers active in the New South Wales public sector at any given time, which was a 27 per cent increase on 2021. I look forward to hearing the most recent results when they are released in coming months. Make no mistake, the combination of the public sector wage cap, efficiency dividends and labour expense cap marked an anti-worker, anti-unionisation agenda that delivered nothing but bad outcomes for this State. Under these policy measures, employee movements increased dramatically, with public sector employee tenure dropping to its lowest in a decade, coinciding with just over a decade of conservative rule.

And where did these workers go? Understandably, they left to join a contracting or consulting firm in the private sector and to then sell their services back to the public sector at an inflated rate, often fulfilling the exact same function as when they were directly employed as a public servant. I make no criticism of workers who sought a better deal under the compassionless yoke of the Liberal Party and The Nationals. My criticism is reserved solely for the mean-spirited and fiscally reckless policies of the former Coalition Government—a government that has as its legacy of 12 years of rule a New South Wales public sector riven with critical vacancies across its workforce. That is why The Greens welcome the $3.6 billion Essential Services Fund announced in this budget. This fund coincides with the Government's foreshadowed new interest-based bargaining reform. This reform process is being led through the Industrial Relations Taskforce, steered by former Deputy President of the Fair Work Commission, Anna Booth, and former President of the Industrial Relations Commission, Roger Boland.

The Government has foreshadowed a linking of productivity improvements with wage rises for public servants. Exactly how they seek to do that remains to be seen. As it stands, it is hard to imagine what supposed productivity improvements can be extracted from teachers, nurses, midwives and paramedics, and other already overstretched and under-resourced frontline workers. I am looking forward to participating in the development of this new regime to ensure that whatever new system is developed foregrounds the inherent value and skill of our public sector and does not lapse into the same neoliberal mindset of the previous Government. Work in the public service should be desirable. The New South Wales Government should be the employer of choice, with wages and conditions that reflect the economic and social benefit of the important work of government and an independent public service in guiding decision-making for the benefit of society.

For decades we have been painfully, excruciatingly aware of the harm caused to global climatic conditions as a result of the uninhibited release of carbon and other greenhouse gases into our atmosphere. The simple and unassailable reality is that the climate crisis is being driven by corporate greed. Very few people desire to see the world slip past the looming tipping points or to condemn future generations to increases in global temperatures north of two, three, or even five degrees. Yet that is the trajectory we find ourselves on. An overwhelming majority of people in New South Wales, in Australia and around the world are concerned by the impacts of climate change and want more done by governments to arrest its advance.

Of course, workers and their unions are profoundly concerned about the implications of that change. Without a strong, interventionist government, charting a robust and well-resourced transition plan, those workers will be prey to the brutality of the private market. Workers deserve certainty and respect. Workers in communities that have historically been economically reliant on coal appear to have been sold out by this budget.

Before the election, Labor promised a Hunter clean energy transition authority to help the region adjust to the coming social and economic changes of a decarbonising economy. That promise followed persistent community advocacy, strongly led by the Hunter Jobs Alliance, and was meant to be modelled on experiences such as the Latrobe Valley Authority, established by the Victorian Government in 2016 to transition workers, their families and the community following the closure of Hazelwood Power Station. The commitment was unfunded by Labor prior to the election, but the Hunter Jobs Alliance estimates that about $65 million a year would need to be invested over the next decade.

The Latrobe Valley Authority was established with an initial $266 million investment to kickstart that authority's work. So imagine the betrayal felt by communities in the Hunter Valley when they saw the announcement in this budget of the establishment of future jobs and investment authorities funded with a measly $5.2 million investment. That is not an investment; that is an outrage. The Minns Labor Government would rather spend untold millions keeping Eraring open than invest in local communities, empowering them to chart their own accelerated decarbonising future. Compare that with a $90 million mining subsidy increasing mining and exploration and we are starting to see the rot that continues to bedevil the Labor Party when it comes to climate. It is corporate capture that keeps the New South Wales Labor Party so meek. It is the soft touch approach to corporations and big business that prevents the people of New South Wales from get what they deserve.

The New South Wales Labor Government needs to be far bolder in raising revenue from those industries raking in profits at the expense of the health and prosperity of people across New South Wales. Although we are certainly pleased that the coal royalty rate is being increased, finally, long after what are probably the peak coal prices but long before we see an end to the mega profits enjoyed by coal companies exploiting our natural resources, now was the opportunity to be far bolder. Adding an extra 2.6 per cent to the 7.2 per cent for thermal coal and 8.2 per cent for metallurgical royalty rates, bringing us to 9.8 per cent and 10.8 per cent respectively, raising an additional $2.7 billion over four years, is something. Yet if we were just following Queensland's modest escalation rates, we could be raking in twice that amount. No wonder the Minerals Council and friends were relieved at such a low increase, laughing all the way to the bank as they continue to make record profits.

Why stop there? Why not tax the other industries continuing to make obscene profits while people across New South Wales suffer in a cost-of-living crisis? Why do we allow the big banks, long responsible for the over-financialisation of our housing market, among a host of other socially undesirable impacts on other markets, to continue to rake in billions after billions in surplus cash and not take some of that back for the people of New South Wales? The Greens have long campaigned for New South Wales to introduce a State supplementary banking levy to capture some of the windfall profits that the big banks make out of mortgagees in our State. Even a modest supplementary banking levy could raise $500 million every year. The Commonwealth Bank of Australia made a 5 per cent increase on its profits last financial year—a whopping $10.6 billion. If Labor had some courage, we would capture some of that unearned mega profit.

Then we get to the other capitalist leeches of our society—the consultants. As I suggested in an amendment in this place just last month, making the big four accounting firms pay payroll tax like everyone else could raise at least $250 million over four years. Partners in those firms dress up their salaries as profit distributions and get favourable tax treatment as a result. They cannot have the best of both worlds, and it is time we made them pay their fair share. The list goes on. What about the gambling industry? A pokies super-tax could rake in around $700 million in additional revenue every year. We could make billions of dollars in years to come from appropriately taxing developer landowners when they make millions on a rezoning revaluation.

Times are tough, and this new Labor Government will need to get much tougher in making those who can afford to pay contribute more to the ongoing costs of running, and living in, this State. It is in light of that failure to raise more revenue, and Labor's choice to work within a smaller revenue base, that I express The Greens' profound disappointment in relation to all of the vital services that have not received adequate funding in this budget. My Greens colleagues will each contribute to debate, particularly in relation to their portfolio responsibility areas, but I will touch on a few other specific areas in this contribution.

The Treasurer talks a big game in the budget documents about wellbeing. I am genuinely pleased to see the beginnings of a framework in New South Wales for wellbeing indices and a wellbeing budget. I could be snarky and ask why the Government's response to my wellbeing budget bill was so dismissive, given its own plans and the Federal Labor Government's plans for a wellbeing budget, but at the end of the day the campaign for a wellbeing budget is about providing improvements to the quality of people's lives across New South Wales and not about political pointscoring. However, it is one thing to talk about wellbeing; it is a completely different thing to deliver a budget that provides for it. The failure of this budget to focus on wellbeing, and the corresponding failure of this Government to prioritise the wellbeing of people and planet, is most clear when it comes to housing, domestic and family violence, disability, the environment and the creative industries.

The former Coalition Government was well known for its propensity to spin nothingness into somethingness. With great fanfare, it would announce items in the budget as extra funding when they were actually lower amounts of funding than previous years. It would hide cuts, bury subsidies, massage accounting treatment—as we well know—and you name it. Whatever it could do to make the budget look better and more attractive than it was, it would do it. I expected far better from this new Labor Government, and there are many aspects of this budget that are, indeed, a refreshing change. However, the level of spin put on the housing aspects of the budget would give Shane Warne a run for his money.

Touted as a budget to "confront the housing crisis", there is no significant increase in funding for social housing. Instead, the Minns Labor Government is simply relying on funding from the Federal Government—funding that my Federal Greens colleagues secured, I might add. We have heard announcement after announcement about new spending, and that somehow this is a budget with $2.2 billion for housing, but when we look at the details, the level of spend is genuinely insulting. There is $300 million in Landcom dividends reinvested to build 1,409 affordable homes over—wait for it—16 years. Yes, that is fewer than 100 affordable homes each year.

The Federal Government's funding for housing in New South Wales was never intended to let New South Wales off the hook. It was about all levels of government pulling their weight, as that is what is needed to make a dent on the housing crisis. Do not even get me started on the lack of accessible housing in this State. I spoke at angry length about that in this House yesterday, when both major parties forgot that people with mobility issues need to live in a house, just like everyone else.

I am astounded at how little there is in this budget for people with disability. The Labor Government, just like the Coalition Government before it, which Labor swore it would be nothing like, has put people with disability on the backburner. It did not even bother to offer a glimmer of hope in this budget by committing additional funding toward meeting New South Wales' existing disability accessibility and inclusion targets that we are already lagging so far behind on. People with disability are, time and again, an afterthought in a system built upon ableist foundations that actively disables people every day from living full and dignified lives. The organisation People with Disability Australia called Labor's budget a missed opportunity to look after people with disability, who are disproportionately impacted by the compounding crises we are faced with. I daresay it is far more than a missed opportunity. Labor has utterly failed the at least one in four people with disability in this State.

In the midst of a housing crisis that disproportionately impacts people with disability, Labor has given scraps to deliver social and affordable housing, with no mention of targeted accessible housing solutions for people with disability. The Ageing and Disability Commission, which is bleeding out from a consistent lack of funding over many years, has been given nothing to help it meet the current and projected demand for services. The State Electoral Commission also received next to nothing in this budget to make our democracy accessible for people with disability and to adequately resource voting options.

The Park'nPay app during its short time in action was downloaded 2.66 million times and has made a palpable difference in the everyday lives of countless for people with disability living in a world where they are forced to plan every step of their journey from the minute they leave the house to the minute they return. Despite this, Labor has made the deliberate decision to cut funding for this app, blaming it on the inherited budget blackhole while at the same time allocating $5.6 million for an artificial intelligence pilot to manage the planning system, $700,000 to upgrade tactical telecommunications devices for the NSW Police Force, and a whopping $31.3 million to build Live NSW. Labor's priorities could not be clearer.

Despite the fact that the completion target of the Transport Access Program [TAP] was already pushed back four years in 2022, Labor has not only failed to provide additional funding to see this target is met but also lazily merged the TAP with the Commuter Car Park Program. This is quite literally the opposite of what the sector and the community need and want. During the State election Labor boasted about its commitment to finally push New South Wales to meet the Premier's priority of having 5.6 per cent of public sector jobs filled by people with disability by 2025. It feels like deja vu to stand here and say that this budget before us makes no funding commitments to address the clear failure to meet this target yet again. This comes on the back of the Treasurer categorising this budget as propping up the public sector, but apparently that does not include people with disability.

For the past 12 years, the domestic and family violence sector has been forced to pick together just a few asks each budget for menial sums of money to address a crisis that kills dozens of women and children every year. Under this new Government, we expected differently. The entire sector expected this issue to finally be taken seriously, to be prioritised as the emergency that it is. But once again, it has been directly demonstrated that the lives of those who have been killed or who are suffering from gendered violence are simply expendable. Once again, the peak body, Domestic Violence NSW [DVNSW], has not even been provided with enough funding to meet minimum service demands. This is made worse by the fact that New South Wales has some of the lowest per capita funding to end gendered and sexual violence in the country. As DVNSW stated:

> Comparatively the NSW government invested only $262.7 million in 2022-2023, less than half of the $613 million that the Victorian Government invested: We didn't even ask for half of what is required to close the funding gaps between NSW and Victoria in terms of domestic violence spending per capita. We only asked for a $176.35 million increase - which is a small price to pay for a woman and child's right to safety.

In their pre-budget submission, DVNSW also advocated for a total of $20.45 million in additional funding to invest in specialist Aboriginal controlled domestic and family violence [DFV] services and to support further investment in Aboriginal legal services, including child protection work. This also was ignored. There was nothing new in this budget for the sector, apart from prior pre-election commitments, which were still a huge underspend on what was asked and needed. The housing budget for victim-survivors is just as shocking. The $8.4 million sought for Staying Home Leaving Violence was ignored. Only $5.2 million was provided to support specialist homelessness services when it was indicated that the sector would need 10 times that amount to support women's refuges alone. Women's refuges need $52 million, and instead the gendered violence sector is being forced to share a tiny funding increase to specialist homelessness services.

Although the Shared Equity Home Buyer Helper pilot will be expanded to include DFV victim-survivors at a cost of $13 million, this will support only a small subset of victim-survivors who are able to purchase a home and have gone through the process of making sure that they can claim they are a domestic and family violence victim-survivor for that purpose. It was not a priority of, or a request from, those in the sector who have been telling governments for years what is actually required to turn the domestic violence epidemic around. So much for a *Gender Equality Budget Statement* when it is clear that the New South Wales Government has decided that an issue affecting over one in three women in this State will not be funded to meet the demands of those who need it.

Animals and their advocates have also been told to wait and to not even bother making a submission for this budget by the new Government. We will be waiting on the next budget when the Government has promised advocates that there will be progress. Without a funding commitment next year, organisations such as Greyhound Rescue Inc. and the RSPCA that are responsible for caring for thousands of animals across the State will be left completely in the lurch, despite expanding service needs.

Finally, but not lastly, I note the disappointing cuts to the arts and creative industries. This is miserly cost-cutting at its worst and does not bode well for a society in which we want people to thrive and not just survive. This budget was touted as a budget of hard choices, but it seems to me, from where The Greens are standing, that at every turn the Labor party made the easy choice: the choice to pit the public service against the rest of the State; the choice to cut programs rather than redistribute wealth from those most able to pay; and the choice to artificially constrain themselves rather than lay out an ambitious vision for our State. Sadly, following 12 years of destructive conservative rule, this budget shows a Labor Party not yet brave enough to do what must be done.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I acknowledge the presence in the gallery of Wendy Waller, a former Mayor of Liverpool, and her husband, Paul Bryant, together with their grand-daughters Wendy Waller Junior and Matilda Waller. Obviously, they are the family of Peta Waller-Bryant. I welcome you here.

The Hon. MARK LATHAM (14:44): I contribute to debate on the Appropriation Bill 2023 and cognate bills. There are several aspects in the cognate bills that are worthy of support. The first of those is the removal of the concessions and subsidies for electric vehicles [EVs] following the independent Treasury analysis that showed, as forecast by some members, that the sole purpose and outcome of those subsidies would be to drive up prices and subsidise the rich. It is no surprise, looking at the postcode data where the subsidies were allocated, that that is exactly what happened. But we only need to understand the nature of the EV market to know that subsidies would drive up the prices and make those vehicles even less affordable for working families because the European Union has a policy of carbon tax credit for holding the EVs in yards in Europe rather than exporting them for sale in Australia. The supply in our country is limited. We do not have our own vehicle manufacturing industry and as long as supply is limited and the subsidies are in place, the prices would go up. That is a very welcome aspect of the cognate legislation.

I note there is a pretty significant typographical error in the provisions for electric vehicles that will be corrected by amendment—that road user charges will not start until 1 January 2024. I assume the Government will await the High Court decision to see if there is a State power for that type of revenue raising. If the State power exists out of the Victorian case, we would want to see EVs carrying their weight in terms of providing revenue to the State Government for road maintenance and road improvements. One disappointing aspect of the budget papers, though, is what appears to be the abandonment of outcome-based budgeting. This was something pioneered by the previous Government. There was a lot of fanfare when Dominic Perrottet was the Treasurer about outcome-based budgeting. I always thought the projected outcomes were rather weak and, in some cases, meaningless, but it was an attempt. They have gone now, despite the assurance I received from the Minister for Finance, who is present in the House, on 1 June when, in answer to one of my supplementary questions she said:

> I have taken a close look at the budget papers that specifically deal with outcome-based budgeting. I was rather surprised by the lack of detail and rigour in the figures in those budget papers. It is something that we take seriously when reporting to the people of New South Wales the actual targets that we have and whether we are delivering against those targets.

Then there was an assurance that every single dollar would have accountability and transparency in the new Government's budget. That has not happened. Some data has been provided but it is all historical. The Treasurer assures me that in the next budget the Government will develop its own targets. I think they are very important in terms of measuring the successes and failure of the $120 billion spending in the State budget. I hope next year there is a big improvement. The previous Government did not have it right. Some of the targets were meaningless, but we have none at all now. We have only got some historical data, including the Gini coefficient about wealth and income inequality on which I am not too sure that State governments have much of an impact. That is a work in progress. I certainly encourage the Minister for Finance and the Treasurer to live up to the lofty rhetoric that the Minister for Finance provided on 1 June when she said:

> We want to be honest, open and up-front about what we are seeking to do with those valuable taxpayer funds that we are expending.

In some cases we have no idea about the total spend. The budget papers do not reveal what I would assume to be the tens of billions of dollars spent on climate change initiatives in aggregate. When I asked what the outcome will be in lowering global heating, the Treasurer told me to ask the Minister for Climate Change, and Minister for Energy. When I asked her in the past, she could not provide an answer. If there is going to be proper outcome-based targeting in the budget, I would expect a couple of things to automatically happen: What is the total spend on climate change policies? If the Government believes in them and wants to save the planet, well and good, but it should aggregate them and report them in the budget. If you believe that you can solve global heating from provincial government level in Australia, that is a fine aspiration. With saving the planet, at least report on what you are expecting to do in moderating the extent of global heating. They are some disappointing aspects.

Ms Abigail Boyd: Boiling.

The Hon. MARK LATHAM: Global boiling! It is getting worse by the day. It is cooler today, but The Greens say that we are at boiling point. In terms of repairing the damage, I was somewhat amused at the shadow Treasurer's comments that you need a strong person in the Treasury portfolio to manage the books. Why did the Coalition ever appoint Matt Kean, who was a spendaholic? He plagiarised my reference to Jim Cairns, who, on the historical record, it must be said, never delivered a Federal budget, but he is blamed a lot for the excesses of the 1974 Whitlam Government.

The Hon. Damien Tudehope: That is the point.

The Hon. MARK LATHAM: That is the point, is it? Matt Kean was a lot worse. While there is some emerging glimmer of fiscal responsibility from the new Opposition, its record when in government was completely appalling. I do not think we will ever see a Treasurer in New South Wales match the extent of the Kean spending increases, which were of the order of 26 per cent in a budget delivered after the worst of COVID-19 had passed. It was a blatant attempt at vote buying to duplicate Commonwealth functions in child care, female labour force participation, university research and GP clinics. Whatever Canberra had been doing, Kean thought he could do better. But it is a false dawn in that it just encourages the Commonwealth Government to do less in areas where we are taking up its spending responsibilities. Have those things been corrected? Some of them have been mildly corrected in this budget, though not enough, of course. The redirection of $100 million out of child care, which is a Commonwealth responsibility, into more universal preschool in New South Wales with fee relief is welcome.

I come down to the basic point, which is evident in these budget papers. If we are not properly funding our core New South Wales responsibilities, like TAFE, why are we funding things that are done out of Canberra? Members can look at page 5-11 of *Budget Paper No. 02, Agency Financial Statements*. There is a cut in funding for the TAFE Commission. We are going backwards. Surely, TAFE should have been funded more generously by this Government by eliminating those Commonwealth funding responsibilities.

Another area of savings I am glad to hear of is that the Government got rid of the Western Parkland City Authority, because two of the great myths of Western Sydney development is that we will see anything substantial at the so-called Bradfield City or that this Celestino scam of a ghost science park at Luddenham deserves a metro station. This will be a massive waste of money and a big responsibility for this Government to again undo the mess left to it by its predecessor.

It was interesting to see in the budget papers the production of the *Gender Equality Budget Statement*. But I would put a different evidence-based approach to the gender equity questions, which can be important. One is: What are we doing for male education in New South Wales schools? If we want to be serious about gender equity issues, we must confront the reality that boys have fallen well behind girls in all the indicators of academic success in our schools. If we believe, as we should, that schools set up potential successes and failings in life, then we would want to do something about this inequity.

The Tell Them From Me survey, of over 135,000 students in our schools, has produced a result saying that girls aspire more than boys to complete year 12 and to go to university. The report states that it is a reversal of a trend from 30 or 40 years ago, when studies showed that boys both aspired to and expected higher levels of educational attainment than girls. The reverse is now true. The fact that girls tend to perform better academically at school than boys may also be the reason why more girls than boys aspire to finish year 12 and go to university.

In the NAPLAN results, in each of the indicators through years 3, 5, 7 and 9, particularly in reading and writing, girls outstripped the performance of boys by a noticeable margin. In year 9, for the four literacy domains, 19 per cent of girls are exceeding proficiency, compared to boys, down at 14 per cent—there is a 5 per cent difference in favour of girls in literacy achievement at year 9. Those things are true also in the various indicators in the earlier years of NAPLAN. We now have 60 per cent of girls expected to complete a university degree, compared to only 50 per cent of boys. Twenty per cent of year 9 boys do not meet the national minimum standards on writing, and nearly 14 per cent do not reach it for reading, which makes them functionally illiterate.

Some areas of the *Gender Equality Budget Statement* may have a concern about the so-called gender pay gap and the like. But, to be a full statement, surely it must address this obvious inequality in our school system, where boys have fallen well behind their female counterparts. In the HSC, the only subject that boys are outperforming girls in is chemistry. In standard maths, girls have reached parity. In every other subject, they are ahead. If we take reading proficiency as an indicator of future academic abilities, boys have fallen significantly behind. The Australian Bureau of Statistics data for New South Wales show that 88 per cent of girls stayed to complete year 12, but only 79 per cent of boys, which is a 9 per cent difference. If the Government produces a budget paper entitled *Gender Equality Budget Statement*, there needs to be a section that takes on what I believe to be the biggest gender inequality in New South Wales, which is that boys have fallen behind girls in the school system, which affects all of their impacts for the rest of their lives.

In terms of the gender pay gap, we have had equal pay laws in Australia now since 1973. The university data show that the reality of the gap is that, in the various professions of university leavers, in 13 out of the 25 categories, women are paid marginally more than men. Where the gap arises, of course, is in the biological reality that only women can have babies. When they take maternity leave, they often come back in a part-time capacity or lose their seniority in their particular private enterprises. The Government can try to address the gap, but equal pay for men and women is already enshrined in law in Australia. The gap is due to biological factors outside the control of government.

There have been major advances in the workforce, to the tremendous advantage of women. We now have a majority of female lawyers, vets, GPs, other doctors, office managers and teachers right around the country. Data presented on page 18 of the statement show the male-dominated industries. I have a daughter, and I am not too sure she wants to work in the dangerous industries of construction, mining, transport or waste services. How many girls aspire to work in waste services, which continues to be male dominated?

If girls are doing better at school and going to university in larger numbers than boys, they will have the qualifications to make their own way in the workforce. Quite frankly, when I speak to women about what happens in career advancement, they will say two important things. They will say, "At my work place, if anyone is likely to be holding me back and trying to diminish my opportunities, it will be another woman, not a man." They will also say that they do not necessarily want government quotas and affirmative action, given that empowered women with qualifications and university degrees are keen to make their own way strongly in the workforce.

I now come to the part of the appropriation bills that is closer to home, which concerns the appropriation for The Legislature, this particular building. I can hear the murmurs of anticipation and keenness to hear what I have to say about the management of this building. Members may have heard my adjournment address about the folly of the Broderick processes. I note that my phone is ringing. It must be the managers of the building calling to say, "Don't say anything." Well, bad luck—I will say it all.

The truth is that there is an allocation in this budget over the forward estimates of $15 million for the Broderick process. I would like to hear from the finance Minister or the Treasurer about how the money will be allocated. Yes, the allocation is in the policy measures statement. There is $15 million of extra money for the Broderick process. What are they going to do? Will we have a personalised tutorial about the workplace every other day? It is $15 million for a process that so far has not brought forward one actionable complaint since the preselections ended prior to the last election? I do not know how they will spend the $15 million but, undoubtedly, in this building, they will find a way. They are experts on spending up to the allocation from the Government, which increases year after year.

Working in this building is like a long running episode of *Fawlty Towers*, with the management here combining the bombast of Basil with the comical inefficiency of Manuel. Who wants to work in a permanent construction zone with jackhammers drowning out radio interviews, with substandard wi-fi and with unnecessary projects consistently running massively over budget? I refer to the farce of the frosted doors on the cafe, wasting $150,000 to achieve absolutely nothing. I refer to the bollards on Macquarie Street, at a staggering cost of $50,000 each, which were installed 20 years after 9/11.

There are cost overruns on the Speaker's courtyard, the access ramps around the building and the mother of all mismanagement: the replacement of the roof—it was a multimillion dollar shambles. Plan A of gradual replacement failed, which necessitated delays, noise and the embarrassment of ripping up earlier work and starting again. I often say, only half in jest, why did we not just bring in the Chinese? They would have finished the work in three weeks rather than in the five years that I have been here. It just goes on and on and on like episodes of *Blue Heelers*.

We have the torture of these indefinite delays and overruns in time and budget. The problem with budgeting for this building is one of self-indulgence. The Executive Government allocates even larger sums and it has happened again in this budget. It must be hard to resist cost-cutting where we sit, but the Executive Government allocates even larger amounts of money while the building management always spends up to the full amount, dreaming up whacky, unnecessary schemes like the infamous frosted doors and, more recently, the renovation of the building facade that nobody even thought needed renovating. True to form, work that was supposed to be finished by the opening of Parliament in May is still incomplete four months later. We look more like a Christo-draped facility and a permanent joke for people walking past, than a professional, efficient working parliament. As I mentioned earlier, we now have the new farce of an expensive complaints officer and the Broderick process supposedly costing an amazing $15 million over forward estimates, when no actions or complaints have been lodged since the end of the pre-election, preselection season.

What kind of government makes a policy decision to cut the health budget by $282 million but loads up $15 million on phantom Broderickism and a $150 million slush fund for Labor lower House MPs, who will personally allocate $400,000 per annum in their seats for party political gain? It is a new pork barrel from a government that solemnly promised no more pork. They are the disappointing aspects of the budget. I hope my suggestions for alterations to spending patterns are seen as constructive and useful for next time around, in addition to the take-note debate on Tuesday. I think the Government has probably gone 20 per cent to 30 per cent of the way needed to undo the wreckage of Keanism fiscal irresponsibility and maybe up to 40 per cent on a generous allocation of credit. I hope that the work continues over the next 12 months, encouraged by our newly found responsible friends in the Opposition.

The Hon. SARAH MITCHELL (15:01): I make a contribution to the debate on the Appropriation Bill 2023 and cognate bills. I start by addressing the impacts of the budget on regional New South Wales. I do so as Leader of The Nationals in this House but also on behalf of, and in conjunction with, my colleague in the Legislative Assembly the member for Dubbo, Dugald Saunders, who is also the Leader of The Nationals. As is the protocol in the other place, they got through the bills quickly so he did not have the opportunity to speak. Therefore, I want to put a few things on the record on behalf of The Nationals.

I start with the regional seniors travel card, which will not be a surprise to members in this House. More than one million cards—1,386,911—were issued from the initial rollout until Labor suspended applications. We know that 333,000 were distributed from 1 January to 7 July this year. Therefore, 25 per cent of the total was issued in the final six months of the program. If you needed an indication of how much our seniors in the regions were relying on the card—particularly during the cost-of-living crisis—then the fact that almost a quarter of the cards were distributed in the last six months showed how necessary that support was. What a shame that the program was cut.

Many members of The Nationals have taken great exception to some of the comments made about the card by those opposite. The Minister for Regional Transport is a regional member. Some 8,368 seniors in her electorate, in the Maitland local government area, accessed the card in the first six months of the year. She said it was a "rort card". It was not a rort card. It was an opportunity to address the inequity experienced by people living in regional communities who do not have access to subsidised public transport. It was about making it fair for regional communities and giving seniors a chance to access those cards.

Our colleague the Hon. Stephen Lawrence commented on Dubbo radio that he did not support the card because it was not means tested. I have not heard him say that toll relief or childcare support should be means tested. There is inconsistency in the argument. It overlooks the fact that to be eligible for the card, you have to have reached the aged pensioner age and be receiving support from either Services Australia or the Department of Veterans' Affairs. You have to be someone who genuinely needs the financial support. To see it cut, along with the regional apprentice card, is a shame. It is a kick in the guts for elderly people who live in regional communities. With the cost-of-living crisis, they will struggle to get to medical appointments and social events, which are important for wellbeing. It is a shame and those opposite should be embarrassed that they cut something that made such a difference.

There have been cuts to the Rural Assistance Authority. I know the Minister for Regional New South Wales was due to speak on radio in Dubbo this morning but did not call in. I would have thought that if she had a lot to say or wanted to spruik the budget then she would have called a major rural ABC station. It says a lot that she did not. The Minister was recently in Orange where she spoke about the need for farmers to have a plan to prepare for drought. However, the authority that helps administer important programs like the Farm Innovation Fund that help people to prepare for times of drought has had its funding cut. On this side of the House we understand how important is to invest in regional communities but we are not seeing that from those opposite in this budget. The Rural Assistance Authority—which provides tailored access to loans, grants, rebates and subsidies for primary producers—has had decades of experience helping producers and business operators in regional communities. We are seeing cuts in its budget and The Nationals will call it out because it is important that someone looks out for those rural communities.

I also touch on Resources for Regions. In this budget the Labor Government increased mining royalties but cut a program that is specifically designed to support the communities in 27 local government areas that are directly impacted by mining. My community is one of them. Gunnedah has had coalmining for more than a century. It is an important part of the economic fabric of our community. The social and economic programs specifically designed to support mining-affected communities really help us and our way of life. Gunnedah got money for our koala sanctuary recently. Gunnedah is the koala capital of the world. Do not let anyone else claim it; we do. The koala sanctuary is important for the environment and tourism. It got more than $5 million worth of funding through Resources for Regions, but we have a government who says that it cares about the environment on the one hand—it wants the Great Koala National Park—but it cuts programs that fund koala sanctuaries in regional New South Wales on the other.

The hypocrisy in this budget is never ending. It is not just Gunnedah; it is also communities right across western and regional New South Wales that benefited from the Resources for Regions funding. I note that the Minister and the Treasurer put out a press release about a new fund, the Regional Development Trust Fund. The Hon. Tara Moriarty said, "Other regional development funding will continue to be available through that," but we have been doing the maths. A starting investment in the fund is $350 million.

The Hon. John Graham: That Dugald was not helping with the maths.

The Hon. SARAH MITCHELL: I am good at maths. I reckon I will go okay on that. The starting investment is $350 million. We do not know what future investment will be, but what concerns us is that from Resources for Regions alone—and there were many other rural support opportunities and grants available—rounds one to seven of nine grants had $345 million allocated. So a $350 million starting fund does not bode well considering Stronger Country Communities and other programs were providing support through the Regional Growth Fund, whether it was Resources for Regions, Regional Job Creation Fund or Stronger Country Communities. We do not want our regional communities to miss out and we are concerned they do in this budget.

The Treasurer said that the Regional Communities Development Fund will end pork-barrelling because "needs should matter more than political allegiances". We found that very curious because we know that the Government has also set up a small allocation grant that it states is $400,000 per electorate. But what is really curious is that a lot of those supposed projects that are coming through and that will be under rigorous assessment are projects that we know have been nominated by Labor candidates, and not just those who went on to get elected but Labor candidates who did not come within a bull's roar of sitting in that other place. They were the ones determining where that money goes.

I have asked for a full list from the Premier and the Special Minister of State through questions on notice. What is the list of projects? If they are all above board and they are all going to be run through a very strict and rigorous process, tell us—by each electorate—who they are. Who announced them? Who was involved? People in regional communities talk to us, and we know what has gone on behind the scenes. We will continue to delve into that. Some members on the other side should be a little bit nervous about what is about to be uncovered.

I will also touch briefly on regional health. We are seeing a number of regional projects remaining as line items in the budget, and in some cases having relatively small allocations of funding. But what we need to be very clear about and what we will be watching closely is the scope of some of those projects. Again, I will pick a project that I know well—the Gunnedah Hospital. A $350 million commitment was made by the former Government. It remains as a line item in the budget for $350 million. I think about $10 million is allocated this year. But it has changed in terms of what was available in the master plan. The scope is different. What has come out of it is allocations for renal and chemo treatment. That is really important for regional communities. If the Government is saying it is still delivering the money but it is narrowing the scope of the projects that were already master planned to be built for regional communities, then that is a cut. That is a direct impact on the lives of people who live in towns like Gunnedah. Again, it is about what is being delivered, not just what they say.

I turn to the cost of living. We all come to Parliament, sit in our little bubble, have a bit of fun and occasionally debate serious matters. We sometimes lose sight of what is going on outside of this building. I do not think anyone would be surprised to know that the cost of living is the number one thing that people are talking about. Many families across the State are concerned about how they will manage their household budgets. There is a laundry list of programs that were supporting families, sports organisations and local businesses that no longer exist under this Government as well as Active Kids, Creative Kids, First Lap, Before and After School Care and Back to School vouchers. Active Kids has had a brief life line and now it is going to be means tested. Therefore, a lot of people will miss out. A lot of sporting communities have seen an uptick in kids taking part in sport. The mental health and health outcomes that come with being active as a young person will not be attainable for a lot of people. Back to School vouchers were incredibly important to help parents with the cost of uniforms. There is no mention of that. It is a great to support local businesses and a lot of P&Cs who run the uniform shops as well. Those cuts will have real-life impacts.

I turn now to my portfolio as shadow Minister of Education and Early Learning. I have a lot to say, so I will not get it all out in this speech. The most important part of the education system is our students. We have not seen enough from this Government when it comes to investing in students and student outcomes. The Government has allocated $278.4 million over four years to the literacy and numeracy tutoring program. Compare that to the past three years of funding for that program. We made up to $900 million available to schools to support students who needed that extra tuition. That was more than 350,000 students. We are seeing just over $50 million a year—$60 million—from this Government, so thousands of students will not be able to get that tuition anymore. There will not be enough money to provide that support to them, and we know that is one of the most important ways that we can help students who are falling behind. It is not just us saying it. There is good work being done by the Grattan Institute which also talks about that support. This Government has missed another opportunity by not having that money flowing into schools and not having that small group tuition on the scale that was provided under the Coalition.

We also heard the announcement of an additional 250 school counsellors. We welcome support for more mental health in schools. It is important. Under our Government, we provided $88 million over four years to make sure that every single high school had a full-time counsellor, and we fulfilled that achievement. That was the recruitment of 100 counsellors, and I can say it was not without its challenges. We had to put significant money in to help people train to become counsellors, to have those with teaching degrees take on extra qualifications. While the Government is spruiking about providing an additional 250 counsellors, no amount of money is mentioned. Where are those school counsellors coming from? What are the scholarships that are going to be available to help people retrain? It is really easy to make motherhood statements, but it is hard to deliver. If there is no funding for those initiatives to help people get into the workforce, there is no way they are going to deliver on that commitment.

I will also talk about the supposed $1.4 billion worth of budget savings that the education Minister says she has found to pay for the deal with the unions. The reality is that there is not a spare $1.4 billion just floating around the education offices in Parramatta. Every dollar that the Minister has reallocated will have an impact. No-one anywhere with any common sense would think that the Government could just find $1.4 billion without there being a flow-on impact. The fact is that the Labor Party have done that to pay for their deal with the unions, and the education budget becomes a house of cards when its biggest expenditure, which is wages, spirals out of control. The people who will miss out are students. When it comes to education, we need to make sure that we are talking about students. I know that the Minister has spoken about getting rid of additional executive roles, but what does that mean? It means assistant principals in schools are being told that their role is not going to exist next year and they will be going back to the classroom. Some will stay and some will not. Some people have contacted me already who have said they are leaving because they are being demoted. Their worth as assistant principals and executive members of their schools is not being recognised.

We brought in 1,600 assistant principals. They were at every single primary school, and they were there for curriculum instruction. They were there to support teachers with the rollout of the new curriculum that started under our Government. I note it will be continued under this Government, although on a delayed rate of delivery. But the whole point bringing in those roles was to help teachers with workload, to help them understand the new curriculum and make sure they were supported with its implementation, particularly early-career teachers. Many members opposite spoke about falling education outcomes and quoted one line from the curriculum review from Geoff Masters about the fastest falling rates. What were those roles put in place for? They were put in place to support curriculum instruction to help improve teacher practice so that students could get better outcomes. With the swish of the pen from the education Minister, they are gone. Teachers will no longer have those roles to rely on to help them in their classroom practice, and kids will miss out. Every action has a reaction. There is no way that getting rid of those assistant principal roles will not have an impact in school communities.

We also know that the Government will start dipping into school bank accounts. They call it the Local Schools, Local Decisions discretionary funds. That program went out when I was the Minister and it was replaced with the School Success Model, which continues. But let's be clear: School discretionary funds are that part of the budget allocation that schools get based on the Gonski methodology. It is needs-based, sector-blind funding. That announcement means that the Department of Education and Early Learning will dip into school bank accounts to take the money allocated to the schools based on need and put it back into the general coffers to pay for wages. The reality is that the projects or programs that are run by principals to support their students based on their needs will not happen anymore under this Government. I could say a lot more.

I will now talk about school infrastructure. Most of the announcements and continuing projects in the budget were projects that were started under the Coalition, but I just want to raise two points on school infrastructure. The first is that the Government is allocating $767.1 million for four new primary schools and 10 new high schools. Simply put, that is not enough money. We know from past budget papers that Ngarala Public School, a brand-new public school that we opened recently in the Epping electorate and that I visited with the former Premier, cost $60 million. The Government claims it is funding the new Wentworth Point high school as a new school, but we turned the sod for that one in October last year. It cost $160 million. I know that maths is not a strong point for some members opposite, but $767.1 million is not enough money for four new primary schools and 10 new high schools. It will cost an average of $60 million for a new primary school and $160 million for a new high school. The Opposition will be watching the delivery of those projects closely.

I also note that five of the school projects announced as new by the Government only have planning money—again, the rank hypocrisy, with the number of times those opposite criticised us in government when only planning money was allocated. There are five schools—Calderwood, Flinders, Huntlee, West Dapto and Pottsville—with no money allocated for construction. It is a farce. Once again we see those opposite saying one thing before the election and doing something else once in government.

The last point I will touch on is early childhood. Again, I have said a lot about it, and I assure the House that I will have more to say in the weeks and months ahead. I will touch on the delivery of universal pre-kindergarten and the announcement of 10 new public preschools as part of the budget. All of those are in new school builds, and many of those new school builds do not have land allocated or found yet. The idea that those 10 will be up and open for delivery any time soon is also a farce. The only one that is likely to be operational any time within the next 12 months is the school at Liverpool. Interestingly, that is where the Premier and Deputy Premier made their announcement. The reason that one is ready is because the former Government started building that school in January and that included a preschool.

There is no groundbreaking work happening in pre-kindergarten. There has been nothing done in terms of trials or in terms of identifying the further 90 sites for universal pre-kindergarten. There is not enough space. We have 100,000 children born in New South Wales every year, and they all need a place five days a week for pre-kindergarten. We need a massive uplift when it comes to preschool infrastructure if we are going to deliver that important policy reform. If this Government can only pledge to deliver 100 preschools in four years, it is not enough. We will not have universal pre-kindergarten by 2030, let alone before 2030, which is what Government members are on record saying before the election.

We are not seeing investment in the early childhood workforce. There is only a mention of $22 million over five years in the budget. The former Government had $280 million. Those opposite might say, "Ours is in addition to." Well, why are they not spruiking a $300 million early childhood workforce package? They are happy to take credit for what we put in beforehand and add their money to it. They should talk about a $300 million package. If they do that, I will say congratulations, but that is nowhere in the glossy brochures. There are serious concerns in the early childhood space about what is not there. There is plenty more I want to say about the early years commitment, but time will run out.

To finish, there are concerns about the budget in the education space, the early childhood space and certainly in regional New South Wales. The budget has not gone down well in country communities. I know that for a fact, because I live and work in regional New South Wales. There is a lot to prosecute in terms of being critical of this budget and the lack of vision and agenda from the Government. The Opposition will do exactly that in the weeks ahead.

Dr AMANDA COHN (15:22): "This is a budget for health that puts a bandaid on a bullet hole." Those are the words of the Australian Paramedics Association, which represents 60 per cent of paramedics in New South Wales. Our health system is in crisis. Health workers with essential professional skills such as paramedics, nurses and midwives are leaving New South Wales or leaving the profession entirely due to poor pay, dangerous working conditions and burnout. People across the State, particularly in rural and regional areas, are waiting too long for ambulances and languishing for hours or days in emergency departments. They are facing rising costs and waitlists to see a GP. The Labor Government's budget for health is a step in a right direction but, in the face of a crisis of this scale and an election that was won on the promise of finally looking after health workers thrown under the bus by 12 years of Liberal-Nationals Government, it is underwhelming. The Minns Government is rearranging the deckchairs on the *Titanic*.

The budget includes $419.1 million for an additional 1,200 nurses. But without urgent and significant improvement in pay and working conditions, nurses will continue to leave New South Wales and leave the profession. We need to retain existing staff, not only recruit new staff. Nurses in New South Wales have been offered a 4 per cent pay rise. That is below inflation and therefore a pay cut in real terms. The NSW Nurses and Midwives' Association has pointed out the budget does not include enough resourcing for safe staffing ratios for nurses—something that the Labor Government had promised, and which is critical for patient safety as well as staff wellbeing. The budget includes $438.6 million for a desperately needed additional 500 rural and regional paramedics, but paramedics continue to move interstate for better pay and conditions. As for nurses and midwives, a below-inflation pay rise of 4 per cent is insulting. While study subsidies for healthcare workers are valuable, they cannot make a meaningful difference when retention is so poor.

Let us talk about hospitals. Of course, a hospital is only a building without workers to staff it. The budget includes welcome and important upgrades to hospitals, particularly in Western Sydney. It also recommits funding for poor decisions by the previous Government on redevelopments that do not meet the needs of local communities. Regional communities like Albury, Grafton and Manning Valley had desperately hoped that a new government could mean a new approach for their hospitals. For women's and reproductive health, the budget includes a welcome $34.3 million boost for women's health centres, and additional sexual assault nurse examiners and forensic medical officers to support victims of sexual assault, who should be supported in health services by these specialised and trauma-informed professionals. Meanwhile, contraception, abortion and fertility treatments remain inaccessible in the public health system for most people in New South Wales.

New South Wales invests the least into mental health services per capita compared to all other Australian States and Territories. Disappointingly, this budget does not change that. Mental health conditions represent 13 per cent of the total burden of disease in the State, but only 7 per cent of the health budget is spent on mental health care. Mental health care is too hard to access. People are falling through the cracks while on waitlists or referred between different services funded in silos. Community and outpatient mental health services in particular need urgent attention. This is currently being examined by the inquiry conducted by Portfolio Committee 2. I hope the committee's recommendations will lead to additional and more efficient resourcing of mental health services by the next budget. The Minns Labor Government has made ambulances free for certain concession holders and victim-survivors of family and domestic violence or child abuse. That is a good thing, but no-one should have to think twice before calling an ambulance because of cost, and I know that they do. I have provided medical assistance in the community to people who have asked me not to call an ambulance because they were worried about the cost.

There has been a lot of talk about the condition of the State's finances left behind by the previous Government and excuses made about the limitations that placed on the new Government. But a budget is a declaration of priorities. The Minns Labor Government has chosen not to raise the revenue it needs to look after patients and health workers. As my colleague Ms Abigail Boyd has persistently argued, if the Government was to increase coal royalties to the same rates that Queensland currently has, it could raise $2.7 billion over the next four years. Making partners of the big four accounting firms liable for payroll tax like everyone else would raise $250 million over four years. A super tax on pokies could rake in $700 million every year. Patients, their families and the health workers who care for them deserve more than a small step in the right direction. The Greens are calling on the New South Wales Labor Government to make the gambling, banking, consultancy, property development and fossil fuel industries pay their fair share of tax to fund the essential services we all need.

The Hon. SCOTT FARLOW (15:27): In a budget built on quicksand, more housing is just a mirage under Minns. With every budget there are drops that go out weeks before. For this budget, the Treasurer has been saying that of course there would be savage cuts for this budget, and it was all the fault of those on this side of the House. But one piece was held for budget day: the housing package. The $2.2 billion housing package was heralded throughout the budget, whether it be in the Premier's release, the Treasurer's speech, or in the budget overview. But it did not really seem to come to fruition when one actually looked at the budget papers.

Of course, the largest contributor of the $2.2 billion housing package was a $1.5 billion tax in the housing and productivity contribution—something that was not new except for the figure. Previously we were told that it was a $1 billion housing and productivity contribution over the forward estimates, but instead it has now turned into a $1.5 billion tax. When one wants to go through and look at the figures in the budget papers, it simply does not exist—because the housing and productivity contribution is nowhere in the budget papers. It is nowhere to be found when one looks at the revenue that has been banked by the Government. It is not there.

We do not know how much it is raising each year, we do not know where it is coming from and we do not know what it is paying for under this budget. That is a tax of $12,000 on a freestanding property in Greater Sydney. It is a tax of $10,000 on an apartment in Greater Sydney. It is a tax of $10,000 on a freestanding property in the Lower Hunter, the Central Coast and the Illawarra-Shoalhaven, and $8,000 on an apartment in those regions as well. Add to that the biodiversity component and the transport project component, which I suspect is how we get to $1.5 billion for the Housing and Productivity Contribution. That is a tax, so members opposite have heralded a tax as their big solution to our housing crisis.

In the budget papers, the Treasurer has also claimed he has found some loose change behind the couch to pay for $400 million of accelerated infrastructure, but that is nothing new. The Coalition did that for its 12 years in government. That $400 million is no different to the Housing Acceleration Fund or the Accelerated Infrastructure Fund that the former Coalition Government used to unlock infrastructure delivery. In fact, we debated it last week when the Hill Road bill was before this House—a very worthy bill brought by Minister Graham. That was a project to unlock infrastructure, bringing 6,200 homes online in the Carter Street Precinct and unlocking that supply. When it comes to accelerated infrastructure, there is nothing new from this Government in the Restart NSW Housing Infrastructure Fund. Effectively, it is just a new title for an old project that was delivered under the Coalition Government.

Members' favourite chestnut in this budget is the $300 million for Landcom to become a private developer and to deliver social and affordable homes, and Ms Abigail Boyd talked about that as well. There was great fanfare, but the budget papers reveal that it is $300 million out to 2039-40, so that is delivering 88 affordable homes per year. The Minister for Housing was asked on 2GB yesterday about the fact that when one does the numbers, that is $65,000 per home. She said, "Well, Landcom doesn't have to pay for the land, so that's how they are able to do it." I would love to see Landcom at work delivering $65,000 homes because they would be snapped up by every builder and developer in this country, particularly considering that the average dwelling construction cost in New South Wales is $475,000 according to the Australian Bureau of Statistics. According to BMT, it costs $1,904 per square metre for a low level of finish three-bedroom brick veneer property. For apartments, it escalates to $2,947 for a two-bedroom walk-up—without lifts and the like attached to it—and $3,185 for a two-bedroom townhouse.

We see the quicksand start to develop when this Government's budget is interrogated—at least what members opposite will show us and let us interrogate in their budget papers, because they are the least transparent budget papers we have ever seen from any government. The outcomes statement has been axed as well, so there is less information for the people of New South Wales in this budget. It is one thing to deliver a budget like this and do it shamefully, but it is another to go out there and sing from the rooftops that the $2.2 billion housing package is not delivering housing at all.

The Government has talked a big game about social and affordable housing packages, and social housing in particular. Ms Abigail Boyd touched upon that as well. But when it comes to the reality, we have seen nothing from this Government. The Minister for Housing went to Coffs Harbour and took nearly 500 houses off the table in the Argyll housing estate redevelopment. The Government has changed the numbers around Waterloo South but has not told us how it will pay for it.

Looking a little deeper at the budget papers, they become very concerning. The New South Wales Land and Housing Corporation's budget allocation in last year's budget was over $1 billion. In this year's budget it is reduced to $672 million, so this Government is cutting nearly one-third from the infrastructure budget for the Land and Housing Corporation—the key social housing delivery agency. In the last budget, total new supply for the Land and Housing Corporation was $713 million. Under this Government, the total new supply budget is $335 million. That is a drop of more than half in what this Labor Government—in what it claims is a Labor budget through and through—is delivering for social housing.

The Hon. John Graham: Every inch of the way.

The Hon. SCOTT FARLOW: I note that interjection—a Labor budget every inch of the way, as the Hon. John Graham said. For those living in social housing, this is apparently what a Labor budget every inch of the way looks like. As Ms Abigail Boyd outlined, the Land and Housing Corporation was topped up by the Social Housing Accelerator agreement with $95 million this year for new supply. Taking that into consideration, we are still looking at a drop of 40 per cent when it comes to new social housing supply under this first-term Labor budget.

The Government made big news out of its social housing maintenance increase. Last year's budget allocated $300 million for social housing maintenance, and this year's budget effectively allocates $200 million. The project ends this year, so the Government is just using the money that was allocated in last year's budget. The Opposition welcomes the $60 million build-to-rent trial, but it barely touches the sides of the housing crisis we face in New South Wales and what we have seen from members opposite.

Earlier today in the other place the Leader of the Opposition outlined a vision for how we can encourage housing supply in New South Wales. I was surprised to hear the Minister for Housing in question time taking aim at local government regarding housing delivery, because local government will have to deliver the increased supply. Local communities will have to get on board if we are to have any opportunity to reach our housing targets of 314,000 homes under the original National Housing Accord and 378,000 under the stretch target of 1.2 million homes, so we need to give them an incentive. In order to get local governments and local communities on board, they have to see the dividend. That is why the program outlined by the Leader of the Opposition today to reward communities with a community benefit fund is game changing in delivering new housing.

Under the last housing targets, only nine of the 33 councils across Greater Sydney met or exceeded their housing supply target. What did councils that did the right thing get for it? They did not get any reward; they did not get any punishment either. But we need to put a carrot on the table, and the policy outlined today by the Leader of the Opposition in the other place does that. It provides that carrot for local government to get on board with new housing delivery. That can be used for community benefit—for upgrading parks, spaces, sporting facilities and walks to make sure that every part of our State can share in the benefits that come from that new housing delivery.

It is not some grand plan that has come out of nowhere. Under the National Housing Accord, the Federal Government's New Home Bonus scheme has put $3 billion on the table for the States if they reach their share of the target of 1.2 million homes under the National Housing Accord. Why should local communities not share in that benefit? The Prime Minister has put $15,000 on the table for every additional home. So why should local communities, through their councils, not receive their share of the benefits of delivering new homes for their communities? Members opposite think that all of that benefit should be held by the State Government and not sent down to local communities to get them on board. But if the Government does not put some money on the table, it will not see local communities and local councils get on board.

We put that forward as a very positive suggestion for the Government. We hope that they take it up. Of course, when it comes to addressing our housing supply crisis in New South Wales, it cannot all be done by building more homes. Supply is fundamentally important, but we need to better utilise existing properties as well. That is why we have put on the table today the empty-nester downsizing assistance scheme—something to encourage people to better utilise their property. Nearly one million people over the age of 55 are living in a three-bedroom, four-bedroom, or larger, home, either on their own or as a lone couple without children. We need to do something to encourage them to downsize. Stamp duty is prohibitive. People in the later years of their life are looking at ways to fund their retirement. They are looking at ways to be encouraged into more suitable accommodation to meet their needs, and that is what a program like this does. It is one generation helping another. It will free up appropriate housing supply for younger families who need bigger homes with more bedrooms because they have children. Those homes can be provided by older people in New South Wales over the age of 55. It is another great idea from the Leader of the Opposition.

The Treasurer's budget has been propped up by increasing property values and increasing property transactions. That underlies the more than $14 billion in increased revenue in this budget, and it should be there to help more people into a home. That is why the Leader of the Opposition today suggested a return of the First Home Buyer Choice program, whereby first home buyers could choose whether to pay up-front stamp duty or, as the Hon. Susan Carter has said in the past, "make the stretch" for a home up to $1.5 million to suit their needs and become eligible to pay a yearly annual fee instead. It would give more choice in the property market and make the great Australian dream of owning a home a little bit more accessible to the average family. They are some of the positive suggestions that we on this side of the Chamber have made today. I thank the Leader of the Opposition for outlining them in his contribution. For a budget that was supposed to be all about housing, it is very sad that when we scratch through all the rhetoric in the budget papers it delivers very little.

Ms SUE HIGGINSON (15:42): I contribute to debate on the Appropriation Bill 2023 and cognate bills in my capacity as The Greens spokesperson for climate change, environment, planning, justice, First Nations justice and heritage, agriculture and regional communities. First, I acknowledge the contribution made by my colleague Ms Abigail Boyd. I reiterate and affirm the gist of all she said about this budget displaying a lack of courage and missed opportunities. Have we really got a budget fit for our time? I do not think so. Much of the budget that has been prepared and presented by the Government is a "steady as it goes" continuation of the policy settings that were in place under the former Coalition Government. There are, of course, notable good differences, including the public sector wage cap and support for education, and Labor reprioritising some spending towards health services and housing, and investing more in renewable energy. However, the general consensus seems to be that this budget has fallen well short of expectations based on the promises made by Labor before the State election and that it is entrenching austerity over genuine and necessary investment. It is certainly not a budget of courage or survival.

The single biggest concern of our time, climate change, has barely been touched on. I appreciate the Treasurer wants to reframe this issue, to rebrand it as "global heating", but we need to bust out of the crisis that we are in. I encourage the Government to reconsider the shift to global heating language because it fails to capture what is actually happening. Global warming or heating is just one component of anthropogenic climate change. When we speak of climate change—climate breakdown, as it has become—we are actually referring to rising sea levels, extinctions, mass migrations and catastrophic consequences for the biosphere and our civilisation. I say this in the context of the facts that we are still exporting enormous volumes of coal every day through the world's largest coal port, we are still logging our native forests and we have young people making decisions not to have children because they are too frightened about the world they would have to endure.

As world leaders are gathering right now in New York for what has been described as a no-nonsense summit on how to counter the climate breakdown, New South Wales is rolling back accepted and accurate terminology that describes the scale of the crisis that we are living in. The Secretary-General of the United Nations is calling for "credible, serious and new climate action and nature-based solutions that will move the needle forward". He has also described the goal of limiting global warming to 1.5 degrees Celsius as "gasping for breaths"—and he is absolutely right. We are drowning now, and it is going to get worse. The increase of $1.8 billion in funding to energy transition is of course welcome and important, but where and how is this money being spent? Are we building a genuinely resilient network of the future or are we taking shortcuts that will make the budget look better but will have long-term consequences.

The target of 12 gigawatts of new renewable energy generation and two gigawatts of long-duration storage by 2030 is great, but in a crisis we should be doing so much more. The Government must break from the convention of hitting the minimum ask on climate and instead challenge itself to do the most that is conceivably possible. The Government's continued commitment to net zero by 2050 is, frankly, a complete failure—pure and simple. It is not the responsible option to transition our energy system slowly and with limited investment; it is the irresponsible option and will see Australia continue to be the fourteenth largest emitter in the world and a disproportionate contributor to the global climate crisis. The Australian Academy of Technological Sciences and Engineering, a group of more than 900 scientists and engineers, has argued today that net zero by 2035 is "technically feasible" if resources and policy settings are adequate. That is what we need the Government to do—be bold and lead the way in contributing to the solution in a manner commensurate with the contribution we have made to the problem. We must be more assertive and more aggressive in achieving climate targets earlier, because we are still going backwards at this point, despite modest changes by the new Government.

On the issue of the environment, I thank the Minister and the Treasurer for taking the time to provide more detailed information about the money committed to the Great Koala National Park. I now understand. It is in the bit of paper handed to my office yesterday and not in the budget papers—they are opaque and very difficult to understand. We tried our best. But we are grateful it is in there. Nevertheless, I am still very concerned about the exclusion of timber licence buyback expenses. I do not know the Government's plan and neither does the community. It would be great if the Government could really commit to the genuine transparency needed. We are disappointed that the promise of the Great Koala National Park means logging will continue in that area until it is delivered, whenever that will be. The additional funding for the Georges River Koala Park is very welcome as well, but the lack of evidence that adjustments have been made to the Cumberland Plain Conservation Plan and the lack of funding for the reforms recommended by the Henry review do not provide me or the community with confidence about the Government's sense of urgency on biodiversity and extinction.

When it comes to forests, we must stop logging our public forest estate. Every day that we do not, we continue to fail economically, socially, culturally and socially. I will use every opportunity I have during my time in this place to get the Treasurer and the Government to come to the logical conclusion—economically alone—to end the madness of logging this very valuable public asset. That will help our survival. The five-year statutory review into the New South Wales Biodiversity Conservation Act 2016 was tabled in Parliament last month. It provides a damning insight into the systemic failures that are pushing our State deeper into a biodiversity crisis. The budget provides nothing. The report is scathing. It is a clear clarion call for our precious environment.

It is now or never for nature. We are in the extinction crisis. Habitat loss and destruction is the main cause. The very laws that are meant to stop that are more than failing. The report laid down the blueprint, providing the Minns Government a bright green light to turn the broken legislative framework around and make our State nature positive. The report recommends that, to do that, biodiversity conservation laws must take primacy. That is nowhere in the budget. There is no allocation. How are we going to do it? It is on the Treasurer. He needs to make that adjustment at some point in the coming budget year. The report says we must move to a nature-positive model where our environment is repaired and regenerated rather than exploited and harmed because—guess what?—our economy and our very survival are inextricably linked to a healthy environment. The budget is silent on that part, and the Treasurer's Budget Speech did not mention the environment once. I ask, is he living on this planet with us?

I am very encouraged to see the full commitment, clearly locatable in the budget papers, of $5 million for a 12-month consultation with Aboriginal communities on Treaty, and the commencement of work on a First Nations budget model that will ensure resources are allocated to priority areas determined by First Nations communities. We are excited about that process getting on the road. There is also a continued $375.5 million allocation to fund First Nations-led early intervention and family support programs, and $321 million allocated to building the Aboriginal and Torres Strait Islander community-controlled sector in line with Priority Reform 2 of Closing the Gap. This Government must undertake that vital and important work, and we must see investment grow.

When it comes to communities and justice, what we are looking for in this budget, and from this Government, is investment in community wellbeing that prevents people from coming into contact with the criminal justice system at all. The Government needs to build our communities and address the root causes that drive people into the criminal justice system. It needs to divert them, supporting people so they are not pushed into the system of police, courts and custody. We know our criminal justice system is failing communities. Members of the community are too scared to call the police for help, for fear of being shot, beanbagged or tasered to death.

Police are assaulting First Nations children, and denying kids bail and keeping them locked up because they have nowhere to go. Prisons are full of inmates suffering human rights abuses. Rates of First Nations deaths in custody are worse than ever. Inmates are being denied the very basics like being able to study a degree, because a correctional centre will not print the materials they need. While in the custody of the State, the very basic needs of inmates are not being met, such as regular access to psychology treatment or specialist medical care if they suffer chronic health conditions or have disabilities.

Aboriginal families are forced to fight to keep their children in their care. They must go through trauma and expensive legal processes to get custody of their children in a system that has absolutely no cultural relevance to the people it disproportionately affects. Children in out-of-home care are criminalised at a disproportionate rate, and hundreds of children are locked up in prisons across the State where they suffer institutional abuse, sending them down a path of trauma that is very difficult to come back from. This tells a story of decades of failure that have entrenched a system that is painful and punitive.

Our legal institutions are based on targeting pursuit, control, custody and punishment. Our system shows no mercy to the people who are most vulnerable and fails all of us. In this budget, we were looking for a bold investment in turning that nightmare around. Our communities need to have a voice and be resourced to be leaders in addressing the deep-rooted problems sown by decades of government failure. We needed innovative programs, with fit-for-purpose, appropriate responses, to be supported and bolstered to become statewide frameworks. I am talking about initiatives like Just Reinvest, BackTrack and the Keeping Women out of Prison Coalition.

Why do we not raise the age of criminal responsibility from 10 to 14 at least? We need a government with some vision to imagine a better way. It needs to be resourced. It does exist, and it could happen right here in New South Wales where it is so desperately needed. I cannot find it properly included in the budget. Unfortunately, we have not seen that courage and vision in the budget announced by the Government this week. We see police station refurbishments, radio network infrastructure and some additional beds in prisons, and the remaining budget is spent on a $40 million rollout of tablets in prison, started by the previous Government.

Inmates report that "educational programs" on the tablets are more or less a few cooking shows. We see no investment in reforming our youth justice system to get kids out of prison and keep them out, or to reduce First Nations deaths in custody. The budget offers no investment in the broad overhaul needed, which will save the public purse billions in the long run through having fewer people in prison, fewer people blocking up the courts and fewer armed police officers on our streets. That kind of investment would have taken courage, something we are not quite seeing.

The Government has committed to further support for regional communities, and last night supported a motion that calls for it to go further than its commitments. It is good that the Government has notionally accepted that there is more work to be done, and I encourage it to act on that acceptance. Regional communities, and the people and environments that must coexist within them, need custom solutions. We cannot expect metro-level services to be rolled out in every small town in New South Wales, certainly not under the current economic model. We should, and The Greens do, expect that regional communities be given the resources and facilities necessary to ensure that they are healthy, safe and viable. That includes diversifying economies so that industries are not destroying the wellbeing of the country that they sit on. Public native forest logging and coal and gas projects are now a road to nowhere for regional communities, and the critical minerals strategy being touted by this Government and the former Government risks a poorly regulated hellscape across the Central West.

Extractive and destructive industries are not what regional communities need. They need transport, education, health and community facilities. Those things cannot be funded by mining projects forever, so let us examine what it will take to transform regional New South Wales into a sustainable and regenerative future. Native forest logging is an even shorter term employment prospect for communities and offers no benefit to the bottom line of the Government's account book. The Government knows that it is actually costing us. I recognise the Government's commitment to invest a further $13 million in a new feral pig control program, and I support it in its pursuit of more effective and humane feral animal control. Farming communities should be engaged in discussions to establish the regenerative farming future. While the Government is not doing that, feral pig control is an important step.

I am glad that we have a Labor government, and the modest changes that it has instituted in this budget are deeply appreciated. However, it is disappointing that the budget fails to take the big, bold steps forward. You can run an opposition with no agenda. I am looking across the Chamber. However, you cannot run a government without an agenda. I urge the Government, and the Treasurer in particular, to listen to the rumblings from the community. They are the faint echoes of an avalanche of issues that have been held at bay but will be on our doorstep before he realises it. Social change, political change and climate change are the changes that the Government must address. From where I stand, it seems to be more of the same old conversations. I am very excited, in the year ahead and the year after that, to engage genuinely in taking the steps that we must all take together so that our children and their children no longer feel frightened about having their own children and raising them in an environment that is not safe anymore. Their safety and survival should be our number one priority.

The Hon. CHRIS RATH (15:58): What a lucky Treasurer we have here in New South Wales—a very lucky Treasurer—because it is indeed a beautiful set of revenue numbers that the Treasurer has to deal with, such as $17.6 billion in extra revenue coming from stamp duty and payroll tax over the next four years. What a lucky Treasurer! It is true indeed that we are coming out of the pandemic here in New South Wales in a far better position than any other State in the Commonwealth. That is because we went into the pandemic in a far better position than every other State in the Commonwealth. We went into the pandemic in early 2020 with no net debt and surpluses as far as the eye could see. That was the legacy of the Coalition side of the House. It is incredibly lucky that we delivered that. The Treasurer has to look back and at least give us credit for the beautiful set of numbers that we delivered before the pandemic, even now as he has a beautiful set of revenue figures coming in.

I wish to look at some of the context in which the budget has been delivered. If we compare New South Wales to Victoria, for example, over the time that we had Coalition Government here for 12 years, almost the exact same time period that Labor was in power in Victoria—since 2014, a little bit less time than the Coalition was in power in New South Wales—we were building twice as much infrastructure as Victoria with half as much debt. I know that the Treasurer and those opposite like to go on about the $7 billion black hole and the debt and deficit, but if New South Wales is compared to any other State in Australia, in particular to the most comparable of all States with which to compare New South Wales, we are in a far better position than Victoria. That is because of 12 years of good economic management from the Liberal-Nationals Coalition. New South Wales is one of the only States with a triple-A credit rating, although that is no doubt at risk because of those opposite.

I have to say that it is a little bit of deja vu in that every government that comes into office likes to discredit the economic record of the previous government. We certainly did it when we came to government in 2011 by talking about the debt and deficit that was left behind from the previous Labor Government. Certainly, when the Howard Government came in it spoke about the hidden debt and deficit of the Hawke-Keating Government. When Hawke and Keating came in, they discredited the Fraser Government on the debt and deficit left behind. It is nothing new and is actually quite boring, but in this particular case we have a massive gilding of the lily when it comes to the $7 billion black hole—more so than any of those other previous historical examples I spoke about earlier.

Just as discrediting the economic record of the previous Government is certainly a rule as old as parliamentary democracy itself, it is also a rule as old as parliamentary democracy itself that, following an election, a government should always implement its boldest and bravest policy agenda in its first year of power. It is logical to do that. It is logical, after having just won an election, that a government puts forward its best, biggest, bravest policies. A new government must prove that it will both uphold its election promises and maintain an ambitious policy program. That is why I was intrigued to see what NSW Labor would do with its budget before its release earlier this week. Yet frankly, for the first budget of a new government who had been in Opposition for 12 years, I felt rather embarrassed for the Labor Party on Tuesday.

The budget is not big, bold or brave. For the last six months members have been debating various miscellaneous bills—not exactly groundbreaking reform that we have dealt with in the last six months. It was not a big, bold legislative agenda and certainly we did not see that in the budget, either. What an absolutely squandered opportunity from those opposite. It seems that small target Labor from the election season has translated into small budget outcomes. No wonder the Government refused to release a budget outcomes statement, as has been past convention.

This Government did all the input stuff but forgot to do the outcomes stuff, which is really important. We know where all the money is being spent but we do not know, because the Government has not released it, what sorts of outcomes the Government hopes to achieve by spending billions and billions of dollars of taxpayer money. It would be good if the Government could release that, but rather than presenting a vision for the people of our State to see the New South Wales of tomorrow, Labor presented its chequebook to the vested interests of the union bosses. Rather than deliver the infrastructure needed to proactively ensure the sustainable growth of our State, Labor delivered infrastructure cuts and election promise backflips.

What has become overwhelmingly clear in the 2023-24 budget is that Labor has used the taxpayer's purse to reward its union mates for their support in the election campaign. The budget shows an increase in taxes and budget cuts across a range of programs in order to fund wage deals made with the unions. Public sector wages will now exceed $50 billion annually. The Government also has failed to outline exactly how it will pay for an additional $3.6 billion for further wage deals. Even worse, the Labor Government has deceptively implied in its forward projections that wage increases will be limited, on average, to only 4.1 per cent annually. This is despite the fact that in the next year alone, Teachers Federation members will receive a pay increase of between 8 per cent and 10 per cent. The 4.1 per cent claim is also despite the fact that the Government is yet to conclude its wage deal with unions representing the police and paramedics, and the Teachers Federation's wage negotiations once more will be up for renegotiation next year.

In the words of the Leader of the Opposition, the 4.1 per cent figure is a floor, not a ceiling. Labor's wage increases no doubt will bankrupt the budget, as it did when Labor was last in government. This is sort of like deja vu as well as are the other matters I referred to earlier. We only have to look to the previous Labor Government and Steve Bracks' autobiography, *A Premier's State*, which is a fascinating read. I had some time to take a look at that recently. He wrote:

> We had to distinguish ourselves from Labor in New South Wales, which was rubberstamping the highest wage increases in the country …

Those were for the police, nurses and teachers. John Brumby had gone to see New South Wales Treasurer Michael Egan in pursuit of a consistent approach to wage rises around the country, but he had come back saying Victoria could not rely on Sydney for help. Michael Egan had told him that the New South Wales approach to these things was to just give the unions what they want. He wrote:

> That sounded like a recipe for disaster. We knew we had a better approach.

A former Labor Premier of Victoria said that all of those years ago. It is history repeating itself. It is deja vu. Yet again, Labor has come into power and we have seen some of the most generous pay rises in public sector wages, fought for and delivered by their mates in the trade union movement, and it is just history repeating itself. It is the budget bottom line and the people of New South Wales will pay the ultimate price. It is not just because of the budget. It is also at a time when productivity growth is incredibly low, when inflation is incredibly high and interest rates are rising. We are in a position where, if wages continue to go up without productivity improvements, all that will happen is that it will lead to a wage price spiral. That is what happened in the 1970s. We hope we do not adopt that approach again.

The Hon. Mark Buttigieg: Back to stagflation.

The Hon. CHRIS RATH: Exactly. We do not want to go down the path of stagflation. The way to deal with stagflation is by ensuring productivity growth. We ensure that we produce more widgets tomorrow than we produce today. We cannot just put through incredibly generous pay increases to public servants without productivity improvements. It is a recipe for disaster. It will lead to higher inflation and higher interest rates to cope with that high inflation. The questionable nature of the Government's forward projections is also reflected in, as I said, zero productivity savings but also zero dollars for the cost of extending Eraring Power Station's life, or any similar energy reliability expenditure for 2025-2027. Modelling completed by the Minns Government after taking office this year stated that such expenditure is necessary if we are to ensure reliable energy for the people of New South Wales.

This budget means we have either a false projection of a budget surplus or a false hope of energy reliability in the years to come. That saddens me. I was incredibly pleased to hear that we might be returning to surplus in the next couple of years, but I implore the Treasurer to hold to his commitment of paying down our debt as a genuine priority of his Treasury and the Government going forward, as it was a priority under the Liberals and Nationals, as I spoke about before. I am disappointed, now that the Treasurer's assertions have been detailed, to see that this budget's projected surpluses rely on expenditure unaccounted for and the indirect increase of taxation on the people of New South Wales.

If you look at those increases in taxation, as I said, you see an incredibly lovely and generous set of revenue figures. We have an incredibly lucky Treasurer here. Due to high inflation, the Treasurer may think he can get away with hiding the source of his revenue increases, but the people of New South Wales will soon feel their effect. Rising property stamp duties on home buyers, rising land tax on investors and businesses, and rising payroll tax on employers are all likely to worsen existing housing pressures and increase the cost of living. How lucky is $14 billion in a tax revenue windfall? This Government does not have a revenue problem, as can be clearly seen in the budget; it has a spending problem due to the trade union bosses and their generous wage demands.

Despite the Government's claim that the budget's proposed Landcom housing plan will increase housing supply, it will deliver only 88 affordable homes and 206 market homes per year through to 2039-40, as the Hon. Scott Farlow spoke about before. It appears that the best housing policy the Labor Party can give the people of New South Wales is a meagre 300 new homes per year. "Meagre", "timid" and "unfunded" are the words that have come to define this budget. When the Labor Government's first budget was released, the expectation was that it would set a vision for the New South Wales of tomorrow. Instead, we see a meagre, timid and unfunded Labor budget that has deferred its design to the selfish interests of the trade union bosses. Meagre, timid and unfunded is Labor's bold policy agenda for its first year of power.

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (16:12): I make a brief contribution to debate on the first budget bills of the Minns Labor Government. The budget will confront the housing crisis New South Wales families are facing, rebuild our essential public services, get our renewable energy road map back on track and begin to pay down the Liberals' and The Nationals' debt. We absolutely understand the cost-of-living pressures that families and households are facing. Those pressures have guided us as we have made the tough decisions about how to fix the structural challenges of the budget.

Our appropriation bills change the debt trajectory that the budget was on. The Treasurer and other Government members and I have spoken consistently about the $188 billion worth of debt we were on track for when we won the election in March this year. It is an interesting contrast to the $22.5 billion of debt the Coalition was handed when it won in 2011. Despite those pressures, the previous Government splashed around $27 billion worth of funding in just nine months before the election yet left crucial programs unfunded, causing a $7 billion black hole, leading to 1,112 unfunded nurses, cyber security risks and spiralling costs in caring for our most vulnerable children.

After months of careful and methodical work, our comprehensive expenditure review found $13 billion of budget improvement measures and reprioritised spending measures. They include delivering on our election commitments to freeze politicians' and senior public servants' pay and reduce the number of senior public servants by 15 per cent. We will reduce spending on consultants, labour hire, travel and advertising. We are making additional savings by reprioritising government spending and finding waste and mismanagement. We are merging planning agencies and ending COVID-19 programs. There is no need for $100 million of funding for a stockpile of personal protective equipment. We have ended COVID cleaning in our schools. We have found additional savings to fund our agreement to make New South Wales teachers the most highly paid in the country.

The figure I have consistently spoken about this week and that I draw to the attention of the House again is the $2.3 billion we will save in interest payments from the 2022-23 financial year until the conclusion of the forward estimates, in 2026-27. That amount of money could build more than 40 new primary schools. It could permanently employ more than 4,600 new graduate teachers. As the Treasurer has consistently said, we are proud that we will pay bondholders less and our essential workers more. It will take more than one budget to unwind the Liberals' and The Nationals' vandalism. But in our first budget we have eliminated $15 billion of gross debt, returned the focus of the Government to the essential public services the community relies on and put ourselves on a pathway back to surplus.

Included in the budget papers are some modest revenue measures. The Treasurer, the Minister for Energy and I have already announced the end of the temporary coal cap measures on 30 June next year. That is in keeping with our election commitment to maintain the existing royalty rates while the temporary measures remain in place. From 1 July 2024 we will increase the base rate of coal royalties by 2.6 per cent, to 10.8 per cent. The coal royalty system has not changed since January 2009. The Treasury projects that this will earn the budget an additional $2.7 billion over the following three years.

Given the pressures the budget is under, we also took a close look at the tax concessions in place. In the cognate appropriation bills, we reduce from 100 per cent to 90 per cent the tax discount given to large and multinational corporations that restructure. We will require home owners who claim land tax exemptions to own at least 25 per cent of their property. We are reducing the ownership threshold for the acquisition of a significant interest in a private unit trust from 50 per cent to 20 per cent, updating the rules on how tax defaults are penalised, and updating Revenue NSW charges that have not changed since 2009. As we ask families and households across New South Wales to contribute to reducing our debt burden, we are closing a number of loopholes and making modest adjustments to improve the fairness and integrity of our tax system.

Months of work of hard work have gone into the budget papers and bills we are debating today. It has been an absolute privilege to work so closely with the Treasurer. His enormous intellect and encyclopaedic knowledge could have been on display for the House this week if the shadow Treasurer or anyone from the Opposition had managed to ask him a question. But I have been able to work alongside him for months. He has built an excellent team. I give a special shout-out to the team's leader, Michael Buckland, who has worked tirelessly. I also mention

Anna York, who is in the gallery today. The two of them are incredibly astute and intelligent and such assets for our Government. I thank my whole team: Liam, Laura, Siobhan, Riley and Sydney.

I also give a special shout-out to Kris Neill, who will finish as my chief of staff next Friday, sadly. She has been an incredible servant of our great party for decades. She had an extremely successful private sector career but came out of retirement to help me and to help the first Labor Opposition to transition to government since 1995, which was when she last did it. She is the first woman to have been the chief of staff for a New South Wales Premier, has raised two beautiful daughters and is the coolest grandmother I know. She has faced adversity, but her intelligence, strength, grace and resilience are an inspiration to me and many others. I thank her.

We have been aided by some excellent and extremely professional public servants and by everyone at NSW Treasury, led by Secretary Michael Coutts-Trotter. I shout out to Deputy Secretary Liz Livingstone, who has been there with us through the Saturday Expenditure Review Committee meetings, the comprehensive expenditure review and much more. I thank Nathan Pringle for his incredible knowledge as he patiently explained public accounting to me and the indefatigable Andrew Williams. I thank our entire revenue team, particularly Cullen Smythe and Matt Nowell—I wish him all the best for his wedding tomorrow. I commend the bills to the House.

The Hon. EMMA HURST (16:19): This budget is an enormous disappointment for animals. After reading this budget I am not convinced that the Minns Labor Government is aware that any species of animal exists in New South Wales other than koalas, but even the koalas are not getting much. While I welcome the funding in the budget to progress the Great Koala National Park and create koala-friendly wildlife crossings to reduce the harm caused by the Appin Road upgrade, we know that more significant action is needed to save koalas from extinction. That includes an end to native forest logging, and greater protections from development and land clearing, but this funding is just a drop in the bucket. Other than dollars for koalas, this budget is devoid of any funding for animal protection, even for Labor's own election promises.

There was no funding announcement on the promised independent office of animal protection, no allocation towards animal cruelty enforcement, despite the fact that the current funding for the RSPCA and the Animal Welfare League given by the Liberal-Nationals Government runs out next year. They will have to fire staff and severely reduce the number of animal cruelty call-outs if this is not dealt with. There is nothing to address the crisis in our pound system, which is at tipping point and in desperate need of intervention by the State Government. There is no funding to upgrade dilapidated pounds that are built into tip sites or to support the work of rescue groups who take animals from the pounds every week, which are struggling to stay open under the burden of increased surrenders and falling donations amid the cost-of-living crisis. There is no funding for desexing programs that reduce the number of homeless animals in the first place.

There is no substantive funding to support our wildlife carers and vets—the people on the ground providing care for injured and threatened natives—who will be essential in addressing extinctions and biodiversity crises. I could go on and on about what has been left out of this budget. The sad reality is that no major animal protection initiatives have been funded or made a priority. I never thought I would say this, but it seems that when it comes to an animal-friendly government, the Liberal-Nationals Government has done and spent more and has proven to be far more compassionate towards animals and the organisations that work to protect them. The Labor Government should be ashamed of that.

In its last year, the Liberal-Nationals Government spent over $60 million to protect animals, including $26 million for animal cruelty enforcement, $5 million for a companion animal rescue grant, $1.5 million to the cat desexing programs, $750,000 to Lucy's Project—a project on the link between domestic violence and animals—and $350,000 to greyhound rescue. As anyone who is aware will know, all those organisations support people and animals because, as we often speak about in this House, there is a link between humans and animals. It is an absolute embarrassment for the Labor Government that it could not do the same or better.

MPs within Labor have made it clear that it is not that hard to be the better Government for animals as the bar was already so low. And it was right. Yet it is already failing to be better and failing in a monumental way by excluding animals and animal protection in this State from its very first budget. When this is combined with the total lack of animal protection legislation put forward by the Government in its first six months in office, such as legislation to ban puppy farming, to implement the proposed phase-out of battery cages, to fix the restrictive rental laws that are forcing people with animals into homelessness, or to implement the long-overdue rewrite of the Prevention of Cruelty to Animals Act, it makes you wonder what agenda the Minns Government has on animal welfare—or if it has one at all.

Before we hear any excuses about the budget deficit and needing to cut corners, I remind everyone in this place that the Government has managed to find millions of dollars to fund initiatives that will harm and kill animals, such as $13 million to kill pigs, $77 million for the New South Wales varroa mite response, which has killed or poisoned billions of bees, including natives, in pursuit of what is now widely recognised and accepted as, as I said weeks ago, a failed eradication strategy. The New South Wales Government is continuing to give major tax exemptions to the horse and greyhound racing industries and taking gambling profits from the use and abuse of animals for so-called "entertainment".

Then there is the funding of industries that exploit animals for profit, like the animal agribusiness industry, and some totally bizarre spending, like $4.9 million to implement a plan for fishing and almost a quarter of a billion dollars for the Sydney Fish Market. They are very strange funding decisions for a government who claims to be hell-bent on getting out of debt and laser-focused on improving the cost-of-living crisis and struggles faced by the most vulnerable people in our society. This first budget from the Minns Government is an absolute flop. It has lost the hopes and the trust of the many thousands of voters who believe it could do more for animals. It will take a lot of work to get that trust back.

The Hon. JACQUI MUNRO (16:25): I endorse the incisive comments of my Coalition colleagues the Hon. Damien Tudehope, the Hon. Sarah Mitchell, the Hon. Scott Farlow and the Hon. Chris Rath. It is clear that this budget does not deliver where it is needed most. Under Labor you will always pay more. The Hon. Damien Tudehope clearly outlined the grim reality that New South Wales is facing under the Minns-Mookhey Labor reign. This is the highest taxing Government in a generation, with an additional $25.5 billion collected from taxpayers in the next financial year alone. A fiscally prudent government would invest the windfalls gained from payroll tax and stamp duties in measures that strengthen the economic outlook, like trade, enterprise and infrastructure. Instead all we get from the Government is a talking down of the outlook and the introduction of uncapped public sector wage rises unlinked to productivity gains. They are precisely the kind of spending measures that cause ratings agencies to downgrade the New South Wales economy.

The Hon. Damien Tudehope outlined the need for fair, responsible and, most importantly, transparent budgeting. The reality is that, in New South Wales, average wages are $200 per week higher for people in the public sector compared to people in the private sector. Wherever possible, we should be encouraging small businesses to grow and employ workers, encouraging people to invest in homes, and encouraging environmentally sustainable behaviour. It is so disappointing that the Labor Government is not only scrapping the Electric Vehicle Rebate worth $3,000 for people buying electric vehicles [EVs] under $68,750. It is also scrapping stamp duty exemptions for EVs and removing road user toll exemptions for EV drivers.

Why are the changes so disappointing? This Government is telling the people of New South Wales that you need to be wealthy to own an EV and reap the rewards of cheaper fuel and reduced operating costs, let alone reduce your carbon emissions. Electric vehicles are critical to reducing emissions in a State where transport accounts for 20 per cent of total emissions, which is a huge proportion from a single source. In response to the obvious link between the source of a problem and its output, in 2022 the Coalition Government launched the State's first EV strategy. It included investment of $633 million to make New South Wales the easiest place to buy and use an electric vehicle in Australia.

The strategy is intended to increase electric vehicle sales 52 per cent by 2030-31 and help New South Wales achieve net zero emissions by 2050, because take-up matters. Getting more people into EVs, instead of petrol or diesel vehicles, is a crucial part of reducing our emissions. Beyond Zero Emissions says that a shift to EVs for urban travel would eliminate 6 per cent of our Australia's greenhouse gas emissions. That rises to 8 per cent if regional car travel is included. It says that it would make a major dent in Australia's emissions, while delivering a range benefits to individuals.

EVs will be better for the people of New South Wales because they are quieter, resulting in less noise pollution; have advanced safety features, reducing the likelihood of accidents; and will improve air quality in urban areas. They also result in reduced fuel costs, have higher efficiency and require less maintenance. All those features are incredibly beneficial for consumers and the community. But do not just take my word for it. Hear what Electric Vehicle Council CEO, Behyad Jafari, said last year, when former Treasurer Kean announced an updated target of cutting emissions to 70 per cent by 2035. Mr Jafari said:

> The NSW Government has been quicker than others to recognise if you want to hit proper emission reduction targets you need strong measures to transition to electric vehicles … For the past two years they have been the Electric Vehicle Council's top-rated state in terms of policy action to support EV take up

While the other States have targets, New South Wales has been the only State that has taken real action to back up the figures, and the figures matter. Since the commencement of the EV stamp duty and rebate incentives on 1 September, one-third of EV registrants were paid a rebate. The total number of new passenger EV registrations led to an abatement of 5,100 tonnes of carbon dioxide and, since 2020, the battery EV proportion of new light vehicles has increased exponentially.

Another target the Coalition Government introduced was that all government passenger vehicles would be EVs by 2030, with a 50 per cent milestone by 2026. Will the Minns-Mookhey Labor Government continue this excellent policy? If it is good enough for the Government, it should be good enough for the people of New South Wales. Scrapping the $3,000 rebate, reinstating stamp duty and introducing the road user tax of 2.5¢ per kilometre three or four years earlier than anticipated will make it harder for the people of New South Wales to buy EVs and it will reduce the positive impacts that this policy could have had on our environment.

In the midst of the cost-of-living crisis, it is ludicrous to make it harder for people to take action that is good for the environment. Referring to comments made more recently by Behyad Jafari, yesterday morning, that these EV decisions were "made in secret" is also very concerning. It is stunning to know that this Government failed to even consult the peak body, the Electric Vehicle Council, on the impact of such a policy change. How can we trust the assumptions that this Government has made in the budget if we know that it prefers to meet with union bosses rather than industry experts. Good governments put in place incentives and disincentives that drive—pardon the pun—desirable outcomes. Instead, we get the highest taxing government in a generation that is not interested in helping the people of New South Wales to address the climate crisis through important personal actions that make meaningful changes to our emissions contributions.

Ms CATE FAEHRMANN (16:31): I make my contribution on the Government's 2023-24 budget. The Treasurer this week began his budget speech by describing this first budget of this Labor Government as "the beginning of a new age of public investment that benefits the many". While it may benefit the many, perhaps, it unfortunately fails to support the most vulnerable and historically most neglected. Let's start by recognising that this budget further exacerbates the housing crisis in New South Wales. While there is a strong focus on increasing home ownership in the budget, there is no significant commitment to new social housing. Tuesday's announcement promised $718 million in recurrent funding for social housing, including 290 new dwellings in partnership with community housing providers. It provided a scheme to reinvest $300 million into Landcom to fund almost 5,000 homes over the next 15 years, and 1,500 are expected to be affordable.

But the social housing waitlist in New South Wales currently sits at more than 55,880 people. That means this investment amounts to crumbs given the scale of the State's housing problems. In fact, they are the exact words from Homelessness NSW in describing this budget. The head of the State's Community Housing Industry Association described it as "extremely disappointing", and who can blame him. A couple of thousand new social housing properties are not going to make a dent in that waitlist. As what appears to be the centrepiece of this Government's first budget in terms of housing, this investment is tremendously underwhelming.

Western Sydney, an area historically ignored by governments both past and current, lost out once again. The budget ignores one of the most obvious—particularly this week—and important concerns for Western Sydney. The region is home to around 2.5 million people and is projected to grow by 400,000 more by 2030. It can be up to 10 degrees hotter than the eastern suburbs during heat waves. As we enter the summer months, conditions will be especially gruelling for residents of Western Sydney. Indeed, just this week, Parramatta broke its September record of four consecutive days above 30 degrees, suffering through five days since last Saturday. Let's not forget that, in 2020, Penrith broke the record. It was the hottest place on earth at that time, sitting at 49 degrees. We know extreme heat is incredibly dangerous. In fact, extreme heat has been shown to kill more people in this country than all other natural disasters combined. This budget does nothing to protect these residents from this major catastrophe waiting to happen this summer.

Having said that, it is good, finally, to see some money being put aside in the budget specifically to deal with the terrible koala deaths that continue to happen on Appin Road in Western Sydney. That is a good thing. This money must be fast-tracked. The building of those overpasses must be fast-tracked. They must be built to the standards that the chief scientist and the koala experts say is necessary to ensure a safer passage for that very vulnerable koala population in Campbelltown. Thanks to this budget, the reduced uptake of electric vehicles [EVs] in New South Wales will also be contributing to global heating. The Government has announced that the rebates and stamp duty exemptions for electric vehicles purchased in New South Wales will come to an end this year. The Premier commented that these incentives were making electric vehicles more expensive. I do not really see the evidence of that. In fact, the evidence appears to point to the contrary.

The Electric Vehicle Council has been clear that these incentives were actually starting to drive significant uptake of electric vehicles, particularly in Sydney's west and the regions. They describe this announcement as a "backflip" and a "betrayal". It was not good enough to simply ignore the climate crisis in the budget; Labor went further and chose to actively disincentivise a move towards electric vehicles during a climate emergency, no less. The stamp duty exemption and the rebate were both subject to appropriate thresholds sitting at $78,000 and $68,750 respectively. We know for a fact that electric vehicle manufacturers, like Tesla, reduced some of their vehicle prices in line with these thresholds to make the transition to an electric vehicle easier for everyday Australians. Since the New South Wales rebates have been in place, sales have gone up by 450 per cent, and the most popular EV models have fallen in price by $8,000. The Queensland Government has even recently doubled the value of its rebates to $6,000.

Unlike those incentives, the Minns-Mookhey anti-electric brigade's agenda is to impose a road user charge on all electric vehicle drivers who receive the stamp duty exemption. This means those on lower incomes who purchase an electric vehicle for under $78,000 will be hit with the road user charge, while those who purchase more expensive electric vehicles will not have to pay it. Surely this is a mistake. No, not according to the good folk at RenewEconomy. They triple-checked with the Government because the whole scheme sounded so ludicrous.

If you frugally purchase a Tesla Y RWD for $68,301, you will be hit with the road user charge. If you purchase a Porsche Taycan 4S for $206,600, you will be exempt from the road user charge. So much for a budget to help families live through this cost-of-living crisis. There were 14,164 electric vehicles sold in New South Wales in the first half of 2023. I look forward to seeing the impact that this backward step has on future sales numbers, just at a time when we need to be incentivising, fast-tracking and doing everything we can to assist families to purchase electric vehicles.

The Hon. Daniel Mookhey: For rich people.

Ms CATE FAEHRMANN: I note the interjection by the Treasurer. The whole point is to make electric vehicles more accessible for those who cannot afford it, and this budget has just ensured that electric vehicles will be out of reach for them for a long time. I also note that the budget is conspicuously silent on gambling and drug harm reduction. In fairness, that is on brand for this Government and its first six months in office. There were big promises before the election on drug reform and gambling harm reduction, but we are yet to see any of that eventuate. I was disappointed to see no mention of the proposed drug summit in this year's budget. Again, that is on brand for the Minns Labor Government, which is yet to announce the date of a drug summit.

Meanwhile, it has made no meaningful decision and no meaningful moves on drug law reform in the first six months of government. That is in spite of the Premier's strong advocacy for drug law reform while he was in Opposition. At one point he said of drug law reform, "We can't make it go away, but we can make it safer, less potent and less criminal." That was in relation to legalising cannabis. Since then, the Premier has ruled out decriminalisation and drug checking because he "does not have a mandate". But was the drug summit not supposed to be about giving the Government a mandate?

There is nothing about a drug summit in the budget. Before the budget, the Government and the Premier continued to react to right-wing media—for example, the front pages of *The Daily Telegraph* and ridiculous stories about the Australian Capital Territory decriminalisation scheme. All we have seen from the Government is reaction. It has no vision and no courage, and that is what the budget is about as well. Unsurprisingly, the budget from this Government—like that of the former Government—has promised greater revenue year on year from the State's poker machines.

That sends a very clear message to the industry that under this Government it can continue to profit off the misery and vulnerability of New South Wales residents. It sends a very clear message that all the promises of harm minimisation leading up to the election will not have any tangible impact. All this, while claiming in the budget papers that we are experiencing lower gaming machine activity in both clubs and hotels. But it does not look like that—or not according to the government numbers, anyway. When one looks at the budget papers, there are increases year on year. Just like the Premier pre-empted his own drug summit—like saying that he has no plans and no mandate to decriminalise drugs—the Government seems to be pre-empting the results of the so-called independent panel on gambling reform.

With revenue from gaming machines going up over the forward estimates, the Government is admitting that its trial and any other gambling harm reduction measures will not actually reduce gambling. It is admitting that it will not reduce the losses through poker machines. It is admitting that any cashless gambling card, if it is implemented—if we even get it on every poker machine across the State, which is what is needed—is actually not going to stop people losing billions through those poker machines, because the Government is still relying on that revenue in the budget.

What a missed opportunity it was not to increase the taxes on poker machines this time! New South Wales has the lowest taxes on poker machines in the country and the highest amount lost through poker machines—indeed, the highest from anywhere in the world, outside Las Vegas. We have more poker machines. Local government areas like Fairfield and Liverpool are losing the most money through gambling. They have the lowest socio-economic populations and they lose the most in poker machines. Why not look firstly at taxing poker machines more to put more of that money into harm reduction, given how much harm poker machines cause?

Why not tax that and try to get those people off poker machines? The average tax rate in clubs is something like 25 per cent. In Victoria I believe it is up at 45 per cent.

It has been suggested that the tax on casinos should go to something like 60 per cent. That is not happening. We will be giving The Star a free ride for some time. We could have had several billion dollars in this budget over the forward estimates if we had the courage to stand up to the clubs and pubs industry and tax it more—particularly the clubs. But that did not happen. This is a lacklustre budget from a lacklustre government. The Greens certainly hope that by next year's budget there will be some visionary reform measures that we can get excited about—measures that will make a real difference to people's lives, a real difference to the environment and a real difference to the climate.

The Hon. NATALIE WARD (16:44): I have just found something on the floor of the Parliament. It seems to be a pink burn book. I am quite concerned because it lists the cancellation of projects: the cancellation of First Home Buyers Choice, cuts to Active Kids vouchers, cuts to Creative Kids, the cancellation of critical infrastructure, the cancellation of Park'nPay, the cutting of the regional seniors card—there are just cuts everywhere in this budget. Labor has delivered one thing, and that is cuts. Everyone is included. No-one is missing out. Everyone is included in the cuts; everyone is subject to the cuts. I am holding the burn book of the Labor budget and it is all in here. Congratulations, because everyone gets a cut—except the unions, of course. The unions all win because they got them in. They won. Labor is in Government today and we are pleased to say that every union member is a winner. Every child loses out, every first home buyer loses out and the people of New South Wales lose out under this budget.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (16:45): I do not want to detain the Treasurer, but I need to respond with a single fact from the budget that the shadow Minister might have missed as we discussed the budget on Tuesday. That single figure is the capital expenditure: $116 billion in this budget, delivered by this Treasurer, compared to $112 billion in the last budget under Treasurer Kean. We are building more. For all of this talk of cuts, the Government is building more. That is the bottom line of this budget and I commend the Treasurer for it.

The Hon. DANIEL MOOKHEY (Treasurer) (16:46): In reply: I thank all the members who made a contribution to this debate: the shadow Treasurer, the Hon. Damien Tudehope; The Greens Treasury spokesperson, Ms Abigail Boyd; the Hon. Mark Latham; Dr Amanda Cohn; the Hon. Scott Farlow; Ms Sue Higginson; the Hon. Chris Rath; the Minister for Finance; the Hon. Emma Hurst; Ms Cate Faehrmann; the Hon. Natalie Ward; the Minister for Roads; the Hon. Jacqui Munro—I have forgotten one other person. Of course, the Hon. Sarah Mitchell—I thank the Deputy Leader of the National Party as well. It has been a fun week.

During the debate I was asked one question by the Hon. Mark Latham and asked to bring back a response. Out of courtesy, I have done that. The Hon. Mark Latham asked for an update as to what precisely is occurring with respect to the Broderick review. I can inform the member that I am advised that the budget 2023-24 includes $15 million over four years for the implementation of the recommendations of the Independent Review of Bullying, Sexual Harassment and Sexual Misconduct in NSW Parliamentary Workplaces. The measures are designed to ensure proper practices and processes are put in place, including education, support and training. It includes workplace health and safety as well as an apolitical independent complaints officer. In July 2021 the NSW Parliamentary Executive Group engaged former Sex Discrimination Commissioner Elizabeth Broderick, AO, to lead the independent review. On 12 August 2022 the Parliamentary Executive Group stated:

> We acknowledge all incidents of bullying, sexual harassment, and sexual misconduct in our NSW Parliament and electorate offices and we deeply regret the distress this has caused. … we are committed to making improvements that will address the matters raised in the report … [and] aim to ensure that the parliamentary working environment is safe and secure.

I am advised that the funding reflects what was asked for with respect to the Department of Parliamentary Services and it ensures that improvements have happened.

I also make two additional points. The first is that the Parliament is, of course, an independent institution and is responsible for ensuring that such moneys will be spent for their intended purposes. It is for the Parliament and its members to ensure that is the case, and there are forums, including estimates, in which questions can be directed to the Legislature. I cannot answer questions on behalf of the Legislature, and nor can I provide updates in that respect. The second point I make is that Treasury has instituted and continued the reform of the way in which independent agencies such as the ICAC, the Law Enforcement Conduct Commission and others engage with the budget process. I am pleased that that was the case throughout the preparation of this budget. With that, I commend the bills to the House. I look forward to the Committee stage.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that these bills be now read a second time.

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): We are dealing with the Appropriation Bill 2023, the Appropriation (Parliament) Bill 2023 and the Treasury and Revenue Legislation Amendment Bill 2023. There being no objection, the Committee will deal with the Appropriation Bill 2023 as a whole. The question is that the bill as read be agreed to.

Motion agreed to.

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the Appropriation (Parliament) Bill 2023 as a whole. The question is that the bill as read be agreed to.

Motion agreed to.

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the Treasury and Revenue Legislation Amendment Bill 2023 as a whole. I have two sheets of amendments, being The Greens amendments on sheet c2023-082B and Opposition amendments on sheet c2023-083B. We will deal with The Greens amendments first.

Ms ABIGAIL BOYD (16:54): By leave: I move The Greens amendments Nos 1 to 3 on sheet c2023-082B in globo:

No. 1 **Electric vehicles**

Page 10, Schedule 2, line 5. Omit "(a) and".

No. 2 **Electric vehicles**

Page 10, Schedule 2, lines 6–10. Omit all words on the lines.

No. 3 **Electric vehicles**

Page 10, Schedule 2, line 11. Omit "(c)". Insert instead "(b)".

The Greens broadly welcome the tightening of loopholes and the moderate increases to duty amounts that are presented in the bill. We note the removal of the electric vehicle [EV] stamp duty exemption and the interest from the Electric Vehicle Council in that provision. As members of this House will recall, The Greens were no great fans of the previous Government's Electric Vehicles (Revenue Arrangement) Bill from two years ago from an economic, environmental and social equity perspective. It was a deeply flawed and conservative approach to incentivising the take-up of electric vehicles in New South Wales, and it failed to take account of some of the major obstacles to people buying EVs instead of internal combustion engine vehicles—notably supply-related pressures and charging infrastructure problems.

The Greens welcome the move away from providing that limited stamp duty exemption, which applies only to new cars under $78,000 and, on the face of the data, in the context of the increased take-up of EVs across Australia—although I note the comments of my colleague Ms Cate Faehrmann that it appears to have had little incentivising impact on the new EV market by itself—and the diversion of some of the savings from scrapping that exemption towards social infrastructure in the form of providing greater opportunities to charge EVs across New South Wales.

Importantly for those living in the inner city and other high-density areas, we also welcome the provision of more options for those who want to buy an EV but are unable to charge it in a garage or driveway. It appears to be the more equitable option at this time, if we had to choose between one or the other. Of course, as my colleague set out, if we were serious about our climate then we would be doing that as well, rather than having to choose one over the other.

Those who recall the debate from two years ago will remember just how much The Greens hate the road user charge [RUC] concept from a social equity perspective, an environmental perspective and an anti-privacy perspective. We reluctantly passed the 2021 bill with the RUC included on the basis that we would be able to review the RUC provisions this year, long before they started applying to new and used EV sales at the start of 2027 or once new EV car sales had reached 30 per cent of the total new car market—known as the "relevant date" as defined under the EV revenue Act. Labor agreed at the time that the RUC did need reviewing before being ready for implementation, and that is why we passed an amendment that inserted a review provision for that purpose.

I was surprised, then, to see an amendment being made in the Treasury and Revenue Legislation Amendment Bill 2023 that effectively brings forward the date on which the RUC would apply to new EV sales and transfers. Although the RUC—or the Transurban tax, as I will continue to call it for years—will still not apply until after 1 January 2027 even with those changes, under the bill before us it will apply to all EVs sold or transferred from 1 January 2024. Under the status quo and our previous tripartisan understanding, the RUC would only apply to EVs bought or transferred for the first time after the relevant date—that is, either 2027 or when the new EV market reaches 30 per cent of all new car sales.

That cannot be what was intended by the Labor Government, and I sincerely hope that it is a mere drafting error. The Government's bill, if left to pass unamended, would introduce a significant policy change that has not been flagged in any Government announcements, budget papers or communications from this Government at all, as far as I can tell. If that provision is allowed to stand, EV dealers will need to tell people after 1 January 2024 that if they buy an EV then they will be slugged with the RUC as soon as it begins in 2027. From 2027, the Government would then be able to levy the RUC on three years of extra car sales and transfers.

If that policy change—secret as it appears to be—was intentional then it is in extremely bad faith for Labor to bring it in this way, given that we are due to review the RUC operation in the next few months. By all means the Government can bring the idea to us during that review, but it should not seek to make a policy change that significant by stealth under these cognate bills. I also note the current High Court challenge to the whole concept of a road user charge being levied by States, which further underlines why we should not be seeking to make changes to the operation of the RUC in New South Wales at this time. For that reason, the amendments we are proposing would revert most of the existing clause 9 to the status quo and would only change the bit that is relevant to when the stamp duty exemption ends at the end of this year. That will mean the EV market is incentivised for the next few years, with people knowing that although they will be subject to stamp duty, as for other cars, they will not also be slugged with the RUC from 2027.

The Hon. DANIEL MOOKHEY (Treasurer) (16:59): At the outset I say that the Government will accept the amendments that have been put forward. Let me set out the rationale why these particular amendments are acceptable in the context of the bill that the Committee is examining. We are putting an end to the practice where the public all but sends a big cheque of public money to Elon Musk every year. That was the policy adopted by the previous Government in adopting private subsidies. We are putting an end to the "Tesla trickle down" theory, where we get the rich people to buy electric vehicles [EVs] first and then they can be passed on—trickled down—to poorer people. We are repurposing that money to build public EV infrastructure in partnership with groups like the NRMA and others, which is the next step required in order to spread EV use. That is the first part of what this clause seeks to do in the cognate bill.

The second component is, of course, the road user charge component, which is the RUC period that is being brought forward to 1 January 2024. I think it is fine for us to wait for the inquiry processes to continue to pursue such an idea in good faith. But I was slightly astonished by the comments made by Ms Cate Faehrmann and others, in the second reading debate and the Committee stage, that somehow EVs as a class of vehicle should not be making any contribution to road maintenance. That is, effectively, what is being argued for and it is what the bill was intended to address—the inequity between electric cars and other cars. Right now every user of a petrol car and of a diesel car is paying for our road maintenance and the user of an electric car is not. Granted, at the moment the fleet size of EVs is so small that it might not be a meaningful thing, but over time, as we transition, the fleet will become huge.

It is especially important in regional New South Wales, where so much of the fuel excise that the Commonwealth collects is coming from, which is then repurposed to the States to allow us to maintain regional roads. To argue, as some did in the second reading debate, for fair access for regional communities and to not accept the idea that EV users should be making a contribution is something which the committee will need to look into. That is socially just, because it will take time for EV users to take such scale, and in the meantime every other user will subsidise them. To be fair, that is not unique in the climate transition issue. We see this, similarly, when it comes to electricity networks, where people who have solar do not necessarily have to contribute as much to the maintenance of the network for the distribution of power as people who do not.

This is a huge issue in transitions. As we move away from centralised systems of power production and centralised systems of fleets, how we do the social justice component of it matters. I take the point that has been made that maybe the way for all of these issues to be teased out is through the committee process that we are embarking upon as a House at the end of the year. But we will be making the case, strongly, that there needs to be equity. That is the only way to maintain social legitimacy and a social licence. We will have that argument with those who think that, somehow, it is the responsibility of the State to provide subsidies to very high income earners—the current demographic profile of EV users.

Other aspects of the EV debate featured in the second reading debate. It is astonishing that members were literally reading press releases from the paid lobbyists of Elon Musk and asking the Government to endorse that view. It is astonishing that would occur in the context of budget repair, when we are having to fix services. But effectively those on the other side of the House were arguing that it is the responsibility of all of us to jump to whatever suits the needs of Tesla. I am sorry, but that is not the way it works. It does not work in any other industry, and we make no apology for wanting to reform and repurpose this so we can deliver EV infrastructure in regional New South Wales and in high-density apartment areas as well. That is what we have to do to get the next part of the fleet rolled out, and that is the argument that we look forward to making in the inquiry when it kicks off.

The Hon. DAMIEN TUDEHOPE (17:04): The Opposition will not oppose the amendments.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendments Nos 1 to 3 on sheet c2023-082B. The question is that the amendments be agreed to.

Amendments agreed to.

The CHAIR (The Hon. Rod Roberts): We now move to Opposition amendments on sheet c2023-083B.

The Hon. DAMIEN TUDEHOPE (17:06): By leave: I move Opposition amendments Nos 1 to 3 on sheet c2023-083B in globo:

No. 1 **Land tax thresholds**

Pages 11–13, Schedule 3[1], lines 3–40 on page 11, lines 1–44 on page 12 and lines 1–41 on page 13. Omit all words on the lines.

No.2 **Land tax thresholds**

Page 14, Schedule 3[6], line 16. Omit "**Provisions**". Insert instead "**Provision**".

No. 3 **Land tax thresholds**

Page 14, Schedule 3[6], lines 18–26. Omit all words on the lines.

These amendments would scrap the Government's attempt to impose an additional $250 million in land tax on landowners who legitimately anticipated that the land tax thresholds for 2024 would be calculated in the usual way, using the existing thresholds for 2022 and 2023. The excuse for this tax grab is an apparent historical error made in 2021 by the then Valuer General in calculating land value for the purpose of the land tax threshold. Given the lapse of three years since this error was made—three years during which purchasers and sellers of land have understandably and legitimately assumed that the published land tax thresholds could be relied upon as a basis for making prudent decisions—it is unjust to suddenly shift the goal posts.

An unanticipated land tax bill can have a distressing impact on the recipient, in some cases leading to real financial hardship. In the case of landowners who rent out their property to either a residential tenant or to a small business tenant, it is inevitable that any increase in outgoings, such as a rise in land tax, will be passed on in rent increases to the tenant. Rent increases are the last thing the Government should be causing, given the current housing and rental crisis. Before the election, the Treasurer gave a categorical no to the question of whether he would raise any taxes. He has already equivocated by the pretence that royalties are not taxes. Perhaps he will now pretend that land tax is not a tax either, or he may pretend that he is not raising taxes but lowering the land tax threshold—the $250 million increase in taxes is just a consequence. Or the Treasurer may blame the former Valuer General for this error.

The Hon. Daniel Mookhey: I was going to blame you.

The Hon. DAMIEN TUDEHOPE: Don't blame me, buddy. The Treasurer might portray himself as generous for not going after additional land tax for 2021, 2022 and 2023. Whatever excuse he settles on, the reality is that this is a tax grab that breaks the promise that there would be no tax rises. I commend these amendments to the Committee and urge members to support them so as to help save the Treasurer from breaking another promise.

The Hon. DANIEL MOOKHEY (Treasurer) (17:09): The Government opposes the amendments. The bill seeks to make changes to the operation of the land tax thresholds prescribed in the Land Tax Management Act 1956. They include the threshold under which no land tax is paid on the total taxable value of New South Wales land. Under the Act, the New South Wales Valuer General applies the indexation formula to determine the land tax thresholds for the next land tax year, which is on a calendar year basis. That determination must be made by 15 October each year.

An error by the Valuer General in 2020 in determining the land tax thresholds for the 2021 land tax year has been carried forward to the 2022-23 land tax year. That error raised the land tax threshold higher than required under current legislation, at an estimated cost to the revenue of $150 million over those three years. To address the issue and improve the ongoing operation of the land tax threshold system, the Government, of course, proposes to correct the error. It is astonishing that we have to do so in this budget because it was not done by the previous Government.

The Hon. Damien Tudehope: We were not aware of it.

The Hon. DANIEL MOOKHEY: I acknowledge the interjection from the shadow Treasurer who says they were not aware of it. You would have thought that something as crucial as this would have been checked, but fair enough. I accept that the former Government relied on the public service, as we do. We all know that the issues associated with the previous Valuer General are astonishing. This is another one that happened under their watch. It could have been solved or detected and acted upon, but it has, in the meantime, led to $150 million of benefit accruing to people who pay land tax, who are predominantly owners of commercial and industrial land. That is who pays land tax, mostly. Not all but some of them have managed to get $150 million over that period of not paying tax.

The shadow Treasurer is correct in saying that it is not wise for the Government to try to retrospectively claw that back, and the Government will not. But the issue compounds over time if not addressed. That is why it needs to be addressed. It is another example of how this Government needs to clean up a lot of the messes left to it. In a scenario where we have searched for every opportunity to make available savings, effectively a few groups of land tax payers have won the land tax lottery by being the beneficiary of the error. It is not fair on all the other land tax payers not to adjust for it. The point of taxes is that they apply fairly. As the shadow Treasurer would know, we calculate land tax over a three-year average. It needs to be set right. Otherwise, the integrity of the entire system is called into question.

I understand how fraught land tax calculations are and how fraught the land tax debate is, but I thought we could all agree that the formula should be applied arithmetically correctly. I did not think that was in dispute. We can fight over what the threshold is, whether it is too high or too low, and who should pay it and who should not, but I did not think we would fight over basic maths. The fact that it was misapplied by the previous Government has cost the people of New South Wales $150 million in tax revenue that otherwise could have been used in schools and hospitals, and to reduce debt that had to be borrowed and interest paid on the missing revenue. Now that it has come to light, it needs to be acted upon. For that reason, all we are trying to do is clean up an error left to us.

The CHAIR (The Hon. Rod Roberts): The Hon. Damien Tudehope has moved amendments Nos 1 to 3 on sheet c2023-083B. The question is that the amendments be agreed to.

Amendments negatived.

The CHAIR (The Hon. Rod Roberts): The question now is that the Treasury and Revenue Legislation Amendment Bill 2023 as amended be agreed to.

Motion agreed to.

The Hon. DANIEL MOOKHEY: I move:

That the Chair do now leave the chair and report the Appropriation Bill 2023 and the Appropriation (Parliament) Bill 2023 without amendment, and the Treasury and Revenue Legislation Amendment Bill 2023 as amended.

Motion agreed to.

Adoption of Report

The Hon. DANIEL MOOKHEY: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. DANIEL MOOKHEY (Treasurer) (17:15): I move:

That these bills be now read a third time.

Firstly, I reflect on the fact that this is the Minns Government's first budget. It is the result of a lot of work by lots of people. I thank all my colleagues on the Expenditure Review Committee, who have worked very hard. I am advised that this is the greatest number of budget decisions undertaken in any budget process on record. I thank my Cabinet colleagues, who have also worked very diligently from the moment we were elected, to work through the many complex issues they all faced. I thank our caucus colleagues for the, at times, frank and fearless advice that only a Labor caucus can provide. The finance Minister and I take very seriously our accountability to the caucus as an institution. The fact that this is a collective endeavour on behalf of the entire Labor Party is in keeping with our 120-plus year tradition as to how we make budgets and deliver change. No members of the Executive forget that we take the views of the caucus very seriously. I pay special thanks to the Minister for Finance, who is proving to be the State's best ever finance Minister. She is incredibly diligent, ferocious, fastidious and focused. I thank her office as well for the incredible work they did.

I do not know whether anyone at NSW Treasury is watching this—I hope they are not. I thank that institution and the 700 people in it who worked incredibly hard to produce this budget. Like so many members of our magnificent public service, they go well and truly above and beyond. Certainly, with this Government in the past five months, they have processed so many issues of immense complexity on behalf of the people of New South Wales. That includes how to manage a high-inflation environment. This is the first Treasury that needed to prepare a budget with a seven in front of the inflation figure. That is not something that happens a lot. Equally, they needed to deal with complicated issues relating to casinos, and a relatively fast but thoroughly professional modernisation of our royalty rates. They also dealt with complex issues relating to Commonwealth and State relations. I pay tribute to NSW Treasury staff for their immense work, ably led by Secretary Michael Coutts-Trotter. I give a special shout-out to the Deputy Secretary of the Policy and Budget Group, Liz Livingstone.

Above all else, I thank my office and my team, led by my chief of staff Michael Buckland; director of policy, Anna York; director of communications, Stephen Fitzpatrick; as well as everybody else in the team. I am blessed to have such a strong team working with me to prepare this budget. They are a hardworking team that I do not think has had a weekend off in months. I take this opportunity to say thankyou to them. I like to feel that all the feedback that I have had from all the other Ministers' offices universally is that they have been dealt with in a courteous, professional and timely manner, and that is a good standard. I really owe my team a lot, as does the Government, and I take this opportunity to pay special attention to that.

I thank all members who contributed in this debate. Everyone has played their role. The fact that we have been able to deliver this budget is important for the people of New South Wales. I look forward to doing another one starting in a few months' time and I think we start the half-year review very soon as well. With that, I commend the bills to the House at this third reading stage.

The PRESIDENT: The question is that these bills be now read a third time.

Motion agreed to.

SYDNEY OLYMPIC PARK AUTHORITY AMENDMENT (HILL ROAD UPGRADE) BILL 2023

CRIMES AMENDMENT (CORRUPT BENEFITS FOR TRUSTEES) BILL 2023

CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2023

EXPLOSIVES AMENDMENT BILL 2023

Assent

The PRESIDENT: I report receipt of messages from the Governor notifying Her Excellency's assent to the bills.

Documents

GREAT KOALA NATIONAL PARK

Return to Order

The CLERK: According to the resolution of the House of Wednesday 23 August 2023, I table additional documents relating to an order for papers regarding public forest harvesting operations in New South Wales, received on Thursday 21 September 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of documents.

POLICE TASER USE

Variation of Order

The PRESIDENT: According to standing order, I advise the House that on Thursday 21 September 2023 the Clerk received correspondence from the Deputy Secretary, General Counsel of the Cabinet Office containing a request for variations to an order for papers.

I table the correspondence. I further advise the House that the member who moved the motion for the order had not agreed to vary the order as requested by the Cabinet Office but had agreed to the following variation:

(1) **Tasering incident in Cooma - Further order**, that the due date for documents provided by the NSW Police Force be Wednesday 11 October 2023.

The question is that the varied terms of the order be agreed to.

Motion agreed to.

Bills

MINING AMENDMENT (MINERAL CLAIMS—OPAL) BILL 2023

Second Reading Debate

Debate resumed from 14 September 2023.

The Hon. SARAH MITCHELL (17:22): I lead for the Opposition in debate on the Mining Amendment (Mineral Claims—Opal) Bill 2023. I indicate at the outset that the Opposition will not oppose the bill. I do not intend to make a very long contribution to the debate. I know a couple of other bills will be dealt with this evening, but I want to state a few things for the record. As the Minister noted in her second reading speech, the bill addresses an unintended consequence of the 2015 reforms to the Mining Act 1992. The bill will address issues arising from invalid mineral claims for opal mining in the Lightning Ridge Mineral Plains District and the White Cliffs Mineral Claims District. It is positive to see this rectified so that the small tenement holders in Lightning Ridge and White Cliffs in the State's west can continue operating with certainty.

As we all know, Australia provides about 95 per cent of the world's supply of gemstone quality opals. The New South Wales Liberals and Nationals wholeheartedly support this industry. We want to associate ourselves with the remarks made by the Minister in her contribution when she recognised the importance of the opal mining industry, particularly in the communities of Lightning Ridge, White Cliffs and surrounding areas. Many Opposition members have visited those areas many times and have seen firsthand the opal mining industry and what that delivers in terms of economic benefits, as well as employment for thousands of people who live in regional New South Wales. I give a shout-out to Dugald Saunders, the Leader of The Nationals, who obviously is the shadow Minister for this area of responsibility as well. He and I were speaking about it. We can see the amazing opportunities that come to those communities by having a very strong minerals sector.

The Hon. John Graham: I hope you were doing the maths.

The Hon. SARAH MITCHELL: I was doing the maths, thank you very much. As I said, I just want to touch briefly on the importance of this industry for those communities. I will make only a couple of points. Opal mining injects quite a bit into those local communities and their economy. It is not just the economic activity the mines create. It is the opal sales, the gemstone processing and the opal jewellery. There are a lot of opportunities for people who head out to the ridge to go opal shopping. I encourage members to do that during the school holidays. We also know that those towns become tourist attractions. Lightning Ridge draws visitors who are interested in gemstones and mining history. Once they arrive, they stay in the motels, visit the pubs and clubs, go on guided mine tours, car door tours, and buy souvenirs. What we see from this industry underpins a lot of the economies, particularly in the Far West of the State.

We also know that it contributes to the culture of the community. Anybody who has been to White Cliffs and Lightning Ridge—I know many members of this House have—know that they are unique communities and have a real sense of character. That is important when we consider the history of opal mining in those areas. There are many reasons why people come to that part of the world to take up those opal mining opportunities. It really is part of the local fabric of those communities. The Opposition will back in any legislation that will help to support them. The last point I make relates to a comment the Minister made in her contribution about the importance of rehabilitation and making sure that it is occurring at those sites. When we have responsible opal mining practices, we can minimise the environmental impact and promote sustainability. It is important that those practices include the right land rehabilitation and revegetation efforts et cetera. As I stated at the outset, the Opposition will not oppose the bill, which is really a tidying-up of an unintended consequence. We support the opal industry, those regional communities and we are happy to support the bill.

The Hon. STEPHEN LAWRENCE (17:28): I am pleased to speak in support of the Mining Amendment (Mineral Claims—Opal) Bill 2023. I thank the Minister for Natural Resources for introducing the bill to the House. The Government recognises the significance of the opal mining industry and how important it is to Lightning Ridge, White Cliffs and the surrounding communities. This Government recognises that it has a duty to ensure that the administration and regulation of this industry is undertaken efficiently and effectively, and that it is meeting the needs of its stakeholders. The very unfortunate discovery of over 3,000 invalid mineral claims earlier this year has directly impacted those opal mining communities—unfortunately, right at the peak of the mining season. As such, the Government is seeking to resolve those invalidity and liability issues as soon as possible to reduce the impact on its stakeholders. I was appointed by the Minister as a Government envoy to listen to the needs of stakeholders and to liaise with them on this important issue.

The Hon. Mark Latham: Henry Kissinger.

The Hon. STEPHEN LAWRENCE: No. It is more complex than the Middle East, in fact. The role calls on me to travel to affected areas and to speak to people within the industry and communities, and to use what I learn to advise the Government.

[*A member interjected.*]

I am very tempted to respond to that interjection.

The Hon. Bronnie Taylor: I am on two calls tonight.

The Hon. STEPHEN LAWRENCE: You are, indeed. The bill has been written to make legally valid affected mineral claims. It seems to put into effect what has been understood to be the position by the parties involved by ensuring that the mining and associated activities were legally valid. The bill works in tandem with important administrative measures being undertaken by the Department of Regional NSW to resolve the invalidity issues. I am sure it will be known to members that the department has commenced an administrative validation project to ensure that we minimise disruption to the industry and that indeed is a priority for the Government. The project provides a process for miners to have their claims lawfully redetermined, allowing them to return to mining as soon as possible.

It is important to note that the bill will not limit the Government's power to choose to approve or refuse a mineral claim application, as appropriate. The bill will only apply to mineral claims that are invalid because of the failure to comply with section 266 of the Mining Act. Further to this, the department has also commenced issuing refunds to miners who were affected by this issue and had no right to mine for a period of time. The refunds include application fees and administrative levy payments already collected in respect of the invalid mineral claims.

In addition to the administrative validation project, the Government has committed to implementing other measures to minimise disruption to miners and landholders. A key part of those additional measures is the independent review, which Minister Houssos highlighted earlier. I will be providing insights and information that I have gathered in my role as Government envoy to inform the review. The review will allow stakeholders to have their say about how the opal-mining industry is regulated and where improvements can be made. It will involve consulting with stakeholders to identify potential areas for reform and making recommendations to the Government to improve the administration and regulation of the opal-mining industry, to ensure it is efficient and effective, while balancing the needs of miners, landholders and the public.

The review will consider the statutory framework for small-scale mining and will cover land access and landholder compensation arrangements, as well as the findings and recommendations of the 2011 report. I look forward to continuing to meet with stakeholders on the ground in my role as envoy, to hear their concerns firsthand and work with them to identify improvements to the current framework. I thank the Minister for bringing these reforms to the House and for her ongoing support for Lightning Ridge, White Cliffs and the surrounding communities. I support the bill. I believe it is critical to provide certainty to affected stakeholders.

Ms CATE FAEHRMANN (17:31): The Greens support the Mining Amendment (Mineral Claims—Opal) Bill 2023. The bill addresses a technical error that has evidently impacted the validity of opal-mining titles since their introduction into the Mining Act in 2015. As I understand it, the issue arose out of amendments made to the Mining Act in 2015 under the former Coalition Government. The introduction of small-scale titles under the Act, the name given to opal-mining titles under the law, imposed certain requirements that needed to be met before a title could be conferred on opal miners by the department. Yet the department improperly handed out thousands of these titles without ensuring that these requirements had been met. Accordingly, these titles were invalidly conferred, raising a number of legal and regulatory issues in areas where opal mining occurs in New South Wales.

The department appears to have admitted its mistake and is rather apologetic for the regulatory mess it has caused. Ultimately, it is important that these titles be validated. That is why we support the bill. Without a valid licence, opal miners who were under the honest and reasonable belief that they held valid mining titles would be subject to civil and criminal sanctions for mining on private land. The Government would also face significant liability issues for its role in causing this situation if this is not rectified. Rehabilitation works will also become enforceable under these titles. Until this invalidity issue was discovered earlier this year, miners, landholders and the Government were all under the impression that opal mining in Lightning Ridge and White Cliffs was being legally undertaken. Accordingly, giving the bill retrospectivity, which must be done only sparingly and with good reason, is justified.

While The Greens ultimately support the bill, it was note easy getting here. It did take a few requests for clarification from the Minister's office, which ultimately was inadequate from our perspective and necessitated us seeking a briefing from the department to get to the bottom of some of the questions we had. We appreciate the

Minister's office facilitating discussion with the department to get us over the line. I highlight that the public servant who spoke with my office was extremely well informed and helpful. I also note the Minister's announcement of an independent review of the statutory framework of the industry in her second reaching speech. The Greens support this independent review, especially in light of the well-known cultural heritage issues that exist in these opal-mining areas, which my colleague Sue Higginson will talk about in more detail. For these reasons, The Greens support the bill.

Ms SUE HIGGINSON (17:34): I make a brief addition to my colleague's submission on the Mining Amendment (Mineral Claims—Opal) Bill 2023. As Ms Cate Faehrmann has identified, The Greens support it. I place on the record that nowhere in the discussion and the validation has there been any acknowledgement of the significant impact of opal mining on cultural heritage. It is well known. First Nations communities and Elders across the landscape have voiced concerns over many years. There were claims in the former Mining Warden's Court about the injustice that First Nations people experience because their cultural heritage is harmed through this intensive process. We know that opal mining is a fairly invasive mining process. It is about digging holes and leaving pockmarks across the landscape. I appreciate that landowners obtain significant material profit and benefit from this extractive industry. Nevertheless, it is always happening on culturally significant lands and, more often than not, damages important aspects of cultural heritage.

I raise the concern because we have a Government envoy, an active and concerned Minister and some fresh blood and energy here. But it is concerning that we are going through this whole validation process when we know and the Government has acknowledged that the cultural heritage laws that apply to these specific lands are more than woeful. New South Wales is the only State in the whole country that does not have standalone cultural heritage laws so that First Nations people actually have control, custody, care and proper informed consent around the harm and the damage that takes place to cultural heritage. We are still operating under a 1970s scheme that is woefully inadequate for protecting cultural heritage.

I acknowledge that the validation laws work in concert with the Native Title Act and the land rights Act, but this is not about those claims or how those Acts interact with each other. This is actually about the fact that the very activity we are retrospectively validating harms cultural heritage. The entire system is based on a self-assessment regulatory system engaging landholders and prospectors to exercise due diligence. We know that First Nations communities have more than voiced concerns over decades about how this system is broken, is inadequate and in fact facilitates the harm, destruction and desecration of cultural heritage across the landscape.

It is poor form to introduce this validation. There has been no acknowledgement whatsoever from the Government that this is what happens with opal mining. The Minister for Aboriginal Affairs and Treaty is doing his best to express that there is a good Government agenda to introduce better cultural heritage laws. They have been promised for nearly decade two decades in this State, but he says that we are getting closer and closer. Mr President, as the former Minister for Aboriginal Affairs, you know how harmful the cultural heritage laws really are. Right now this activity is one that really harms First Nations people and their cultural heritage.

Whilst we accept and understand the need to retrospectively legally validate the licences and the ability for companies to dig their big holes across the landscape, we hope, and put on the record right now, that the review that the Minister has committed to will be done with a full understanding of the inadequacies of the current cultural heritage laws. We hope that it will be done with a full understanding that mining has a high impact on cultural heritage. We hope that as the legislation is reviewed, First Nations people will be properly and fulsomely engaged in a culturally appropriate manner and that cultural heritage is not just something acknowledged but something respected and given meaningful protection.

The Hon. COURTNEY HOUSSOS (Minister for Finance, and Minister for Natural Resources) (17:40): In reply: I thank all members for their contribution to the debate on the Mining Amendment (Mineral Claims—Opal) Bill 2023. I thank the Hon. Sarah Mitchell and the excellent local envoy the Hon. Stephen Lawrence for all his work. I thank Ms Cate Faehrmann and Ms Sue Higginson. I thank Roy Butler and his team. As the local member, he has been excellent. I visited Lightning Ridge on 6 June with my local envoy, who was excellent, but also with Roy Butler and his team. They have been fantastic in facilitating that conversation and providing real-time feedback. I also thank the whole Mining, Exploration and Geoscience team and give a shout out to Jamie Tripodi, who is in the gallery today and who has been a great source of advice through the entire process. It is still ongoing but I want to say thank you.

The bill makes important changes to the Mining Act that ensure the actions of the department, miners and landholders in mineral claims for opal mining have been carried out lawfully in circumstances where no wrongdoing has occurred. It also allows for compliance and enforcement actions when required. The bill minimises disturbance to those affected by the issues arising from invalidly granted claims and provides certainty to miners, landholders and opal mining communities in the Lightning Ridge and White Cliffs areas. The department's complementary administrative validation project will make sure the communities and industries can continue with minimal disturbance.

The cornerstone of the bill is the validation of mineral claims that have been adversely affected by the administrative procedural issue. The bill will be applied retrospectively to ensure that any affected mineral claims will be taken to be lawful and addresses the issue that the department, miners and the landholders have been wrongly proceeding on the basis that mining was occurring lawfully. I hear the concerns about retrospective legislation but we have been very cautious to draft the bill as narrowly as we can. It removes the issues of liability that could otherwise arise for affected stakeholders.

The bill provides explicit protections for all stakeholders involved, including impacted landholders and mineral claimholders. It achieves that by retrospectively validating the use of the land and recognising the lawfulness of mining activities conducted under the claims. Importantly, and in response to the comments from Ms Sue Higginson, nothing in the bill affects Aboriginal land claims made before the bill is passed and the validation does not affect pre-existing native title rights and interests. As an aside, while I was reading about opals it was interesting to learn that some Aboriginal cultures believe that opals are deposited by the rainbow serpent during the Dreamtime, so they are certainly special stones and are a key driver in those local communities in Lightning Ridge and White Cliffs.

The bill ensures that the validated mineral claims can be treated with confidence and that actions carried out under them were lawful where they were conducted in accordance with the conditions of the claim. The validating legislation also ensures that the conditions of the mineral claims, including rehabilitation requirements, can be enforced. That provides assurance to the landholders that rehabilitation conditions can be enforced on their land. Validating affected claims safeguards the State's ability to maintain and enforce our high standards of environmental rehabilitation. It does so by ensuring that the conditions of the mineral claims, including the rehabilitation requirements, can be enforced by the Resources Regulator.

The bill contains provisions that validate the collection, expenditure or refund of any money by, or on behalf of, Crown landholders and any other person associated with an affected mineral claim. The provisions will ensure that the department acted lawfully when it collected or refunded money on applications for the invalid mineral claims. On my visit in June one of the announcements we made was that we would be refunding those administrative fees to provide direct and immediate financial relief to opal miners who were forced off their plains at that time. The invalid titles create an environment of uncertainty for stakeholders in relation to law and liability so retrospectively validating the affected claims will ensure that miners who entered land and mined under a mineral claim had the right to do so.

The bill prevents legal action against the Crown, or any other person, as a result of the grant renewal or transfer of the invalid mineral claims. As many members discussed, we are continuing the independent review now that the bulk of the titles have been reissued. I look forward to, if required, bringing back further legislation regarding our opal mining sector. The amendments in the bill will remedy the fact that the department, miners and landholders have been wrongly proceeding on the basis that mining was lawfully occurring. The Government recognises that opal mining remains a vibrant part of the New South Wales mining economy. The employment and money that flows into our regions from mining supports regional towns and communities, particularly Lightning Ridge and White Cliffs. The people of New South Wales expect that mining is carried out responsibly and lawfully and the bill will deliver certainty and transparency for industry and the community. I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. COURTNEY HOUSSOS: I move:

That this bill be now read a third time.

Motion agreed to.

RADIATION CONTROL AMENDMENT BILL 2023

Second Reading Debate

Debate resumed from 14 September 2023.

Ms SUE HIGGINSON (17:47): The Greens will not be opposing the Radiation Control Amendment Bill 2023. As the bill has come about from a statutory review and it is largely consistent with the recommendations of the report that was tabled in 2021, we will be supporting the Government to enact these changes. The bill seeks to enhance tracking and responsibility for management of radioactive waste in New South Wales and modernise some elements of the principal Act. Considering the seriousness of the potential for radioactive material to have negative impacts on the environment and communities, the changes are supportable.

There is a risk for individuals to be caught up in incredibly expensive circumstances where there has been wilful negligence when handling and disposing of radioactive materials, but the Government has assured us that protections are in place for the voluntary and liability surrendering of materials that have been inadvertently acquired or where knowledge of the situation is lacking. Due to the highly dangerous nature of some radioactive materials and their potential to persist for long periods of time in the environment and communities, we are satisfied that the changes are consistent with effectively regulating industry and the individuals who work with the materials. I convey my deep thanks to the Minister and the incredible members of the department who briefed us and assisted us to understand what the changes do.

The Hon. NATALIE WARD (17:49): I indicate that the Opposition will also support the Radiation Control Amendment Bill 2023. I congratulate the Leader of the Government on the bill. I wanted to call her the mother of the House, but I do not want her to take offence, so I will call her the favourite auntie of the House and congratulate her on this, her first bill as Minister for the Environment. The bill amends the Radiation Control Act 1990 to introduce reforms to ensure that radiation—usually medical waste—is managed safely to protect human health and the environment, and that people who deal with radiation are more accountable for its safe management. This is a result of the Environmental Protection Authority conducting a review of the Act in 2021 under the former Coalition Government. The bill, on my advice, enacts those recommendations. The Coalition, of course, supports measures to provide safer transportation of potentially harmful waste and tougher penalties to act as a deterrent to those carrying out unsafe practices. I think we are all in furious agreement about that.

I note that the bill, the first that this environment Minister has carried through the House, was in fact prepared under the previous Coalition Government following a statutory review, and I am pleased that it is here today before the House. I acknowledge that the vast majority of this work was prepared under former Minister for the Environment and Heritage, James Griffin. I congratulate him, his department and ministerial team on their hard work. I publicly acknowledge his work as a Minister in promoting key initiatives to strengthen and preserve the environment for future generations. I also acknowledge the new shadow Minister, the member for Vaucluse, Kelly Sloane, for her work, advocacy and passion in this portfolio area. The Opposition supports the bill.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:51): In reply: I thank all members for their contributions in relation to the bill. Perhaps I should really thank the Environment Protection Authority and its staff for the work that they did for the statutory review and for the fact they have done the consultation that is required. I also thank my staff, who have worked very hard to brief members of this House, which is how we should do this sort of thing. That means these types of bills, which are important but relatively straightforward, come to this House as a result of good consultation with everyone who is affected and put in place good laws that will work. With that, I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. PENNY SHARPE: I move:

That this bill be now read a third time.

Motion agreed to.

CITY OF SYDNEY AMENDMENT BILL 2023

Second Reading Speech

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:53): I move:

That this bill be now read a second time.

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

Leave granted.

The City of Sydney Amendment Bill 2023 repeals the anti-democratic measures legislated by those opposite when they were in Government that confer an unfair weighting on the votes cast by non-residential electors in the City of Sydney over those cast by residential electors.

Not only are these measures indefensible on any democratic principles, but they have also placed an onerous and costly administrative burden on the City of Sydney to automatically enrol eligible electors and to ensure the accuracy of the data used for enrolments.

They have also put the NSW Electoral Commission in the difficult position of having to take enforcement action against the many enrolled non-residential electors who have failed to vote at elections for the City of Sydney, in some cases because they did not know they were enrolled and were required to vote.

This bill corrects this historic wrong. It will apply to the City of Sydney the same voting rules for non-residential electors that apply at all other council elections.

The bill also corrects another historical anomaly by abolishing the Central Sydney Traffic and Transport Committee. The establishment of that committee was opposed by the City of Sydney and is not supported by it, and the body has now become inoperative. Dissolving the committee will remove an unnecessary barrier to transport decision making in the Sydney CBD.

The City of Sydney has a unique non-residential elector franchise

Under the Local Government Act 1993, any person who lives in a local government area or who are non-resident owners, rate -paying lessees, or occupiers of rateable land in that area, are eligible to vote as non-residential electors at the election for their local council.

However, the voting rules for non-residential electors that apply in the City of Sydney are very different to the rules that apply in other local government areas.

Where, in other local government areas, non-residential electors are required to apply to be enrolled, in the City of Sydney, they are automatically enrolled whether they want to be or not.

The differences do not end there.

Under the City of Sydney's non-residential elector franchise, where there are more than two natural persons who are non-residential owners, ratepaying lessees or occupiers of land, up to two of those persons are to be enrolled. In other local government areas, only one of these people is eligible to be enrolled.

Where a corporation is an owner, lessee, or occupier of rateable land, two officers of the corporation are to be automatically enrolled (unless nominated by the corporation). In other local government areas, only one person, nominated by a corporation may be enrolled.

What does this mean in practice? Let's take the example of land in the City of Sydney that is owned by one corporation and leased to another who is a shopping centre operator and who contributes to the payment of rates under the lease, and licenses space in the shopping centre to store owners.

In that example, up to two people may be enrolled to vote on behalf of the landowner, another two on behalf of the lessee and two for each of the storeowners in the shopping centre. Potentially hundreds could be enrolled with respect to a single parcel of land.

Another unique attribute of the City of Sydney's non-residential elector franchise is that voting is compulsory for enrolled non-residential electors. In other local government areas enrolled non-residential electors are not required to vote.

Not only are non-residential electors in the City of Sydney denied any choice in whether to be enrolled, if they fail to vote, they will be fined.

Administration of the City of Sydney's non-residential elector franchise is costly and onerous

Under the City of Sydney Act, the unenviable task of administering this electoral behemoth falls to the Council's general manager.

The Act places responsibility on the general manager for keeping and maintaining a non-residential roll electoral information register and ensuring the information in it is accurate. The information kept in the register is used to create the non-residential elector rolls for elections for the City of Sydney.

This means that where there are two or more people who are eligible to be enrolled as non-residential electors, the general manager is obliged to determine which of those persons are to be enrolled based on the alphabetical order of their names.

It also means that the general manager of the City of Sydney is obliged under the legislation to ascertain the identity of eligible non-residential electors who live interstate or overseas so they may be enrolled even though they do not have access to the data necessary for them to do so.

Unsurprisingly, the City of Sydney has raised concerns about the logistical and operational challenges of maintaining the register and ensuring the information contained in it is accurate.

The City of Sydney spent $9.7 million to establish the register and it costs approximately $1 million per annum to maintain it. This is money that would be better invested in delivering services and infrastructure to the local community including business owners.

The current legislation has not achieved its policy objectives

Despite the vast cost and administrative complexity of the City of Sydney's non-residential elector franchise, it has failed to deliver its policy objectives.

While the current arrangements have seen an increase in the enrolment of non-residential electors in the City of Sydney, a significant number of non-residential electors enrolled under the expanded franchise are not exercising their right to vote at elections for the City of Sydney

At the 2021 City of Sydney election, 47,465 non-residential voters were enrolled to vote. However, of these, 18,501 were issued apparent failure to vote notices by the NSW Electoral Commission following that election. This represented 39 per cent of all non-residential electors for the area. By contrast, 21 per cent of residential electors for the City of Sydney were issued apparent failure to vote notices.

There are two possible reasons for this.

The first is that, because there is no provision for absent voting at local government elections, if non-residential electors for the City of Sydney failed to apply to vote by postal vote, there would have been no way for them to cast their vote if they lived in another part of the State or elsewhere.

The second is that many enrolled non-residential electors for the City of Sydney may not have known that they were enrolled to vote at the election for the City of Sydney and that they were obliged to vote.

Undoubtedly, many of these electors would have been surprised to learn that in addition to voting at the election for their local council in December 2021, they were also expected to vote at an election for another council in another part of the State.

Whatever the reasons so many enrolled non-residential electors failed to vote, the NSW Electoral Commission has had to go to the trouble and expense of enforcing the failure to vote provisions with respect to the 18,501 non-residential electors who failed to vote at the election for the City of Sydney in December 2021.

Each of those electors have also been put to the trouble of having to show cause to the Commission for why they should not be fined for failing to vote.

The measures contained in the bill

The measures contained in this bill will remove the uniquely anti -democratic, administratively complex, and costly rules for non-residential voting currently prescribed under the City of Sydney Act. They will do this by repealing the provisions that prescribe them and making several consequential amendments.

This will, in effect, see the City of Sydney becoming subject to the same rules governing voting by non-residential electors that apply in other local government areas in the State.

If passed, this bill will see the following outcomes:

A natural person who is a non-resident owner, ratepaying lessee or occupier of rateable land in the City of Sydney will be entitled to apply to be enrolled as a non-residential elector for the City of Sydney.

A corporation that is a non-resident owner, ratepaying lessee or occupier of rateable land in the City of Sydney will be entitled to nominate one person to be enrolled as a non-residential elector for the City of Sydney.

Where there are multiple non-resident owners, ratepaying lessees or occupiers of a parcel of rateable land, only one of those persons may be nominated for enrolment.

Where corporations or trustees own or are ratepaying lessees or occupiers of more than one parcel of land in the City of Sydney, or if joint or several non-resident owners, ratepaying lessees or occupiers own or are ratepaying lessees or occupiers of more than one parcel of land in the City of Sydney, they can only nominate one person to be enrolled as a non-residential elector for the City of Sydney in respect of one of those parcels.

A person may only be enrolled once to vote at elections for the City of Sydney in any capacity. If they are already eligible to be enrolled as a residential elector, they will not be eligible to be enrolled as a non-residential elector.

Like all other councils in the State, the general manager of the City of Sydney will be required to prepare non-residential elector rolls prior to each election that include the names of the persons who have applied at any time for the inclusion of their names in the roll, who on the closing date 40 days before election day are in the opinion of the general manager, qualified for inclusion in that roll.

It will not be compulsory for enrolled non-residential electors to vote at elections for the City of Sydney.

The bill will also abolish the Central Sydney Traffic and Transport Committee

This bill will also address another historical anomaly in the City of Sydney Act by abolishing the Central Sydney Traffic and Transport Committee.

That committee was established in 2012 to provide a mechanism for coordination between the New South Wales Government and the City of Sydney in the Sydney CBD.

The City of Sydney was strongly opposed to the establishment of the Committee and has requested its abolition on several occasions.

The City of Sydney was concerned that the Committee would delay decisions on important transport and traffic management issues in Central Sydney.

As a result, the City of Sydney has declined to support the Committee and it has not been able to be convened and is currently inoperative.

There are other governance arrangements in place with the City of Sydney on transport projects impacting the Sydney CBD and the Committee is no longer required.

Conclusion

It is important to emphasise that this bill is not about disenfranchising non-residential electors in the City of Sydney.

Eligible non-residential electors will still be able to apply to be included on the non-residential rolls and to exercise their right to vote at elections for the City of Sydney.

Importantly, this will be their choice. Non-residential electors will not be enrolled against their will and compelled to vote as is currently the case.

What this bill is about, is removing the current anti-democratic arrangements and putting non-residential electors in the City of Sydney on the same footing as their counterparts in other local government areas.

It is also about relieving the City of Sydney of the onerous and costly burden of administering the current unworkable, unwieldy non-residential elector franchise.

I commend the bill to the House.

Second Reading Debate

The Hon. NATASHA MACLAREN-JONES (17:54): I speak on behalf of the Opposition and represent the shadow Minister for Local Government, and the shadow Minister for Small Business, in the other place to oppose the City of Sydney Amendment Bill 2023. The bill proposes amendments to the Act to seek to abolish provisions that apply to elections for non-residential voters in the City of Sydney local government area, and also repeals all provisions relating to the traffic committee and its operations. The Government has described the current provisions under the Act as providing an unfair weighting on the votes cast by non-residential electors in the City of Sydney elections over those cast by residential electors. The bill undermines equal representation of ratepaying businesses that are also significant stakeholders in the City of Sydney. Instead of implementing measures that could streamline administrative processes and enhance democratic outcomes, the Government has chosen to eliminate business representation through this proposed legislation.

The City of Sydney Amendment (Elections) Bill 2014 passed under the previous Government. This bill seeks to repeal the amendments made as a result of the recommendations made by the Joint Standing Committee on Electoral Matters following a significant inquiry in 2012. In the recommendations it was suggested that the model used by the City of Melbourne be used by the City of Sydney, including deeming provisions and compulsory voting aspects for non-residential electors. Furthermore, it suggested considering this model for other city council areas with significant economic centres such as Newcastle, Wollongong and Parramatta. While the current Act aims to empower the Governor to extend this model by regulation, the former Government had no intention, at the time of implementing it, for other council areas without first learning from the City of Sydney's experience.

Contrary to claims made by the Government in the other place, no person can vote in council elections multiple times. There are set criteria for non-residential electors. Each elector contributes to the City of Sydney's operations through rates and should not be burdened by additional administrative hurdles. Central to Sydney are our small businesses and major corporations that employ thousands, contribute substantial tax revenue and play a significant role in the State and national economies. It is vitally important that we ensure that they have true representation and are not burdened by these changes. We oppose the bill.

Dr AMANDA COHN (17:57): The Greens support the City of Sydney Amendment Bill 2023, which is a small but important step towards restoring democracy to local government in New South Wales. The bill will treat local government elections in the City of Sydney in the same way as every other local government area in New South Wales, as they should be treated. It was completely egregious that, in 2014, the provision was brought in to give non-residential electors in the City of Sydney two votes and to automatically enrol non-residential electors. It is fundamentally anti-democratic for non-resident owners to carry more weight in elections than residents.

In the Legislative Assembly, my colleagues the member for Balmain and the member for Newtown, whose electorates include areas in the City of Sydney, have aptly questioned the motives for why the double business vote in the City of Sydney was ever brought in. It was widely accused at the time of being a politically motivated attack to oust Clover Moore as Lord Mayor of Sydney and has been described as a "business gerrymander". Of course, it was not actually successful in ousting Clover Moore, and it is astonishing that it has taken nearly 10 years for this anti-democratic mess to be unpicked.

All four members of the Legislative Assembly who represent areas that overlap with the City of Sydney voted in support of the bill before us today. Beside its implications for local democracy, the 2014 City of Sydney amendments cost $9.7 million to establish and another approximately $9 million to maintain. For anyone who lives, works or visits the City of Sydney, it is obvious that these funds would be better used on public infrastructure or events. It is important to note, in supporting this bill, that its passage will certainly not fix the many barriers to effective democracy in local government in this State. The bill brings the City of Sydney elections into line with every other local government area in New South Wales, where non-resident electors are still granted one vote.

As my predecessors have said in this Parliament, The Greens do not believe that corporations should ever be given a vote—even a single vote. Democracy is for people and people alone. For any person to be granted an additional vote because of their wealth, property or power is anti-democratic, and that is still taking place across New South Wales. The Queensland Parliament voted to abolish the non-resident franchise in 1920 based on the principle of "one adult, one vote". At that time, it was argued that Australia had led the world in its adoption of that principle. How embarrassing that more than 100 years later we do not have "one individual, one vote" in local government in New South Wales.

Councils should reflect the diversity of the communities that they represent. We have a huge problem with the diversity of people who stand for election at all levels of government, particularly in local government. There are a variety of reasons driving that, including that councillors in New South Wales are paid far less than the median wage. Many New South Wales residents would be surprised to learn that the maximum salary for a metropolitan councillor is $43,440, and for a rural councillor it is only $13,030. Low and inequitable pay is a deterrent to the potential councillors who are the kinds of people we need more of in rooms where decisions are made.

Being an effective local government representative is not just about turning up to meetings—a good councillor is listening to and representing their community every day. It is a huge commitment. If one cannot live on a councillor's allowance, the role only attracts people who are retired or have passive income sources. 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 also that low remuneration is also a barrier to participation and diversity and places an unacceptable burden on councillors and their families.

We should be hearing from a greater diversity of voices in elections. The Greens believe that 16- and 17-year-olds should have the option to vote. These are young people who are able to work, pay taxes and drive, who can be criminally charged and go to prison, and who can consent to their own medical treatment as adults—but who do not have a say at the ballot box. The voting age has been lowered to 16 in countries like Austria, Argentina, Brazil, Scotland and Wales, and New Zealand, Canada and Germany are following suit. It is well overdue for young people in New South Wales to have a real say in decisions that impact them the most.

There are extraordinary issues with the Office of Local Government that are preventing effective local democracy. Processes for investigating code of conduct complaints against councillors are failing to pick up criminally corrupt conduct relating to huge development proposals—meanwhile censoring the social media posts of elected representatives participating in public debate. The forced amalgamation of councils by the previous Government in 2016 has led to a number of communities effectively losing their say in the decisions that affect them. The increasing practice of splitting local government areas into small wards with a small number of representatives reduces the diversity of views in the council chamber. The Greens have long championed proportional representation.

There is work to do to improve the disclosure of gifts, donations and conflicts of interest by local government councillors and to reduce the toxic influence of property developers to ensure that decisions are only being made in the best interests of communities. Having said all that, The Greens appreciate the urgency of this bill passing in time to take effect for the local government election scheduled for September 2024. For that reason, we are not seeking to broaden the bill today to make the much-needed improvements to local democracy across the State. I acknowledge the constructive work of City of Sydney councillors Sylvie Ellsmore and Linda Scott which has led to the bill that we are considering today. I commend the bill to the House.

The Hon. JACQUI MUNRO (18:03): I oppose the City of Sydney Amendment Bill 2023. The reality is that the City of Sydney council is not like any other. Sydney is the premier city in Australia. The revenue and the GDP activity it generates represents almost a quarter of the entire State. It is not like any other place in New South Wales and should be respected for what it is: not just a home, but also a place for business. Over one million people come into the city every day to work—although that figure might have changed slightly since COVID. But certainly hundreds of thousands of people come into the city every day who are not residents. They come here to generate economic activity through their work. They contribute to the economy and to the community.

We know that 72 per cent of the total operating income of the budget of the City of Sydney is generated through business rates. That is a huge amount. Residential rates make up 14 per cent of that income. When we talk about enfranchisement and the use and value of a city, we know that, in this case, the City of Sydney is different. This is not about Clover. It is clearly not about Clover because she has been very successful in her elections for the past decade. I do not think we are debating that. There is no doubt that she has been incredibly successful over many years. To be fair, she is more served by her people. She has a bigger staff at this point in time than the Premier, I believe, since he cannot staff his office properly. Clover Moore has managed to absolutely entrench herself, there is no doubt about that.

As has been mentioned, even the way that the City of Sydney council offices work means that the staff members of councillors are paid more—they are paid at a full time salary—than the councillors themselves. It is hard to understand why one would increase the bureaucracy in that way rather than better remunerating the councillors themselves, but I am sure there is some political strategy behind that. To come back to the point, what we want is to ensure that the people using, contributing to and developing the city—the small businesses, the big businesses, the people who employ individuals—are given a say in the future of the city.

When it comes down to it, a CBD is not just based on its residents. It is based on the life, activity and vibrancy—whether it is in Oxford Street, or King Street in Newtown, or in Glebe or Ultimo or Kings Cross. There are so many amazing parts of this city that are made lively because of the great work that small businesses and small business people are able to do in contributing to their communities. The communities in the City of Sydney are not just made of their residents; they are made of their businesspeople as well. That is so important to recognise and value. That is why this bill is so problematic, because it seeks to undermine part of the heart and the culture and the vibrancy of the City of Sydney.

I strongly endorse the comments of my Coalition colleagues. I believe there is a much better way. It was a report from the Joint Standing Committee on Electoral Matters under the previous Government that led to the changes in 2014. There were particular recommendations—recommendation 14 and recommendation 15—that referred to the permanency of the non-resident rolls, and that the model that the City of Sydney could implement would be based on the enrolment model used by the City of Melbourne because of its success. That amendment was not introduced without context. It was introduced because the former Government engaged with many stakeholders—unlike this Government's complete lack of engagement with any stakeholders around this bill—and those changes were implemented to enfranchise some of the most hardworking, valuable people in the city, whether they were residents or other types of ratepayers. I absolutely oppose the bill and I urge the Government to do the same.

The Hon. AILEEN MacDONALD (18:08): Before I speak to the City of Sydney Amendment Bill 2023, I advise the House that I have an interest in common with the general public. I get to vote in two local government elections: I vote in my hometown of Guyra, but as I have an interest in a studio in the Sydney CBD, I get to vote in the City of Sydney local government elections as well. Whilst it is not a pecuniary interest or unique to my circumstances, I feel compelled to make that declaration before the House. I add my voice to those opposing the City of Sydney Amendment Bill 2023.

Most people hate attending the polling booth, but I must be crazy because I like to have a say in what happens in my local town in country New South Wales. But I also like to have a say in the City of Sydney and who represents my interests on that council. After all, I spend a great deal of time in Sydney and want to see a thriving, liveable city. Why should businesses have a say? It is because they contribute so much to the City of Sydney—employment, hospitality, entertainment, retail, beauty, fashion, investment in infrastructure and the list goes on.

In the 30 June 2022 financial statements of the total ordinary rates of just over $312 million, business rates make up over $232 million of the revenue. It makes no sense that those opposite would deny businesses, which are the heart and soul of a thriving global city like Sydney, a say in how that city is run. Businesses should be motivated and empowered to participate in having a say, not disenfranchised because the administrative burden on council makes it all too hard to manage. It is not disenfranchising the residents of Sydney to give the businesses a vote, but it provides a balance between residential and commercial interests so that we have a thriving, liveable and prosperous city.

The proponents of the bill claim that businesses can continue to enrol and to vote in local government elections, but the reality is that if they wanted the business owners to have the ability to vote then they would not be seeking to amend the Act. They well know that if the automatic enrolment is removed then the administrative burden is placed on businesses to enrol and then re-enrol every election cycle. Whilst we are not going to war on that except to trade insults across the table, the adage "No taxation without representation" rings a bell. An understanding of the essential contributions that business makes to the City of Sydney should make the Government think twice before choosing to restrict businesses' ability to pass judgement on the very council whose decisions most directly impact them.

The Hon. CHRIS RATH (18:11): I contribute briefly to debate on the City of Sydney Amendment Bill 2023. Since we are disclosing interests, I am also the owner of a property in the City of Sydney—in Elizabeth Bay, the part of the City of Sydney that everyone thinks is in Woollahra but is just inside Sydney. I am indeed a ratepayer and a voter in the City of Sydney. The Hon. Jacqui Munro said correctly that the City of Sydney is not like any other council in the State in that so many of us feel like we have a stake in the City of Sydney. We work here, we visit, and even people who do not live here and do not get a vote as a resident feel like they have a stake in the City of Sydney.

I have worked in this city for a long time—since I was a very junior staffer to Scot Macdonald, a member of this place, in this building back in 2011. I have worked in various other capacities as well, on O'Connell Street, George Street and then most recently at Insurance Australia Group [IAG] in Darling Park. In the 6½ years that I worked at IAG, thousands of people worked at Darling Park Tower 2. I think about 2,000 to 3,000 people worked at IAG in the CBD of Sydney. Every day they would come into their place of work and spend money in the cafes and restaurants. They would get the train or the bus in from where they lived and contribute to the economy. They felt and I felt like we had a stake in this city.

It is a global city, probably Australia's only global city, and we all feel like we have a level of ownership or an interest in the success of this city. In particular, I do not think it is unreasonable for a company like the one I used to work for, with thousands of people employed in the city, to get two votes on the non-residential roll. With the millions of dollars that they pay in wages and the millions of dollars in rates and payroll tax, I do not think it is unreasonable to preserve the rights of companies like IAG or even small and medium-sized enterprises that might only employ 10 or 20 people—at a cafe, for instance—on the non-residential roll.

The City of Sydney accounts for one-quarter of the State's gross State product. It is not like any other council because of the huge economic contribution that the city makes—8 per cent of the national GDP. Of the revenue that comes to the City of Sydney, 70 per cent comes from businesses and non-residential ratepayers, so there is this element of "No taxation without representation". I do not think it is unreasonable to suggest that businesses and non-residents paying huge amounts of money—70 per cent, in fact, of the revenue going into the coffers at Town Hall—should be given a stake in the success of the city. For those reasons, we should preserve the non-residential roll. We all have a stake in the success of the City of Sydney, and the bill should be opposed for the reasons that I have outlined.

The Hon. PETER PRIMROSE (18:15): I had not planned on speaking in this debate until I heard the falsehoods that were being propagated. I was a member of the Joint Standing Committee on Electoral Matters review into the matter. I was there when the Victorians outlined it, and I will tell the House a couple of things. The first thing is that the City of Sydney Amendment Bill 2023 is not about abolishing the non-residential roll; it is about abolishing the "Get Clover" legislation, which is the only reason it was established. That was the whole debate back then. It was clearly about the then Liberal-Nationals Government, through its numbers on the joint standing committee, proposing precisely that. Members should go back and have a look at the recommendations, because not only did it speak about doing this in the City of Sydney but it also proposed to do it in other large cities such as Parramatta. Members of the Opposition are nodding and saying, "Yes, we should do that in Parramatta, Newcastle and other major cities."

The people who strenuously disliked it, of course, were those whose businesses were obliged to be conscripted. That is what it was really all about: Businesses had no choice. They have always had the opportunity to register on the non-residential roll, but the Act obliged the City of Sydney to identify businesses, and a special unit had to be set up that asked those businesses to nominate someone who would vote. If they did not then the City of Sydney was obliged by the legislation to nominate someone, even if it was against the wishes of the business. Talk about conscripting democracy—it was the most outrageous thing that I had ever seen occur.

It was born of an attack on an elected member to try to take over the City of Sydney council, not born of some sort of view about democracy. It was not born of giving business a say because business already had a say, as it does now in every other council, through the non-residential roll. It was purely perverse politics, forced on a council and obliging it to conscript people to vote against their will. They are the ones who came to us and said, "We don't want to be part of this. We don't want to be told that we have to vote, and for you then to nominate someone against our wishes. If we wish to vote, we will go and register." That is the reasonable way of doing things. All the falsehoods that are being discussed and promoted—that this was about democracy; that this was about business—are just garbage. Members should go back and look at the debates at the time. Look at what this legislation was actually all about. It was not about democracy at all; it was about a rort.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:19): In reply: I commend the bill to the House.

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

Motion agreed to.

Third Reading

The Hon. TARA MORIARTY: I move:

That this bill be now read a third time.

Motion agreed to.

TREASURY AND REVENUE LEGISLATION AMENDMENT BILL 2023

Messages

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

HEALTH LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2023

Second Reading Speech

The Hon. MARK BUTTIGIEG (18:20): On behalf of the Hon. Courtney Houssos: I move:

That this bill be now read a second time.

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

Leave granted.

I am pleased to bring the Health Legislation Amendment (Miscellaneous) Bill 2023 before the House. The bill is part of the Government's regular review and monitoring of legislation to ensure that it remains up to date and relevant. I thank everybody involved in the development of the bill. To that end, the bill seeks to make a number of miscellaneous amendments to various Acts within the Health portfolio to ensure the Acts are operating effectively. I will now outline the nature of the amendments proposed.

First, in relation to the Health Administration Act 1982, the amendments in schedule 1 to the bill will ensure the health secretary can require a health services organisation to conduct a serious adverse event review, or SAER, where the secretary considers that an incident has occurred that is sufficiently serious to warrant investigation. Those reviews are important to ensure that hospitals can understand what went wrong when an incident happens and consider how to mitigate the risk of the incident happening again. Currently, a serious adverse event review must be conducted if the chief executive of the organisation, many times the local health district, considers that the incident was a reportable incident or the incident is one that may be the result of system issues. The health secretary, however, has critical oversight, governance and control functions relating to the public health system. The bill aims to strengthen those functions to ensure that the health secretary, as overall manager of the public health system, can require the organisation to conduct a review where the secretary considers that an incident was a reportable incident or the incident is one that may be the result of systemic issues.

The bill recognises that there may be differing opinions about whether a serious adverse event review is required. As such, importantly, if either the chief executive or the health secretary considers that an incident is serious enough for a review to occur, the bill requires the review to take place. That is an important change. The purpose of the change is to aim to improve the public health system's response to serious incidents. I am sure all members and their communities expect and deserve that. The bill also makes a minor amendment to allow relevant health organisations to appoint alternative or additional assessors to a serious adverse event review. Currently, there is no express mechanism under the Health Administration Act 1982 to appoint alternative assessors if an assessor is unable to continue in their role. Assessors may become unable to continue in the role for reason of illness or unavailability. The change aims to mitigate any potential delays, which is very important when dealing with a serious adverse event review to help better protect the public.

I turn now to schedule 2 to the bill, which makes a minor change to the definition of "disciplinary body" in the Health Care Complaints Act 1993. Under the Act, the director of proceedings can decide whether to prosecute a complaint against a registered health practitioner in a "disciplinary body", which is intended to mean both a professional standards committee and the NSW Civil and Administrative Tribunal. Professional standards committees usually hear fewer serious complaints about medical practitioners and nurses than the NSW Civil and Administrative Tribunal. Due to an amendment to the Act in 2022, however, the reference to "professional standards committee" in the definition of "disciplinary body" was inadvertently removed. The bill will fix that, which is an important but small error to fix, and reinstate a professional standards committee in the definition of a "disciplinary body" as intended.

I turn to the amendments to the Health Practitioner Regulation National Law (NSW) as set out in schedule 3 to the bill. The Health Practitioner Regulation National Law (NSW) regulates registered health practitioners, such as medical practitioners and nurses, and is an applied law scheme. That means that New South Wales applies, via the Health Practitioner Regulation (Adoption of National Law) Act 2009, the schedule to the Queensland Health Practitioner Regulation National Law, which I will call the Queensland national law. However, New South Wales did not adopt the complaints processes under part 8 of the Queensland national law and instead retains its own complaints mechanism involving the very important Health Care Complaints Commission, which I know many members are aware of, and the health professional councils. From 2022, any amendments to the Queensland national law do not apply in New South Wales unless a regulation is made applying the changes, with or without modification. The combined applied Queensland provisions and the specific New South Wales provisions is known as the Health Practitioner Regulation National Law (NSW).

The bill includes a new offence in the Health Practitioner Regulation National Law (NSW) relating to directing or inciting a registered health practitioner to engage in "unsatisfactory professional conduct". There is currently an offence at section 136 of the Health Practitioner Regulation National Law (NSW) that relates to directing or inciting unprofessional conduct or professional misconduct. That is an applied provision and applies in all jurisdictions that apply the Queensland national law. However, the offence does not work as intended in New South Wales because the term "unprofessional conduct" is not a term used in New South Wales. Unprofessional conduct is equivalent to the New South Wales "unsatisfactory professional conduct", which is conduct that is below the usual standards expected of registered health practitioners but is not as serious as professional misconduct. To ensure that New South Wales makes it an offence to direct or incite a registered health practitioner to engage in unsatisfactory professional conduct, the bill inserts new section 136A into the Health Practitioner Regulation National Law (NSW).

The bill also creates a clarifying definition of a "prohibition order" for the purpose of the public register provisions in the Health Practitioner Regulation National Law (NSW). Currently, the national boards, such as the Medical Board of Australia, are required to keep a register of all registered health practitioners and those who have had their registration cancelled or are subject to a prohibition order. A prohibition order is an order preventing a person from providing a health service. New South Wales already has a definition of a prohibition order in section 138, however it is a New South Wales specific provision that relates to complaints processes in part 8. There also needs to be a definition of a "prohibition order" for the purposes of the public register provisions that includes prohibition orders made in all the other jurisdictions. Importantly, the bill fixes that by including a new definition of a "prohibition order" for the purposes of the public register provisions.

I turn now to the amendments to the Human Tissue Act 1983 as set out in schedule 4 to the bill. The bill amends section 37 of the Human Tissue Act 1983 to, importantly, clarify that the family of an organ or tissue donor can consent to the release of information about the donor when the donor has died. Section 37 currently makes it an offence for a medical practitioner or staff at a hospital to disclose details about a donor, including a deceased donor, except in limited circumstances, including with the donor's consent. While section 37 does not prohibit family members from speaking publicly about their loved one's experience, the change is intended to recognise that and expressly allow the next of kin of a deceased donor to consent to the release of information about the donor. These amendments align with legislative changes happening at the Commonwealth level, which are aimed at ensuring consistency across jurisdictions and ensuring that there is no bar to family members sharing their stories, including publicly commemorating donors. I hope the House sees that it is important and supports the change.

The bill includes an amendment to the Mental Health Act, which is set out in schedule 5. The amendment aims to ensure that a person detained in a mental health facility is aware of their rights. Currently, when a patient is detained in a mental health facility they must be provided with a statement of their rights. The statement is set out in schedule 3 to the Mental Health Act. The statement of rights currently does not include details about the obligation of the mental health facility to take reasonable steps to provide a detained person with grooming items, such as shaving equipment and make-up, before the person appears before an inquiry at the Mental Health Review Tribunal. The bill ensures this right will be included in the statement of rights.

I turn to the amendments to the Poisons and Therapeutic Goods Act which are set out in schedule 6 to the bill. The Act regulates scheduled medicines and poisons. Currently under the Act, if scheduled medicines and poisons are seized, generally a magistrate's order is required to dispose of the seized goods if the persons from whom they were seized does not consent. Getting a magistrate's order will often not be practical, as I am sure members can understand, particularly when there is a high volume, such as seizing e-cigarettes containing nicotine.

The bill modernises the destruction provisions in the Poisons and Therapeutic Goods Act by allowing the health secretary to order the forfeiture and disposal of goods seized under the Act in certain circumstances, including where the secretary is satisfied that a person has been convicted of an offence in connection with the seized goods or the goods cannot be lawfully returned to their owner. A person from whom goods were seized may make submissions to the secretary, which must be considered before the secretary makes a forfeiture order. This change is in line with the new Medicines, Poisons and Therapeutic Goods Act, which Parliament passed last year and when it commences it will replace the existing Poisons and Therapeutic Goods Act.

Schedule 7 to the bill makes minor amendments to the Public Health Act to remove the procedural requirements for making a code of conduct for non-registered health practitioners and health service providers. The current requirements for making such a code are in addition to the procedural requirements for making subordinate legislation. As the code provisions are now well established, it is no longer considered necessary to have additional procedural requirements for making a code of conduct. The bill also amends the definition of "immunisation certificate" so that it refers to the up-to-date name of the Australian Immunisation Register. Members are well aware of that register.

Minor amendments are made to the Public Health (Tobacco) Act, as set out in schedule 8 to the bill. The bill updates and clarifies the powers of tobacco inspectors to help better protect the public from the risk of harm of illegal tobacco, which all members would support. Under the Act, tobacco and e-cigarettes must be hidden from public view and stored behind closed cabinet doors, which members are used to seeing in their communities. In addition, it is an offence to sell certain types of illegal tobacco such as tobacco not in its original packaging or tobacco packaged without a health warning. The previous Commonwealth Labor Government introduced and pursued those reforms. These types of tobacco products pose a particular risk to children because they are generally sold at significantly reduced prices to legal products, making them more attractive to young people.

Inspectors have express powers to seize illegal tobacco. The bill clarifies that inspectors can search the areas where tobacco and e-cigarettes are stored, which must be hidden from public view. In addition, the bill allows other inspectors who find illegal tobacco to use powers under other legislation to seize the illegal tobacco. For example, if inspectors under the Poisons and Therapeutic Goods Act inspect premises for illegal e-cigarettes containing nicotine and also come across illegal tobacco, the inspectors will be able to seize the illegal tobacco. Those changes will help inspectors to effectively undertake their compliance and enforcement activities to ensure illegal tobacco can be seized when found on premises.

The changes in the bill are fairly minor but they will ensure that the legislation in the Health portfolio remains up to date and relevant, which all members would agree is important. I acknowledge a number of people involved in the development of this legislation. From my office, I acknowledge my deputy chief of staff and director of policy, Jenelle Rimmer, and our senior policy adviser, Rosie Rand, who is also in the adviser's area today. From NSW Health and the ministry, I acknowledge Gemma Broderick and her team. I acknowledge everyone from NSW Health who has been involved in this somewhat small but important legislation, which will ensure our Health portfolio has the modern legal requirements in which to operate.

Second Reading Debate

The Hon. BRONNIE TAYLOR (18:21): On behalf of the Opposition, I support the Health Legislation Amendment (Miscellaneous) Bill 2023. The bill proposes a range of amendments to various health-related Acts, including the Health Administration Act, Health Care Complaints Act, Health Practitioner Regulation (Adoption of National Law) Act, Human Tissue Act, Mental Health Act, and Poisons and Therapeutic Goods Act, among others. In the spirit of the Parliamentary Secretary, I put on record our support for the bill.

Dr AMANDA COHN (18:21): The Greens support the Health Legislation Amendment (Miscellaneous) Bill 2023. The bill makes amendments to eight Acts. Some are as small as updating terminology, which I will not spend any time talking about. Let us talk about the changes in the bill that make a material difference to the people who we are here to represent. Firstly, the bill amends the Human Tissue Act 1983 to allow the family of an organ or tissue donor to consent to the release of information about a donor when the donor has died. This expressly allows the next of kin of a donor who has died to share their stories and publicly commemorate donors. Many recipients of donated organs would like to be able to commemorate and honour their donor and, while family members releasing a donor's details is not clearly prohibited, it is worthwhile and meaningful for this to be expressly permitted.

The changes to the Health Administration Act 1982 allow the health secretary, in addition to the CEO of a local health district, to order a serious adverse event review. The Greens welcome the additional oversight and governance that this provides. Adverse events that may be the result of systemic issues must be investigated. We must take every opportunity to improve the safety and quality of health care for patients and their families. That said, delays due to under-resourcing of the Civil and Administrative Tribunal cause anguish for patients and families seeking justice for adverse outcomes in the health system, as well as having a significant mental health impact on practitioners and their ability to be employed. This is a continuing issue that the bill does not address.

The change to the Mental Health Act 2007 will allow patients appearing before the Mental Health Review Tribunal to access grooming items such as shaving equipment and make-up. The Greens strongly support this change while acknowledging the significant shortcomings of the Mental Health Act. Mental health consumer advocacy groups have raised the alarm about potential overuse of the provisions under the Act for involuntary treatment using community treatment orders. I am pleased that this is currently being examined by the inquiry into community and outpatient mental health services by Portfolio Committee No. 2. Paramedics have raised with me concerns that the provisions for involuntary transport to hospital as they currently stand in the Act are resulting in some patients being unnecessarily transported, particularly people in rural areas being transported hundreds of kilometres. This issue should be comprehensively reviewed with extensive consultation and not dealt with in the context of this bill of miscellaneous amendments.

The Greens have concerns regarding the proposed changes to the Public Health (Tobacco) Act, to which my colleague Ms Sue Higginson will be moving amendments. The changes to the Poisons and Therapeutic Goods Act permit the destruction of seized scheduled medicines and poisons where a person has been convicted of an offence. The Greens support the change, but I place on the record The Greens' continued view that e-cigarettes should be legal and regulated in the same way that cigarettes are. Perhaps the Government would not have problems with the volume of seized scheduled medicines and poisons if e-cigarettes for non-prescription or recreational use were not illegal. In conclusion, The Greens support the bill, with the proposal of two small amendments.

The Hon. MARK BUTTIGIEG (18:24): On behalf of the Hon. Courtney Houssos: In reply: I thank the Hon. Bronnie Taylor and Dr Amanda Cohn for their contributions to debate. I briefly address some of the points that have been raised. The bill makes minor amendments to the Health Administration Act to give the health secretary the ability to require a health services organisation to conduct a serious adverse event review when a sufficiently serious incident has occurred. The bill makes minor technical amendments to the Health Care Complaints Act, Health Practitioner Regulation (Adoption of National Law) Act, Public Health Act and Mental Health Act to ensure that the legislation remains current and fit for purpose.

The bill amends the Human Tissue Act to allow the next of kin of a deceased donor to consent to the release of information about that donor. The bill also amends the Poisons and Therapeutic Goods Act to allow the secretary to order forfeiture and seizure of goods regulated under the Act in certain circumstances. The bill also amends the Public Health (Tobacco) Act to clarify that inspectors may search areas where tobacco and e-cigarettes are usually stored and hidden from view, and direct a person who appears to own the premises to open locked containers for the purposes of the inspection. I understand that that last item is a matter for potential amendments. The bill is an important part of the Government's legislation program that will help keep legislation current and up to date. I commend the bill to the House.

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

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. I have two sheets of Greens amendments: They are amendment No. 1 on sheet c2023-081B and amendments Nos 1 to 6 on sheet c2023-079C. We will deal with sheet c2023-081B first. I invite Ms Abigail Boyd to move that amendment.

Ms ABIGAIL BOYD (18:29): I move The Greens amendment No. 1 on sheet c2023-081B:

No. 1 **Health Services Act 1997, local health district boards**

Page 3. Insert after line 27—

Schedule 1A Amendment of Health Services Act 1997 No 154

[1] Section 26 Constitution of local health district boards

Insert after section 26(3)—

(3A) A person must not be appointed to a local health district board if the person has at any time in the previous 12 months had a financial relationship with—

(a) a large consultancy business, or

(b) a consultancy business that has in the previous 12 months provided services to a local health district or NSW Health.

[2] Section 26(10)

Insert after section 26(9)—

(10) In this section—

consultancy business means a business covered by a professional standards scheme and which provides 1 or more of the following services—

(a) accounting,

(b) auditing,

(c) business management,

(d) financial advisory.

financial relationship, with a business, means a relationship in which an individual—

(a) receives remuneration from the business under—

(i) an employment relationship, or

(ii)a contractual relationship, or

(b) has beneficial or legal ownership of shares or capital in the business.

large consultancy business means a consultancy firm with more than 100 partners.

NSW Health has the same meaning as in the *Health Administration Act 1982, section 4(1A).*

professional standards scheme means a scheme approved by the Professional Standards Council, within the meaning of the *Professional Standards Act 1994*, that is in force.

I move this amendment knowing full well that it is unlikely to be passed at this time, but hoping that it will be warmly received in concept, particularly by my Labor colleagues, who have been with me in paying close attention to the findings of the Public Accountability and Works Committee's inquiry into consultancy services, the area that we commenced looking into when we were trying to tease out exactly what the impact of the consulting industry and the contractors—but particularly the consulting industry—was on government. The Auditor-General in her March report pointed out that these local health districts [LHDs], which were established in 2012, had been the beneficiaries of an exemption from certain reporting requirements, which meant that it was incredibly difficult for us to understand exactly how much had been spent by those local health districts on consultants over time. As we continued to delve into the changes that had come about in 2012, we discovered that those changes had been led to a large degree by PricewaterhouseCoopers [PwC] and a little bit by KPMG. PwC had provided significant advice that led to that restructuring of the health department.

Then we discovered that the health secretary at the time, Mary Foley, just prior to being appointed as the health secretary, had worked at PwC as the head of their health group. Then we discovered that a whole bunch of people had been brought across at that time into the health department from PwC. Upon further investigation, we discovered that the Minister at the time, Jillian Skinner, who had brought in these changes to NSW Health, had anticipated that with this new structure, there would be a requirement for the boards of these local health districts to have some assistance from a financial perspective, which, of course, lent itself to then having a host of consultants populating the boards of these local health districts.

Very little regard seems to have been paid to the notion of conflicts of interest, and although conflict-of-interest management plans were apparently put in place, we have a situation where these local health districts are full of people who either currently have consulting businesses or previously had consulting businesses, and currently still are getting paid funds or pensions from the big four accounting firms. The picture that was painted very clearly in our inquiry is that these people are basically selling consulting and selling the use of consultants on those boards. That causes enormous concern.

As we do not have a shortage in our State of people who can provide financial advice and they do not have to be people from the big consulting firms, we thought the easiest thing would be to exclude them from sitting on health boards. This amendment suggests is that if someone at any time in the previous 12 months had been an employee or a partner at one of the big four consultancy firms, or had a financial interest in them, or in the previous

12 months the consulting firm that they had been running had effectively been providing services to NSW Health or any of the LHDs, they would be excluded from being appointed at that time to the health district. That really does tie in with the advice of the Independent Commission Against Corruption [ICAC].

The committee discovered that there are people who are sitting on these boards at the same time as they are also selling their consulting services to different parts of NSW Health. We found that there was a quarter to a third of all spending from these local health districts was being spent on the payments to the large consulting firms: PwC, EY, KPMG and Deloitte. ICAC made it clear that there were certain conflicts of interest and certain employment relationships.

For example, if a public official—and that includes people who are sitting on local health district boards—is in a situation where it is very likely that a conflict of interest will potentially occur, it is most sensible for them to exclude themselves from that situation so that the perception of corruption or the perception that they might misuse their position on that board is not realised. It is incredibly important that we preserve across government boards and agencies not just independence and a lack of conflict of interest, but also a lack of perceived conflict of interest. For all those reasons, The Greens have moved the amendment. I sincerely hope that in the review of the health system in New South Wales that is currently under foot, this is one of the issues that is considered. That is why we are putting it on the agenda today.

The Hon. BRONNIE TAYLOR (18:36): I speak on behalf of the Opposition on this amendment. For a number of reasons, the Opposition will not support the amendment moved by The Greens. But I must say that health boards are really important. It is something I believe in. I will tell the House that I sat on one. I think there was one person on the board who was a consultant. It never came up; it was not at all biased. I think that it is important in something as big as health in this State that we have a wide range of people who are contributing to the debate and the running of health services. What is really important up on the North Coast to people is very different to what is important down south. Having that local knowledge allows local health districts to be really effective. To be effective, we need a wide range of professionals on those health boards. They are extremely important and that is why we oppose the amendment.

The Hon. MARK BUTTIGIEG (18:37): The Government opposes the amendments proposed by The Greens to the Health Services Act on sheet C2023-081B. We would be doing a disservice to our local health districts and our health communities across New South Wales if we were to preclude people who have valuable governance experience and expertise from sitting on local health district boards. There are rules in place in respect of managing conflicts of interest. New South Wales local health districts actively manage conflicts of interest by having board members complete declarations when necessary and in accordance with NSW Health policy. A declaration register is available for review and is updated as needed, and there are processes in place to ensure that information is recorded accurately. Further, the amendment is drafted so broadly as to potentially capture a large portion of the population.

A financial relationship, for example, would include someone who has a beneficial or legal ownership of shares of capital in a large consultancy business. This could potentially include a person who holds shares in a large consultancy business via their superannuation account of which, obviously, there would be a multitude of people. It is important that we not pre-empt the outcome of the current inquiry that is being conducted by the Public Accountability and Works Committee, of which I am a member, into the New South Wales Government's use and management of consulting services. Therefore the amendment is opposed by the Government.

Ms ABIGAIL BOYD (18:39): I thank members for their contributions on the amendment. I find it a little strange that we have not learnt anything from the consulting inquiry. I did not expect this amendment to pass today, but I moved it in good faith, thinking this was something the Government might consider down the track. You cannot buy shares in PwC; it is a partnership. That is part of the point. The drafting does not apply to indirect ownership. It is a bit upsetting when people do not read the amendment properly. I hope that we can actually consider this as a serious issue. It is not only in Health. Do not even get me started on the universities. The number of current partners sitting on government boards and appointed by Ministers is concerning for democracy. I hope that the Government starts to this matter seriously.

The CHAIR (The Hon. Rod Roberts): Ms Abigail Boyd has moved The Greens amendment No. 1 on sheet c2023-081B. The question is that the amendment be agreed to.

Amendment negatived.

Ms SUE HIGGINSON (18:41): By leave: I move The Greens amendments Nos 1 to 6 on sheet c2023-079C in globo:

No. 1 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[1], lines 8 and 9. Omit "another Act administered by the Minister".

Insert instead "*the Poisons and Therapeutic Goods Act 1966*".

No. 2 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[1], line 10. Omit "other".

No. 3 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[2], lines 16 and 17. Omit "another Act administered by the Minister".

Insert instead "*the Poisons and Therapeutic Goods Act 1966*".

No. 4 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[2], line 18. Omit "other".

No. 5 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[3], lines 23 and 24. Omit "another Act administered by the Minister".

Insert instead "*the Poisons and Therapeutic Goods Act 1966*".

No. 6 **Exercise of inspector's powers under *Public Health (Tobacco) Act 2008***

Page 10, Schedule 8[3], line 25. Omit "other".

These amendments seek to change schedule 8 [1], [2] and [3] to ensure that only inspectors under the Public Health (Tobacco) Act 2008 and the Poisons and Therapeutic Goods Act 1966 are considered to be inspectors for the purposes of the Tobacco Act. It is important that the class of people who are considered inspectors under various Acts are well controlled, defined and understood under the Act at any given time. Building into the Act a broad allowance for the other Acts to empower inspectors under the Tobacco Act is unlikely to cause seismic ripples in New South Wales statute law, but it is notable because there has been a pattern, for several years now, of allowing regulations and vague wording to substitute for good and effective lawmaking. Widening the scope of the number of inspectors, their affiliates or an appointed person who may legally enter premises under a different Act and proceed to search and seize prescribed goods is an unnecessary overreach that should be challenged when there is a simple solution.

The Government has indicated that inspectors under the Poisons and Therapeutic Goods Act are often inspectors under the Tobacco Act and should be empowered to carry on with the new duties and powers in this miscellaneous bill without being impacted by their presence on a given premises in the exercise of powers under the Poisons Act. These new powers should then be limited to the inspectors it is necessary to include, not across any Act, current or future, that is administered by the Minister. A principle of responsible governance is that legislation is targeted and sets out to achieve a particular thing. We should not be passing legislation that creates allowances for a potentially broad class of people to exercise powers that they would not otherwise have.

I know there is an argument that the Poisons and Therapeutic Goods Act will soon be changed to a new Act with a new name. The Tobacco Act will then need to be amended again, but that is our job. That is the price the Government pays to have legislation that is well constrained instead of going down this lazy path of capturing all Acts in a single pass. These amendments are straightforward, and I appreciate the information provided to my office by the Minister for Health about the intention of the amendments. I urge members to consider the importance of good legislation as well as necessary legislation. Constraint with regulation, particularly where it impacts on people in a major way, is fundamental. Without this consideration, we are making for ourselves a mess that will become more complicated and less specific in its aims, duties and powers. In doing so, we do not serve the communities of New South Wales as well as we should. I commend the amendments to the Committee.

The Hon. BRONNIE TAYLOR (18:45): I speak on the amendments brought forward by Ms Sue Higginson. I have spoken to the Minister for Health briefly about this. It is fantastic that he is in the advisers' area when the legislation is being debated. It is a real mark of who he is and how strongly he feels about the bill. I thank officers of NSW Health for all the work they do every day, for working on this bill and for making us all look better than we are most of the time. As it stands, the bill would empower a broad and ill-defined class of persons to act as if they are inspectors under the Public Health (Tobacco) Act 2008 with "powers to seize and dispose of tobacco products exceeding prescribed amounts" or "smokeless tobacco products" or "tobacco products" that they believe "on reasonable grounds is in a person's possession, custody or control in the course of committing, or for the purposes of committing, an offence under Division 2 of the Act".

The amendments seek to replace the very broad expansion of who can act as if they were a tobacco inspector and limit it to inspectors under the Poisons and Therapeutic Goods Act 1966. Tobacco inspectors play an important role in enforcing the Public Health (Tobacco) Act, but they also have significant powers. Such powers should not be given to a broad and ill-defined class of persons. Accordingly, the Opposition will support The Greens amendments.

The Hon. MARK BUTTIGIEG (18:46): The Government will not oppose the amendments proposed by The Greens to the Public Health (Tobacco) Act on sheet c2023-079C. However, we have some concerns that the Act will need further amendment in the future. Once the Medicines, Poisons and Therapeutic Goods Act 2022 commences, the references to the Poisons and Therapeutic Goods Act will become out of date. As such, the Government will need to make further amendments to update the reference to the Poisons and Therapeutic Goods Act 1966 to the new Act. However, we note the support from the Opposition and the crossbench for the amendments, and as such we will not oppose them.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 1 to 6 on sheet c2023-079C. The question is that the amendments be agreed to.

Amendments agreed to.

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

Motion agreed to.

The Hon. MARK BUTTIGIEG: I move:

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

Motion agreed to.

Adoption of Report

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Courtney Houssos: I move:

That the report be adopted.

Motion agreed to.

Third Reading

The Hon. MARK BUTTIGIEG: On behalf of the Hon. Courtney Houssos: I move:

That this bill be now read a third time.

Motion agreed to.

Adjournment Debate

ADJOURNMENT

The Hon. MARK BUTTIGIEG: I move:

That this House do now adjourn.

LABOR PARTY AND THE ENVIRONMENT

Ms ABIGAIL BOYD (18:50): The other day I was asked during a podcast interview why I chose to join The Greens rather than Labor all those years ago. On the face of it, my interviewer presumably thought perhaps the two notionally left-wing parties are not that different. I almost spat out my coffee at the question. In my view, at least, there is very little that is, in substance, similar between The Greens and Labor. At least not compared with what I see as the vast similarities between Labor and the Liberal Party. That is because what unites the Labor and Liberal parties, and what makes them so vastly different to any party that I would want to be a member of, is their unflinching adoration of the business as usual of late-stage capitalism.

Sure, Labor might make the odd declaration of being a little bit less corporate capitalist than the next guy. It might occasionally spout the words "solidarity" and "comrade" and wax lyrical about workers versus the bosses, but the fact is that it is still a party absolutely wedded to the economic status quo. Its members have no interest in upsetting the apple cart when all the apples are their mates in the corporate sector showering them with donations, hosting them at fancy dinners and boosting their post-politics employment prospects. I spent a long time working within the more capitalist aspects of our current economic system. I have given our current economic model a long, hard look and assessed its flaws, and I found it wanting in its ability to tackle the most pressing issues of our time. I believe, without even the smallest doubt, that we will not avoid catastrophic climate change unless we make significant reforms to our economic system and the first step in that process is to get greedy profit-gouging corporations out of our democracy.

This year has seen record-shattering heatwaves, wildfires and floods, destroying lives in the United States, Europe, India, China and beyond. Here in Australia we are bracing for what could be one of the worst bushfire seasons we have ever faced. Just yesterday a scientific review by the Climate Council was released that points out the cognitive dissonance between Labor's stated commitment to addressing climate change and the pace at which it is moving. That dissonance is most clear when it comes to subsidising and approving new coal and gas, while also arguing that the party supports trying to limit global heating to 1.5 degrees Celsius. Leading climate change scientist Professor Lesley Hughes was reported as saying, "The two things are completely at odds with each other." Coal mine expansions and developments approved in Australia so far this year are expected to add nearly 150 million tonnes of CO_2 to the atmosphere over their lifetimes, which is equivalent to nearly a third of the country's annual climate pollution.

The Federal environment Minister, Tanya Plibersek, has, seemingly with a straight face, defended the opening and expansion of those mines. That is how disappointing Labor, tied as it is to the capitalist class, has been in the first months of government, both federally and in New South Wales. Why has it been so timid in taking any real action to protect the environment or tackle climate change? The only changes it is prepared to make are those that do not impact negatively on corporate interests. End coal and gas? Hell no, let's keep opening them up. Federal environment Minister Tanya Plibersek has picked her side, and it is the same side as the coal companies, as Labor argues in the Federal Court its right to ignore climate science when approving coal mines.

Does Labor listen to the endless reports that tell us that we must stop destroying our public native forests and that we must protect, repair, regenerate and manage them? Not likely, let's log away. It does not even matter that it is not profitable and, in fact, costs the New South Wales Government $20 million a year to engage in the shockingly destructive practice. As Polly Hemming, Director of the Australia Institute's Climate and Energy program, said:

> Australia is already the world's third largest fossil fuel exporter, behind only Saudi Arabia and Russia. But despite the dire warnings from the world's scientists and the clear language from the UN Secretary-General, the Australian Government is not only approving new fossil fuel projects, it is subsidising them and fighting in court to smooth their path.

Every day the Labor Government betrays future generations. Every day it makes the decision to continue that betrayal. Every day it is proven to be hypocrites. It says, "But hey, let's kill the cats. Let's make a really big deal about killing cats. Let's make it a big, front-page special. Look over here. Labor's doing something about the environment. No, don't look at that new coal mine approval. Don't look at that donation from the fossil fuel industry. Don't look at our lack of investment in renewables. Cats—they are the problem." But just leave the fat cats alone.

ELECTION ELIGIBILITY

The Hon. CAMERON MURPHY (18:55): I speak about the right to stand for election. Professor Anne Twomey, in her annotated book entitled *The Constitution of New South Wales*, writes, "Two of the fundamental rights in a representative democracy are the right to vote and the right to stand as a member of Parliament." Tonight I speak about the practical application of that principle in New South Wales. The Constitution Act sets out a number of qualifications or barriers to the right to stand in section 13. The fundamental problem, as I see it, is that the Constitution currently conflates circumstances which rightly should disqualify a person from taking up a seat in Parliament as conditions that should prevent them from standing for election at all. For example, sections 13 (1) and 13 (2) functionally prohibit anyone employed by, or who has a business contract with, the government from standing for election. It is understandable that such a person should not serve in Parliament due to a conflict of interest, but the law currently requires individuals to give up their employment or their business as a prerequisite to even standing for election.

Due to the proliferation of such jobs and contracts, these provisions now exclude a wide array of good people from running for Parliament, often in circumstances where they are extremely unlikely to win a seat and where these conflicts can easily and appropriately be removed before they do take up their seat. There are exemptions and workarounds for public servants but not for others. Such provisions are unnecessary. They are anachronistic and a hangover from the days when people who had no wealth or land holdings were excluded from running for Parliament and when it was not contemplated that ordinary working people would even stand for election. Those provisions come from an era where women were excluded from voting and standing.

Sections 13A, 13B, 13C and 13D of the Constitution more sensibly set out disqualifications that are relevant to the period after election. In my view, section 13 should be amended with a simple title of "Qualification to stand for election" and should simply read, "Any person who is enrolled is qualified to stand for election in New South Wales". Any of the relevant conflicts that should preclude a person from serving as a member of this Parliament should be put in a new section 13A, one that is entitled "Eligibility to sit in parliament" and that deals with the period after election but before taking up the seat. Further, a new section 13B could be entitled "Disqualification from parliament", which could set out any of the relevant actions that should cause disqualification of somebody who is currently sitting and is a member of Parliament. In my view, that new section should not include the current prohibitions of bankruptcy or a failure to attend Parliament without excuse. We must address the issue of ineligibility to stand for Parliament under the Constitution of New South Wales because it touches upon the very core of our democratic political system.

It is our duty as elected representatives to uphold and protect the Constitution, but also to reform it to ensure that our Government remains accountable, transparent and representative of the people's will. Those who serve in Parliament must be ethical, qualified and devoted to the wellbeing of our society, but they also must be people who legitimately are representative of our community. It is long overdue that we reform these provisions that exclude individuals arbitrarily. Doing so, in my view, would be in the public interest, and it would act to strengthen our democratic institutions and the public trust in them.

INDUSTRIAL RELATIONS

The Hon. CHRIS RATH (19:00): It seems that the Labor Party has already become far too comfortable in government. The union movement is back at the steering wheel distracting our State and Commonwealth Ministers with their long wish list of industrial relations demands. Unfortunately, as is standard practice under a Labor government, these demands appear to be top of the priority list in both Commonwealth and State Parliaments. Their demands are simple: smother innovation, stifle new industries to build a protection racket for existing workforces and return Australia to the early twentieth century policy of centralised wage-fixing. I speak tonight to make it clear that Labor's approach to industrial relations is bad news for millennials and bad news for generation Z.

I speak to one particular example, in the Commonwealth Government's Fair Work Legislation Amendment (Closing Loopholes) Bill 2023, a bill which I also understand the New South Wales Government is working to accommodate here in this State. I want to emphasise the regressive nature of this bill and Labor's approach to industrial relations generally. As a millennial, I can assure those opposite that their approach is one that does not match the workplaces of my generation today let alone tomorrow and is totally incompatible with our dynamic digital economy. I acknowledge Callum, Joel and Brad here tonight from the University of Wollongong and the University of Newcastle Liberal clubs.

They know that millennials and generation Z are generations that are entrepreneurial, technologically proficient and are leading the charge in creating entirely new workforces by means of innovation. They also carry a deep sense of justice and fairness. As a result, my generation and the generation following seek pay and conditions that are based on reward for effort, as many of them choose to work hard and pave their own path. Millennial and generation Z workers seek the choice and flexibility of working in their own time and on their own terms as negotiated with their employer. Therefore, it is the values of millennials and generation Z that are under siege in the latest round of Labor's industrial relations reform.

The Labor Party's closing loopholes bill is a Trojan Horse which launches an attack on flexible labour hire, the gig economy and casual employment alongside giving unions unprecedented rights and of entry into businesses. Because of the real demands of operating costs and the administrative burden of simply trying to comply with employment legislation such as this 278 page long bill, the product of Labor's approach is that businesses will simply choose to opt out of hiring workers. It is true to say that both sides of this place are interested in seeing working Australians receive the best pay possible for their work. The problem, however, is the Labor Party's consistent attempts to employ the sledgehammer of strict legislative regimes and central control to enforce certain employment outcomes in the market. The simple fact of the matter is that Labor is attempting to resist the changing nature of the twenty-first century workforce. The digital economy, with which millennials and generation Z are well acquainted, is incompatible with centralised wage and condition fixing.

In the words of the Australian Industry Group, there is nothing in the Federal Government's latest workplace relations proposals that would create a single job, add to job security, drive sustainable wage growth, raise productivity, encourage a person to start a business, encourage an employer to grow their business or simplify our complex workplace relations system. The Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 will add uncertainty and complexity to the employment of millions of casuals, contractors and labour hire workers. Put simply, the bill will bring Australia back to a pre-Hawke and Keating 1970s era of union control, high inflation and low productivity.

Costings released by the Commonwealth Department of Employment and Workplace Relations have estimated that minimum pay standards for digital platform workers will cost employers approximately $4 billion over the next decade under the closing loopholes bill. This burden is a direct disincentive for hiring more innovators, inventors and digital professionals. I suspect there are also mixed motives justifying the selective application of these changes. Labor has intentionally chosen to target the digital economy, the gig workforce, tradies and contractors, knowing full well that these are among the least unionised workforces across Australia. They are also workforces filled with workers under the age of 40. Everyday millennial and generation Z said workers will suffer under Labor's antiquated 1970s approach to industrial relations.

ABORIGINAL AND TORRES STRAIT ISLANDER VOICE

The Hon. MARK BUTTIGIEG (19:05): On 14 October Australians will be asked to participate in a truly momentous act of nationhood when we decide whether or not to amend the Australian Constitution to achieve three significant outcomes for Indigenous Australians. Firstly, to officially recognise Aboriginal and Torres Strait Islander peoples as Australia's First Peoples. Secondly, to create a body—the Aboriginal and Torres Strait Islander Voice—that can advise the Federal Parliament and the Executive on issues impacting Indigenous Australians. Thirdly, allow the Federal Parliament to pass laws regarding the Voice, for example, on its functions and composition.

Currently, the Australian Constitution does not recognise or mention Indigenous Australians. First Nations people have the longest continuous culture in the world, having lived for 65,000 years on this continent. This longevity has resulted in a unique knowledge and biding spiritual and cultural relationship with the land, which enriches us all as Australians. Through the amendment to the Constitution, we can permanently recognise and enshrine this relationship in the nation's collective memory.

There is a gap between Indigenous Australians and other Australians on many health and social measures. Whilst previous governments of all persuasions have made attempts to close these gaps, a common defect has been their failure to recognise and listen to the different representative bodies who speak on behalf of Indigenous Australians. A yes vote will formally and permanently and enshrine in the Constitution a way for the Federal Government of the day to do just this. It is important to listen to the affected people before coming up with solutions, as they are the best placed to tell Governments what the issues are and how we might fix them.

Through the establishment of the Voice advisory body, the Government will achieve better results. A yes vote will see us maturing to full adulthood as a nation. As Parliamentary Secretary for Multiculturalism, I witness daily the incredible cultural, linguistic and spiritual diversity that Australia, particularly New South Wales, embraces and nurtures right across the political spectrum. Multiculturalism has enriched us as a people and allowed us to grow as a nation. A yes vote will further that growth and maturity by embracing and recognising Indigenous Australians as this nation's First Peoples.

This is the critical point: This vote is not about giving one group of Australians preferential access over another. The Voice is about allowing all of us the opportunity to connect spiritually and culturally with Indigenous peoples and, through them, to our country. Changing the Constitution is a rare and historic opportunity giving us the collective ability to change the life of our nation, not just symbolically but practically. What could be more important than having the opportunity to grow as a nation and bind together as Australians. Indeed, what could be a more important opportunity than making good on the pledge in our national anthem and truly advancing Australia fair? I urge all Australians to take the opportunity and vote yes on 14 October.

In particular, I congratulate my Federal local member, Linda Burney, who has been leading the campaign for the yes vote. She is the face of the yes campaign, and rightly so—the first Indigenous woman to be elected to the Federal Parliament. People should understand the sorts of challenges that Linda has faced. They might want to catch up on the *Kitchen Cabinet* program on the ABC to see what a difficult and challenging life Linda has led. But she is the person to represent us and to bring this nation together to recognise those first peoples. I have done a lot of doorknocking in the Barton area, and I suspect that those who say that the vote is going to go down are going to get quite a rude shock on 14 October. All that I hear and see at those doors is generosity of spirit from Australian people who believe that we should recognise the first peoples in the Constitution and give them a voice. I think that will happen on the 14th.

STATE BUDGET AND HOMELESSNESS

The Hon. NATASHA MACLAREN-JONES (19:10): I speak about the Labor budget and the forgotten homeless. I begin by expressing my gratitude to the to the staff and volunteers at Specialist Homelessness Services for their dedicated and continued efforts in supporting the most vulnerable individuals in our communities. The homelessness sector is under immense pressure to respond to increased community need to prevent and address homelessness compounded by cost-of-living pressures. Over the years I have seen firsthand the incredible resilience and commitment of providers and caseworkers operating in that environment. Before coming to this place, I served on the board of a women's refuge, and I must say that the strength and dedication of the sector is a standout. The people who work and support our most vulnerable women, men and young people go above and beyond each and every day.

That is why it is so disappointing to see the sector not supported in the budget. Instead, Labor chose to support its union mates above those who are supporting our most vulnerable. Specialist Homelessness Services are key to tackling homelessness in New South Wales and must be adequately funded. Homelessness NSW has said that the $5.9 million announced by Labor leaves frontline services facing a huge funding shortfall, given the increased cost of delivering services. They were asking for $25 million a year for the next two years to ensure Specialist Homelessness Services could continue operating and to ensure the amazing staff and volunteers working at those services were not forced to make difficult decisions about who to turn away.

I have heard from many providers struggling to deliver services and meet the growing demand for assistance, using their own money to buy basic resources to help people out because the service has run out of donations. Instead of providing the $25 million a year that the Specialist Homelessness Services need to deal with the increased cost of delivering services, the Labor Government has chosen to give $17 million to the Ultimate Fighting Championship. The budget shows that Labor has chosen to prioritise funding a couple of fights over supporting thousands of vulnerable people. We must ask why. In fact, I would like to know when the Minister knew that she would not be adequately funding Specialist Homelessness Services. Was it before she announced the two-year extension of their contracts, or after? Was the sector misled into thinking it would get additional funding over the next two years—the $50 million it so desperately needs? Those questions were put to the Minister today in question time and she could not answer them.

Specialist Homelessness Services provide a frontline response to homelessness. Under the Liberal-Nationals Government, investment in Specialist Homelessness Services more than doubled over the past decade. Furthermore, we also funded new initiatives to tackle homelessness like STEP and Together Home. STEP, or Supported Transition and Engagement Program, was introduced by the Liberal-Nationals Government in 2018 as a pilot program. In summary, the program rapidly rehouses people experiencing homelessness and provides much-needed services such as drug and alcohol counselling, primary health care and crisis support. After reviewing the details and success of the program, last year I secured $20 million to extend the program for three years.

Together Home, another program implemented by the former Government and modelled on the same principles as STEP, was introduced in 2020. During that time we invested $177.5 million to support people with a history of rough sleeping into long-term housing with intensive case management and wraparound supports. As part of the program we worked with the Council to Homeless Persons to build and acquire around 250 dwellings under the Together Home Transition Program, supporting thousands of people into safe and secure housing. That is why we invested a further $55 million in last year's budget to extend the program.

One would think that Labor would want to support services, programs and initiatives that are proven to help people experiencing homelessness, but it has not. In this budget Labor has only given $11 million to the Together Home program, meaning hundreds of people sleeping rough will not have the chance to receive the support they need and access to a home. The fact is that this Government has failed to fund and support our homelessness sector. The Minister for Homelessness has no plan to tackle homelessness, or housing for that matter, and the people of New South Wales should be concerned. For a government that often talks about supporting our most vulnerable, the budget has revealed the cold, hard facts and is a stark reminder that one cannot trust Labor governments. They will only look after their mates and not our most vulnerable people.

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

Motion agreed to.

The House adjourned at 19:15 until Tuesday 10 October 2023 at 12:30.