

LEGISLATIVE COUNCIL

Tuesday 21 November 2023

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

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

Bills

MOTOR DEALERS AND REPAIRERS AMENDMENT BILL 2023

MINING AMENDMENT (MINERAL CLAIMS—OPAL) BILL 2023

RADIATION CONTROL AMENDMENT BILL 2023

PAINTBALL AMENDMENT BILL 2023

CRIMINAL PROCEDURE AMENDMENT (CHILD SEXUAL OFFENCE EVIDENCE) BILL 2023

STATE INSURANCE AND CARE GOVERNANCE AMENDMENT (ICNSW GOVERNANCE) BILL 2023

WORK HEALTH AND SAFETY AMENDMENT BILL 2023

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

DEFAMATION AMENDMENT BILL 2023

HEALTH LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2023

WASTE RECYCLING AND PROCESSING CORPORATION (AUTHORISED TRANSACTION) AMENDMENT BILL 2023

JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2023

REVENUE, MINING AND ENERGY LEGISLATION AMENDMENT BILL 2023

Assent

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

Governor

ADMINISTRATION OF THE GOVERNMENT

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

Announcements

PRESIDENT'S PROGRAM DISTRIBUTION

The PRESIDENT (12:32): Some members will have noticed that today you have received, for the first time, an electronic copy of the *President's Program*. After an excellent suggestion at my recent budget estimates hearing, I have requested that the Office of the Clerk distribute the *President's Program* to all members of the House every sitting day, starting today. Previously, the *President's Program* was distributed only to selected members of the House.

RESPECT, INCLUSION, SAFETY AND EFFECTIVENESS TRAINING

The PRESIDENT (12:33): It is now more than 12 months since the release of Elizabeth Broderick's independent review of bullying, sexual harassment and sexual misconduct in New South Wales parliamentary workplaces, which revealed patterns of inappropriate and harmful behaviours. As newly elected Presiding Officers, the Speaker and I have prioritised work to address the recommendations made in the review to create long-term cultural change. All who work at New South Wales Parliament House and electorate offices should feel

safe and supported to speak up should harmful behaviour occur. More than that, we as a community need to take proactive measures to reduce the likelihood of such behaviours occurring in the first place.

To support that goal, we have secured funding to ensure we are able to effectively implement the ongoing recommendations of the review, and in particular to support Parliament's Human Services team to provide proactive training and support to all members and staff. We have launched a new workplace policy addressing bullying, harassment and sexual harassment. As members would be aware, we have conducted comprehensive consultation on that policy across the precinct. I am also pleased to say that all members of the Fifty-Seventh Parliament's Parliamentary Advisory Group who are still working with us have agreed to continue serving in their roles for the Fifty-Eighth Parliament. I thank them for their ongoing commitment.

Politics is without doubt a uniquely challenging vocation. The constant competitive pressures and adversarial nature of this place make our work difficult, but that can never excuse inappropriate behaviour. As members of Parliament, it is essential that we lead by example in fostering a safe, inclusive and respectful workplace. To assist honourable members in this regard, I remind you of the Respect, Inclusion, Safety and Effectiveness [RISE]: Respect at Work training sessions available to all members on Friday 24 and 31 November. These training sessions are in direct response to the recommendations made in the Broderick review.

This course was successfully piloted recently with a group of employees from across the Parliament, and then rolled out to Department of Parliamentary Services, Legislative Council and Legislative Assembly staff as well as political staff in positions of leadership. I have heard many positive reports from those who attended, including members of my own team. I encourage all honourable members to take the opportunity to participate in this training. I do realise that the Friday of a sitting week can be a busy time for some members and, as such, we are also looking to conduct a training on the morning of Tuesday 5 December, exclusively for members, should the reserve sitting week not be required. It is my intention to attend this session. It is incumbent on all honourable members to do our part to help protect the safety of those who work within the New South Wales Parliament and electorate offices, and this training is just one way in which we can do so.

Documents

AGEING AND DISABILITY COMMISSION

Reports

The PRESIDENT: According to the Ageing and Disability Commissioner Act 2019, I table the annual report of the Ageing and Disability Commission for the year ended 30 June 2023, received out of session and made public on 23 October 2023.

OFFICIAL COMMUNITY VISITORS

Reports

The PRESIDENT: According to the Ageing and Disability Commissioner Act 2019 and the Children's Guardian Act 2019, I table the annual report of the Official Community Visitors for the year ended 30 June 2023, received out of session and made public on 23 October 2023.

LAW ENFORCEMENT CONDUCT COMMISSION

Reports

The PRESIDENT: According to the Government Sector Finance Act 2018 and the Law Enforcement Conduct Commission Act 2016, I table the annual report of the Law Enforcement Conduct Commission for the year ended 30 June 2023, received out of session and made public on 23 October 2023.

LAW ENFORCEMENT CONDUCT COMMISSION

Reports

The PRESIDENT: According to the Law Enforcement Conduct Commission Act 2016, I table the following reports:

- (1) Special report of the Law Enforcement Conduct Commission entitled *NSW Police Force Aboriginal Strategic Direction 2018-2023 monitoring report*, dated October 2023, received out of session and made public on 23 October 2023.
- (2) Report of the Law Enforcement Conduct Commission entitled *An investigation into the use of the NSW Police Force Suspect Targeting Management Plan on children and young people: Operation Tepito: Final Report*, dated October 2023, received out of session and made public on 30 October 2023.

OFFICE OF THE CHILDREN'S GUARDIAN**Reports**

The PRESIDENT: According to the Government Sector Finance Act 2018 and the Children's Guardian Act 2019, I table the annual report of the Office of the Children's Guardian for the year ended 30 June 2023, received out of session and made public on 24 October 2023.

OMBUDSMAN**Reports**

The PRESIDENT: According to the Government Information (Public Access) Act 2009, the Government Sector Finance Act 2018, the Public Interest Disclosures Act 1994 and the Ombudsman Act 1974, I table the annual report of the NSW Ombudsman for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

CHILD DEATH REVIEW TEAM**Reports**

The PRESIDENT: According to the Community Services (Complaints, Reviews and Monitoring) Act 1993, I table the annual report of the NSW Child Death Review Team for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

OMBUDSMAN**Reports**

The PRESIDENT: According to the Ombudsman Act 1974, I table the report of the NSW Ombudsman entitled *Formal Investigations — Summary Report 2022-23: A summary of completed investigations under section 13 of the Ombudsman Act 1974 (1 October 2022 to 30 September 2023)*, dated October 2023, received out of session and made public on 30 October 2023.

INDEPENDENT COMMISSION AGAINST CORRUPTION**Reports**

The PRESIDENT: According to the Government Sector Finance Act 2018 and the Independent Commission Against Corruption Act 1988, I table the annual report of the Independent Commission Against Corruption for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

INDEPENDENT COMMISSION AGAINST CORRUPTION**Reports**

The PRESIDENT: According to the Independent Commission Against Corruption Act 1988, I table the report of the Independent Commission Against Corruption entitled *Investigation into the Conduct of the City of Canada Bay Council Mayor and Others (Operation Tolosa)*, dated November 2023, received out of session and made public on 9 November 2023.

OFFICE OF THE INSPECTOR OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION**Reports**

The PRESIDENT: According to the Independent Commission Against Corruption Act 1988, I table the annual report of the Office of the Inspector of the Independent Commission Against Corruption for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

OFFICE OF THE INSPECTOR OF THE LAW ENFORCEMENT CONDUCT COMMISSION**Reports**

The PRESIDENT: According to the Law Enforcement Conduct Commission Act 2016, I table the annual report of the Office of the Inspector of the Law Enforcement Conduct Commission for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

OFFICE OF THE ADVOCATE FOR CHILDREN AND YOUNG PEOPLE**Reports**

The PRESIDENT: According to the Advocate for Children and Young People Act 2014, I table the annual report of the Office of the Advocate for Children and Young People for the year ended 30 June 2023, received out of session and made public on 30 October 2023.

LIQUOR AND GAMING NSW**Reports**

The PRESIDENT: According to the Liquor Act 2007, I table the following reports:

- (1) Report of Liquor and Gaming NSW entitled *Report on Parliamentary priorities: Statutory report required under Part 11 of the Liquor Act 2007 - Part A*, dated October 2023, received out of session and made public on 30 October 2023.
- (2) Report of Liquor and Gaming NSW entitled *Report on Implementation of night-time economy reforms: Statutory report required under Part 11 of the Liquor Act 2007 - Part B*, dated October 2023, received out of session and made public on 30 October 2023.

OFFICE OF THE ANTI-SLAVERY COMMISSIONER**Reports**

The PRESIDENT: According to the Modern Slavery Act 2018, I table the annual report of the Anti-Slavery Commissioner for the year ended 30 June 2023, received out of session and made public on tabling.

NSW ELECTORAL COMMISSION**Reports**

The PRESIDENT: According to the Electoral Funding Act 2018, I table the report to Parliament pursuant to section 154 of the Electoral Funding Act 2018 by the NSW Electoral Commission for the year ended 30 June 2023, received out of session and made public on 31 October 2023.

AUDITOR-GENERAL**Reports**

The CLERK: According to the Government Sector Audit Act 1983, I announce receipt of a Financial Audit Report of the Auditor-General entitled *Customer Service 2023*, dated 21 November 2023, received out of session and published this day.

*Motions***TRIBUTE TO BETTY HOUNSLOW, AM**

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:38): I move:

- (1) That this House celebrates the life and contribution of Betty Hounslow, AM.
- (2) This House notes that:
 - (a) Betty made an outstanding contribution to many progressive groups and causes, dedicating her life to making the world a fairer and more just place;
 - (b) Betty was heavily involved in many activist groups over her lifetime including:
 - (i) the Queensland Anti-Freeway Movement;
 - (ii) the Queensland Solidarity Group;
 - (iii) the New Left Party;
 - (iv) Socialist Lesbians;
 - (v) Socialist Lesbians and Male Homosexuals; and
 - (vi) being active in the anti-apartheid movement in Sydney and the work of the Southern African Liberation Centre.
 - (c) In particular Betty fought for the rights of marginalised LGBTI people in our community. She was the founder of the Gay and Lesbian Immigration Task Force in 1983, which achieved landmark reforms to Australia's immigration laws giving residency rights for same-sex couples and assisted in the development of the AIDS Council of NSW between 1985-1990;

- (d) Betty was a 78er and was actively involved in the Drop the Charges campaign after the 1978 Mardi Gras arrests, she played a significant role in the organisation of the 1981 Mardi Gras Parade, she was an inaugural Management Committee member of First Mardi Gras Inc. and an elected member of the Mardi Gras 78ers Committee, and that she retained her commitment to LGBTI rights throughout her life, speaking in June 2023 at two Pride events at the NSW State Library;
- (e) Betty was active in helping disadvantaged members of the community, including:
 - (i) roles at the Marrickville Women's Refuge, Marrickville Legal Centre and the Public Interest Advocacy Centre;
 - (ii) working for the United Nations Transitional Authority in Cambodia in 1993;
 - (iii) in the position of CEO at ACOSS from 1994 to 2001;
 - (iv) lobbying for welfare rights in the period of the Howard Government; and
 - (v) as the Deputy CEO at the Fred Hollows Foundation from 2003 to 2014.
- (f) Betty gave her time generously on boards of community organisations, including serving:
 - (i) on the Asylum Seekers Centre Board from 2013, and chairing the board from 2018 to 2021;
 - (ii) as a board member of Union Aid Abroad-APHEDA, which she joined in 2018;
 - (iii) as an elected Vice President of the Australian Council for International Development; and
 - (iv) as chair for Rape and Domestic Violence Services Australia.
- (g) Amongst her various roles, Betty also served as:
 - (i) a NSW Legal Aid Commissioner;
 - (ii) a member of an NAB Advisory Committee;
 - (iii) a councillor on the Australian Statistics Advisory Council; and
 - (iv) a trustee of the Scully Fund.
- (h) Betty's lifelong commitment to social justice was recognised and celebrated when she was:
 - (i) awarded the Justice Medal in 2003 for outstanding achievement in improving access to justice in New South Wales, particularly for socially and economically disadvantaged people; and
 - (ii) made a Member of the Order of Australia in 2013 for her service to the community through organisations promoting social justice, indigenous health and human rights.
- (3) That this House recognises that Betty Hounslow was a lifelong advocate for social and economic justice who fought for people in our society who were marginalised, oppressed and overlooked, and that she was a kind, compassionate and fiercely determined woman.
- (4) This House sends its sincere condolences to the many people who loved Betty, including Betty's partner Kate Harrison, Betty's sisters Margaret and Mary Hounslow, and all of her family and many friends and comrades.

Motion agreed to.

CHINESE AUSTRALIAN SERVICES SOCIETY

The Hon. MARK BUTTIGIEG (12:39): I move:

- (1) That this House notes that:
 - (a) on 26 September 2023 the Chinese Australian Services Society [CASS] held a Volunteers Thanksgiving Luncheon and Moon Festival celebration in Rhodes, and the Hon. Mark Buttigieg, MLC, was honoured to attend and make a speech representing the Premier, the Hon. Chris Minns, MP, and the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;
 - (b) for 42 years CASS has worked hard to support multicultural communities around Sydney and Wollongong, providing services such as child care, aged care, disability services, settlement services, vocational and training support;
 - (c) the event included great performances, awards presentations and many speeches from guests showing gratitude for the important work of CASS and its fantastic volunteers, and guests attending the event included:
 - (i) the Hon. Sophie Cotsis, MP, Minister for Industrial Relations, Minister for Work Health and Safety, member for Canterbury;
 - (ii) the Hon. Mark Speakman, SC, MP, Leader of the New South Wales Opposition, member for Cronulla;
 - (iii) Ms Sally Sitou, MP, Federal member for Reid;
 - (iv) Mr Jerome Laxale, MP, Federal member for Bennelong;
 - (v) the Hon. David Coleman, MP, Federal member for Banks;
 - (vi) Councillor Karen Pensabene, Mayor of Strathfield Council;

- (vii) Councillor Anthony Bazouni, City of Canada Bay; and
 - (viii) Councillor Nancy Liu, Georges River Council.
- (2) That this House congratulates CASS, including Dr Bo Zhou, chairperson of CASS; Mr Henry Pan, OAM, founder of CASS; Mr Ivan Wong, general manager of CASS Care; and its volunteers on serving multicultural communities of Sydney and Wollongong for 42 years.

Motion agreed to.

Committees

SELECTION OF BILLS COMMITTEE

Reports

The Hon. BOB NANVA: I table report No. 11 of the Selection of Bills Committee dated 21 November 2023. According to standing order, I move:

- (1) That:
 - (a) the Jury Amendment Bill 2023 be referred to Portfolio Committee No. 5 - Justice and Communities at the conclusion of the mover's second reading speech in the Council; and
 - (b) the committee report by 11 March 2024.
- (2) That the following bills not be referred to a standing committee for inquiry and report this day:
 - (a) Centennial Park and Moore Park Trust Amendment (Public Transport) Bill 2023;
 - (b) Crime and Criminal Procedure Legislation Amendment Bill 2023;
 - (c) Prevention of Cruelty to Animals Amendment (Independent Office of Animal Welfare) Bill 2023;
 - (d) Road Transport Legislation Amendment (Automated Seatbelt Enforcement) Bill 2023;
 - (e) Sheriff and Court Security Amendment Bill 2023;
 - (f) 24-Hour Economy Commissioner Bill 2023;
 - (g) 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023; and
 - (h) Biosecurity Amendment (Independent Biosecurity Commissioner) Bill.

Motion agreed to.

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. CAMERON MURPHY: I table the report of the Legislation Review Committee entitled *Legislation Review Digest No. 7/58*, dated 21 November 2023.

PORTFOLIO COMMITTEE NO. 7 - PLANNING AND ENVIRONMENT

Reports

The CLERK: According to standing order, I announce receipt of report No. 20 of the Portfolio Committee No. 7 - Planning and Environment entitled *Climate Change (Net Zero Future) Bill 2023*, dated November 2023, together with a transcript of evidence, submissions, correspondence and answers to questions taken on notice, received out of session and published on 17 November 2023.

The PRESIDENT: According to the resolution of the House of Thursday 12 October 2023, the second reading of the bill now stands as an order of the day for a later hour of the sitting.

STANDING COMMITTEE ON STATE DEVELOPMENT

Government Response

The CLERK: According to standing order, I announce receipt of the Government response to report No. 50 of the Standing Committee on State Development entitled *Debt Retirement Fund*, tabled 18 August 2023, received out of session and published on 13 November 2023.

*Documents***ISRAEL-PALESTINE PROTESTS****Return to Order**

The CLERK: According to the resolution of the House of Wednesday 11 October 2023, I table additional documents relating to an order for papers regarding the Palestinian protest event, Sydney, 9 October 2023, received on Monday 23 October 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of the documents.

Return to Order

The CLERK: I table additional documents relating to an order for papers regarding the Palestinian protest event, Sydney, 9 October 2023, received on Thursday 2 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of the documents.

Claim of Privilege

The CLERK: I table a return identifying those of the documents received on Thursday 2 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

MINISTER FOR TRANSPORT OFFICE STAFFING**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 18 October 2023, I table documents relating to a further order for papers regarding department liaison officers in the office of the Minister for Transport, received on Wednesday 1 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying documents received on Wednesday 1 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying documents received on Wednesday 1 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Further Return to Order

The CLERK: I table additional documents relating to a further order for papers regarding the department liaison officers in the office of the Minister for Transport, received on Friday 3 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of the documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Friday 3 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying documents received on Friday 3 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Monday 6 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Monday 6 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Further Return to Order

The CLERK: I table additional documents relating to a further order for papers regarding department liaison officers in the office of the Minister for Transport, received on Wednesday 15 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of the documents.

Claim of Privilege

The CLERK: I table a return identifying those of the additional documents dated Wednesday 15 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Wednesday 15 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

LOCAL AND COMMUNITY PROJECT GRANTS**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 11 October 2023, I table documents relating to an order for papers regarding local and community grants decisions, received on Wednesday 1 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of documents.

Return to Order

The CLERK: I table additional documents relating to an order for papers regarding local and community grants decisions, received on Thursday 2 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of documents.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Thursday 2 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Return to Order

The CLERK: I table additional documents relating to an order for papers regarding local and community grants decisions, received on Monday 6 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Monday 6 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Monday 6 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Return to Order

The CLERK: I table additional documents relating to an order for papers regarding local and community grants decisions, received on Tuesday 7 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Tuesday 7 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Tuesday 7 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

SYDNEY METRO**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 11 October 2023, I table documents relating to an order for papers regarding Sydney Metro governance, received on Wednesday 1 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying documents received on Wednesday 1 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying documents received on Wednesday 1 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Return to Order

The CLERK: I table additional documents relating to an order for papers regarding Sydney Metro governance, received on Thursday 2 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of documents.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Thursday 2 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

NORTHERN RIVERS RECONSTRUCTION CORPORATION**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 20 September 2023, I table documents relating to an order for papers regarding Northern Rivers Reconstruction Corporation, received on Thursday 16 November 2023 from the Acting Secretary of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying documents received on Thursday 16 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying documents received on Thursday 16 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

POLICE TASER USE

Further Return to Order

The CLERK: According to the resolution of the House of Wednesday 13 September 2023, I table additional documents relating to a further order for papers regarding a tasering incident in Cooma, received on Friday 17 November 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, together with an indexed list of documents.

Claim of Privilege

The CLERK: I table a return identifying additional documents received on Friday 17 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

MINISTER FOR TRANSPORT OFFICE STAFFING

Tabling of Correspondence

The CLERK: According to Standing Order 52 (7), I table correspondence from the Hon. Natalie Ward requesting that certain documents relating to an order for papers regarding department liaison officers in the office of the Minister for Transport be produced with personal information redacted. I inform the House that, according to the standing order, the Office of the Clerk communicated the request to the Cabinet Office on Monday 23 October 2023.

Tabling of Correspondence

The CLERK: According to Standing Order 52 (7), I table correspondence received on Monday 30 October 2023 from the Executive Director Legal of Transport for NSW in response to the request from the Hon. Natalie Ward that three documents be produced with personal information redacted, asserting that the documents constitute personal information and cannot be sensibly redacted without the documents losing context and meaning, and requesting that two of the documents be removed from the return received on Wednesday 4 October 2023 as they do not relate to paragraph (a) of the order and are not captured by any category included in the order.

Tabling of Redacted Documents

The CLERK: According to Standing Order 52 (7), I further table correspondence from the Hon. Natalie Ward requesting that certain documents relating to a further order for papers regarding department liaison officers in the office of the Minister for Transport be produced with personal information redacted. I inform the House that, according to standing order, the Office of the Clerk communicated the request to the Cabinet Office on Tuesday 7 November 2023.

Tabling of Redacted Documents

The CLERK: According to Standing Order 52 (7), I table additional documents with personal information redacted received on Tuesday 14 November 2023 from the Director, Legal at the Cabinet Office, together with an indexed list of documents.

THE HON. SAM FARRAWAY QUESTIONS ON NOTICE

Disputed Claim of Privilege

The PRESIDENT: I inform the House that, as reported in the House on Wednesday 18 October 2023, the Hon. Keith Mason, AC, KC, was appointed as an Independent Legal Arbiter to evaluate and report as to the validity of the claim of privilege on certain documents lodged with the Clerk on 12 October 2023 relating to an order for papers regarding questions on notice submitted by the Hon. Sam Faraway, MLC.

The Hon. Keith Mason, AC, KC, invited further submissions from the Cabinet Office, the Office of the Minister for Regional Transport and Roads and Transport for NSW. On Friday 20 October 2023 the Clerk received correspondence from the Deputy Secretary, General Counsel of the Cabinet Office, attaching further submissions from the Office of the Minister for Regional Transport and Roads and Transport for NSW.

Report of Independent Legal Arbiter

The PRESIDENT: I report that the Clerk has received a report from the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, on the validity of a claim of privilege on documents lodged with the Clerk on 12 October 2023 relating to questions on notice submitted by the Hon. Sam Faraway. The report is available for inspection by members of the Legislative Council only.

Tabling of Redacted Documents

The CLERK: I table additional redacted documents received on Monday 30 October 2023 from the Deputy Secretary, General Counsel of the Cabinet Office, on the disputed claim of privilege on papers relating to questions on notice submitted by the Hon. Sam Faraway, MLC.

MINISTER FOR TRANSPORT OFFICE STAFFING

Disputed Claim of Personal Information

The PRESIDENT: I inform the House that on Wednesday 1 November 2023 the Clerk received from the Hon. Natalie Ward a written dispute as to the validity of a claim of personal information on three documents lodged with the Clerk on 4 October 2023 relating to department liaison officers in the office of the Minister for Transport. According to standing order, the Hon. Keith Mason, AC, KC, was appointed as an Independent Legal Arbiter to evaluate and report as to the validity of the claim of personal information. The Clerk released the disputed documents to the Hon. Keith Mason, AC, KC.

Report of Independent Legal Arbiter

The PRESIDENT: I report that the Clerk has received a report from the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, on the validity of a claim of personal information on documents lodged with the Clerk on 4 October 2023 relating to department liaison officers in the office of the Minister for Transport. The report is available for inspection by members of the Legislative Council only.

LOCAL AND COMMUNITY PROJECT GRANTS

Disputed Claim of Privilege

The PRESIDENT: I inform the House that on Thursday 16 November 2023 the Clerk received from the Hon. Damien Tudehope a written dispute as to the validity of a claim of privilege on a document lodged with the Clerk on 6 November 2023 relating to local and community grants decisions. According to standing orders, the Hon. Keith Mason, AC, KC, was appointed as an Independent Legal Arbiter to evaluate and report as to the validity of the claim of privilege. The Clerk has released the disputed documents to the Hon. Keith Mason, AC, KC.

Petitions

PETITIONS RECEIVED

Coal-fired Power Stations

ePetition requesting the Legislative Council implement the 16 recommendations made by the Public Works Committee in its March 2021 coal ash inquiry report and not grant any exemption licences or extensions to the life of any New South Wales coal-fired power stations, received from **Ms Abigail Boyd**.

Allied Healthcare Worker Wages

ePetition requesting the Legislative Council call on the Government to increase the pay and superannuation of all allied healthcare professionals by the same percentages offered to the healthcare sector across the board, backdated to 1 July 2023, received from **the Hon. Mark Banasiak**.

RESPONSES TO PETITIONS

The CLERK: According to standing order, I announce receipt of the Government response from the Hon. Paul Scully, MP, Minister for Planning and Public Spaces, to an ePetition signed by more than 500 persons presented by Ms Sue Higginson on 19 September 2023 entitled "Manyana development", received out of session and published on 23 October 2023.

*Visitors***VISITORS**

The PRESIDENT: I welcome to the gallery Thea Ward from Manly selective school, who is doing work experience this week with Minister Rose Jackson. I welcome to my gallery Robyn Mazlounian, who is undertaking high school work experience in the office of the Hon. Jacqui Munro.

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

*Questions Without Notice***STATE INFRASTRUCTURE**

The Hon. DAMIEN TUDEHOPE (13:30): My question is directed to the Leader of the Government, in that capacity and representing the Premier. When did the Minns Labor Government first learn that the Albanese Labor Government was slashing \$3.6 billion in infrastructure funding for projects in New South Wales, which is over half of the \$7 billion cuts in Commonwealth funding, and what steps did the Premier take to prevent those savage cuts from occurring?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:30): I thank the honourable member for his question. Welcome back to question time, everyone. I will need to take on notice the question of when the Premier found out about it. I found out about it in the media.

EMERGENCY SERVICES LEVY

The Hon. BOB NANVA (13:31): My question without notice is addressed to the Treasurer. Given the rising cost-of-living crisis, what is the New South Wales Government doing to ensure households can afford insurance so they are not left at risk from the rising number of natural disasters?

The Hon. DANIEL MOOKHEY (Treasurer) (13:32): I thank the member for his question. The member is quite right to say that right now New South Wales families are experiencing a situation of financial distress which is the highest it has been in decades. It is caused by a decade of wage suppression combined with rising prices while all of us are battling to bring inflation under control. As a government, we said we would look for every opportunity to provide short-term relief, plus structural reform to remove some of the pressures that were there in the first place. In that context, we cannot overlook the struggle that families are having right now with their insurance premiums. Nor can we overlook the pressure that insurance premiums are placing on small businesses, which is just as much as on households, if not more.

When I talk to small businesses, big businesses, households and others, everybody has in common the view that here in New South Wales it is time to begin the reform of the emergency services levy to correct for the anomalies that only apply in this State. That is why, last week, the Premier flagged a process to deal with the fact that insurance premiums in New South Wales are about \$800 higher than in Victoria and that the rate of no insurance is materially higher here in New South Wales than elsewhere. I have to acknowledge that we saw what being underinsured or not insured meant when the devastating Lismore floods took place. We saw the harm that did when it affected all of the North Coast of New South Wales. In fact, North Coast communities have argued strongly for the fact that we have to begin these reforms in order to facilitate affordability of insurance. Since we flagged that, I'm pleased that we have had Business NSW welcome that reform.

The PRESIDENT: Order! The Leader of the Opposition is close to being called to order.

The Hon. DANIEL MOOKHEY: I am equally pleased that we have had, on the other end of the spectrum, Local Government NSW welcome that reform process, and that we have seen groups like the United Services Union, the Fire Brigade Employees Union and others come to the table. I make that point to say that this does not need to be partisan. We can get to a good outcome. I would encourage the Opposition to get on board and not walk away from this. It is a problem we have to confront.

STATE INFRASTRUCTURE

The Hon. SARAH MITCHELL (13:34): My question is directed to the Minister for Regional New South Wales. When did the Minister first learn that the Federal Labor Government had slashed \$2.2 billion in funding for infrastructure projects in regional New South Wales, and what steps has she taken in response to those cuts to protect the interests of people and businesses in regional New South Wales?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (13:35): I thank the honourable member for the question. I was in regional New South Wales, and I heard about it in the media. I support the comments that have been made by

the Premier and other members of the Government that we are extremely disappointed about the decision by the Federal Government to make those cuts, particularly across regional New South Wales. My job, as the Minister for Regional New South Wales, is to stand up for what is needed in our regional communities. That is what I do every single day. I am disappointed in the decision by the Federal Government. I call on it to change its view, and I support the comments of the Premier and other Ministers in our Government that they will continue to work on convincing it to change its view.

The Hon. SARAH MITCHELL (13:36): I ask a supplementary question. Will the Minister elucidate that part of her answer when she said she is extremely disappointed and it is her job to stand up for regional New South Wales? Has she made any formal representations to any of her Federal counterparts in relation to the cuts?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (13:36): I thank the member for her supplementary question. We are making these views known publicly. I am doing it right now. I am not shying away from that.

The Hon. Emily Suvaal: Point of order—

The PRESIDENT: If the point of order is related to noise in the Chamber, the member will resume her seat.

The Hon. Emily Suvaal: Yes, it is.

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

The Hon. TARA MORIARTY: We are not shying away from this. We are disappointed. The Government has expressed that view.

The Hon. Bronnie Taylor: Well, do something.

The Hon. TARA MORIARTY: Calm down and take a breath. I am answering the question. I am expressing the disappointment that I feel, as the Minister for Regional New South Wales, and that the New South Wales Government has expressed publicly, and to the Federal Government, in relation to the decisions.

The Hon. Sarah Mitchell: Point of order: My question was very specific as to whether the Minister herself has made any formal representations to her Federal counterparts. I would like that question answered.

The PRESIDENT: The Minister is being directly relevant. The Minister has the call.

The Hon. TARA MORIARTY: We are making our views known. Again, I am making them known right now in this place on the public record. We are not shying away from that. We are disappointed in the decision that has been made and, as the State Government has done, I would urge the Federal Government to reconsider.

BOWDENS SILVER PROJECT

Ms CATE FAEHRMANN (13:37): My question is directed to the Minister for the Environment. Bowdens' proposed lead and silver mine at Lue will clear 402 hectares of vegetation, including 148 hectares of critically endangered box gum woodland, 180 hectares of koala habitat and habitat for the critically endangered—

The PRESIDENT: Order! Members will cease talking and interjecting when a member is asking a question. Ms Cate Faehrmann will start her question again.

Ms CATE FAEHRMANN: My question is directed to the Minister for the Environment. Bowdens' proposed lead and silver mine at Lue will clear 402 hectares of vegetation, including 148 hectares of critically endangered box gum woodland, 180 hectares of koala habitat and habitat for the critically endangered regent honeyeater and swift parrot. The final decision on whether this mine will go ahead rests with the Minister's Federal counterpart under the Environment Protection and Biodiversity Conservation Act. In her capacity as the State environment Minister, what representations has she made to Minister Plibersek to reject the mine and save this critically endangered habitat and Lue's koalas?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:39): I thank the member for her question. I know that she has had an ongoing interest in the issue and is currently undertaking an upper House inquiry in relation to it. Through that inquiry, the member would be aware that the Bowdens Silver project is a State significant development. It was approved by the Independent Planning Commission in April 2023. The commission's consideration of the application included a public hearing. In granting the approval, the commission found Bowdens could achieve an appropriate balance between environmental, economic and social considerations. I understand that the member disagrees with that view. The questions in relation to the approvals are now in the hands of the Minister for

Planning and Public Spaces. I have not made representations to my Federal counterpart in relation to them because it is a planning decision that she needs to undertake, given it has been approved by our Independent Planning Commission.

STATE BUDGET AND COST OF LIVING

The Hon. CAMERON MURPHY (13:40): My question is addressed to the Leader of the Government in her capacity as the representative for the Premier. How is the Minns Labor Government assisting families with the cost-of-living pressures?

[Opposition members interjected.]

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:40): I thank the member for his question, and I look forward to the Opposition listening carefully to the answer. This Government understands the cost-of-living pressures that households and small businesses are facing. No one of us can go out in the community at the moment and not hear from people who are doing it tough. We were elected in March to deliver real cost-of-living relief to the people of New South Wales, and since the election we have wasted no time in delivering on those promises.

We are investing in improving the wages and conditions of essential workers after a decade of wage stagnation. The budget also reduces the debt by \$14.8 billion compared with what we inherited, which is putting downward pressure on inflation. That is much more than members opposite did in their spendathon in their last budget. Our Government's first budget includes \$8.2 billion in support for households through more than 130 measures to assist with the cost of living. We have introduced a range of measures to relieve that burden, with specific increases in household support for early education, energy bills, tolls and first homebuyers, to name a few. The Government has delivered an enhanced \$1.6 billion package of preschool fee relief. That means \$500 in fee relief for 64,000 three-year-olds attending preschool in long day care centres. That is in addition to the existing program, which provides \$4,220 in fee relief for community preschools and \$2,110 in fee relief for children aged four.

[Opposition members interjected.]

I know that Opposition members do not like hearing about this, but perhaps they would like to understand how we are supporting families and households. I note that they did not support energy bill relief for small businesses either. We have also committed just under \$500 million in energy bill relief for eligible households and small businesses, and we are delivering that now. The Commonwealth added another \$481 million in energy bill relief, which members opposite opposed, for around 1.6 million eligible households and 300,000 eligible small businesses.

Almost half of New South Wales households will be eligible for this support. Those who already get the energy rebate have received it automatically, and we are working very closely to roll out the rest, to ensure that every eligible person receives it. We know that people are doing it even harder, and we have upped things like the Energy Accounts Payment Assistance program to \$500 for the 2023-24 financial year. There are real people who are making very tough choices in the current environment. This Government is paying attention to them. We are listening to them, and we are rolling out the support that they deserve and need as they do it tough. We hear the challenges they face, and we are acting and focused on ensuring that we help people address them.

MOONPAR STATE FOREST

Ms SUE HIGGINSON (13:43): My question is directed to the Minister for the Environment. Compartment 13 of Moonpar State Forest is now active, according to Forestry Corporation's portal. It appears that Forestry Corporation has again failed to identify the den, roost and nest trees of greater gliders, yellow-bellied gliders and powerful owls, as required by the Coastal Integrated Forestry Operations Approval. Once again the community has identified and entered into BioNet the species present in Moonpar, which are now added to the existing records. Will the Minister use her power under section 13 of the Protection of the Environment Administration Act and direct the Environment Protection Authority to issue an immediate stop-work order on forestry operations at Moonpar?

The Hon. Emily Suvaal: Point of order: Under Standing Orders 64 and 65, questions must not contain more information than needed to make the question intelligible. The question included a significant amount of argument and opinion not relevant to the question, which related to a specific matter. The statement that Forestry Corporation has failed should be ruled out of order as it is entirely opinion and not relevant to the question.

The PRESIDENT: I do not rule the question out of order, but I will look at the question to see if it contains argument. The question is in order. The Minister has the call.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:45): I thank the Hon. Emily Suvaal for a good try.

The Hon. Wes Fang: You have never said that about me.

The Hon. PENNY SHARPE: No, because you do not really try, and you have not learnt the standing orders. She has learnt them. But I digress.

The PRESIDENT: Order! The Leader of the Government does not help herself sometimes. The Leader of the Government has the call.

The Hon. PENNY SHARPE: I am constantly provoked. I thank the member for her question. As the member would know, and as I have said all along, the Environment Protection Authority [EPA] does a very important job. It is our very important environmental regulator, and no-one is immune from following the rules in place. The EPA pursues them without fear or favour. Specifically in relation to Moonpar State Forest, the EPA is actively monitoring and working with Forestry Corporation of NSW and all areas of the Great Koala National Park assessment area.

The EPA is in discussion with Forestry Corporation about tightening protocols relating to pre-harvest surveys, and the EPA is treating all forestry operations in the assessment area of the proposed Great Koala National Park as important sites, meaning that they will be monitored to ensure that they comply with the environmental rules applying to the Coastal Integrated Forestry Operations Approval. In addition to the prohibition on forestry operations in koala hubs in the Great Koala National Park area, including those in Moonpar State Forest, the EPA continues to work with Forestry Corporation on a range of additional precautionary measures.

Ms SUE HIGGINSON (13:47): I ask a supplementary question. The Minister did not answer my question, because I asked directly if she would exercise her power under section 13 of the Protection of the Environment Administration Act. So my supplementary question is will the Minister explain, if she is not going to exercise her power given the evidence that it is warranted, why not?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (13:47): I could take a point of order that the member said I did not answer the question, then wished me to answer it in a different way, and then asked me to elucidate a question that I did not answer. The EPA is working closely with Forestry Corporation of NSW at this time. No, I will not do that.

M7-M12 INTERCHANGE FUNDING

The Hon. NATALIE WARD (13:48): My question is directed to the Minister for Roads. With the Commonwealth Labor Government pulling \$116 million in funding for the M7-M12 interchange, how will the Minister ensure that the project is completed as planned, and what will he need to cut to fully fund it?

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) (13:48): I thank the member for her question and her interest in this area. It is clearly of concern to members on both sides of the House. The Government is concerned with the Federal Government's decision. We have obviously been talking to the Federal Government over the course of its 90-day infrastructure pipeline review. The Federal Government is entitled to look at the pipeline it inherited from the former Federal Liberal-Nationals Government, but we are concerned with the impact that it has had on some projects in particular. I have specifically highlighted this project publicly when asked about it because it is already under contract.

In opposition, we argued strongly in favour of the M12 project. It was highlighted by Infrastructure Australia as one of the key projects around the country. The M7-M12 Interchange is a core part of making that project work. The Federal Government had indicated that it did not believe projects under contract would be affected and we are raising that concern with it. This project is under contract. Work is underway. As a result, we are hopeful, looking at the facts on the ground, that there will be some change to what the Federal Government has announced. That is the case we are currently putting to the Commonwealth. I thank the Federal Government and the Federal Minister for engaging in those discussions, which are continuing. But we are disappointed. To quote the Treasurer, we are disappointed with a capital "D". I commend him, both for his sentiment and for his punctuation. He spoke for the Government on this matter. We are disappointed.

We expect that the Federal Government should look at this again. The M7-M12 is a crucial Commonwealth project as the airport opens. We have indicated that view to the Federal Government, but we have done so publicly as well. I thank the Opposition for now joining the campaign. It has been running for some time, but I welcome them joining to make sure that these projects are protected. That is exactly what members of the Government have

been doing. Discussions are continuing. I am hopeful that we will see some change from the Federal Government, but work on that continues.

The Hon. NATALIE WARD (13:51): I ask a supplementary question. I thank the Minister for his answer but I ask that he elucidate. He spoke of his concern about the impact and talking to the Federal Government, and that is a project that is indeed under contract. Was the Minister naïve in trusting the assurance that projects under contract and construction would not be defunded?

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) (13:52): My expectation is that the Commonwealth will look at this decision and revisit it. That is what I have asked the Commonwealth to do, including publicly. It is crucial for Sydney. It is under contract and that is my expectation. That is a matter for the Commonwealth, but we are standing up for New South Wales projects and we expect it to turn around. Of course, one of the other things that this Government has done is keep building. In the State budget the Treasurer announced \$116 billion of capital expenditure.

The Hon. Natalie Ward: Point of order: My point of order relates to relevance. I ask that the Minister be drawn back to the subject matter, the point of the question. It is not about the Treasurer and what he might be doing. It might be very interesting to the roads Minister, but it is not interesting to me. The supplementary question is very specific to this project. I ask that the Minister address the specifics of this project in his answer to the House.

The PRESIDENT: While I have sympathy with the point of order of the Hon. Natalie Ward, I do not think that the Minister was sufficiently far enough through this line of logic for me to determine whether it was directly relevant. The Minister will consider that as he continues his answer.

The Hon. JOHN GRAHAM: Far from being naïve, the Treasurer plunged \$116 billion into the budget for capital expenditure. That was an increase over the former budget. Even with this cut—which I am hopeful will be revisited by the Commonwealth—we are still ahead of the former Government's capital expenditure. Even if the Commonwealth took all this money away in the forward estimates, it is still more money than the previous Government spent, just to be clear about the scale of the expenditure that the Treasurer has unleashed in the budget when it comes to capital expenditure. We will keep discussions going with the Commonwealth. We thank the Opposition for joining in the campaign today. I do expect, as a result of those discussions, there will be more to say, but that is where the matter rests, as of today.

The Hon. MARK LATHAM (13:54): I ask a second supplementary question. Could the Minister elaborate on the discussions he has had with his Federal counterpart, Cathy King? Has he pointed out to her that the interchange is integral to the functionality of a Federal Government airport—not a State Government airport, a Federal Government airport—and, on that basis, the Commonwealth should be funding it and the State Government would refuse? If he has made that point to her, how did she respond?

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) (13:54): I thank the Hon. Mark Latham for his question. He is entitled to ask it. I thank him for his interest in this area. As I said, discussions have been ongoing. I will not detail the discussions, and I think that is appropriate. But I say on record that the airport is a Federal Government infrastructure investment. It is crucial for the city of Sydney, but it is a key Commonwealth project. That is one of the reasons we believe the Commonwealth should stay at the table when it comes to this matter.

It also builds on a longstanding problem where the State share of the Commonwealth infrastructure pipeline is dropping. New South Wales has 32 per cent of the population, although that moves around slightly. We often have 37 per cent of new migrants to the country staying in Sydney. The New South Wales share in the Commonwealth infrastructure pipeline, as a result of decisions made over previous years and the cumulative result of deals done with other States, has dropped to around 23 per cent. That is simply not high enough. That long-term issue is the result of deals done by former governments and by these recent decisions. It also results in the long-term argument New South Wales has to raise about our share of the population, our share of economic activity around the country and our share of the migrants we accept into this city—and happily accept. I have been clear about that publicly.

ROAD TOLLS

The Hon. Dr SARAH KAINE (13:56): My question without notice is directed to the Minister for Roads. Can the Minister please provide an update to the House on the toll review?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (13:56): I thank the Hon. Dr Sarah Kaine for that question. It nearly took me by surprise. It has come up in passing conversation that Sydney may, in fact, be the most tolled city in the world. That is an allegation that has been thrown around this Chamber and around in public. We committed before the election to reveal the total toll burden that drivers have been signed up to. What is the total that drivers, between now and 2060—when many of the toll contracts expire—are due for? Along with the Treasurer I have released modelling by NSW Treasury and Transport for NSW, which has established exactly that number. The total drivers are set to pay is \$123 billion in tolls between now and 2060.

The Hon. Natalie Ward: A 40-year forecast? They review their forecast every six months. What a load of rubbish.

The Hon. JOHN GRAHAM: That is in today's dollars. This is not with inflation. In today's dollars, it is \$123 billion. I can hear the shadow Minister interjecting and suggesting that in fact the number might not be right, and she is right: It could be worse. In fact, it probably will be worse. This is the minimum we have signed up to. If inflation is higher, if inflation is volatile, it will be higher under these contracts because, either way, the toll burden goes up. The shadow Minister is right to draw attention to the fact that this could be higher. That \$123 billion is a very conservative estimate. I do not apologise for that, but the shadow Minister is right to draw attention to it. These are remarkable pieces of infrastructure.

I am on the record as saying that, but the Government is also saying they come at a remarkable cost. For example, for that amount of money we could build 94 hospitals or more than 1,500 schools. That is why we have put the spotlight on this, to highlight the choices we are making. The WestConnex bill, for the tolls alone, until 2060 is \$64 billion, still owing for a project that the former Government claimed to cost \$16.8 billion. It is \$64 billion in tolls but just \$16.8 billion for the project. Prior to the election, we said that toll costs should not be kept hidden. They should not be a State secret. They are something the public is entitled to know, to look at both the benefits as well as the costs of these agreements, and we have done that just recently.

The PRESIDENT: Order! Before I call the Hon. Emma Hurst, I thank the Hon. Natalie Ward for asking another 11 questions while she was sitting on the Opposition benches. If she would like to ask questions in the future, I ask her to do so from the dispatch box.

NSW HEALTH PERINATAL AND INFANT MENTAL HEALTH SYMPOSIUM

The Hon. EMMA HURST (14:00): My question is directed to the Minister for Mental Health. Recently the Minister asked NSW Health to apologise after two health professionals were asked to remove the term "obstetric violence" from their presentations at the NSW Health Perinatal and Infant Mental Health Symposium. One psychologist was removed from the program of the symposium after she refused to censor the experiences of birthing women. What further action is the Minister and the Minister for Health taking in regard to this matter, given the real concerns, being that NSW Health is censoring and silencing the experiences of birthing women? Can the Minister confirm that both health professionals have received these apologies?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (14:00): I thank the honourable member for her question. Obviously, she has an extensive and well-known interest in this area. I absolutely confirm that the health professionals who were asked to remove the term "obstetric violence" from their presentations have been apologised to. I have publicly apologised to them, and they have been apologised to on behalf of NSW Health. As soon as I became aware that they had been asked to remove the term from their presentations and, as a result of that, had decided not to proceed with their presentations, I immediately indicated to NSW Health that this was not acceptable to me and that I considered it to be incredibly important that we were able to have open, transparent, sometimes difficult, sometimes confronting conversations in a health setting. That view was agreed with and supported by senior leaders at NSW Health.

They too were unaware that this had occurred until they were informed about it by the health professionals. They immediately reached out to the health professionals involved to indicate that they were extending an apology, that this was not representative of the policy of NSW Health and that they would hope that the presentations could go ahead. One of the women—Ms Frankham, I think it was—decided not to proceed with the presentation because she was very upset about what had occurred. I am extremely sympathetic to that. We have offered the apology. I have made very clear, to NSW Health and the leadership of NSW Health, that there is no role for censorship in open health dialogue and discussions.

The symposium that the presentation was due to be given at is an annual symposium held alongside Perinatal Mental Health Week and an incredibly important opportunity for clinicians to come together. The presentation was not even about obstetric violence. It was actually about perinatal mental health, which is an

incredibly important topic. It just used that term. As the member well knows and as is well known to members in the Chamber, that term is recognised by the World Health Organization. It is a term that is welcome in dialogue and discussion. Not everyone agrees with that term, and that is okay. We can be mature enough in a healthcare framework to have those conversations. That is important to me, to NSW Health and to the mental health branch.

I hope that this continues to be an annual event and that there will be further opportunities for presentations, by these health professionals and others, that go to the important issue of perinatal mental health and that people feel that they can use whatever terms and bring whatever clinical experience they have. I am very concerned about the potential chilling effect this may have, and I make absolutely clear, on the record, that the request to remove the term did not come from the leadership of NSW Health, and we have apologised for that.

BRUXNER HIGHWAY FUNDING

The Hon. BRONNIE TAYLOR (14:03): My question is directed to the Minister for Roads. A section of Bruxner Highway, between Goonellabah and Wollongbar, has a rate of crashes causing fatal and serious injury more than eight times higher than similar roads across the State. With the Federal Labor Government pulling \$6.8 million worth of funding for a major upgrade of this dangerous section of highway, what guarantee that this project will be completed will the Minister give to the people of the Northern Rivers?

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) (14:04): I thank the member for her question. She is entitled to ask it. I welcome her raising these concerns, as the Government has done. As I have indicated to the House, the focus of the Government is on having these discussions with the Commonwealth Government. We are hopeful that that may lead to some change in the details of what the Commonwealth Government has announced, following this 90-day infrastructure review.

The Hon. Sam Faraway: I doubt it.

The Hon. JOHN GRAHAM: I acknowledge the interjection from the shadow Minister, saying he doubts it, and I make it clear to the House—

The PRESIDENT: Order!

The Hon. JOHN GRAHAM: I make it clear to the House as we stand here that the State has no guarantees at this moment. He says, "I doubt it." But we are hopeful, at this point, that those discussions will bear fruit, as they should. That is the focus of the Government at the moment. Once that has concluded, of course we will then make arrangements in relation to these individual projects. But it does place these projects under pressure. We do not have a guarantee, as we stand here, that these projects will not be at risk as a result of this.

Of course, I emphasise that the Federal Government is entitled to kick the tyres on its own infrastructure pipeline. It is entitled to say, after the COVID-19 pandemic, after projects have changed, "Are these projects still value for money?" That is exactly what we did in the State budget process. The Treasurer and the finance Minister did exactly this, using the Kanofski review to kick the tyres on each of these projects. We examined, project by project, what might be happening in the infrastructure pipeline and then made decisions. That is the process the Commonwealth Government is now going through. I can understand why it has concerns about what might be in that pipeline, given the views of some of the former Government members, such as Barnaby Joyce. This was his view on infrastructure investment in the 2022 budget: "We're not asking for a return"—

The PRESIDENT: Order! The Hon. Bronnie Taylor will cease interjecting.

The Hon. JOHN GRAHAM: Here he was talking about infrastructure: "We're not asking for a return, so we're not really interested in the business case."

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

The Hon. JOHN GRAHAM: Hear, hear!

The PRESIDENT: Order! I call the Hon. John Graham to order for the first time. The Minister has the call.

The Hon. JOHN GRAHAM: "We're not asking for a return, so we're not really interested in the business case." That was the view of Barnaby Joyce. That is why the Federal Government is concerned. The financial review estimated—

The Hon. Penny Sharpe: Point of order—

The Hon. Damien Tudehope: He has only 10 seconds left.

The Hon. Penny Sharpe: The Hon. Bronnie Taylor should let the Minister answer the question. The issue is the constant interjections, and the point is that members are arguing with the Minister, across the table, about how he is answering the question. If it is out of order, they should take a point of order and not interject.

The PRESIDENT: Yes. I uphold the point of order. While question time should remain robust, and I welcome that, there is a difference between that and members just shouting across the Chamber and having a constant line of argument or questioning about whatever happens to be in their minds at the time. That behaviour is not appropriate for this place. I ask members to think about their interjections, which are disorderly at all times, before they make them.

The Hon. Natalie Ward: Point of order: I sought to gain your attention on the previous point of order, but I will not quibble. You have made your ruling in that regard. This point of order is in relation to the Minister throwing out barbs that invite members of the Opposition to respond. He is referring to Barnaby Joyce, and not expecting that he will invite a response from the Opposition. I ask you to call him to order for a second time.

The PRESIDENT: There is no point of order. We all look forward to the last 10 seconds of this answer.

The Hon. JOHN GRAHAM: I conclude by reiterating that the New South Wales Government is concerned by these matters. We are in discussions. I welcome the questions from the Opposition on this matter. We will be standing up for these New South Wales projects.

The Hon. BRONNIE TAYLOR (14:09): I ask a supplementary question. My question goes directly to the part of the Minister's answer where he stated that he was focused on the issue. If he is focused on the issue, what has he done?

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) (14:09): The member seems to be suggesting that there is some lack of engagement here. As I have indicated, I have been engaged in the matter since before May 2023, when the review was announced. The discussions with the Commonwealth have been going on for that long about its desire to reshape its \$120 billion infrastructure package. Again I might quote the Treasurer because he is eminently quotable this week, I have found.

Our concern is not that there have not been discussions—and we have welcomed the discussions from the Commonwealth—but that while we have been talking the Commonwealth may not have been listening to some of the views that have been put by the State. Those discussions continue and we will take them seriously and we expect the Commonwealth to take them seriously. That is exactly what we are engaged in and that has been the case since May 2023. The shadow Minister does herself no credit in raising the matter in this way, no credit at all. I welcome the fact that Opposition members are asking about the individual projects. The Government will continue to work to see where we can get them to.

SOCIAL HOUSING MAINTENANCE

The Hon. PETER PRIMROSE (14:10): My question without notice is addressed to the Minister for Housing. Will the Minister update the House on how the New South Wales Government is bringing back integrity to social housing maintenance?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (14:11): I will, because we have announced that the Minns Labor Government is going to overhaul social housing maintenance. This is long overdue for what every single member of Parliament on both sides will surely know is a dysfunctional system. I know that everyone on both sides knows because they all write to me about it—and fair enough that they do, because almost all of the complaints are entirely valid representations on behalf of members of their community who just want basic work done. They want mould cleaned up and broken windows and fallen-in roofs to be fixed. Those are things that should not be coming up as regularly as they do for government-owned housing where the government is the landlord.

Unfortunately, as a result of the outsourcing of social housing maintenance, the system is crumbling. We will reform that system and bring it back in-house. It will be managed centrally by a maintenance hub within Homes NSW. I am confident that that will lift the standard in social housing. That is good not just for the people who live there but also for the broader community. The New South Wales Government should be the best landlord in the State, not the worst. I am sick and tired of people walking past social housing and thinking, "There we go. The lawns are not mowed. The common areas are unclean. The windows are broken." I want social housing to be a positive contribution to every community, and it needs to be maintained. It needs to be clean and well-maintained. The current arrangements are not delivering that. I am confident that the new contracts that will come into place from July next year will deliver better outcomes for individuals and better outcomes for the

community. The new system will insource all of the contact centres, establish the maintenance hub and go back to local maintenance with local contractors, which means more jobs for small businesses and tradies in local communities. The current system is yet another example of outsourcing and privatisation failing. Add that to the list.

This Government is not just talking about that being a failure; we are taking action where we can and bringing maintenance back in-house. There will be a new maintenance app. Can you believe that in 2023 there is an app for everything? I looked it up. There is an app called Carr Matey that tells you where you parked your car, in a pirate voice. There is an app called RunPee which tells you the optimum time to go to the bathroom during a movie so you do not miss a critical moment. There is an app for everything, but there is not an app for social housing maintenance that gives you an answer on whether your maintenance request has been logged or when someone will come to your house to do the work. It is not difficult but, unbelievably, it has not been delivered up until now. It will be delivered as part of the new maintenance contracts so that everyone will have a clear understanding of when the work will be done. This is a really positive step for social housing and I am really proud of the change. Carr Matey!

NET ZERO EMISSIONS TARGETS

The Hon. MARK LATHAM (14:14): My question is directed to the Treasurer. It concerns the existing government policy to achieve net zero emissions, particularly the commitment to a clean energy future in *Budget Paper No. 01* on page 1-10, for which the Treasurer is responsible. I am not asking about the bill before the House for a net zero commission. I refer the Treasurer to the Batterham report released in April, which I hope he has read. It uses modelling from Melbourne, Queensland and Princeton universities and reported on the \$18 trillion cost of Australia moving to net zero over the next 40 years. That is an amount 12 times our current GDP. Professor Batterham, a former Australian chief scientist, said it is extraordinary that in adopting net zero policies, no-one has asked how much it is going to cost. How much will net zero cost in the New South Wales budget, both immediately in the forward estimates and through the long term? How much of the \$18 trillion are we paying here in New South Wales?

The Hon. DANIEL MOOKHEY (Treasurer) (14:15): I thank the member for his question, which is straightforward, easy and capable of immediate answer, I would like to think. I thank him for his legitimate interest in the matter and for asking me a question, which is why I am here in question time. Am I aware of those particular reports and that particular study? I am aware that that study exists but in April, when it was released, I did not necessarily have time to master its intricacies, and for that I apologise. We were a bit detained by, obviously, the formation of a new government and me having to deal with a \$7 billion black hole in the State's finances, which of course had my priority. That is the first point.

The Hon. Mark Latham: Mr President—

The PRESIDENT: Order! The Treasurer will resume his seat. The clock started at one minute rather than three minutes. We will start again at two minutes and two seconds, if that is possible.

The Hon. DANIEL MOOKHEY: In April I was paying attention to the effect of the \$7 billion hole we were left in the State's finances. That is the answer to the first part of the question. The second part of the question is to do with the cost of transition to net zero. It is fair to say that is disputed. Many people have different ways of making that assessment. Lots of people have different ways of valuing the activity that is necessary. That is partly why there is a strong case for independent advice through the formation of the Net Zero Commission that will help people through the methodological issues, which are complicated when you have to make such long-duration projections.

Any conversation about the costs of transitioning to net zero should be balanced by the costs of not transitioning to net zero. It is not as if the present state is free of cost either. Indeed, a lot of the modelling of the effects of inaction towards the transition to net zero shows that it would exceed the cost of the transition on a global economy basis and an Australian economy basis. That is not advice coming forward from those who are, dare I say, on the left of the economic spectrum; that is advice that has loudly been articulated by those on the right of the economic spectrum as well. That is why there is now an emerging consensus that we should at least be doing the transition. Of course we should contest the pace, the style and the approach but we should not let it escape us that inaction is expensive too. I saw some data overnight about how well Australia is mobilising capital for the transition, especially compared to a lot of our peer competitors in the OECD. It is encouraging. There is a lot of capital that wants to assist in the task. It can assist in getting the return and that is why we, as a government, want to provide stable settings to get the costs right. [*Time expired.*]

The Hon. MARK LATHAM (14:18): I ask a supplementary question. Will the Treasurer elaborate on his statement that the cost of getting to net zero is disputed? How can it be disputed when he is the Treasurer of

the State and he has the capacity of Treasury modelling to find out exactly how much it will cost? Why is the Treasurer embarking on a policy of net zero—the biggest transformation of the New South Wales economy in our lifetime—without knowing or seeking information and without getting the data on how much it actually costs for the New South Wales budget, for which he is responsible?

The Hon. DANIEL MOOKHEY (Treasurer) (14:19): I thank the member for his supplementary question. It is true that the methodology issues that are required to be used by NSW Treasury, the Reserve Bank of Australia, the Commonwealth Treasury and, incidentally, the OECD, the United States Government and every other economic modeller in the world are quite complicated. I will certainly not shy away from the fact that it is a very difficult task, at first instance, for any Treasury, not just NSW Treasury, and nor will I apologise for the fact that NSW Treasury standards for this modelling should align with best practice and with the practices that are adopted by our peers as well. That is to do with not only net zero but also budget modelling in general.

NSW Treasury is an excellent institution when it comes to preparing that work. In many senses it is ahead, but it must be acknowledged that we have to allow the evidence base to continue to develop, to be contested and to be worked through. It would have been easier if some of that work at a Federal level had started a lot earlier than with the recent change in Federal Government. It is good that for many years in New South Wales there has been bipartisanship from the major parties about the need for net zero and for net zero to be achieved in the most cost-effective way. That has distinguished this State from other States. But while we have made that progress, the opportunity cost of Federal inaction, especially under the former Federal Government, is that a lot of the economic methodology that should have been built has not been built. That work needs to be done. I am the first to acknowledge that. [*Time expired.*]

GREAT WESTERN HIGHWAY FUNDING

The Hon. SAM FARRAWAY (14:21): My question is directed to the Minister for Roads. Given the Commonwealth Labor Government's substantial cut of \$2.032 billion in funding for the Great Western Highway east and west section upgrades, what strategies will the Minister roll out to improve safety, reduce travel times and ensure efficient freight movement for the benefit of the Central West region's economy and residents?

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) (14:21): I thank the member for his question. I will respond to both the specific project and also in general strategic terms about what is going on. As I have indicated, that is what we are working through. Firstly, the State is continuing to build that program of capital expenditure, which is in the budget. That \$116 billion, which is higher than was previously the case, is assisting greatly. That is a major State contribution to building those assets around the State. We said we would keep building, and we are—even more so than under the former Government's budget.

Secondly, at the moment that is an issue with the Commonwealth Government. We have said that we will keep talking to the Federal Government to resolve some of those issues. As things stand, we do not have guarantees, and we do not have guarantees in relation to that particular project. The Commonwealth Government and Infrastructure Australia have been very sceptical about the longest road tunnel in the country, which proposes to go through that sensitive environmental area. That tunnel led straight to the electorate of—

The Hon. Sam Faraway: Point of order: My point of order relates to relevance. I specifically asked what strategies will the Minister roll out to improve safety, reduce travel times and ensure efficient freight movement for the east and west sections of the Great Western Highway. I did not mention a tunnel.

The PRESIDENT: The Minister is being directly relevant.

The Hon. JOHN GRAHAM: The Commonwealth has been sceptical about that project at both an agency and Federal Government level. One of the agreements that has been won, which we have advocated for, is that as those changes—which are driven by both the Commonwealth and State budgets—are rolled out, work will continue on the corridor strategy for that area in order to deal with the exact issues that the member has raised. That important work is ongoing. I understand the concerns of communities, but that is no excuse to not do the homework in the first place on projects that come under serious scrutiny from Infrastructure Australia when the spotlight turns on them.

I return to the point that the State has long-term challenges in this area. I do not resile from that at all. We have to do better when it comes to our share of the national infrastructure pipeline. It is an issue—and it is an issue for projects like this—if the Federal Government changes its funding formula from 80-20 to 50-50. That will create issues for those projects. The Commonwealth's Infrastructure Australia is already sceptical about this project. The State will have a harder case to make if that funding change occurs. I place that on record and thank the member for his question.

STATE BUDGET AND SMALL BUSINESS

The Hon. GREG DONNELLY (14:25): My question is addressed to the Minister for Finance. Will the Minister update the House on how the Government is relieving cost-of-living pressures for small- and medium-sized business owners and workers in New South Wales?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:25): I thank the member for his question relating to the way the Government is providing more opportunities for small businesses because they are the backbone of the New South Wales economy. More than 840,000 small businesses operate in New South Wales, employing more than 1.6 million people. Some 43 per cent of the private sector workforce in New South Wales is employed by a small business. Small businesses generate \$465 billion a year in sales and services income. They are one of the main drivers of economic growth in our State.

The Minns Labor Government is committed to growing the economy by, in particular, boosting small- and medium-sized businesses. One way that we are doing that is by increasing the role that small- and medium-sized businesses play in the Government's procurement spend. Each year the New South Wales Government spends around \$37 billion on goods and services. That spend supports the State's hospitals, schools, offices, police stations and so much more. During the parliamentary break, the Premier and I announced my first ministerial direction to the NSW Procurement Board to increase the value—

The PRESIDENT: Order!

The Hon. COURTNEY HOUSSOS: —of business that is able to be engaged by direct contact to \$250,000. That will allow small- and medium-sized businesses to have greater access to our valuable procurement dollars. At a time when businesses face increased cost-of-living pressures, we are providing them with the opportunity to access those valuable procurement dollars to a greater threshold. It is an important step, and it is the first of many.

COVID-19 AND EDUCATION

The Hon. JOHN RUDDICK (14:27): My question is directed to the Minister for Finance, representing the Minister for Education and Early Learning. Two days ago the editorial board of *The New York Times* wrote:

The evidence is now in, and it is startling. The school closures that took 50 million children out of classrooms at the start of the pandemic may prove to be the most damaging disruption in the history of American education. It also set student progress in math and reading back by two decades and widened the achievement gap that separates poor and wealthy children.

This is from *The New York Times*. It is not from an opinion writer but from the editorial board. Obviously the same could be said about the impact of school closures in New South Wales, especially since we now know that COVID was no more harmful to schoolkids than regular flu. During the lockdown of 2020-21, NAPLAN results showed a severe decline in literacy and numeracy, especially for high school students. Will the Government consider publicly acknowledging that school closures were a costly and damaging error, so that we are less likely to repeat that terrible mistake?

The PRESIDENT: Before I call the Minister, I advise all members that I have sensed their increasing tendency to push the one-minute time limit for asking questions. All members should be very conscious of that because I will start to be quite brutal about it, though not this time. The Minister has the call.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:28): I look forward to that brutal ruling. The short answer to the question is that I am not aware of any considerations that the Government is currently making. While it would be a matter for the education Minister, I make the point—and this is certainly the approach of the now Premier, then Opposition leader—that the once-in-a-generation pandemic that we faced required a range of really difficult decisions with very little reference point in terms of what was precedent and what we were to do. I know that the decision to close our schools was not one that was made in haste. It was one that was made at the time with the best possible information on how we could protect our kids. I remember the fear. I remember talking to parents at the time—as all of us would have done in our local communities—who said that they desperately wanted to protect their kids and they did not know what the right thing to do was.

In this case the Government decided to close schools. A really significant decision like that does have far-reaching consequences. There is certainly a question around educational impact that this Government is grappling with. That is why we made the commitment to continue the small-group tutoring program. We know that interaction at a small level between a teacher or a trained professional and a small number of children is the best way of addressing the impact on educational outcomes. In terms of the specifics around some of the government responses, I think those opposite would remember I asked a large number of questions in this place—

The Hon. Sarah Mitchell: I remember!

The Hon. COURTNEY HOUSSOS: There were a lot of questions—and in other really valuable forums—that this House, in particular this Chamber, facilitated to ensure oversight of Government decision-making at the time. We raised questions around the supports that were in place, particularly for the most disadvantaged kids, because we knew that, particularly in Western Sydney or in parts of regional New South Wales, kids did not have access to multiple screens. We saw families where multiple kids were trying to work off a single mobile device. We knew that that was going to have an educational impact.

We are dealing with that impact now through a range of different programs, and I commend the Deputy Premier and education Minister for that important work. Decisions were taken in the midst of a once-in-a-generation pandemic and I accept that they were incredibly difficult decisions to take. The position of this Government is that we will deal with the consequences, including in relation to our State's finances, but absolutely in making sure that our kids are not set back as a result of what occurred during that time.

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

Supplementary Questions for Written Answers

NET ZERO EMISSIONS TARGETS

The Hon. MARK LATHAM (14:32): My supplementary question for written answer is directed to the Treasurer. In question time the Treasurer said that NSW Treasury has the capacity to model the costs of moving to net zero and that it is quite advanced. If so, why has the Treasurer not asked his own department to do this work? Why is he supporting net zero—the greatest transformation of the New South Wales economy in our lifetime—without even trying to know the cost to New South Wales and the State budget? Will he now belatedly commission the NSW Treasury modelling to identify this cost for his own decision-making benefit and for the taxpayers of New South Wales?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SAM FARRAWAY: I move:

That the House take note of answers to questions.

GREAT WESTERN HIGHWAY FUNDING

The Hon. SAM FARRAWAY (14:33): I take note of answers—or lack of answers—given by the roads Minister today. He may not look after regional roads and may not understand the significance of the Great Western Highway, because I can bet the regional roads Minister does not, but anyone who has ever driven that road will know it is a road that is no longer fit for purpose. It no longer serves the Blue Mountains and it no longer properly services the Central West and western New South Wales.

The roads Minister today in this House referred to honouring contracts that are in place or for projects that are under contract. I note that the New South Wales Government is proceeding with Coxs River Road at Medlow Bath. The ridiculous part of this—and I note that the Treasurer is in the Chamber—is that we are now spending \$232 million on a road that goes nowhere. At Coxs River Road we will have a monument to the National Party. We had a vision to build a road. We had a vision to better connect the city and the bush—a key east-west connection point and road infrastructure that this State, and this country, needed. The roads Minister waffled on and said, "We're going to have a bit of dialogue with the Commonwealth." That is all well and good, but it took the Commonwealth over 200 days to do a 90-day review.

I have no confidence in the Federal Labor Government. Quite frankly, after today's answer, I do not have much confidence, unfortunately, in a person I genuinely like—the Hon. John Graham, the roads Minister—because he could not answer the question. He waffled on about a tunnel. The tunnel is something that happens in latter years. We are talking about the \$2.032 billion that was committed by the Federal Government in budget papers over the last few years to 34 kilometres of road surface duplication between Lithgow and Katoomba. Rome wasn't built in a day, and the Great Western Highway was not going to be upgraded in a day or overnight. It was to be incrementally built and upgraded over the next decade. It was a project that could be delivered in a decade, not talking about it in another decade's time. I urge the roads Minister to work with the Treasurer to lobby the Commonwealth, even though this is probably already done. It is a road that is needed, irrespective of politics. We have a Prime Minister that says he wants to govern for all—unless you live in regional New South Wales, because that is a different story.

NET ZERO EMISSIONS TARGETS

The Hon. MARK LATHAM (14:35): I raise two examples where the Government is wilfully flying blind, where it is wilfully not seeking information that would be available for the guidance of major public policy. The first of those was in question time when the Treasurer could not outline the cost of net zero to the New South Wales budget, either for the forward estimates or the longer term. He said the Treasury has the capacity to do the work and is quite advanced. Why has the work not been done? Why has it been left to the case study, *Understanding the Cost of Net Zero and the Energy Transition* by Professor Robin Batterham of Melbourne university, assisted by modelling of that university and also of Queensland and Princeton universities, where they have identified a national cost of \$18 trillion—twelve times our GDP—to get to net zero? The cost in New South Wales, dividing by three, the size of our economy, would be \$6 billion. How much of that will be met by New South Wales consumers? How much of it needs to be funded out of the New South Wales budget?

The Treasurer has the ability today to ask his department to provide answers to those questions. Of course, it is an inconvenient truth, isn't it? It is a very inconvenient truth to get those answers because they try to give the impression that the costs of net zero are non-existent and they only talk about the costs of inaction. Action is being taken and taxpayers in this State need to know the evidence. They need to be informed by the data and the modelling. It is available to Professor Batterham to do the modelling and write a very extensive report, which I hope the Treasurer can now read—he is reading it now, as I speak, which is great, but he is playing catch-up. The bigger thing is to get an accurate New South Wales figure out of his department.

Of equal Government policymaking ignorance—although not on such a grand scale—I refer to the answer from the Minister for the Environment, and Minister for Heritage, to question No. 1367, about annual visits to New South Wales national parks and State reserves. We have hundreds, yet all the Government ever does to find out who is visiting them and whether they are warranted is to commission Roy Morgan to do a report of annual visits to managed parks in New South Wales. In Canberra it used to be said that if you want a certain result, commission Roy Morgan. The result basically is to say they will only survey the visitations to popular national parks—the ones surrounding Sydney like the Blue Mountains National Park and the Royal National Park. I asked how many parks have zero visitors, between none and 10, 11 and 50—the numbers go on. The answer that came back from the Minister said, "The data in this report is not presented in a way which makes it possible to answer the question in the format requested by the member."

With every election there is a new auction to establish national parks. Anecdotally, it is said some parks have no visitors at all. Matt Kean established one at the back of Bourke. We would need to pay people to go out there and have a look. They need to do a lot better and commission a report to find out how many parks have no visitors and how many have minimal visitors to see how much money we are wasting on the annual national parks auction.

ROAD TOLLS

STATE INFRASTRUCTURE

The Hon. PETER PRIMROSE (14:39): I take note of the answer provided to question on notice No. 205 in the *Questions and Answers* paper, where an honourable member asked the Minister for Roads about his top three goals for the portfolio. I thank that honourable member for asking the question because everyone can see how vastly different the New South Wales Labor Government is compared to those opposite when they were in power. In his answer today, the Minister outlined in great detail the increased funding from the State for roads as compared to the former Liberal-Nationals Government.

The response by Minister Graham reflects the very same issues that the Labor Party took to the 2023 State election. Labor committed to, first, combating toll mania and supporting an overhaul of the toll road network to benefit the people of New South Wales and deliver a fairer deal for motorists; secondly, getting the Government's toll relief measures in place, with a \$60 toll cap; and, thirdly, focusing on local roads projects that support thriving local communities, not mega toll road projects, in line with the advice of the Government's expert infrastructure adviser. Labor's plan has been very clear and was articulated very well by my colleague Minister John Graham, which is why I am shocked at what members opposite are doing—taking pot shots because Labor is committed to implementing the very things that it took to the election, that the people voted to support and that the Treasurer funded in his recent budget. That is now happening.

In my part of the world, out in the north-west of Sydney, one of the main roads projects that we took to the local community in the Hawkesbury was the Pitt Town bypass. That community argued strongly over the whole 12 years that the Liberal Party and The Nationals were in government in New South Wales that that major project needed to be done. It was promised but no funding was ever delivered. But the Hon. Daniel Mookhey's very first budget provided that funding, and it is now being built.

TOLL REVIEW

The Hon. WES FANG (14:41): I take note of answers given today by the Minister for Roads. I note that a bit of a Dixer was asked by members opposite about the toll cap that was much promised by the Labor Party when in opposition, in the lead-up to the election. But there was an absolute lack of detail from the Minister for Roads about that promise, like there was in budget estimates. I note the Treasurer is in the Chamber, and I suspect it partly has to do with him. There is no doubt that there are a lot of questions about the \$60 toll cap. Will it be per tag, per person or per account? How will it work? Those questions were asked in estimates. The Minister for Roads is crowing about the policy, but nobody knows how it will work because there is no detail.

I suspect there is a bit of a budget black hole, as the Treasurer keeps talking about, but that the budget black hole is the promise that was made around toll relief. There will now have to be an application process, but there has been no detail. It is six weeks or thereabouts until it is supposed to be implemented, and yet the people of New South Wales are none the wiser as to how it will work. But we are wise to the cuts that the Federal Labor Government has implemented here. A number of questions were asked of the Minister for Roads in this House again today about what he and the other members of the Government have done about those cuts, and it sounds like they have done absolutely nothing to make representations to their Federal counterparts about the cuts to the budget.

Those cuts will have very real impacts on the people of New South Wales. A good, strong government would have stood up to the Federal Labor Government and said, "We've made plans. We've got contracts underway. We need this funding and we need the commitment followed through on." Instead, we have heard crickets, effectively, from members opposite as to how they will make up the shortfall in those funding promises—or even, as the Minister for Roads indicated today, the projects that are under contract and planned. It is a real indication of how this Government is still on its training wheels. If I am honest, I feel like Government members need to put helmets and pads on as well, because they are really struggling at the moment.

MOONPAR STATE FOREST

Ms SUE HIGGINSON (14:44): I take note of the answer provided by the Minister for the Environment about the logging operation in Moonpar State Forest and what appears in very clear terms to be another failure of the Forestry Corporation to undertake and commence logging operations in compliance with the Integrated Forestry Operations Approval. Forestry is required to undertake broad-scale surveys to identify specific ecological aspects of the environment. It does so when there is a clear indication of specific things to look for.

In Moonpar there are records of greater gliders, yellow-bellied gliders and powerful owls. That means that Forestry Corporation must look for their habitats before commencing a logging operation. They are clearly there. I think Forestry Corporation is not undertaking that activity in a responsible manner because it knows that if it does so and identifies a greater glider den tree, it is required to delineate a 50-metre exclusion zone from logging. It does not do that because it is rogue to the law and rogue to the environment. Its logging operations literally compete to take the very trees that are currently the line between survival and extinction for some of our rarest, most unique and most endangered wildlife.

I do not think that anyone in this place wants to contemplate the extinction of some of the animals that are so unique to this State—greater gliders and koalas—and that is what we are talking about. The Minister and the entire Minns Government need to stand up and face the music, particularly now. Forestry Corporation can no longer operate in our public forest estate and claim to be in any way sustainable. Every logging operation taking place right now on our precious public forest estate is literally extinction logging. That is where we have come to. It is a scientific and environmental fact that that is where we are right now. Our public native forest estate is worth so much more to the people of New South Wales if it is left standing, and right now it is running at a million-million-dollar loss every year. We have to stop the madness.

SOCIAL HOUSING MAINTENANCE

STATE INFRASTRUCTURE

The Hon. EMILY SUVAAL (14:47): I take note of answers provided today by the Minister for Housing about the social housing maintenance hub that has been announced with Homes NSW and the taking back of the role of maintenance in this State. It is a real blight on us here in New South Wales that things in the social housing space have got as bad as they have. It is a really welcome announcement, and I am extremely proud to be part of a Labor government making such an announcement.

That was reinforced when I attended an event last week and met a constituent who asked me to provide a very large thankyou card to the Minister because of her work. She had met the Minister at a previous event and raised a number of issues with her about the social housing complex that she and her fellow residents lived in,

including its amenity and the rubbish that was piled up on the kerb. That woman would have been in her 50s. She lived by herself, and it was so evident to me how grateful she was. She was almost moved to tears, that is how grateful she was to the Minister for the steps that she took to address the issues. It should have been very easy to do, but the issue had obviously affected that resident for a long time. That should not have happened. When I heard the announcement the other week, it made me extremely proud to be part of a Labor Government that is taking such important steps to restore our reputation as a landlord in New South Wales.

I also take note of answers provided by my colleague the Minister for Regional New South Wales. I commend the Minister for the way that she answered the question. I particularly highlight the conduct of those opposite whilst the Minister was answering. They made continued low-level interjections and levelled critiques at the Minister, which was extremely offensive to me. Such conduct does absolutely nothing to enhance the quality of debate in this place, and such statements and underhanded remarks do absolutely nothing to advance outcomes for people who live in the regions.

EMERGENCY SERVICES LEVY

The Hon. CHRIS RATH (14:51): I take note of the answer given today by the Treasurer on the emergency services levy [ESL]. If you were creating a tax system from scratch today, you certainly would not have an emergency services levy. In fact, you would not have tax on insurance at all. Almost every tax review done by both sides when they have been in power at a State or a Federal level has indicated that tax on insurance is about as inefficient as you can get. The dead weight loss involved in tax on insurance, stamp duties on insurance or an ESL is incredibly inefficient. In fact, as the Treasurer knows well, in a former life I had a small role in the removal and then reintroduction of the ESL when I was at the Insurance Australia Group.

As the Treasurer knows, when you are calculating an insurance premium, you essentially have your base premium, then you calculate the ESL, then you tack on the stamp duty, and then you have the GST—which is basically a tax on a tax on a tax. Of the premium rate that a lot of home owners are paying in New South Wales, around 40 per cent can be tax. It is grossly unfair. But where was the unequivocal support in 2016-17 when the Coalition was in power and tried to remove the ESL? It was not forthcoming from the then Labor Opposition. In fact, members can look back through the speeches given by Labor Party members at the time—including one that I just googled. It took me five seconds.

I put in "emergency services levy Labor", scrolled through the first page of Google results and came across a speech from the Hon. Jo Haylen. At the time, the Coalition Government was trying to get rid of the emergency services levy. She said:

I share my Labor colleagues' concerns that the bill is weakened by the Government's preference for the big end of town. I am concerned that it will put working families on the hook for services that have been, until now, funded by insurance companies.

The insurance companies were not funding the emergency services levy; it was all passed on to the consumers. People can see that when premiums are levied and they are given their renewal notices. It would have been good if bipartisan support had been given when we tried to implement the removal of the ESL. We will now look carefully at the detail when the Government puts it forward. In my inaugural speech I acknowledged the ESL as one of the most inefficient taxes. I think it needs to be removed. But if you get rid of the ESL and put it on rates, which is what we tried to do, is that not just a forever tax on the family home?

BOWDENS SILVER PROJECT

Ms CATE FAEHRMANN (14:54): I take note of the answer to my question about the Lue mine and Bowdens silver and lead mine, which is going to destroy a hell of a lot of native vegetation. It is going to destroy a hell of a lot of biodiversity. It was quite disappointing to hear the response of the Minister for the Environment, which was to essentially dismiss any responsibility for protecting koala habitat. That is disappointing, because I was on the inquiry into koalas with the Hon. Penny Sharpe when she was in opposition. She knows very well that a key finding from that 18-month extensive inquiry into what was needed to save koalas from literal extinction in New South Wales was to protect their habitat. That is the biggest threat to koalas.

We know what is going to happen with the Lue mine, which is a toxic lead mine. Yes, silver and zinc will be mined as well, but the majority of the toxic heavy metal to come out of that mine will be lead. It will also mean that 180 hectares of box gum woodland, which is critically endangered at both the State and Federal levels, will be cleared. That critical woodland is apparently one of the most endangered ecological communities in the entire country. The patch at Lue is incredibly significant because it is so endangered. The woodland is home to critically endangered species like the regent honeyeater and the swift parrot—and like the koala, which is also endangered. Those species do not have many other places to go, because so much of the area was burnt during the Black Summer fires.

Right now the decision rests with the Federal environment Minister, Tanya Plibersek. If, right now, the environment Minister in New South Wales cannot do anything to stop the clearing of koala habitat, then one has to wonder why the State Government likes to talk about the fact that it has a strategy to prevent koalas from becoming extinct in New South Wales. That mine is an extinction plan for koalas in the Central West, and for regent honeyeaters and for the critically endangered swift parrot. I ask the Federal environment Minister to reject the application. [*Time expired.*]

SOCIAL HOUSING MAINTENANCE

STATE INFRASTRUCTURE

The Hon. STEPHEN LAWRENCE (14:57): I first take note of answers given by the Minister for Housing in relation to the maintenance of public housing, and particularly the move to de-privatise the core facilities or to take them back in house. For many years I have been aware of a real problem with the maintenance of public housing in my home community of Dubbo. I could not tell members the number of times that I have been contacted by people about the neglect of that. It impacts some of the most marginalised and disadvantaged people in the community, who are forced to live in circumstances that no-one should have to live in, and where the Government is their landlord. It also has a broader effect because many public housing properties are in places where they can be seen by members of the community. That is certainly the case in Dubbo, where they are almost on the main street. For example, one property in Dubbo is regularly in a state of disrepair and causes a lot of concern in the community. So this is a really important step. We need to do better as a government in the maintenance of public housing. People who live there have that right—it really is that simple.

I also take note of answers given by the Minister for Roads in relation to cuts to the infrastructure pipeline. Of course, a \$32 billion blowout has been identified. It was really good to hear that our Ministers are taking a strong stand on that. They will continue to stand up for New South Wales on some of those very important projects that have been cut. But, as the Hon. John Graham said, it really cannot escape mention that some of the findings of the review are an absolute indictment on the previous Federal Government. The findings include that the previous Government failed to manage the infrastructure program. Many of the projects lacked proper planning and preparation and did not have informed business cases and costing.

The previous Government announced projects that it knew it could not fund. I am not talking about the important projects that our Ministers are going in to bat for. But the observations need to be made. At the general level, that it is an absolute indictment on the previous Federal Government. It has been described as economic vandalism. That is exactly what it is when an infrastructure program is not managed according to the public interest but according to politics.

We have seen that at a State Government level in New South Wales too. Who could forget the complete pie-in-the-sky talk about drilling the tunnel through the Blue Mountains, which the National Party announced just before the election. The Nationals were pretty confident they were going to lose government and they tried to get mileage of a political nature out of it after they lost government. They never intended to do it. They did not have a business case; they did not have the costings for it. That is the sort of thing that is being exposed by the independent review and it really should not pass mention, even though we are defending certain projects very hard, and that is good to hear.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (15:00): Question time today was a fine opportunity for both sides of politics to agree that we should be getting more from the Commonwealth when it comes to our infrastructure pipeline. I reiterate what the roads Minister said: New South Wales, in general, accommodates 37 per cent of the nation's population growth and has 32 per cent of the nation's population, but a decade of fundamentally Coalition rule at both Federal and State level has seen New South Wales receive only 23 per cent of Commonwealth investment. We expect better from the Commonwealth. We welcome the fact that the Opposition in this place are joining with us in a bipartisan manner to ensure that New South Wales gets its fair share.

In question time I was also asked questions by the Hon. Mark Latham about the *Net Zero Australia Modelling Summary Report*. I look forward to answering those questions on notice and will show him all of the respect that his questions deserve. They were good questions. I have had the opportunity to inspect the report to which he referred. In the first instance, the report states:

Irrespective of the pathway taken, our results nonetheless show that achieving net zero emissions for both Australia's domestic and export energy systems is an immense challenge and a once-in-a-generation, globally significant and nation-building opportunity.

It is a report in favour of the transition, not against the transition. Secondly, I note that the question that the Hon. Mark Latham asked me, mentioned that the report stated that it would cost \$18 trillion by 2060. I am reading

from the report now. It states it "requires us to ... attract \$7-9 trillion of capital to 2060 from international and domestic sources". The third point I make is that is what we would describe as a worst-case scenario, because it includes what we understand to be scope 3 emissions. If we exclude scope 3 emissions and do just the domestic transition, according to this report the cost is circa \$4 trillion to \$5 trillion by 2060. Do not get me wrong, that is still a lot of money.

What is fascinating about this report is that it states it is only about \$500 billion more than doing nothing. In addition to that, I need to look at that report in the context of the statistics that are coming in from the Australian Bureau of Statistics, which show that the fastest source of investment growth in New South Wales is coming from the energy transition. In fact, the investment that is coming in from the private sector on the energy transition is part of the reason why we are not in recession in New South Wales. It is a strong source of economic growth. I will look into the question that Mr Latham asked me. I will get him a full answer and I look forward to continuing this debate in question time. Finally, I welcome the comments made by the Opposition relating to the emergency services levy reform and the fact that this is an inefficient tax that is imposing tremendous injustice on lots of people. Let us work together to solve it.

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

Motion agreed to.

Deferred Answers

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. DAMIEN TUDEHOPE** (10 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

Please refer to the transcript of the Premier's budget estimates hearing.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. SARAH MITCHELL** (10 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

Please refer to the transcript of the Premier's budget estimates hearing.

BUSHFIRE READINESS

In reply to **The Hon. ROBERT BORSAK** (10 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

The National Parks and Wildlife Service [NPWS] typically delivers more than 75 per cent of all hazard reduction burning throughout the State, often in collaboration with the NSW Rural Fire Service [RFS] and other agencies.

As one of four firefighting authorities in New South Wales, NPWS also plays a critical role in responding to bushfires. A strength of NPWS' response capability is the Remote Area Firefighting and Rapid Aerial Response teams, which access remote areas to suppress otherwise inaccessible bushfires and prevent them from becoming large.

Wet conditions associated with the persistent La Nina weather pattern over the past three years has limited the implementation of hazard reduction burning by all agencies. However, NPWS has undertaken a substantial amount of hazard reduction burning - with priority given to the areas of highest risk - and will continue to do so throughout 2023-24, weather conditions permitting.

NPWS manages the largest fire trail network across the State and implements an extensive works program to ensure safe and effective access for firefighting operations.

Additional funding that was allocated to NPWS following the NSW Bushfire Inquiry has directly benefited fire management in New South Wales.

Following the 2019-20 fires and subsequent NSW Bushfire Inquiry (2020), the New South Wales Government initially allocated over \$200 million to NPWS. The funding has been used for activities that have direct benefits for fire preparedness in New South Wales, including:

- \$65.7 million to fund an additional 125 NPWS firefighter roles for three years to 30 June 2023
- \$125.9 million to accelerate the fire trail maintenance and upgrade program
- \$2.8 million for safety upgrades to the NPWS firefighting vehicle fleet
- \$5.9 million over five years to 30 June 2026, to create a team to work with the NSW Rural Fire Service to embed ecological and cultural risk in the new New South Wales bushfire risk management framework

- \$1 million over four years until 30 June 2024, to improve response to wildlife injured during fires
- \$5.7 million for the acquisition of an additional helicopter to boost the capacity of the NPWS fleet to support fire management.

In the 2022-23 budget, a further \$431 million over 10 years was allocated to NPWS as part of the New South Wales Government's continued response to the risk of bushfires and the outcomes of the 2020 NSW Bushfire Inquiry. This funding covers:

- \$382.8 million to fund 200 permanent firefighter roles within NPWS
- \$5.8 million to continue upgrading the NPWS heavy firefighting fleet
- \$42.4 million, upgrading and operating the NPWS radio infrastructure.

As an example of the role of NPWS and the utilisation of these resources:

- In 2022-23, 96 per cent of bushfires that started on a national park were contained within the park boundary
- For 2023-24 (as of 17 October 2023), 66 fires had started on park and 63 (97%) have been contained on park. Another 52 fires have started off park and then impacted NPWS-managed lands.

Also, in 2022-23, NPWS invested more than \$40 million in the maintenance and upgrade of fire trails.

While NPWS staff and assets can be deployed across multiple priorities - including fire management and feral animal control - funding that is tied to fire management is not diverted to other activities and fire management, especially the protection of life and property, is prioritised.

BUSHFIRE READINESS

In reply to **The Hon. ROBERT BORSAK** (10 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

The National Parks and Wildlife Service [NPWS] prioritises fire management including hazard reduction, response to bushfires and maintenance of fire trails.

As indicated in response to Question without Notice LC 64, significant funding has been provided to NPWS since the 2019-20 fires to strengthen its fire management capacity.

While NPWS staff and assets can be deployed across multiple priorities - including fire management and feral animal control - funding that is tied to fire management is not diverted to other activities and fire management, especially the protection of life and property, is prioritised.

NPWS also receives specific funding for feral animal control. For example, the Australian Government provided funding after the 2019-20 bushfires which was tied to feral animal control.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. SCOTT FARLOW** (10 October 2023).

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

Officers from the NSW Police Force Central Metropolitan Region were facilitating a high-visibility operation at a public assembly at Town Hall on 9 October 2023, to ensure a peaceful demonstration. A man was observed by the NSWPF, approaching the large group carrying a flag. He was removed by police to prevent a breach of the peace and for the sake of his own safety. He was later released and no further action will be taken.

Strike Force Mealing has been launched to investigate any offences that occurred during protests on that day between Town Hall and the Sydney Opera House forecourt. Actions will be taken to ensure those responsible are put before the courts. The NSW Police Force will continue to provide a safe environment for all and that appropriate policing responses are in place across the State.

RODEO SHOWS

In reply to **Ms ABIGAIL BOYD** (10 October 2023).

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

- (1) The New South Wales Government has committed to reviewing the Prevention of Cruelty Animals Act 1979 [POCTAA] and introducing a new framework that is fit for purpose and meets community expectations.

POCTAA, the Regulations and the NSW Code of Practice for animals used in rodeo events (the Code), provide for the conduct of rodeos in line with animal welfare standards.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. SUSAN CARTER** (10 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

I am advised

Drivers must obey the road rules at all times. Failing to do so puts you, your passengers, other drivers and the public at risk and can result in serious injury or death.

Under New South Wales Road Rule 268(3), a driver or passenger must not travel in a motor vehicle with any part of their body hanging outside the window or door. The only exception is when the driver is giving a hand signal for changing direction to the right or for stopping or slowing in accordance with the New South Wales Road Rules. A \$387 fine and three demerit points apply. The maximum court-imposed penalty is \$2,400.

Under New South Wales Road Rule 59(1), a driver must not enter the intersection or marked foot crossing if traffic lights are showing as red. A \$514 fine and three demerit points apply (four demerit points in school zones). The maximum court-imposed penalty is \$2,400.

Serious penalties also apply for any drivers involved in a crash due to negligent or dangerous driving.

It should be noted that the possession and use of fireworks without an appropriate licence is illegal in New South Wales.

Enforcement of the road rules and other laws is a matter for the NSW Police Force. Any unsafe and illegal behaviour should be reported to the NSW Police Force.

HOME BUILDING COMPENSATION FUND

In reply to **The Hon. DAMIEN TUDEHOPE** (11 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

The Government is implementing its commitment to overhaul building and construction to restore faith and confidence in the industry, including:

- the appointment of a Minister for Building;
- adding strata to the Property Services Commissioner's responsibilities to create the NSW Strata and Property Services Commissioner;
- establishing the NSW Building Commission; and
- introduction of the Building Legislation Amendment Bill 2023 to improve accountability and responsibility in the construction industry by expanding proactive enforcement powers for the Building Commissioner.

The Government will review the Home Building Compensation Fund as part of the Government's election commitment of a comprehensive overhaul of building and construction in New South Wales.

PUBLIC SCHOOLS PHONICS CHECK

In reply to **The Hon. SARAH MITCHELL** (11 October 2023).

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

I am advised by the Deputy Premier, Minister for Education and Early Learning and Minister for Western Sydney that:

96.5 per cent of year 1 New South Wales government school students participated in the Phonics Screening Check in 2023. This is comparable to 96.1 per cent of students in 2022.

The public report of the Year 1 Phonics Screening Check for 2023 is expected to be released prior to the end of the year.

MINISTER FOR FINANCE

In reply to **The Hon. NATALIE WARD** (11 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

I am advised that the 11 Acts related to insurance were allocated to the Minister for Finance during the time period referenced in the question. The Minister did an outstanding job and was rewarded with a promotion.

GIANT CUTTLEFISH PROTECTION

In reply to **The Hon. EMMA HURST** (11 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

This question should be referred to the Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales, the Hon. Tara Moriarty, MLC.

WALGETT POOL

In reply to **The Hon. BRONNIE TAYLOR** (11 October 2023).

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

The Walgett Memorial Swimming Pool is owned and operated by the Walgett Shire Council, and the maintenance of the infrastructure is the responsibility of the council.

The NSW Premier's Department has provided the council a one-off grant for the repairs.

The short-term remediation will ensure community members have access to safe, locally based swimming facilities.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. SARAH MITCHELL** (12 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

No.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. SARAH MITCHELL** (12 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

There is nothing further to elucidate, please refer to my answer to question No. 73.

ISRAEL-PALESTINE PROTESTS

In reply to **The Hon. NATALIE WARD** (12 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

For further information, please refer to the transcript of the Premier's budget estimates hearing.

PEST MANAGEMENT CAMPAIGNS

In reply to **The Hon. MARK BANASIAK** (12 October 2023).

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

Local Land Services had 20 Authorised Campaigns across New South Wales on the 12 of October 2023

Region	The number of Authorised Campaigns that occurred on 12 October 2023
Central West	0
Central Tablelands	0
Hunter	0
North Coast	0
Northern Tablelands	6
North West	14
Western	0
Riverina	0
Murray	0
South East	0
Greater Sydney	0
Total	20

The LLS definition of an Authorised Campaign is:

- (1) one that is conducted by or on behalf of a government agency or public authority (i.e. organised, coordinated or delivered by LLS) and;
- (2) involves the active participation of groups of five or more holdings of different ownership and;

- (a) be a Feral Animal Aerial Shooting Team [FAAST] program planned and coordinated by LLS (within the previous 12 months from receiving the request for information from the NSW Firearms Registry), or;
- (b) be an integrated control approach utilising two or more of the following control tools (within the previous 12 months from receiving the request for information from the NSW Firearms Registry):
 - trapping
 - 1080/sodium nitrate poisoning
 - ground shooting, or
 - aerial shooting.

For the purpose of defining "Authorised campaign" large pest animals is taken to include feral pigs, feral goats, feral deer (all species), wild donkeys, wild horses and feral camels. Large pest animal does not include foxes, wild dogs, feral cats or rabbits.

CONSERVATION HUNTING

In reply to **The Hon. ROBERT BORSAK** (12 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

The Government supports regulated recreational hunting and continues to seek future opportunities for licensed hunters on public land. Hunting is a safe and legitimate recreational activity that has and continues to co-exist alongside rare wildlife and many other uses of public land across New South Wales.

A recent example of the commitment to the future of safe, responsible hunting in New South Wales is the maintenance of bow hunting in several State forest flora reserves whose management transferred from Forestry Corporation of NSW to the National Parks and Wildlife Service.

FUTURE OF GAS STATEMENT

In reply to **Ms ABIGAIL BOYD** (17 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

This question should be referred to the Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources, the Hon. Courtney Houssos, MLC.

CHILD STRIP SEARCHES

In reply to **Ms CATE FAEHRMANN** (17 October 2023).

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

There are legislative safeguard requirements that police must comply with when conducting strip searches. The safeguards are about preserving the person's privacy and dignity and ensuring that the interests of young people are protected. Where possible in the circumstances, additional safeguards exist to ensure that when a young person is searched, it must occur in the presence of the young person's parent or guardian.

In response to the recommendations of the Law Enforcement Conduct Commission [LECC] report, the NSW Police Force [NSWPF] has made a number of changes to policies around searches and strip searches. There is extensive oversight of strip searches, including by the NSWPF Professional Standards Command, the LECC, the New South Wales Coroner and NSW Civil and Administrative Tribunal.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. SCOTT FARLOW** (17 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

All grants made through the LSCA program are one-off or ad hoc grants. As outlined in the New South Wales *Grants Administration Guide*, the same processes and procedures apply to one-off or ad hoc grants.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. SCOTT FARLOW** (17 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

Prior to the opening of the LSCA grant program on 1 August 2023, the Special Minister for State approved the use of a non-competitive nomination process and the *Local Small Commitments Allocation Program Guideline*.

ABORIGINAL AND TORRES STRAIT ISLANDER VOICE

In reply to **The Hon. MARK LATHAM** (18 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

The New South Wales Government has consistently stated that our commitment is to undertake consultation to determine whether Aboriginal communities in New South Wales prefer a treaty or agreement-making process, and if an agreement-making process is preferred, what that process would look like. The Government is committed to not pre-empting the outcome of a conversation about treaty.

Speculating on the content or timing of the consultation process is premature and not in keeping with the commitment for the process to be shaped by Aboriginal people and their aspirations.

HOUSING SUPPLY

In reply to **The Hon. ROD ROBERTS** (18 October 2023).

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)—The Minister provided the following response:

I am advised:

The Department of Planning is looking at a range of measures to deliver more homes. Speeding up the assessment times is a key part of this.

We have a shared responsibility right across the planning system to deliver against housing targets and there is a need for councils to improve performance in the processing of DAs.

The Department of Planning will continue to work with councils on this issue.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. NATALIE WARD** (18 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

As the decision-maker for the program, I will approach project declarations on a case-by-case basis as I have done so far and will continue to do.

TEACHER POLITICAL DISCOURSE

In reply to **The Hon. TANIA MIHAILUK** (18 October 2023).

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

I am advised,

All New South Wales schools are required to teach courses of study in accordance with the syllabuses developed by NSW Education Standards Authority [NESA] which provide opportunities to explore varied viewpoints on a range of issues, including issues with historical and contemporary political relevance.

New South Wales government schools are places for rational discourse and objective study. The Controversial Issues in Schools policy provides direction to staff regarding discussion in schools. The policy ensures that students explore a range of perspectives, and that no political group or interest is advanced over others.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. NATASHA MACLAREN-JONES** (18 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

Independent Probity Advisors were appointed in July 2023 to oversee the LSCA assessment and approval processes. A Probity Plan was finalised prior to the opening of the grant program on 1 August 2023.

A process prior to government was conducted. As the decision-maker in government, I will approach requiring project conflict of interest declarations on a case-by-case basis.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. SARAH MITCHELL** (19 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

The PBO costing notes the intent of the program to avoid pork-barrelling. It clearly states that:

The proposal is to reserve an allocation to account for, track and deliver small election commitments. Money would be allocated in accordance with election commitments of local candidates and with program guidelines.

The policy states there would be a nominal commitment of \$400,000 for each electorate in NSW, which result in a total cost of \$37.2 million (93 electorates x \$400,000).

That is precisely what we are delivering.

The guidelines I approved as Minister provide that electorates without a full \$400,000 in nominated projects will receive the balance of the allocation towards council park and playground projects.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **The Hon. NATALIE WARD** (19 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

I have not yet received any brief or recommendation on this project by the independent assessment panel.

TRAUMATIC BRAIN INJURY AND DOMESTIC VIOLENCE

In reply to **Dr AMANDA COHN** (19 October 2023).

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

I am advised by the Minister for Health, Minister for Health, Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast that:

NSW Health is committed to early identification of domestic violence and promoting awareness of the health impacts of violence.

Partner violence has been identified as the third greatest risk factor for the health of women aged between 25 to 44.

Men, women, and children presenting to NSW Health services with acute head injury receive assessment and response which are guided by the same protocols. This is in line with relevant clinical guidelines.

The NSW Health Domestic Violence Routine Screening Program is an early identification and intervention strategy to promote awareness of the health impact of domestic violence, ask questions about patients' safety in relationships and the safety of their children, and to provide information on relevant health services for victims.

Domestic violence routine screening is mandatory for all women and girls accessing maternity and child and family services, and women 16 years and over accessing mental health and alcohol and other drug services.

POLICE TASER USE

In reply to **The Hon. SUSAN CARTER** (19 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

I am advised:

The two documents were part of the brief served on the defence on 24 August 2023.

Written Answers to Supplementary Questions

POLICE TASER USE

In reply to **the Hon. ROD ROBERTS** (19 October 2023).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

I am advised:

The two documents were served on the defence on 24 August 2023.

LOCAL SMALL COMMITMENTS ALLOCATION

In reply to **the Hon. SARAH MITCHELL** (19 October 2023).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism)—The Minister provided the following response:

The PBO costed the Local Small Commitments Allocation. It is published here: 2023 ALP election policy costings (nsw.gov.au)

The costing says: "The policy states there would be a nominal commitment of \$400,000 for each electorate in NSW, which result in a total cost of \$37.2 million (93 electorates x \$400,000)"

This remains the intent of the Allocation Program.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I shall now leave the chair. The House will resume at 4.00 p.m.

Rulings

NOTICES OF MOTIONS

The PRESIDENT: Earlier today the Hon. Mark Latham read out a notice of motion in relation to Transport for NSW and the retention of a consultant on a road project. I note the ruling of President Ajaka in 2018, which stated:

Where notices of motion contain unparliamentary language and when they go beyond the bounds of good taste, notwithstanding a member's intention to illustrate a point, notices will be amended before they appear in the *Notice Paper*.

I consider that the notice of motion read out by the Hon. Mark Latham this afternoon contained unparliamentary language and, according to Standing Order 75 (9), I have ordered that it be amended by omitting the offending word in paragraph 1 (c) before it appears on the *Notice Paper*.

Business of the House

POSTPONEMENT OF BUSINESS

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

Committees

PRIVILEGES COMMITTEE

Extension of Reporting Date

The Hon. STEPHEN LAWRENCE: According to paragraph (3) of the resolution of the House establishing the Privileges Committee, I inform the House that on 24 October 2023 the President extended the reporting date for the inquiry into the recommendations of the Independent Commission Against Corruption arising out of the investigation into the activities of former MP Daryl Maguire concerning breach of public trust and dishonest or partial exercise of official functions to the first sitting day in August 2024.

Business of the House

SITTING CALENDAR

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:31): I seek leave to amend Government business notice of motion No. 1 for today of which I have given notice by deleting "supplementary hearings" and inserting instead "additional hearing" in paragraph (2). Just to be clear, additional hearings are full estimates committee hearings—rather than supplementary hearings—which will be scheduled from February next year.

Leave granted.

The Hon. PENNY SHARPE: Accordingly, I move:

- (1) That, unless otherwise ordered, the days of meeting of the House in 2024 be as follows:

Budget sittings
February 6, 7, 8
March 12, 13, 14, 19, 20, 21
May 7, 8, 9, 14, 15, 16
June 4, 5, 6, 18, 19, 20

Spring sittings

August 6, 7, 8, 13, 14, 15
 September 17, 18, 19, 24, 25, 26
 October 15, 16, 17, 22, 23, 24
 November 12, 13, 14, 19, 20, 21, (reserve days 26, 27, 28)

- (2) That, further to the resolution of the House of 12 September 2023, referring budget estimates 2023-2024 to the portfolio committees for inquiry and report, as amended 11 October 2023, unless otherwise ordered, additional hearings be scheduled from 20 February to 23 February 2024, 26 February to 1 March 2024, and 4 March to 7 March 2024.
- (3) That, unless otherwise ordered, for the purposes of the budget estimates inquiry 2024-2025:
 - (a) initial hearings be scheduled from 27 August to 30 August 2024, 3 September to 6 September 2024, and 9 September to 11 September 2024; and
 - (b) supplementary hearings be scheduled from 2 December to 6 December 2024.
- (4) That, unless otherwise ordered, or a committee resolves that a committee activity is urgent, no committee activity may be undertaken on the following dates:
 - (a) 8 January to 12 January 2024, and 15 January to 19 January 2024;
 - (b) 15 April to 19 April 2024;
 - (c) 8 July to 12 July 2024;
 - (d) 30 September to 4 October 2024; and
 - (e) 23 December to 24 December 2024.

The motion sets down the sitting days for next year. The Government had hoped to have that passed through formal business today. We are in the last two weeks of the Parliament and many people keep saying to me that they do not wish to have to sit on Fridays or into the reserve week, but having to spend a long time on these matters makes that a bit challenging. Having said that, I understand that there is a discussion about the way we sit, the patterns that we sit and the reasons that we sit. It is a complicated matrix and those opposite, who did this for 12 years, also appreciate that. The sitting pattern for next year has 16 sitting weeks and 29 days of budget estimates hearings.

I reflect on that for a moment because it incorporates two very important things. It incorporates the ability for this place to celebrate the bicentenary of the Legislative Council, which was requested. There are some significant events that will be happening, and the Government wishes to celebrate that properly. That is part of the reason for the sitting pattern. New South Wales is also lucky to be hosting a big international CPA conference, which is another part of the explanation. In addition to those events, as is longstanding practice, we do not sit during school holidays.

There have been comparisons to when we have sat in previous years. After the election in 2012 we had 21 sitting weeks, so there is a bit of a difference. But I make the point that there were six days of budget estimates hearings in that year—may we go back to those! We are no longer doing that. Next year we have 29 days of hearings and we take it very seriously. I understand that some members wish to sit in different patterns—and they are entitled to their views—but it has always been the practice that the Government sets the days we will sit. We have done some consultation, and I was not aware until this morning that there was an issue, although I have obviously seen the media commentary. This is the sitting pattern that has been set down and the Government wishes to do it that way.

Some members in the other place have suggested that perhaps we need to sit more. We have suggested that we would be open to that if we had fewer days for budget estimates hearings, but I do not think that will be taken up. This is standard practice. The sitting weeks for next year are accommodating two special events, which has made it more difficult to have more sitting weeks. We will accommodate the 29 days of budget estimates hearings. I hope that the House understands the careful way in which the Government has put together the sitting pattern. We have consulted in relation to it and we hope that members will allow us to set it down.

The Hon. MARK LATHAM (16:36): It was a member of The Greens who raised an objection to the motion being agreed to as formal business, so I do not know what contribution The Greens will make to back up the need for this debate. From my perspective—and having spoken to a number of other members—we have been surprised about the paucity of legislation coming from the new Government. After spending 12 years in opposition, we do not expect to go home early on a Tuesday night in the upper House, which we have done fairly consistently, and there seems to be so little substantial legislation that compels us to sit late on a Thursday. Those are the facts of what has gone on. I suppose the reality is that the Minns Government has hit the ground reviewing.

If the Parliament had to consider all the reviews that have been ordered, we would be sitting day and night, but we do not do that. The Leader of the Government has made the point about budget estimates hearings, and that is important, but some of us were not given the gracious opportunity to serve on portfolio committees so our

budget estimates hearings opportunities are sparse. If the Government does not have much to do, the Parliament does not sit very much and that seems to be what has happened with the sitting pattern. It is also true that the Government has the right to sit the Parliament according to its own schedule. The Leader of the Government has made some important points in that regard, but do not give us the bunkum that it is an active government with big plans for the State of New South Wales with big legislation coming forward.

Net zero is an exception to that but if, having spent 12 years in opposition, the best it can do is 50 reviews and the Parliament becomes part-time then it is not a great reflection on the mandate that the Government earned in March. I recall it was Labor Premier Bob Carr who once said—members around the Chamber should brace themselves because hearts will be beating and fluttering and perhaps a few people falling over—that State MPs could be made part-time and be paid accordingly. I'm in enough trouble; I knocked off the super schemes and everyone always attacks me over it. But Bob Carr said that the day would come when the State Parliament MPs—not the well-paid Ministers, of course, but the people behind them—would be part-time and paid as part-time. Maybe we are getting closer to the Bob Carr prophecy.

Ms ABIGAIL BOYD (16:38): The Greens were a little concerned when the motion first came up in the lower House, and similarly in the upper House we feel that when we sit is vital when it comes to the number of days and the chances we have for holding the Government of the day accountable. In the ordinary course of events, we would expect that a matter of that magnitude would be debated in the House so that parties could have their say and hear the reasons why the sitting calendar was proposed in the way it was. As I understand it, the sitting calendar was pushed through the lower House very quickly with a suspension of standing orders. The Greens think it is unacceptable that the sitting calendar was moved as formal business in this place. I am glad we are debating the matter today, but I will provide an idea of the import of the number of days we have: In 2012, in the first full year following the Coalition's win, there were 63 sitting days. There are 45 in the coming year.

I appreciate the explanations that the Minister gave in her contribution about why we have fewer sitting weeks than we might expect in this particular year. But if we have 45 sitting days next year, as opposed to 63 sitting days in 2012, while it might not seem to be a lot, we calculated that in just one year in the upper House that would mean 150 fewer questions asked of the Government in question time and around 200 fewer non-government business items than when the Coalition came to government. That is why it is so important. We are all very happy that we now have family-friendly hours, but private members' day is now pretty short and we are not getting through a whole lot of business.

I appreciate that the Government may not always have legislation to bring to Parliament in a given week, but I can assure its members that crossbench and Opposition members always have business that they would like to bring. If the Government cannot fill all of those sitting days with government business, The Greens would be very happy for it to cede its time to allow more non-government business to be dealt with. In an ideal world, we would like one or two extra sitting weeks but, having heard the explanation about the bicentenary, I do appreciate why we will not necessarily do that in 2024. However, I hope the Government does not follow the former Government in reducing the amount of time that non-government members have to hold it accountable. I hope that this is a blip and that in 2025 we will have far more sitting weeks.

The Hon. CHRIS RATH (16:41): I contribute to debate on the motion. Of course, it is the Government's prerogative to determine the sitting calendar for the year and, of course, this place and the other place runs largely off the back of government business and government legislation. But I find myself agreeing with what the Hon. Mark Latham said, which is that we have hardly been presented with a big, bold legislative agenda since the election. We have been dealing mainly with miscellaneous provisions bills and various other bills that the previous Government was working on and that the bureaucrats were working on behind the scenes. Those bills have been passed. Most bills have not gone to a vote. Most bills were unanimously supported by the Chamber, with very few amendments. We have not had late-night sittings like we saw in 2011 when the Coalition first came to power after 16 years of Labor rule.

As the Hon. Mark Latham said, one would think that, after 12 years waiting impatiently in opposition, the Government would have developed some policies, and that when it came to government it would be eager for Parliament to sit for as long as possible so that it could put through its reform agenda. In many ways the Government has stormed the Bastille, taken the gunpowder then decided to have a nap. The Government has not exactly done anything with the new-found power it has been given. A couple of months ago I wrote an op-ed with my good friend Matt Cross, the member for Davidson in the other place, after the first hundred days of the Labor Government. While I need to update the stats, here they are: In the first hundred days of the Labor Government, compared to our first hundred days in 2011, the Government has sat for 11 fewer days than we did, for 100 fewer hours, and while we introduced 27 pieces of legislation, it introduced only 13.

But it is not only a matter of the number of pieces of legislation that we put through; it is also the substance. If we look carefully at the 27 pieces of legislation that we introduced on the late-night sittings that we held in our

first hundred days, compared to this Government there is absolutely no comparison. The wages cap has obviously been debated and discussed a lot in this place over many years, but we spent three or four sitting days determining whether we should have a wages cap in this State. Yet when the time came for it to be renewed, this Government simply let it lapse. It did not hold a late-night sitting to determine the future of the wages cap; it simply did not renew the regulation. Yes, it is the Government's prerogative to determine the sitting days, and, of course, members of this place have the right to recall Parliament if we see fit. But it would be good to see a bigger, bolder agenda from the Government, and not simply the implementation of various miscellaneous provisions bills in a very lethargic way.

The Hon. NATALIE WARD (16:45): Ultimately, I agree that it is the Government's prerogative to set the sitting calendar, but I place on record my support for Ms Abigail Boyd's proposition. I readily confess that I have a new-found appreciation for the role of sitting days. It is important that the crossbench and Opposition have the chance to ask questions in question time and put things to the Government directly—particularly the crossbench, which has very limited opportunity to do so. It is important also that non-government members have the opportunity to ensure accountability and transparency, for example, through the Standing Order 52 process, which I also have a new-found appreciation for. It is nice to be on the bowling end and not on the batting end!

I philosophically believe that this is our opportunity to hold the Government to account. The people of New South Wales should be able to see that through this process the House can come together. While it is ultimately for the Government to set the sitting calendar, I believe any restriction on sitting days is a reflection on the Government. In the future, we should look to expand the number of sitting days. As the Hon. Mark Latham posited, hopefully through a reformist legislative approach, and not a review approach, we can debate the content and substance of matters that matter. Members should have the opportunity to hold an accountable and transparent government to account in this place, and not just externally. I appreciate the opportunity to debate the matter and for it to be brought before members. Members must have the opportunity to discuss the things that matter. The processes of this House must be undertaken, and those processes must not be limited.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:47): In reply: I thank members for their contributions. I have been a member of this place for a long time. There are some things that members must remember. Firstly, in 2012 there were 21 sitting weeks and six days of estimates, but at that time private members' business went for three hours a week. Time for holding the Government to account has been widely expanded. In the previous Parliament when Government members were in opposition, we were very happy to work with the crossbench to expand that, and the Government does not seek to change it. We are pleased to have dealt with it.

Secondly, the crossbench used to be much smaller. As a member of a major party, it pains me to accept that the people of New South Wales delivered quite a different upper House to the one they delivered in 2012. We must understand that part of the reason for the jostling around private members' day is that there are 12 different crossbench members, none of whom agree with one another, and none of whom can agree about the order of business, even within their own party. We must be clear about that. Thirdly, 29 days of estimates is ample opportunity to hold the Government to account. Members asked thousands of questions. The Minister for Education and Early Learning received 2,000 questions on notice during budget estimates. That is totally fine; it is part of the process.

Let us be clear: The opportunities to hold the Government to account have never been greater. I make the point also that since its election the Government has been extraordinarily busy cleaning up the mess that it inherited when it came to government: a \$7 billion black hole, \$183 billion worth of debt, a bunch of unfunded programs that were literally falling off a cliff, and a very extensive process of budget repair. I could go into the numbers, but I do not actually have them. I probably should have looked them up. But I am aware that there have been some comparisons with the number of reviews that Barry O'Farrell did when he came in—

The Hon. John Graham: One hundred.

The Hon. PENNY SHARPE: Over 100, so there we go. There were a lot more. But the point here is not that. The point is that this Government has been elected, and we have been very clear about the things that we are going to do and the things that we are doing and are working very hard on. We are working to address the critical housing shortage that has hit this State. Whether it is social housing, the rental crisis that we face or the complete stagnation of new builds that has occurred, this Government is totally focused on working through and fixing that.

Whether it is restoring the essential services that have been lost or dealing with recruitment and retainment challenges in relation to our healthcare workers and teachers—and let us not forget that in the first eight months of this Government's term, teachers in New South Wales have gone from the poorest paid in Australia to the best paid in Australia—this is an active government that is working through all of those issues as well as decreasing administration time and really turning around the mess that we were left with. We are also dealing with

patient-nurse ratios in hospitals and working with nurses and midwives in relation to that. There is a very active process of restoring essential services in this State that we are singularly focused on.

The third thing I will talk about is a clear priority that we have been talking about a lot—and if you do not think we have substantial legislation, the net zero bill is coming up pretty soon. The focus on energy transition, tackling climate change, delivering the renewable energy road map, making sure that the lights stay on and trying to keep prices down as much as we can for consumers is probably the biggest priority of my day job, but it is also a whole-of-government priority as a result of the very important review that we did with Cameron O'Reilly. The fourth thing we are prioritising—and I have already alluded to this—is dealing with budget repair and the debt and deficit that we have inherited. That includes all of the privatisations that are over budget, over time, and costing everyone more. It includes dealing with the significant debt and the budget black holes that we have been left. This is a very active government that is working very hard.

The final point I make is that this Government respects the crossbench. This Government has respected the crossbench in relation to the way in which we have constructed the architecture of the inquiries in this Chamber. I note that, on top of holding the Government to account on a range of things, there are 23 inquiries that are currently being undertaken. I would like to know when members are going to have all of their inquiries if they want to have a lot more sittings, given we like to try to not sit for at least one week of school holidays so there are some family-friendly arrangements in this place. A whole lot of things are there, and everyone is working very hard.

The Hon. Wes Fang: I'm here to work harder.

The Hon. PENNY SHARPE: Some people just interrupt all the time. The point I make is that there are reasons why the sitting calendar is as it is. We are always open to talking to people about it into the future, which we will do for next year as well, but there are reasons for it. I ask that the House support the sitting calendar which the Government has set down for the reasons that I have outlined.

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

Motion agreed to.

Bills

CLIMATE CHANGE (NET ZERO FUTURE) BILL 2023

Second Reading Speech

Debate resumed from 12 October 2023.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:53): I refer members to my second reading speech of 12 October 2023.

Second Reading Debate

The Hon. SCOTT FARLOW (16:53): I lead for the Opposition on the Climate Change (Net Zero Future) Bill 2023 on behalf of the member for Manly in the other place, Mr James Griffin, the shadow Minister for Energy and Climate Change. The previous Coalition Government has a proud record when it comes to renewable energy. It worked hard to deliver important legislative reforms and the Electricity Infrastructure Roadmap, as we all would remember. Acknowledging that four of New South Wales' five existing coal-fired power stations—representing approximately three-quarters of our electricity supply—are closing in the next 10 to 15 years, the Electricity Infrastructure Roadmap has been designed to deliver 12 gigawatts of renewable energy generation and two gigawatts of long-duration storage by 2030 to maintain energy reliability in New South Wales.

The rising cost of energy is putting even more pressure on already stressed household budgets. The Government is unable to answer straightforward questions about how much and for how long it will continue to allow Eraring to operate. It has limited the availability of energy rebates to households, and it must more effectively manage the impact of transmission line infrastructure in rural and regional communities. The road map developed by the previous Government was a comprehensive plan to transform our electricity sector in New South Wales into one that is cheap, clean and reliable. It set out a coordinated way forward to achieve the aims set out in our net zero road map.

The road map was enabled by the Electricity Infrastructure Investment Act 2020, which passed into law with cross-party support in December 2020. As the road map is delivered, it is expected to attract up to \$32 billion in private investment for regional energy infrastructure by 2030; support 6,300 construction jobs and 2,800 ongoing jobs, mostly in regional New South Wales; and reduce New South Wales electricity emissions by

90 million tonnes by 2030. Under the road map, heavy industry electricity prices in New South Wales are indicatively expected to be in the lowest 10 per cent of the Organisation for Economic Co-operation and Development by 2030. Not only did the road map acknowledge an ambition by the previous Government to seriously tackle climate change, it also placed great emphasis on the economic opportunity delivered by new energy technologies.

By delivering the plan, New South Wales is expected to attract billions of dollars of investment over the next 10 years. It is important to recognise that almost two-thirds of this investment will go to regional and rural New South Wales. Half of all New South Wales households will receive no energy bill relief for years as a result of Labor's plan to dump the former Coalition Government's \$250 rebate and only give it to some households that are already eligible for the Energy Bill Buster program. It was our commitment to provide every household in New South Wales with \$250 off their energy bill from 1 July this year simply for looking for a better deal that can help unlock further savings of up to \$400 on their electricity bills.

In addition, the plan realises that there will be unexpected developments in technologies over the coming decade, just as we have seen over the past decade with the falling cost of renewable energy. The plan sought to encourage the government of the day to take advantage of the benefits new technologies offer. It was for that reason, while the actions set out in the plan constituted the New South Wales Government's primary policy to reduce emissions, the Government could also look at emerging opportunities to reduce emissions as low-emissions technologies fall in cost or offer other benefits.

We note that guiding principles of the Climate Change (Net Zero Future) Bill 2023 seek to ensure that the Government pursues best practice in addressing climate change. It also sets out that any actions to address climate change should take into account the best available science and consider impacts on communities, economies, consumer costs, utilities and infrastructure, education and skills, jobs and health. These are, of course, welcome inclusions, given the obvious impact being felt in regional communities from the construction of transmission lines and other associated infrastructure. I foreshadow that amendments will be moved by the Opposition to take consideration of some of the impacts when we get to the Committee stage. The Coalition also notes that the impact of action to address climate change should consider consumer costs in New South Wales, including energy costs.

I now turn to part 3 of the bill and the Net Zero Commission. It is worth recognising that the previous Coalition Government formed the Net Zero Emissions and Clean Economy Board. The board advised the New South Wales Government on the implementation of the State's net zero plan. The bill seeks to create a commission. We note the independence of the commission and its oversight by a proposed joint select committee of this Parliament. We also recognise the opportunity for increased scrutiny and transparency that can be provided by the commission. In addition to the Net Zero Commission having oversight by the Parliament, clauses 19 and 20 set out requirements for reporting to Parliament and the Government's response time frames. Reports provided to the Minister by the commission include recommendations or advice and must be tabled in both Houses of Parliament within 28 days.

The previous Coalition Government delivered a considered and comprehensive pathway to achieving net zero. We note that the Government needs to move beyond talking about its ambition to actually providing cheap, clean and reliable energy to the businesses and households of New South Wales that depend on it.

Ms SUE HIGGINSON (16:58): I indicate that The Greens cannot support the Climate Change (Net Zero Future) Bill 2023 unless it is amended to reflect the urgent need to reduce emissions and do so with ambition. In lieu of having an opportunity before this debate to take note of the report by Portfolio Committee No. 7 [PC 7], which examined the bill, I briefly reflect on that inquiry, the providence and conduct of it, as well as some evidence that was received from witnesses and in submissions. The Minister for Climate Change referred the bill for inquiry on 12 October at the conclusion of her second reading speech. She had indicated to me beforehand her preference for the inquiry to occur, and I supported that referral as the chair of PC 7 because anything that seeks to drive climate action should be understood and supported by as broad a cross-section of parliamentarians, industry, scientists, economists, civil society and the community as possible.

By leave of the House, the Minister required that the committee report on the bill by 17 November. That time line allowed just eight business days for participants to prepare and make submissions—a time line that most willing participants were not able to achieve. Only 54 submissions were available by the second hearing, and many participants requested extensions that meant their evidence could not be considered in the report. That is not good process. Despite the extraordinary work by the committee secretariat, inquiry participants and members of the committee, I do not have confidence that the inquiry allowed for adequate consultation on the bill. That said, all involved managed to make the very best of a constrained process, and I believe a very valuable unanimous report has resulted from the inquiry.

The passage of climate laws and action on climate are urgent, but we should not allow ourselves to legislate poorly in this place when the consequence could be that New South Wales continues to act with a degree of complacency in the face of the climate emergency. That is particularly relevant with regard to this bill. Evidence heard during the inquiry included statements like "the bill actually won't do anything to stop this enormous pipeline of coal projects", "we need to move dramatically faster than what this Act is proposing" and "The problem is that what it does is institutionalise failure". That is the rub—the bill is not actually acceptable. The Government asked for an inquiry but is now choosing to ignore and disrespect the advice and experience of economists, scientists, lawyers, engineers, unions and many others who have clearly stated that this is not the legislation that New South Wales or the planet needs.

Before I discuss the details of the bill, I highlight the climate analysis that was released by the United Nations just this week. The Secretary-General stated, "Present trends are racing our planet down a dead-end three-degree temperature rise." At three degrees of warming, scientists predict the world could pass several catastrophic points of no return, from the runaway melting of ice sheets to the Amazon rainforest drying out. That is where we are; it should not be written off as extreme language. We should not sit here immune. It is scientific fact, and New South Wales is not doing its fair share. The bill in its current form will not make a meaningful difference to our ability to be a part of the solution.

The purpose of the bill is to hold increases in global average temperature to well below two degrees Celsius above pre-industrial temperatures, and ideally below 1.5 degrees Celsius. The latter is yesterday's ambition and is unfortunately out of reach. We heard that evidence during the inquiry, and that has now been echoed in the *Emissions Gap Report 2023* from the UN. Even in the most optimistic emissions scenario, the chance of now limiting warming to 1.5 degrees Celsius is just 14 per cent, adding to a growing body of scientific evidence suggesting the goal is dead. Global greenhouse gas emissions rose by 1.2 per cent from 2021 to 2022, reaching a record 57.4 gigatonnes of carbon dioxide equivalent. It is unequivocal that our emissions are moving in the wrong direction, and the deafening silence in the bill about our continued reliance on exporting coal to the world is a fundamental failure.

The objects of the bill, similarly to the purpose, set a strong standard for what is necessary in order to take real climate action. The guiding principles are relatively sound, and the legislated targets are important. Resilience to climate impacts is vital, and an independent body to gauge our progress is fundamental. But when we examine the details of those objects, it becomes clear that the bill is actually just words on paper, with few meaningful changes. The lack of any obligation for government to actually achieve the legislated targets or to act consistently with the guiding principles or with the advice and recommendations of the commission means that none of the important mechanisms will be converted into action. No-one is responsible for reaching yesterday's emissions reduction target of 50 per cent by 2030. No-one other than the Net Zero Commission will be in any way bound to the guiding principles for climate action, and the advice and recommendations of the commission do not require any climate action by government or other agencies.

Laws are not just words on paper; they must have meaning, effect and work to do. Good laws that seek to do a thing must have enforceable action on the world to address the issue—in this case the climate emergency. These laws do not have a tangible effect; they simply do not do the thing. The commitment from the Government that the targets are binding because they exist in legislation is just fallacy. We already have unenforceable targets in New South Wales; they were set by the Coalition and are exactly the same as those proposed in the bill, except possibly stronger. In its rush to keep an election promise, the Government has failed to act on climate in a way that is an improvement over the former Government. Instead of the Government doing the necessary work and recognising the mood in the electorate for stronger climate action, it has put forward this disappointing bill that cannot achieve the purpose that it sets and has no binding power over anyone—least of all the Government.

To contextualise our position, I refer to the submission to the inquiry from the Climate Risk Group, an international finance and risk assessment body. It captures the issue in terrifying clarity:

... thanks to increasing risks from river flooding, flash floods, coastal inundation and bushfires - NSW is one of the most vulnerable states in the world, ranking 75th in the global comparison of states most at risk by 2050, and placing it in the top 5% of highest risk states globally.

We are incredibly vulnerable here. We, our children, the natural environment and the stability of the entire earth depend on decisions that we make as parliamentarians. With that in mind, The Greens have very specific concerns with the legislation, and we are seeking to address those through amendments. But in broad terms, I place on record that the legislated targets of 50 per cent emissions reduction by 2030 and net zero by 2050 are entirely inadequate. The science is clear that we must be reaching as close as possible to zero emissions as quickly as possible—not net zero 27 years from now but as close as possible to zero emissions as soon as possible.

At the very bare minimum, a strong target such as 75 per cent emissions reduction by 2030 is vital to provide investment confidence and to inspire genuine innovation and a departure from what New South Wales is already on track to achieve. Ian Dunlop, the former chair of the Australian Coal Association, said:

Net zero by 2050 is, essentially, kicking the can down the road. We know that. It was a political subterfuge to push off the challenge to the future and let future generations deal with it. We've done it time and time again over my experience, over the last 50 years in trying to address climate change. The problem is that what it does is institutionalise failure.

I recognised the failure to include any kind of requirement for the Government to achieve its targets earlier, but that issue is so significant that it must be explored further. The assertions by the Government that the targets are binding because they exist in legislation just cannot be taken at face value. The Victorian Climate Change Act 2017 places a specific responsibility on the Minister and the Premier for achieving the legislated targets for the exact reason that that creates a duty on the Government to act.

Without any duty on the Government, the bill before us cannot be construed as placing binding targets on any government. We must be honest about that. If the Government is not willing to accept amendments that will resolve that, it has to be considered deliberately disingenuous action to avoid responsibility. Concerningly, it indicates that the Government is not willing to do what is necessary to achieve the unambitious targets that it has set. Likewise, the bill fails to create a duty or responsibility for the advice of the Net Zero Commission to be acted upon. Even the guiding principles in the bill are entirely ornamental because they have no functional impact on anything. The reporting requirement for the Government in response to recommendations from the proposed Net Zero Commission simply provides a pathway for the Government to ignore the advice and continue to support coal exploitation in New South Wales.

The commission does not have any power to examine any of the 14 proposed coalmine expansions or extensions that are currently in the planning pipeline, nor does it have the power to proactively offer advice on specific projects that will make its objective to reduce emissions frankly impossible. In correspondence, the Minister for Planning and Public Spaces has made it very clear that former member John Barilaro's strategic statement on coal will continue into the future to provide certainty to regional communities. That is not the path to net zero. That position is frankly ridiculous and, in fact, decreases the security and the wellbeing of regional communities, including communities that are currently being exploited by the coal industry.

Regional communities are disproportionately impacted by climate-fuelled disasters like fires and floods. The air quality, soil and water contamination and increasingly insecure work for fossil fuel projects all hit regional communities before they impact metropolitan communities. The real confidence that must be provided to regional communities, especially those that have high reliance on employment through mining, is of a government that is willing to plan for a future without coal. I am concerned that we do not seem to have that government right here, right now—or if it is here, it is hiding. The former Chief Scientist of Australia went as far as to call for:

... the bill [to] be amended to place a moratorium on new coalmines, coalmine extensions and the exploration or exploitation of new gas fields in New South Wales ...

That was her call. In keeping with our confidence in the science of climate and the scientists that have committed their lives to discovering the facts, The Greens support that call and will be seeking amendments to directly reduce the hegemony that the coal and gas industry wields in this place.

The independence of the Net Zero Commission from fossil fuel interests is of absolute importance, and doubly so if the Government does not accept any amendment to give review functions to the commission. It is about integrity. The Federal Climate Change Authority is an example of how a supposedly independent agency can be captured and subverted by vested interests, and the Government should take seriously the risk of that occurring with the Net Zero Commission as well. For example, the current chair of the Federal authority represents business interests, including fossil fuel exports, and is also the chair of GreenCollar, which is one of the largest carbon offset developers in Australia. Other members of the Federal authority have interests that include fossil fuel industries, carbon offsetting and carbon credits. It should come as no surprise that the Federal authority's advice and research in recent times has focused on generating offsets instead of genuine emissions reductions.

That is a pathway to disaster, pure and simple. Firstly, we cannot rely on offsets to reduce the impacts of climate change. Accounting tricks will not reduce the impacts that climate change is having. Secondly, the reliance on carbon credits and offsets is creating a market for ongoing emissions separate from the direct emissions associated with the extraction and burning of fossil fuels. That is not a scheme of climate action. It is a fantasy to think that people who directly stand to benefit from ongoing emissions can genuinely contribute to reaching as close to zero emissions as possible. The commission has the capacity to constitute advisory panels that could conceivably include fossil fuel interests and offset industry interests, but in the bill as written there is nothing to stop the Minister from following the path of the Federal authority and appointing vested interests.

The Greens will seek to make the commission independent from the influence of disaster profiteers because that is what is needed to get the advice and recommendations that will actually take and drive meaningful climate action. The influence of people that benefit from ongoing emissions is absolutely a social and economic issue, even beyond the catastrophic impact they are having on the climate and the environment. Tim Buckley from the Climate Energy Finance corporation has helpfully provided evidence that in the last two years we have seen:

... hyperinflation from fossil fuel prices that has instigated a cost-of-living crisis, an energy crisis, a climate crisis. All of them are related and we need to actually move on all of them at speed. It's the poorest people in our nation that bear the majority of that cost and they are the most disproportionately affected.

The bill does not even recognise the need for the targets to be the minimum and, as tabled, actually forbids emissions reduction targets from being any more ambitious than what is contained in the Act. I appreciate that that will most likely be resolved through amendments, but it is a clear indication that the drafting of the bill has not been conducted with care, and it does not seek to go any further than the targets that already exist in this State.

If we are to be honest about the targets, the bill takes us backwards because the proposed legislated targets fail to pick up the existing 70 per cent emissions reduction target that exists in regulation. That target explicitly exists because the advice was that 70 per cent by 2035 was what New South Wales was already set to achieve—and that was two years ago in 2021. Despite the great new investment from this Government into renewables, transmission infrastructure and other measures, we are not even being offered a legislated interim target at this point. I note that the Premier, when questioned, was apparently unaware that New South Wales already had targets for a 50 per cent emissions reduction by 2030 and net zero by 2050, and that those targets include a 70 per cent emissions reduction by 2035—a target that will be rendered functionally useless by the passing of this bill.

To be clear, the interim 2035 target is only given function by the Net Zero Emissions and Clean Economy Board—a board that can be expressly dissolved by the Minister upon the passing of this bill. It is conceivable that if the Government accepts amendments to resolve the prohibition on regulations making interim targets, then there could be a future regulation that will re-empower the 2035 target, but that is simply not clear in the bill that we are considering here and now. Ultimately, the bill is not something that The Greens can support in its current form. As I said, there are some really important aspects to the bill, but those aspects are completely overshadowed by the complete lack of ambition and lack of functionality.

The Greens will move amendments. As we have made clear to the Government, without movement on some of these issues, it is hard to support this legislation. The ultimate risk is that the New South Wales community would be lured into thinking that this bill will result in meaningful change and change more than what we are currently on track for through regulation. Some of the evidence received at the inquiry into the bill was quite shocking and terrifying. Some of it put fantastic ideas on the table about what we can do. One of the submissions read:

Our data analysis shows that NSW has some of the most to gain from rapid realisation of Net Zero, and some of the most to lose from any delays: the faster Net Zero is reached, the greater the reduction of damage to NSW property from climate change-related extreme weather events. For this reason, we suggest NSW should be at the leading edge - not the middle of the pack - when it comes to cutting emissions.

We need climate laws that are more than ornamental and performative. They must drive ambition. We need laws that do the work and that do the heavy lifting to actually achieve emissions reduction. We need this Government to pick up where the last Government left us and take us further and faster to net zero. What came through from the inquiry in no uncertain terms—and which we have heard so many times now—is that we need to front-load our ambition. Getting to net zero sooner has to be the aim. Setting the goal off to 2050 is yesterday's ambition. It is too late. It is too far away. New South Wales is a developed State. We have a good economy. We have the maturity to take on the task. We know we can do this. We are a privileged State, and right now we are not doing the heavy lifting that we know we can do.

We also know that we are currently exporting the climate crisis through the largest coal port in the world in Newcastle. The bill does not look at that level of responsibility that we should be taking as an advanced State. We can and we must do much better on climate and climate ambition. We already know that just the insured losses from the climate crisis here in New South Wales, since the 2019 fires and the 2022 floods, are over \$16 billion. That is not the cost of all the losses. The one thing we need to do is drive this State to net zero as early as we can. Front-loading emissions reduction is exactly the messaging and the signal that we need to drive investment into this State. We know this. We have heard it. We heard evidence in the inquiry. If we are at the front of the pack, are clear with our ambition, and have targets that are stipulated and binding, that will drive the investment that we need to achieve net zero.

We heard in the inquiry that we are actually on track for a 56 per cent reduction by 2030. It is almost an absurdity that today, with that knowledge, we would legislate a target that is lower than what we are currently on track to achieve. That is counterintuitive, anti-intellectual and disingenuous, and it is looking down the barrel of

institutionalising failure. We know that legislated climate targets drive ambition and success, so to undertake that task contrary to and inconsistently with all the guiding principles for good climate law with ambitious binding targets, and to set targets that are lower than what we are already on track to achieve, is actually a legal absurdity. We also know from the inquiry that we can and should have more ambitious targets.

We know that legislation in like jurisdictions with binding legislated targets has a relationship with other laws that drive emissions intensity and emissions reduction. This bill has no interaction or relationship to our current planning laws; we are just busily sitting down and approving coal and gas like there is no tomorrow. Without that relationship and interaction, we cannot call this bill a climate response through law. It just lacks the operation and the features, and we can see that. Neighbouring States have put their climate law on the table. They are progressing their binding targets and, since adopting that legislation, are driving down emissions and doing the work.

No party in this place has more desire for climate action, through law, than my party. The Greens stand on a platform because we want climate action. We stand with those kids who strike for climate; they did so last week in the streets. We stand with all of those people on the front lines right now who are giving their entire lives calling for their governments to take real action on climate change. We are standing with the communities around New South Wales right now who are still recovering from the climate-induced catastrophic events that wiped their towns off the map, in the way that they were, forevermore. We are standing with all of those scientists, economists and energy experts who have changed the entire focus of their expertise to call on their Government to take the action, put the laws on the table and drive emissions reduction.

This should be a law that we are all excited about, but the law on the table needs significant amendment. The Greens, in absolute good faith, will continue working to get those amendments over the coming days because the reality is we can do better in this place, and we absolutely must do better. It is not an option for us to fail in this place this week when it comes to climate action. That is just not an option for anyone. I urge the Government, I urge the Opposition and I urge the rest of the crossbench to please take on board and recognise that we genuinely have this moment and the potential and that we will, through this bill, define the future course of the State and be a genuine participant in the global community for the greatest ambition and challenge of our time, which is to race to net zero and reduce our emissions.

The Hon. SARAH MITCHELL (17:25): For the benefit of other members wanting to speak, I make a brief contribution to debate on the Climate Change (Net Zero Future) Bill 2023. On behalf of the National Party and as leader of The Nationals in this Chamber, I largely want to associate myself with the remarks made by the Hon. Scott Farlow, who spoke on behalf of the Opposition more generally. I put on record, very clearly, that National Party policy is to achieve net zero by 2050. That has been confirmed at our State and Federal conferences. Our Federal leader, David Littleproud, has been vocal about that because we recognise the impacts of climate change. We also recognise that the net zero targets in this bill, as the Hon. Scott Farlow said, were in fact the policy of the previous Government, so the bill is consistent with our position.

Clearly, it is important to us as Nationals that renewable energy projects are part of the mix and part of the policy settings to reach net zero. But we have concerns about the rollout of some renewable energy projects, like the issues of transmission lines, which have been well ventilated in one inquiry and will be in another one to come, which I know the Hon. Wes Fang is serving on. We also have concerns about the broader impacts of rolling out renewable energy projects in regional communities—on our residents, on agricultural productivity and on that sector more broadly. In her second reading speech, the Minister indicated, in relation to renewable energy:

Our solar and wind conditions to deliver renewable energy are some of the best in the world. If we get this right, Australia can be a renewable energy superpower.

But, of course, if the vision of the Labor Government is to be a renewable energy superpower, members of this House must be realistic about where those projects are going to be located. Wind farms and solar farms are not in Sydney; they are in regional New South Wales. They are starting to be rolled out in the bush, and we are starting to see and feel the impacts of some of those projects. We have to work collectively to make sure the impacts are as minimal as possible. A number of my lower House colleagues have extensive experience of this. As local members they are seeing the impacts of certain projects in their electorates. I am sure that if or when this bill reaches the other place they will highlight that real lived experience.

As I said, we recognise the impact on agricultural land and production of that lived experience of our communities. In debating this bill, it is important that we raise the agricultural issues and other concerns that are coming to us from rural and regional communities and that we amend the bill to ensure that those issues are front and centre, not only in this particular piece of legislation but also for the Net Zero Commission should the bill be passed by the Parliament. The Opposition will move amendments in the Committee stage which will reflect our position on these issues, particularly making sure that the needs of regional and rural communities and the voices

of the agriculture sector are not forgotten in the debate, in the bill or in the eventual make-up of the Net Zero Commission, should the legislation pass. We will have more to say in the Committee stage about those amendments that The Nationals will be supporting.

The Hon. MARK LATHAM (17:29): This is one of the most bizarre bills ever presented to the New South Wales Parliament, defying every rule of good governance in terms of transparency, research, rigour and value for public money. The Climate Change (Net Zero Future) Bill 2023 seeks to establish a Net Zero Commission and legislate the State's carbon emission reduction targets of net zero by 2050 and a 50 per cent reduction by 2030, compared with 2005 levels. It is the biggest attempt to transform the New South Wales economy in our lifetime, yet no-one in the Government can say what it is likely to achieve, what it will cost and how much land space it will require. That is the bottom line of the bill. No-one in the Government can say what it can achieve, what it will cost or how much land it will require into the future, nor are there any consequences if the targets are not met.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! It being 5.30 p.m., business is interrupted for committee reports.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. BOB NANVA: On behalf of the Hon. Aileen MacDonald: I postpone committee reports and Government responses order of the day No. 1 until the next sitting day.

The Hon. BOB NANVA: On behalf of Ms Sue Higginson: I postpone committee reports and Government responses order of the day No. 2 until the next sitting day.

Bills

CLIMATE CHANGE (NET ZERO FUTURE) BILL 2023

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. MARK LATHAM (17:30): It is an orphan bill devoid of the normal, commonsense legislative framework of performance measurement, benefit-cost analysis and accountability. It is the ultimate stab in the dark—the feel-good politics of joining the secular religion of climate change action and merely hoping for the best. It is part of the God complex in this place, where provincial politicians like Matt Kean and Chris Minns think they can save the planet. I asked the Treasurer how much he is spending on climate change programs in his budget and what impact the outlays will have in reducing what he calls "global heating". The problem is so serious, he could not answer and said that I should ask the Minister for Climate Change, the Leader of the Government. So he is a Treasurer who does not know how much he is spending or what it might achieve. We saw that deficiency again earlier today in question time. The Treasurer should worry less about global heating and more about the accuracy of his global budgeting.

When I asked the Minister for Climate Change, she could not answer either. She said that there is a relationship between CO₂ emissions and global surface temperatures and that the New South Wales Government's policies and targets align with the objectives of the United Nations Framework Convention on Climate Change and the International Panel on Climate Change. In effect, it was a non-answer. It is another case of performance-based budgeting being out the window and feelings overriding facts.

The facts are that New South Wales, with just 0.4 per cent of global emissions, cannot influence global temperatures and climate. The action and impact are with the big emitters—China, India, the United States and the European Union. In his 2021 essay in *Quarterly Essay*, the immediate past Australian Chief Scientist, Alan Finkel, confirmed that point. He said, "you can eliminate all the Australian carbon emissions—1.3 per cent of the global total—and it has no tangible impact on global surface temperatures". As we are constantly told, follow the science. Alan Finkel said that we can eliminate all Australian carbon emissions and it has no tangible impact on global surface temperatures. Do not engage in the politics of futility, throwing away other people's hard-earned money without any expectation of a tangible result.

The former Minister, Matt Kean, also refused to say what impact his climate change policies would have on the world's climate. My office asked the Parliamentary Library to do an analysis. Using data from the Royal Society in London, the world's oldest independent science academy, it said that the impact of Green Keanism was a reduction in global surface temperatures of 0.0005 degrees—wait for it—over a century. So it is essentially nothing. Finkel and the Royal Society cannot be ignored. That is why the Treasurer and Minister for Climate Change refuse to answer my questions. They know that their net zero ambitions are an embarrassment, with

unquantified, open-ended spending soaking up huge amounts of land use in New South Wales for renewables and transmission corridors, producing no tangible outcome. How can New South Wales, with just 0.4 per cent of global emissions, possibly save the planet? The proposition merely needs to be stated to be dismissed as nonsense. That is the inconvenient truth about net zero in New South Wales: It has net zero impact on climate and global temperatures. So why is it being legislated?

The alarming predictions of 20 years ago about global warming have stampeded policymakers into unscientific, unnecessary responses that do not match the more recent evidence about climate change. We now know that Western Sydney is not melting away. We are still there, in good nick. The past three summers in our region have been mild and wet. As soon as The Greens predicted an annual catastrophe in New South Wales of bushfire infernos, our summer weather went the other way and for a while it never stopped raining. We now know that sea levels are not rising, that Malcolm Turnbull is not evacuating his mansion at Potts Point, that Barack Obama can safely build his massive compound on the shoreline of Hawaii and that Tim Flannery's Hawkesbury River home will not be flooded. In recent years our rivers and dams have filled themselves with heavy rain again and again. According to the RMIT ABC Fact Checkers, the island of Tuvalu has increased its land area by 73 hectares or 2.9 per cent. There are no climate refugees because none of the Pacific Islands are sinking. Most coastlines around the world are prograding—that is, shifting seaward—rather than retrograding.

The Hon. Penny Sharpe: Talk to people in Tuvalu.

The Hon. MARK LATHAM: I know these facts scare you, but the RMIT ABC Fact Checkers say that the area of Tuvalu has increased. Facts are so scary to the advocates because they never check them. Compared with 100 years ago, 98 per cent fewer people are dying from climate-related events across the planet. In the 1920s, 500,000 died per annum, with that number, thankfully, down to 10,000 per annum in 2020. The Greens' trick is to pretend that every weather event—whether it is heavy rain, days of hot weather or bad storms—is climate. When there was a more rational debate, at the time of the Garnaut report for the Rudd Government, Ross Garnaut made a very important point: We cannot take a single weather-related disaster and say that it is climate. We cannot take a single event and say that climate is a long-term pattern over 100 years.

The Hon. Stephen Lawrence: That is what you are doing.

The Hon. MARK LATHAM: I am not. I am quoting the facts. It is Garnaut. The Hon. Stephen Lawrence is part of the catastrophe thinking. Everything in his life needs to be a disaster, and he projects that onto climate change instead of reading the Garnaut report, commissioned by the Rudd Labor Government, and understanding the common sense of what he had to say. Importantly, for every one person who dies from heat, nine die from the cold. The number of wildfires has decreased because of better preventive measures and technology around the planet. There is no extinction crisis. Species protection has never been stronger, except in the Snowy Mountains where this Government is wiping out the brumby herd with guns from helicopters. Thankfully, the polar bears—remember the polar bears—once the poster boys of the climate change cause, are faring better. They have increased in number, so we do not hear much about them anymore. In its natural cycle, the Great Barrier Reef has come back to life after a bleaching phase.

In terms of feeding the poor, the world has never produced so much food, with the United Nations global production forecast at an all-time high. Deaths from hunger have decreased by 80 per cent since 1990. Abundant energy has made the world wealthier and more materially comfortable. Life expectancy at 30 years in 1820 has now lifted above 70. In the past 200 years, the proportion of the world's population living in abject poverty has fallen from 90 per cent to below 10 per cent, largely due to fossil fuel energy. At the same time, the crippling problem of indoor air pollution—essentially burning wood and other materials for home heating—has been solved in advanced nations. Those are major advances out of line with the catastrophism of The Greens and the Labor Party. Scaring people, and having school students unable to sleep at night thinking the world is ending, may come easy to those MPs and activists, but know this: It is not backed up by facts, evidence or science. It is a cheap political tactic and a gross double standard from those who otherwise parrot the line "follow the science, follow the science". If we followed the science, we would have a calm, rational, logical approach to climate, not political hysteria and the false claim that the world is ending.

As Bjorn Lomborg points out, the climate change cure has become worse than the disease. It is ignoring the scientific evidence and putting forward extremist policies like net zero, instead of factoring in and promoting the benefits of human adaptation and technological improvement. Make no mistake, the real climate emergency is in the failed policies and blind faith of The Greens and their Labor fellow travellers. Let me turn to another scientific report—a scary, scary notion for those who do not read—the recent Australian case study produced by another former Chief Scientist, Professor Robin Batterham, in collaboration with modelling from the universities of Melbourne, Queensland and Princeton, entitled *Understanding the Cost of Net Zero and the Energy Transition: The Australian Case Study*.

The 84-page Batterham report, released in April this year—unfortunately the Treasurer said he had not had time to read it, or he made a start during question time—exposes the folly of net zero policymaking in Australia. No government, least of all in New South Wales, can say how much its policies will cost, how much land they will require, how the inevitable land use conflicts will be resolved or what their net zero policies will achieve in terms of global temperatures and climate. This is the worst of political arrogance—spending other people's money in huge amounts without a research or evidence base to support it. It is a replay of the dreadful COVID period when the evidence very clearly changed, yet government refused to change its draconian policies, hurting more people than it was helping.

Surely, governments and the public should fully understand the costs and trade-offs of going to net zero before committing to it. This has not happened. No-one in the Government can talk about those trade-offs in any accurate way; in fact, it was totally ignored. It is bad legislative practice to ignore the evidence, ignore the trade-offs, ignore the cost, ignore the outcomes and just proceed willy-nilly. Spending everyone else's money is easy to do in this place. It is not coming out of the pockets of the people sitting around in this House. It comes out of the pockets of people who work hard in the real economy.

The United Nations has estimated that in the year 2100 the average person on the planet will be 450 per cent richer than today, sans climate change impacts. When climate change is factored in, this figure falls to 434 per cent; that is, the impact of climate change is just 16 per cent on accelerating income levels in the twenty-first century—at that level, hardly an emergency warranting panicked policy changes. To the year 2050, net zero globally is estimated to bring benefits of \$4.2 trillion per annum, but at a cost of \$25.5 trillion per annum, a net loss of over \$20 trillion.

These are the figures of German experts cited by Bjorn Lomborg. This is not saving the planet; it is costing the planet, especially in developing Third World nations that, justly enough, prioritise jobs, economic development and cheaper accessible energy. They want for their people what the western world has achieved for its people—no more, no less. They want the benefits of the industrial and information revolutions. Abundant affordable energy has been the key to this progress, yet the way governments are implementing net zero policies is a handbrake on this trend.

Over the past 200 years, the price of energy, in every country, in every sector, has fallen massively—that is, until recent years, coinciding with the rise of renewables, which has driven higher energy prices and the current cost-of-living crisis. Consumers have been hit with the cost of building new energy and transmission grids. Because wind and solar power are intermittent, the backup or firming costs are astronomical. Just look at the failed Snowy 2.0 and its full cost. There is an element of delusion in the Minns Government about these facts. In the *Statement of Public Interest* accompanying this bill, the question was asked:

What were the pros/cons and benefits/costs of each option considered?

The Minister answered:

The Bill does not impose any appreciable cost or burden on the public or any group of the public. As such, no alternative policies and mechanisms have been considered or analysed.

No costs? That is just fantasy. It is like magic dust being sprinkled across the Parliament. No cost out of this bill? Try telling that to the Hunter Valley, with its 75,000 coal-reliant jobs. Try telling that to the Muswellbrook and Singleton local government authorities [LGAs], where three out of every five homes are coal-income reliant. Tragically, under net zero, the only new things they will be building in the Hunter are new Centrelink offices.

Has anyone in the Government read the Batterham report? The notion of no "appreciable cost or burden on the public" from net zero is a fantasy—a fantasy grounded in ignorance and absurdity. Batterham reports, using high-level modelling, that to be sure of reaching its net zero target over the next 40 years, Australia will need to spend \$18 trillion, split equally between demand- and supply-side transformations of the economy. That is 12 times our current national GDP. In New South Wales it is \$6 trillion, or 60 times the size of our State budget. The costs are obvious. The evidence is clear. It is a nonsense to pretend there are no appreciable costs.

At page 50 of Batterham, the authors conclude, "The cost of Net Zero is substantial, and considerably higher than if existing energy policies remain in place ... The conclusion is clear: getting to Net Zero costs more than not getting to Net Zero." Consumers will pay and the cost-of-living crisis will worsen under this poorly conceived and thought-through legislation. There are massive equity consequences in this policy choice, ignored so far by Labor and The Greens. So far in Australia, energy policy has focused almost exclusively and almost entirely on supply, with little attention given to consumption. But as Batterham points out, "This mismatch is problematic because if renewable energy cannot reach all consumers, some will end up colder and poorer. The less well-off are often in rental properties and cannot afford insulation or new systems for heating and cooling, let alone the price rises seen in recent years."

Incredibly, in this bill the Australian Labor Party [ALP] has not given the Net Zero Commission a mandate to address these inequities, a social justice charter to care for the poor. I have an amendment to rectify this oversight. Just this week, Oxfam reported that 1 per cent of humanity is responsible for more carbon emissions than the poorest 66 per cent, highlighting the scale of the social justice disparity around climate policies. Why should the poor have to pay more in rising energy prices when they are such a small proportion of the issue? There are other important points from the Batterham modelling that the Government should have attended to by now. At page 22 it states, "A Net Zero transition will require vast amounts of land on which to build new renewable energy infrastructure ... Crucially, there is no existing framework in Australia for reconciling or negotiating the need for energy infrastructure construction and competing land regulation, such as Indigenous or ecosystem protection."

By looking at the maps in the report, once we take away residential, industrial, agricultural, conservation, natural ecosystem, inaccessible and Indigenous land, well less than half of New South Wales is available for the vast landscape demands of solar and wind and their transmission corridors. The proportion reduces again as the companies involved seek out locations with maximum sun and wind. The Minns Government seemingly has no estimate of how much land will be needed. It is clueless—again, merely hoping for the best. Already land use conflicts have broken out across the State and this is just the beginning of the net zero process.

Look at what it has done to the hapless National Party in this place. Down the line, in scores of votes when in government, The Nationals members supported Matt Kean's reckless renewables plan, his so-called road map. It was always going to destroy prime agricultural land, yet they voted for it time after time. Well into the new day, they rolled out and voted for Matt Kean. Now that the farmers are protesting, The Nationals have engaged in the fantasy of undergrounding the transmission wires, at four times the cost, plus the engineering nightmare of fitting straight fixed cables into undulating surfaces. I am afraid the straight line does not go into the Wes Fang round hole.

In my amendments to the bill, I propose that the new Net Zero Commission address these land use consequences with advice and reports to government, much needed and now much overdue. I have similar amendments with regard to the cost of net zero and accountability to taxpayers in terms of performance-based budgeting. Overall, the bill should be opposed as the Government has not done the background work and research needed to make it viable. We should not be legislating for acts of fantasy, blind hope and Green ideological dogma.

Finally, the Batterham modelling stresses a point ignored by the major parties in this place: Do not turn off the old energy system before new reliable sources of energy are in place. This commonsense approach has been lost in the mad rush to renewables. Creating a gap in energy supply drives up prices, further hurts the poor and, ultimately, if blackouts occur, discredits the climate change cause itself. So far the management of this challenge in New South Wales has been substandard. As Professor Batterham puts it, "Quite simply, do not turn off before you turn on."

Some members in the House, quite incomprehensibly, do not warm to my views—sometimes for no other reason than that they come from me. That is not good policymaking, as we saw in the legislating of the previous Government's Electricity Infrastructure Roadmap. In a long, exhausting debate, the Hon. Rod Roberts and I said two things were bound to happen: First, the existing coal-fired power stations would be forced into early closure, resulting in the threat of blackouts in New South Wales. Now the Minns Government is scrambling to keep open Eraring, although it cannot tell us quite how.

Second, we said that the backup power would not be available in time to fill the gaps, when the sun is not shining and the wind is not blowing. This again was an accurate prediction, as we see when we survey the disaster of Snowy 2.0 and the paucity of the investment in firming capacity, especially pumped hydro. I say to the Chamber: You did not listen to us then, and look at what happened. Do not make the same mistake a second time, at huge cost to the people of New South Wales.

The Hon. EMMA HURST (17:49): On behalf of the Animal Justice Party, I speak on the Climate Change (Net Zero Future) Bill 2023. The strong consensus, within the community and within this Parliament, is that we must take urgent action to address the climate crisis. The science is clear: The world is fast approaching a tipping point in respect to climate change that will have irreversible climate impacts if we do not take dramatic action now. The climate crisis is a threat to all of us. It jeopardises the very existence of all species. However, the brunt of the climate emergency will be borne disproportionately by disadvantaged and vulnerable populations, including children, First Nations, people living in less economically robust countries, younger generations and, of course, animals, who are the often-overlooked victims of the climate crisis.

Animals have been overlooked in the bill, which does not once mention the impact of the climate crisis on them, leaving us with a bill that recognises the impact of climate change on the economy but not on living, sentient animals. I will have more to say about this at the Committee stage, when the Animal Justice Party will put forward

amendments. The 2019 bushfires showed us firsthand how devastating the impacts of climate change can be for both humans and animals, right in our backyard. Three billion animals—including mammals, reptiles, birds and frogs—were killed or displaced in the fires. This does not include introduced animals, who were not even counted in the death toll. Catastrophic events—such as bushfires, floods and other natural disasters—and habitat losses are only going to become more frequent and more destructive if we do not take action.

Research shows that most species of animals will not be able to adjust and adapt to the effects of climate change, inevitably leading to more animal deaths, extinctions and loss of biodiversity, unless we can reverse the tide. Now is the time when we need bold, brave actions from governments to protect animals, the environment and future generations from the problems that humankind has created. Sadly, the bill before us today simply does not meet the mark, and it is a disappointment. This is a weak piece of legislation that is not consistent with climate bills passed by Labor governments in other States around Australia.

Like many other members in this Chamber, expert stakeholders and community members, my grave concerns are that the targets in the bill do not go far enough. New South Wales already has a regulated target to reduce emissions by 70 per cent on 2005 levels by 2035, which we are on track to meet. And yet the bill legislates reduction targets of only 50 per cent by 2030 and net zero by 2050. This is behind the targets of other States like Victoria and is simply not aspirational enough if we are going to slow the effects of climate change. Another major concern with the bill is that, unlike in other States, it does not actually require steps to be taken to meet these targets. There is no duty or accountability imposed on the Minister, the Premier or the Government to achieve these targets. So how can we be assured that these targets are worth the paper they are written on and that we will actually see action from this Government and future governments to deliver on these targets?

The reality is that we cannot be assured of any positive climate action. This is particularly concerning when we have before us a government that claims to be serious about climate change and yet continues to make decisions that take us backwards, such as extending the life of the Eraring coal-fired power plant beyond 2025. It is not enough to simply legislate targets and have them sitting in an Act of Parliament. We need action to get us there. We need to end our reliance on fossil fuels, stop approving new coalmines, and end native forest logging and excessive land clearing. We need to stop overdevelopment and actually protect animals' habitats to stop animal deaths and biodiversity loss.

Most importantly, we need to address the serious and major climate change contributions of the animal agribusiness industry, which is too often overlooked and left out of conversations. On top of the immeasurable suffering and cruelty it inflicts on billions of animals every year, the animal agribusiness industry is responsible also for up to 20 per cent of all global greenhouse gas emissions, though the impact is even greater than this percentage suggests, as the methane emitted by animal agriculture has an even greater heating effect than the carbon dioxide emitted from burning fossil fuels.

Research from Johns Hopkins University has shown that, if the global trends in meat and dairy intake continue, the global mean temperature rise is more than likely to exceed two degrees Celsius, even with dramatic emissions reductions from fossil fuels and other sectors. Furthermore, a report published by the University of Oxford in 2018 highlighted that meat and dairy provide just 18 per cent of calories consumed around the world but use 83 per cent of global farmland and are responsible for 60 per cent of agriculture's greenhouse gas emissions. The report's lead researcher concluded:

A vegan diet is probably the single biggest way to reduce your impact on planet Earth, not just greenhouse gases, but global acidification, eutrophication, land use and water use.

We simply cannot afford to leave animal agriculture out of the conversation any longer. We need to be talking about a just transition away from this harmful industry and toward a sustainable food system that does not cause harm to animals or the environment. Too often, politicians and climate advocates seek to simply sweep the issue of emissions from animal agribusiness under the rug. They do not want to have the conversations about farming and the climate crisis. Just last month, former officials of the Food and Agriculture Organization of the United Nations came out and exposed how their leaders censored them and shut them down when they tried to highlight the contribution made by methane from animal agribusinesses to global warming. We cannot let the rich and powerful animal agribusiness lobby groups dictate the conversation around this important issue. Conversation about a major cause of the climate crisis must not be silenced.

I am proud to have been the first Australian politician to endorse the Plant Based Treaty. This landmark international treaty works alongside the Paris Agreement and is the first treaty of its kind to put food systems at the heart of combating the climate crisis. If we are serious about climate action, then we must move towards a plant-based society and support a just transition out of animal agribusiness and into more sustainable climate-friendly alternatives. Hemp farming is a great example of this. In the United States, battery cage chicken farms have been transformed into mushroom farms. There have been projects in Europe to transition dairy farmers

to producing plant-based milks. In Australia, we continue to fall behind. And, of course, there is the enormous potential of cellular agriculture, which is the amazing technology that allows the development of real meat and dairy products without causing any harm to an animal and without the associated environmental concerns of land clearing, pollution and emissions.

This work on farm transformation is something the Government must commit to undertake if we are going to meet the targets we need to really build a safer future for younger generations. As I noted earlier in my contributions, I will be moving at the Committee stage several amendments that seek to recognise the impact of climate change on animals. I note that my colleagues on the crossbench will be moving amendments at the Committee stage, many of which I will support. I look forward to further debate on the bill and to seeing how it can be further strengthened and improved at the Committee stage. This is not a bill we can afford to get wrong.

The Hon. JACQUI MUNRO (17:57): Unfortunately, from the start, the Climate Change (Net Zero Future) Bill 2023 has been about politics and about a public display of action rather than a well-considered proposal that aligns with the bill's stated aims. An inquiry timeline was imposed on Portfolio Committee No. 7, of which I am a member, to ensure that the Government could be seen to be doing something before the year is out. The reality is that, while the Coalition and Labor can agree on the need to reach net zero by 2050, the manner of reaching that target is, arguably, weakened under Labor's bill, compared to targets regulated under the former Coalition Government. Yet Labor has sent out fundraising emails and funded data-mining campaigns claiming that the Liberals do not support climate action.

The importance of front-loading emissions reduction—that is, to reduce emissions as quickly as possible, as soon as possible—to ensure cumulative emissions do not increase the rate or intensity of global warming is critical. Portfolio Committee No. 7 heard from 24 witnesses, who appeared at very short notice. The vast majority of them called for stronger action than what the bill originally contained and were particularly aghast that the Coalition's target of a 70 per cent reduction by 2035 may be entirely overridden. They were shocked by the lack of vision and highlighted that the objects of the bill did not relate to its contents. Professor Penny D. Sackett, a distinguished honorary professor at the Australian National University's Institute for Climate, Energy and Disaster Solutions, stated in her submission:

These targets are insufficient for consistency with holding heating as close to 1.5 degrees Celsius as possible, or with holding it to well below two degrees Celsius.

The community has consistently expressed disappointment—with a capital D—that this Labor Government is saying one thing and doing another when it comes to action to address climate change. Again I quote Professor Sackett, who said, "It is very strongly recommended that the puzzling, restrictive, illogical and ethically questionable clause of the bill—part 2, clause 9 (3)—which restricts regulations for setting a specific interim target to reduce net greenhouse gas emissions in New South Wales by a particular date occurring before 30 June 2050 be removed."

During the Portfolio Committee No. 7 inquiry we heard that the impact of the extension of the coal-fired power stations Eraring and Vales Point will be factored into the upcoming department annual report on emissions, which we anticipate will be delivered by the end of the year. Labor's announcements of the extension of Eraring and Vales Point are contrary to the stated aims of the bill. The sooner the department's report on emissions is released, the better. Should it be with the Minister's office before public release, I urge the Minister to release it as soon as it is received. Unfortunately, given the short time frame of the inquiry, we were unable to hear from many stakeholders who would have offered unique insights into the impacts of the bill on their communities and how the bill could be improved to address a wider range of concerns about the process of implementing the targets. They included stakeholders like Farmers for Climate Action and Bushfire Survivors for Climate Action. I thank all the witnesses who appeared in person and by video link and all the individuals and organisations who made incredibly helpful submissions to the inquiry at such short notice.

The transition to a net zero economy is not about reducing emissions for the sake of it. It is about ensuring energy security and energy price stability. The Australian Energy Regulator's Q3 report on energy prices, which came out recently, noted that average electricity prices fell in all regions compared to Q2, 2023. Rooftop solar in September was 41 per cent higher than last September, reducing demand from the grid, and east coast gas spot market prices averaged \$10.44 per gigajoule after decreasing through the winter and into spring. The Climate Council has also recently released information stating that, in Sydney, the average yearly gas bill for heating, cooking and hot water equals \$1,866. It says that with savings made by shifting from gas appliances to electrical, people could save \$898; and with further additional upgrades to thermal efficiency measures, like glazing and insulation, people can save an additional \$539. With all the measures combined, a household could be paying less than \$400 for their total yearly energy bill. Over time that results in not only fewer emissions but also a return on investment that pays for those upgrades and can be counted as net savings.

Regarding security, we need to stop talking about base load, which is an old-fashioned and now inaccurate way of looking at the grid. We now have a much wider range of energy inputs, including wind, solar, pumped hydro, gas and coal. We should be talking about dispatchable power, which the Australian Energy Market Operator notes is equally as important as predictable power, which includes stored energy. In New South Wales we already have trials of smaller community batteries, like in Bungarabee, which we have spoken about in this Chamber before—the Hon. Peter Primrose raised that motion—and the enormous Waratah super battery on the Central Coast, which will be capable of providing a guaranteed continuous active power capacity of at least 700 megawatts and a guaranteed usable energy storage capacity of at least 1,400 megawatts per hour. Those incredibly important changes happened under the former Coalition Government.

The transition to a net zero economy is also about preserving and encouraging biodiversity, which is made more difficult in the face of extreme weather events, from bushfires to floods and heat islands. We know that native bats, during extreme heat days, are literally falling out of trees as they overheat and expire. It is also, importantly, about commercialising a thriving renewable energy sector and generating jobs, export opportunities and investment opportunities as international finance is looking for places to put its money with the confidence that the regulatory environment will be stable and favourable.

During the inquiry we heard from Mr Tim Buckley, the director of Climate Energy Finance, who noted the value of setting stronger targets to attract global finance. I note that the global renewable energy market is currently around US\$970 billion. Mr Buckley stated that higher levels of commercial investment would stem from "an ambitious medium-term target" and that "confidence for investors and for corporations that those targets have substance" was important to attract economic activity. Mr Buckley also noted that New South Wales was falling behind Queensland and Victoria when it came to setting more ambitious targets, time lines and policies for emissions reductions. Certainly that is the case when we come to measurement and meeting those targets.

The lack of stronger targets is an incredibly serious issue because you can be sure that Australian companies will take their business elsewhere if local conditions are falling behind the rest of the world. Vast solar is an example of an organisation that has moved its operations from Australia to the United States. It is a world-leading solar thermal company, founded by an Australian, that is getting more overseas support—and making business decisions accordingly. Now Vast has the majority of its operations in the United States, including the vast majority of its staff. It is currently pursuing a public listing on the New York Stock Exchange. Mr Buckley gave the following evidence regarding international investors for renewable energy:

Their biggest problem is getting approvals and getting grid connection and having the confidence to invest. But we've seen it; the ACCC just approved the takeover of Origin Energy—Brookfield's pitch. We will invest \$20 billion or \$30 billion in Australia, and the vast majority of that will come in the eastern States, mainly in New South Wales and Queensland.

This is the kind of investment we risk losing without strong and practical regulatory measures to reduce emissions and the indication that we have a government that is serious about backing that up.

There are serious questions that remain about the bill, one of which is the implementation time lines for the Net Zero Commission's establishment and operation. I also believe that commissioners should be required to make public any conflict disclosures and there should be a requirement for regional representation. We still have not seen the advice provided to the Minister by the Crown Solicitor, which was requested by the committee as part of the inquiry, regarding key components of the bill. In particular, the further role of regulations—and I refer to Professor Sackett's quotes I noted earlier—in providing a ceiling rather than a benchmark or baseline to emissions reductions targets is concerning. Unfortunately there has been an acknowledged lack of clarity in the drafting. During the public hearings the Hon. Mark Buttigieg stated that he understood that there was "a drafting error" in clause 9 (3). As I said, there remain serious questions about the role of regulations under this piece of legislation.

There is also the question of acknowledgement that regional communities will be hard hit by a changing climate and a renewable energy transition. There are exciting opportunities for adoption of agriculture technology, but regional communities deserve recognition, support to make the transition, and acknowledgement that their communities will be vulnerable in the face of climate change. Australia is the world's fourteenth largest emitter of greenhouse gases, not only CO₂ but also methane. We have a significant role to play in not only reducing emissions but also developing advanced renewable technologies that can be exported across the world. We also have a role as an exporter of renewable energy itself, particularly things like hydrogen. I think of Indonesia, one of Australia's close neighbours and the world's fourth largest emitter, where hydrogen could be exported from Australia to great effect.

We heard emphatically that China is doing more to reduce its emissions than almost any other country in the world by accelerating the rate of construction for renewable energy infrastructure. You can bet that if countries like Australia—the fourteenth largest emitter—are not making serious efforts to reduce emissions, the 13 countries above us will not either.

In the past four years, New South Wales has achieved an enormously positive turnaround, particularly driven by the leadership of Matt Kean with multi-partisan support from The Nationals, Labor and The Greens, in generating billions of dollars of financial investment in New South Wales for renewable energy. The recent 2023 *Startup Muster Report* found that cleantech is one of the fastest growing start-up sectors in Australia, overtaking fintech by a large margin. It is important to recognise that the Liberal Party is a natural home for conservation. The original conservationists in the United Kingdom were conservatives. Environmental conservatism is at the heart of true conservatism, but, of course, we need something to conserve.

Importantly, economic stability and growth is critical for climate action. In *The Capitalist Manifesto: Why the Global Free Market Will Save the World*, Johan Norberg wrote that people "see the environment as less of a priority during recessions", which we all experience as truth. If the Government cannot manage economic growth and stability, it will be much harder for the people of New South Wales to support a critical transition. The courage to give weight to those targets is in the implementation of the policies around them. Again, I quote Mr Buckley:

The cost of inaction to me is really obvious and yet the solutions are there. I look at the last three months. We saw the New South Wales electricity price drop 65 per cent year on year. More generation is the obvious solution. When I talk to investors, they totally agree with the CSIRO and AEMO that the lowest-cost sources of new generation are wind and solar, firmed by batteries, pumped hydro and smart grids.

There is something for all of us in the successful transition to renewables and the reduction of emissions in New South Wales, Australia and throughout the world. It is critical that we signal to the world that we are serious about reducing our emissions and that we can back it up with a written commitment that provides an enticing investment environment in a competitive interstate and international market. It is critical that New South Wales takes action to demonstrate that we are serious about making those changes as quickly as possible.

Dr AMANDA COHN (18:11): I contribute to debate on the Climate Change (Zero Future) Bill 2023. Climate change is the defining challenge of my generation. After over a decade as a State Emergency Service volunteer, I have experienced firsthand the increasing intensity and frequency of extreme weather events due to climate change. I was operating radios in the Lake George fire control centre on the night Cobargo burned. I remember our horror at watching the fire spread across the map, faster and more deadly than any expert in fire behaviour had predicted it could. I still think of the people we had to advise to shelter in place, only minutes after we had advised them to evacuate towards the coast.

Last year I drove a rescue boat on the flooded Hawkesbury to help evacuate exhausted residents and resupply isolated communities. Those people were tough, and their communities were resilient. They have been through flooding before and they know how to support each other. I remember the mother who cried as I helped to load her children into a rescue boat. She told me, "I just can't go through this again." I am here because I could not continue supporting communities on the front lines while members of this Parliament made decisions that made things worse. Last week, thousands of children took to the streets to demand real action on climate. It turns out that telling kids that they should be in school, as political leaders have done repeatedly since 2018, has not quashed their anger. We must listen to the voices of those who will be most affected by climate change.

It is possible to make big changes quickly when we agree that it is urgent. We did it during the COVID pandemic and it is past time that we did the same on emissions reduction. We can and must do that in a way that does not leave any community behind. As we approach the 2023 United Nations Climate Change Conference, global health leaders have penned an open letter calling for an accelerated, just and equitable phase-out of fossil fuels as the decisive path to health for all. The letter has been signed by over 46 million health professionals worldwide. As it stands, the bill does not stop new coal and gas projects, which we must do. The bill does not bind the Government and future governments to emissions targets that will make a difference. In the words of my colleague Ms Sue Higgins, the bill is ornamental.

Regional communities, frontline emergency service volunteers and young people across New South Wales do not want lip service. They need real action. That is why I am proud to stand with my Greens colleagues in this Parliament and put forward amendments to the bill that will give it the teeth it needs. We need targets that are in keeping with the emissions reduction that is required. Experts have told the inquiry into the bill that the most important reductions are the ones that we can make immediately. That is why we need an interim target before 2050. We need a Net Zero Commission with integrity and independence that guarantees no vested interests a seat at the table. Most importantly, we need the Government to be bound to act on the advice of the Net Zero Commission, otherwise all we will get is more words and more debate, and not the urgent action that is needed. Climate change is an emergency. The Greens understand that we must do our part today and every day.

The Hon. ROD ROBERTS (18:15): I speak against the Climate Change (Zero Future) Bill 2023, not because I am anti-environment, as some will no doubt try to suggest, but because, like all members, I would like to leave a better environment, a better Australia and a better world for my children and grandchildren to inherit. I speak against the bill because I am pro-reality. Despite the utopian, emotive language and fantasy worlds that

members have put on display, the reality of the situation today is that New South Wales causes just 0.4 per cent of the world's global emissions—just 0.4 per cent. Yet while countries like China continue to increase their emissions, New South Wales is expected to radically alter its industry, economy and appearance in the name of reaching net zero—and for what? We have seen the analysis of the former Government's Net Zero Plan.

The Royal Society of London showed that New South Wales' commitments would have an impact on global surface temperatures of 0.00055 degrees over an entire century. That is basically nothing. It begs the question: When the government of the day fails to reach that stonking achievement of 0.00055 degrees, who will be held to account, and how? The Government says that current and future governments will be kept accountable for delivering on their targets through an independent Net Zero Commission, but it does not say how. The former Government said also that it would ensure accountability through its Fiscal Responsibility Act, and then it proceeded to break it every single time. Accountability must be tangible, and it must have teeth. The independent Net Zero Commission cannot become just another Labor mates group or an overpaid paper tiger with no real effect and salaries of half a million dollars.

Let us be real: Whether we hit our goals or not, it does not really matter. In this instance I will take Labor's advice and follow the science. I start with Australia's former Chief Scientist Alan Finkel, who said that if Australia completely abolishes its 1.3 per cent global share of carbon emissions, it will make zero impact on global climate and temperature. We could pave over the Southern Highlands with solar panels, cover the Central Coast in wind turbines, turn Sydney Harbour into the world's prettiest hydro plant and still achieve the sum total of sweet nothing. What is the point? Like every good civilisation in decline, the Government talks about extreme weather, just as the Aztecs talked about the sun. Maybe if we sacrifice the living standards of our people, the climate gods will turn down the temperature a bit.

The futility of the net zero experiment would be funny if it was not so pathetic. Each day, volcanoes emit twice the amount of CO₂ emissions that Australia does. What is the New South Wales Labor Government's plan for dealing with these climate-denying volcanoes? Should we tax them? Should we invade Iceland? Perhaps we should try throwing our tax dollars into those volcanoes. That sacrifice would have about as much impact as other net zero initiatives, and it would cost about the same. While Labor is busy pleasing the climate gods, I thank God that we have some sanity in our justice system. A recent submission by the Federal Labor Government to the Federal Court of Australia has essentially proven what many of us know instinctively—they belled the cat. Australia's contribution to climate change is near zero. The Australian Government Solicitor proved as much in response to two Torres Strait Islanders who are suing the Federal Government for turning them into "climate refugees in our own country". In defending the Federal Government against this claim, the Australian Government Solicitor told the Federal Court:

Australia lacks the necessary control to prevent or materially mitigate climate change or its impacts.

That means that, while the impact of our efforts to fix climate change are tiny, so too are our contributions to climate change. And the costs of action are huge. As my parliamentary colleague the Hon. Mark Latham alluded to today, the cost is nearing \$18 trillion nationwide. But when asked how much of this is being spent by New South Wales, the Treasurer replies that the cost is "disputed" and that the methodology is "quite complicated".

New South Wales is about to embark on one of the largest and most expensive undertakings in its history and the Treasurer does not know how much it will cost. That is outrageous. If this were a private enterprise and the chief financial officer took this proposition to the board with no cost attached, he would get laughed out of the building and out of a job. Labor may well be on the same footing. We must not go down the rabbit hole of net zero by any means at any cost or we will have no State left.

Our budget is beholden to the taxpayers of this State. Grand plans for social change must not be a matter of how long is a piece of string. There must be a set number. It must be public, and it must be in the State's best interest. The Treasurer might have thought he was clever when he said that the costs of transitioning to net zero should be balanced by the costs of not transitioning to net zero, but that is political abstraction to the point of nonsense. The cost of eating a chocolate bar should be balanced against the cost of not eating a chocolate bar—it means nothing.

Either shifting to net zero is within our interests and within our budget, or it is not. I am yet to see any proof that it is in our interests or in our budget because the Treasurer has not given us a number—and cannot give us a number. Indeed, the Government is even breaking its own protocol. The *NSW Government Guide to Cost-Benefit Analysis* is a Treasury Policy and Guidelines document that aims to rectify exactly this predicament. I quote the guidelines directly:

It is **mandatory** to undertake CBA when producing a business case to support a government funding or regulatory proposal. CBA is thus required for capital, recurrent and information and communications technology (ICT) proposals with an estimated total cost of \$10 million or higher.

Where is the cost-benefit analysis of the Government's net zero bill? The conversation has been rich with words of urgency and importance, but it is dangerously short on transparency and dollars we are spending. The Treasurer said he saw some "really pleasing data overnight about how well Australia is mobilising capital for the net zero transition". The Treasurer has data on how quickly we can spend money, but not on how much money we are spending. This is a perverse form of governance—ramping up the urgency and fear, rushing it through Parliament, not putting a price tag on it and ignoring any questions asked. Is it any wonder that trust in this Government is dropping like a stone?

If the Labor Government can hardly handle a street protest, count a few brumbies or demerge a council, then I regret to say that it cannot save the world. This bill is nothing more than virtue signalling on full display. It is progressive posturing on paper—at the small cost of our economy. It is time the Labor Government put aside its utopian ideals and put New South Wales first.

The Hon. JOHN RUDDICK (18:23): It is on days like today that I am especially grateful that I was not elected to this Chamber as a member of a major party. I know the membership of the New South Wales Liberal Party and I know that 80 per cent of members agree with me and not with their parliamentary team on this question. My party, the NSW Liberal Democrats, not only opposes the details of the Climate Change (Net Zero Future) Bill 2023, but also opposes the foundation of this bill. We campaigned in the March election as global boiling sceptics—

The Hon. Penny Sharpe: At least you're honest about it.

The Hon. JOHN RUDDICK: Thank you. Despite that being a minority opinion in this place, we are right. There are probably 200 factors that influence atmospheric temperature, and today we understand few of them. The science will progress over time, but it is fanciful to think that there is one atmospheric temperature control switch called carbon dioxide—and that is what this bill is based on. It is said that 0.04 per cent of the atmosphere controls everything and that most of the carbon dioxide is naturally made. Yes, industrialisation creates a bit, but we are saying that that little bit is going to change the temperature. These are the witchdoctors of primitive times: We can change the weather.

Global boiling is a mass delusion. Mankind has been subject to many in the past. In 1841, Charles Mackay published a fabulous book entitled *Extraordinary Popular Delusions and the Madness of Crowds*. Mackay detailed the history of how the masses are susceptible to believe—really believe—utter follies. He gave the example of witch burning, fortune-telling—

Ms Sue Higginson: All those scientists!

The Hon. JOHN RUDDICK: Science is very often involved—religious crusades, economic delusion—

Ms Sue Higginson: Witches.

The Hon. JOHN RUDDICK: I heard you in silence, Ms Higginson. Global boiling is merely the latest chapter. The term "global warming" was coined in the 1950s by Roger Revelle of the Scripps Institution of Oceanography in California. The global warming debate today is politically contentious, but all sides agree that Roger Revelle was a real, genuine scientist. Revelle spent three to four decades researching the question of whether man-made carbon dioxide was imperilling the world.

When Al Gore successfully tricked the world—much of it—into believing in global warming in 2006, Gore had a problem. The problem was that he had only studied politics and media. Mr Gore claimed in his book and movie that he was simply relying on the research of Roger Revelle. Gore tried to present to the world that he was very close to Roger Revelle. There are no photos of him being associated with Revelle, but apparently he did take one class with him. Before his death, Roger Revelle publicly and forcefully repudiated the apocalyptic claims of Al Gore. After many years of genuine scientific research, Revelle was more than doubtful that carbon dioxide was a factor in atmospheric temperature. He was right.

Right now, as we speak, North America has more snow than has ever been recorded in its history for November. Gore has tricked the world into believing that temperatures are rising, but we are 10 days away from summer and I am still wearing ugg boots at home. Al Gore predicted that polar ice caps would have disappeared a decade ago, but they are identical today to what they were 17 years ago. It is a fact, Ms Higginson. Al Gore predicted hurricanes would have increased. They have decreased. Bushfires in Australia are so natural that we have several plants that have evolved to only release their seeds in the heat of a bushfire. That is how natural they are.

Al Gore predicted that the ocean would have risen 20 feet by now. When I asked one of the presenters to Portfolio Committee No. 7 recently, "What is the evidence of global warming?" she said, "Well, the oceans are rising." I said, "They are not." She said that she would send evidence to the committee, and I appreciate that she

did. Her data claimed the ocean had risen 2.3 centimetres in the past 123 years. This planet has one ocean. In parts, that puddle of water is up to 11 kilometres in depth. It is going to move around a fraction. And 2.3 centimetres is far short of Gore's prediction. It is basically a very stable ocean. We are told that the South Pacific islands are disappearing. The Hon. Mark Latham is entirely correct: It is false.

Global warming is more than a humorous delusion. It is the reason why this nation and most of the West have barely had any economic growth for 15 years. Along with COVID, it is why we are suffering inflation. We are embarking on ripping down a cheap and highly efficient energy supply that has powered our success and replacing it with an extremely expensive and highly dubious replacement: the renewables—which should be known as the unreliaables.

Global boiling is the dream of the central planners. It gives them an excuse to amass power over all of us. It makes them feel like the masterminds. It makes them feel good. They want it to be true. People in this Chamber want global warming to be true. And we know that is true because when we point out to them that it may not be true they get very upset. If we were genuinely facing an apocalypse, you would think people would be saying, "Well, that's very interesting; I would like to learn about it." No. They pretend that they want to believe it because it is an excuse to be a central planner.

At a recent Portfolio Committee No. 7 hearing we heard from Mr Ian Dunlop, a representative of the Club of Rome. I did not even think the Club of Rome was a real thing, but Mr Dunlop lived up to the worst things I had heard about the Club of Rome. Mr Dunlop referred to "a death spiral towards societal collapse", an "existential threat to civilisation as we know it" and, in a final quote, he warned of the "annihilation of intelligent life". Those things were all imminent, according to him. Mr Dunlop found it offensive when I referred to him as a prophet of doom. That denial is reflective of how much deception is instinctively part of their mindset. You cannot say that we are facing an existential threat to civilisation and not accept the label that you are a prophet of doom. That is precisely what it is.

This Chamber had bipartisan support for COVID extremism, which we all now regret, but the persecuted few brave COVID sceptics were right and the political class was wrong. We are doing it again. Future generations will look back and laugh at today's global boiling delusion. The only question is how long it will take to wake up and how much damage will be done between now and then.

The DEPUTY PRESIDENT (Ms Abigail Boyd): I shall now leave the chair. The House will resume at 8.00 p.m.

The Hon. ROBERT BORSACK (20:00): On behalf of the Shooters, Fishers and Farmers Party, I contribute a comprehensive perspective on climate change discourse related to the Climate Change (Net Zero Future) Bill 2023, drawing from research and papers around the world that challenge the prevailing narrative rather than blindly following an ideologically driven, apocalyptic climate anxiety. The Shooters, Fishers and Farmers Party believes it is crucial that we engage in open and informed dialogue about the potential consequences of policies driven by what amounts to nothing but a climate change myth driven by the ideological Greens, those clamouring for the green and inner-city vote, and a burgeoning self-serving, profit-driven climate change industry. In blindly embracing that narrative, we must be cognisant of the effects on cost of living, on regional, rural and mining communities, on jobs and on mental health here and around the world, and on the emancipation of women in Third World countries.

Questioning the prevailing climate change narrative is not an act of denial, which green idealogues use to cow and shut people down, but an exercise in scientific inquiry. There is a growing body of research that challenges the extent to which human activities contribute to climate change. Studies indicate that natural factors—such as solar variability and volcanic activity, for example—play a significant role in shaping our climate. It is essential to critically examine those perspectives to make well-informed decisions. Numerous renowned scientists and experts have raised valid questions about the accuracy of climate models and the reliability of predictions. For instance, the work of Professor Richard Lindzen, an atmospheric physicist, challenges the notion of a consensus within the scientific community. It is our responsibility to consider a diverse range of opinions before committing to drastic policy measures like those outlined and supported in the bill.

The Shooters, Fishers and Farmers Party believes it is our responsibility to consider the potential consequences, including the economic implications, of blind, aggressive climate policies. The Greens' fantasy and dream of transition to renewable energy sources is someone else's nightmare and comes at a huge cost, with the burden falling disproportionately on the average citizen of New South Wales. Studies, including those published by the University of Oxford in its report *Taking Stock: A global assessment of net zero targets*, highlight the likelihood of increased energy prices leading to a higher cost of living for households. It is essential that we assess the potential economic repercussions before rushing headlong into policies that may not only strain the finances of our citizens but also lower our living standards and health outcomes.

Decarbonising the New South Wales and global economies requires trillions and trillions of dollars in annual spending on physical assets alone. The inflationary effect of the switch to sustainable energy sources is hotly contested and will be very deep. The faster the transition, the more expensive it will be in the short term. Demand is expected to outstrip the supply of metals and minerals required for so-called green technologies. For an accountant like me, it is the simple economics of supply and demand driving prices up. It is all going to get even more expensive, and the frightening issue is that no-one knows how much it is all going to cost. The Greens and the lunatic left idealogues simply do not give a damn how much it will cost or what the impact is. They simply want to wreck the free market economy.

Furthermore, the rapid transition away from traditional industries such as coal and mining will have profound effects on our communities and regional jobs. No matter how much The Greens and the loony left say it, there will not be alternative jobs for the mining communities in the Hunter Valley. But The Greens do not care; people in regional mining communities do not vote for them. Research from institutions like the Heritage Foundation and the Institute for Energy Research emphasises the importance of a balanced approach. Abruptly abandoning those industries without a viable plan for replacement risks leaving communities devastated and our citizens unemployed. Our duty is to ensure the welfare of our people.

The Shooters, Fishers and Farmers Party also believes that we have a duty to view the global perspective, especially the impact on the health of citizens in Third World countries. Access to cheap and reliable energy is a lifeline for those nations. Research from organisations like the International Energy Agency underscores the link between energy, poverty and health outcomes. Policies aimed at restricting access to affordable energy may inadvertently harm the very populations the extreme left tout they are seeking to protect. In reality, those policies will also hinder progress in education, economic development and health care.

We should not forget that the emancipation of women has also been clearly linked with the provision of cheap electricity. The availability of cheap electricity continues to emancipate girls and women in developing countries. As the Third World's women do most of the laborious tasks of cooking, collecting wood and water, washing et cetera, electrification especially helps them. In many developed countries, it was similar 50 to 100 years ago. Transfer of hard manual labour to electricity-powered machines provided more time for other things, including education, and eventually helped to elevate women to a level where they could claim an equal voice.

Green idealogues simply see energy choices as binary. Coal, for example, is seen by the green idealogues as just bad. Coal, however, is also the world's workhorse for cheap and reliable electricity generation at scale. With the rise in liquefied natural gas prices due to Russian aggression in Ukraine, Bryce explains that the "iron law of electricity" pushes countries to do whatever it takes to provide power to their people. In many developing countries, that is a push for coal. Coal-powered electricity is a catalyst to liberate women. In due time, they will demand and get cleaner power, but first they just need power. I hope our four Greens fellow members in the Legislative Council can sleep at night knowing that their blind, anti-coal policies will impede the emancipation of women in Third World countries and doom those women to laborious manual labour, fewer education opportunities and poorer health outcomes for their children. The face of feminist hypocrisy is indeed the New South Wales Greens. They should hang their heads in shame.

The Shooters, Fishers and Farmers Party does not dismiss environmental concerns but encourages a nuanced and evidence-based approach to climate policy. By critically examining research and questioning the prevailing narrative, we can ensure that our decisions are rooted in a thorough understanding of the complexities at hand. The wellbeing of our citizens, both locally and globally, must be considered and guide our path forward. The potential impacts on communities and jobs cannot be overstated. The rapid transition away from traditional industries will leave regional communities devastated and citizens unemployed and possibly doomed to intergenerational unemployment and poverty. For many regions in New South Wales, industries like coalmining are not only economic contributors but also integral parts of the community fabric. We must ensure that our decisions are rooted in not only a comprehensive understanding of the issues at hand but also a genuine commitment to the welfare of our citizens and the global community. Because of this, the Shooters, Fishers and Farmers Party does not support this flawed, ideologically driven legislation.

The Hon. JEREMY BUCKINGHAM (20:09): I welcome the incredibly important Climate Change (Net Zero Future) Bill 2023 as an important step towards what is clearly the overriding issue of our times. It is fantastic that New South Wales is continuing the global effort to save our planet, our civilisation and future generations from catastrophic climate change and disaster. Firstly, I congratulate and commend Minister Sharpe, her team and the Government for bringing this bill to the Parliament in their first year and legislating targets that set us on the path to decarbonise our economy and reduce greenhouse gas emissions to zero within a generation, and do so in law. I have been an advocate for action on climate change my entire adult and political life. It is wonderful that we are now legislating a path to a net zero future, but it is the eleventh hour and we must move quickly and

responsively. I have been charged for trespass at Mount Arthur coalmine while fighting against the expansion of coal there. I was arrested at the Adani coal site for protesting against the madness of new coal in Queensland, and I literally blew myself up trying to stop coal seam gas in Queensland.

The Hon. Wes Fang: And yet you are still here.

The Hon. JEREMY BUCKINGHAM: I am still here. It is fantastic that we are finally acting to put these targets of net zero into the law for our society and our economy.

The Hon. Wes Fang: You could not even blow yourself up, Jeremy.

The Hon. JEREMY BUCKINGHAM: We must always be guided by rationality—I remind the Hon. Wes Fang of that—the science and the evidence. According to the Bureau of Meteorology [BOM] and the CSIRO, all of New South Wales has warmed since 1910. The average annual temperature has increased by 1.4 degrees Celsius since 1910 and New South Wales is now experiencing a range of weather extremes. Also, according to the CSIRO and the BOM, in the south-east of Australia there has been a decrease of around 10 per cent in April to October rainfall since the late 1990s—something that I raised during the Millennium Drought when in the Central West of New South Wales. I was lambasted by the National Party for doing so, but even it now accepts the science and accepts that a warming planet is bad for our farmers, bad for our catchments, bad for our ecology and bad for our economy. New South Wales is getting less rain.

Rainfall is more intense, leading to more flash flooding. The number of days with dangerous weather conditions for bushfires has also increased across the regions. We saw this in the 2019-20 Black Summer bushfires, the heat-devastated east coast and the "great deluge" in 2022, with heavy flooding sweeping through parts of the State. New South Wales faces an uncertain future of rising temperatures and increased climate risks. Under a high-emissions scenario, the State can expect to see average temperature rises of up to 2.3 degrees Celsius by 2050, leading to more than double the number of hot days above 35 degrees Celsius in Sydney. The State would also experience approximately 40 per cent more fire days in this scenario, according to the CSIRO. Sea levels are also expected to rise by around 27 centimetres along the New South Wales coast, which may cause significant erosion and inundation, from large storm surges.

There are those who believe that our contribution to reducing greenhouse gases is a cost that is too high for the people of New South Wales and always will be dwarfed by the inaction of much larger competing economies, such as China or India. To those I say that the economic opportunities of climate change far outweigh the costs. It was not long ago that these people were spruiking the benefits of coal-fired energy over renewables, or obfuscating with their absurd proposition of achievable clean coal—none more so than members of the National Party, who trotted that out for 20 years as obfuscation and delay on renewable energy. But renewable energy has been a massive boon to the economies of regional New South Wales and now they fall over themselves to get the golden shovel out to turn the first sod whenever there is a renewable energy project at Narrabri, New England or wherever it is. But for so long they were wilfully ignorant of the fact that they were backing an energy source that is now more expensive as well as more polluting.

I also say that the costs of inaction far outweigh the costs of action. We have already seen projections in the *2021-22 NSW Intergenerational Report* that the total economic costs associated with natural disasters will increase to between \$15.8 billion and \$17.2 billion per year by 2061, up from \$5.1 billion in 2020-21. Treasury's estimation of the annual cost of climate-associated disasters in New South Wales two years ago was \$5.1 billion. This year's budget allocates \$3.1 billion to natural disaster remediation, so there, staring us in the face, is an annual deficit right now of \$2 billion per annum, and growing. The cost of coal today is greater than the benefit of any royalties—look to Lismore, to the South Coast and to the Millennium Drought for astronomical economic and ecological costs. New coal expansions are the greatest climate threat in New South Wales. We will have to stop being a coal State and plan for a just transition. That is the work of the new Net Zero Commission.

To contemplate or fast-track 14 new coalmines and coal seam gas in our food bowl is utter madness. That is the first order of business for the new Net Zero Commission. I remind the Government of its election commitment that "new coalmine projects must be subject to an independent approval process" and that the Net Zero Commission needs to be established for "important signals" to be sent to decision-makers. I join with those requesting a pause on new coal expansion determinations until the Net Zero Commission is established and is able to provide advice in that regard. That is essential and I believe that the key function of the new Net Zero Commission, as described in division 2, clause 14 (2) (c), is to find "ways to reduce net greenhouse gas emissions in New South Wales".

One of the ways must include a comprehensive greenhouse gas assessment of potential new fossil fuels, including their fugitive emissions, and all policies that support new coal and gas or emissions-intensive industry. The Government must step back from The Nationals' and John Barilaro's policies on coal and gas. Undoubtedly,

the commission will tell the Government the same. This bill was subject to an excellent and very useful inquiry conducted by Ms Sue Higginson of Portfolio Committee No. 7. The inquiry found:

The vast majority of inquiry participants supported targets, but called for them to be more ambitious and stressed the importance of front-loading emissions reduction effort, the earlier we reduce emissions, the better. Stakeholders stressed the importance of interim targets and expressed concern that the target to reduce emissions by 70 per cent on 2005 levels by 2035...

In the submission to that inquiry, the Climate Council stated:

... the Climate Change Authority, using a modified version of a framework known as 'Contraction and Convergence', concluded that to play its part in global emissions reduction efforts, Australia could use no more than 0.97 per cent of the available global carbon budget.

In line with this approach, Australia would need to achieve net zero emissions by 2038 to align with a global carbon budget that provides a 67 per cent chance of limiting warming to 1.7°C, and 2027 for a 67 per cent chance of limiting warming to 1.5°C.

I note that just this week scientists have been ringing alarm bells that the global temperature has gone past two degrees. The submission continues:

Net zero by 2035 represents a point in this range ... that balances the maximum rate of emissions reductions we believe is possible for Australia with the need to limit warming as much as possible and with the highest probability of success.

All of this is happening in the international context. It is important to see this bill not only at a national or State level but as part of a global collective response to combat climate change. The Paris Agreement of 2015, to which Australia is a signatory, set out the aim of keeping the global average temperature to well below two degrees above pre-industrial levels.

After the hottest year on record, even that aspiration is looking ambitious. Article 4 of that agreement committed signatories, of which Australia is one, to reach a peak of greenhouse gas emissions as soon as possible, followed by a period of rapid reductions. The article further provides that signatories may become more ambitious in the scale and speed of decarbonisation. As a major per capita emitter, as well as a developed economy, New South Wales is now in the phase of rapid reduction and should be aiming for more than the bill legislates. It is imperative that we show ambition in our goals and view the targets set down by this bill as the floor, not the ceiling. That is the science, and that is the path we must drive down.

As we have heard in this debate, some members believe that the bill does not go far enough. Some of the submissions to the inquiry said that, with some justification. I have a certain amount of sympathy for that position and believe that we should aspire to net zero as fast as possible. With the inevitable closures of coal-fired power stations in New South Wales, modelling shows that we are on track to reach a 70 per cent reduction on 2005 levels in 2035, without further measures. If we find ourselves reaching our targets faster than the bill envisages, then we should not slow down. On the contrary, we should ratchet up. We have no time to lose.

But I urge those who might vote against the bill to consider that if we work together, if we build on the work of the former Government and its commendable road map, and if the Net Zero Commission is established and supported, operates in accordance with its functions, with the science and with our carbon budget, and meets community expectations, we can and must get there. I hear those concerns, and the Legalise Cannabis Party will be proposing amendments that make clear that greenhouse gas reduction targets are a minimum. We will propose amendments that allow for interim targets, set by regulation, that allow for optimism and ambition. I am hopeful the Government will look favourably on the proposition that the Climate Change (Net Zero Future) Act should include the capacity for the commissioner or the Minister to set an earlier target for achieving net zero than is currently proposed in the bill and see New South Wales play its part in the significant national effort.

The bill sets out the guiding principles for action to address climate change, setting the targets that will enable us to reach 50 per cent of net zero by 2030, if not sooner, and 100 per cent by 2050, if not sooner. The bill will enable New South Wales to join the Commonwealth, Victoria, the Australian Capital Territory, Tasmania and other jurisdictions around the world which already have laws to reach net zero. New South Wales has the largest population and economy of all Australian States, and it is important to safeguard jobs and businesses while decarbonising the economy. I commend the bill's four guiding principles: addressing climate change, setting targets, creating resilience to a changing climate and, importantly, establishing a Net Zero Commission. It is essential to ensure that the commission is fearless, independent and rigorously focused on emission reductions that meet or exceed the targets laid down.

As I have already alluded to, division 2 of part 3 of the bill, which sets out the functions of the commission, is where the rubber hits the road. They are broad and comprehensive. Clause 14 sets out the functions of the commission. Clause 14 (1) (d) states:

- (d) to identify and recommend action that should be taken by the Government of New South Wales to address climate change, including strategies, policies and programs that should be implemented by the Government of New South Wales.

That broad and comprehensive catch-all gives me a lot of faith, a lot of hope, that this commission will do important work to decarbonise our economy in a constructive and responsible way, guided by the science. The Minister, in her second reading speech, suggested that parliamentary oversight will be provided by a new joint standing committee, the net zero future committee, which will inquire into and report on the findings, reports and operations of the Net Zero Commission. That is good news. That should give all those people concerned about the functions of the commission a lot of certainty in the people's representative having a say on how the commission is working and how the Government is responding to the work of the commission.

I put my hand up here, right now, for that committee. I will act to make sure that the commission does the job that the community, the Minister, the Government and the bill requires. Every member of every party should want to be on this committee, because it will do the most important work in the coming decades. I also welcome this additional layer of oversight, not only for parliamentarians but also for individuals and organisations across New South Wales, who will be able to ask questions and give insights.

I am optimistic and not a misanthrope. Who in this place thinks that we cannot overcome and conquer the challenge of decarbonising our economy? In my time in this place, I have seen so much. When I was a member of The Greens I was pilloried and laughed at in this Chamber when I said that we need to act on climate change and develop renewable energy, and that we could do so, create jobs and benefit the economy. I was laughed at, told it was a pipedream and that New South Wales was and always would be "a coal State". So much has changed. So many people in the Liberal Party and some in the National Party, at least behind closed doors, have had their Road to Damascus moments, seen the light and got on board with that great endeavour of decarbonising our economy—that work that this Government is doing through this commission. As I say, I am very optimistic.

We have seen so much in just a decade or two. We have seen the great technological advances in renewable energy, which have seen it go from theory to the fastest growing source of energy generation, powering our economy. Energy efficiency driven by AI and quantum computing will be next, driving down demand and driving up efficiencies. This bill is to be welcomed as the first time when net zero targets have been set and enshrined in legislation in New South Wales. It is a fantastic start. It establishes the Net Zero Commission, which will be independent of the control or direction of the Minister. The commission will review and report on New South Wales' progress towards the 2030 and 2050 targets and, if the Government and the House are supportive of my amendments, interim targets as well.

As I have said but will say again, it is vital that the commission sets the interim targets as it sees fit and in accordance with the science and that the targets in this bill therefore be seen as a baseline, not as a ceiling. I therefore urge the House to support this bill and, at the Committee stage, my amendments. Let us get to work on solving the most pressing economic and environmental issue of our time.

Ms ABIGAIL BOYD (20:27): I speak on the Climate Change (Net Zero Future) Bill 2023 and reinforce the excellent comments of my colleague Ms Sue Higginson in expressing The Greens' opposition to the bill in its current form. This bill will take us backwards. This bill does not take the climate crisis seriously. This bill is willing complicity, in an apathy and a lack of leadership from captured and corrupted governments around the world, which will see this planet smash through even the most modest of international agreements that seek to limit global heating. This bill, with its inadequate targets, is a white flag in the face of the challenge that faces us. It is worse than a white flag; it is an active choice of betrayal of future generations. It is a permission structure for government inaction in the face of rampant profiteering from the fossil fuel industry. This bill will institutionalise failure. Let it be known that, once again, Labor has fallen short and backed away from the challenge.

Climate change is a matter of justice. That much is undeniable. Climate change is often described as humanity's greatest challenge. That is not quite correct. Climate change is humanity's greatest threat, but the challenge of tackling it is not so broadly distributed. The onus for urgent climate action rests predominantly with the wealthiest jurisdictions, the jurisdictions emitting the most. They are the communities most responsible and most capable of influencing which climate futures will be experienced by the whole world. New South Wales is one of the wealthiest States in one of the wealthiest countries in the world. Our wealth is built on the back of the extractive industries driving the climate crisis that, if left unabated, will see untold wreckage and destruction displace billions of people from their homes and leave them cast adrift in an increasingly dangerous and hostile world. It is our eminent responsibility to do everything within our privilege and within our power to avert the humanitarian and ethical crisis.

The climate debate often gets bogged down in technicalities of science, which is somewhat understandable because global heating is a physics question. However, the problem lies not in our comprehension of the science—that was settled a long time ago. The problem is the failure of political leadership. The problem is playing out right here, right now, in this Chamber. The legislation is failing us, our global neighbours, future generations and the promise of change. My colleague Ms Sue Higginson has expertly outlined technical arguments and elements of the legislation and, frankly, has torn it to pieces. But that is not where the true failure lies. We do not need to

read anything further in the legislation beyond the inadequate emissions reduction targets. Everything else is just fluff.

People whose homes have been swept away by floods do not care that there will be a Net Zero Commission. The guiding principles mean little to people who are freezing or sweltering to death or whose homes have been burnt down by increasingly devastating and frequent bushfires or are being inundated by rising seas. People who have been driven off their lands because of drought, disease and devastation do not care. The only thing that will make a difference is strong and binding legislated targets of emissions reductions. A 50 per cent reduction by 2030 and a net zero by 2050 target is a deliberate betrayal. It is a sick joke of a craven government patently unfit to lead in this time of intense urgency. I honestly wish that I could stand here and say, "Well done, Labor. Finally, we have legislation in this State that is going to guarantee we have a future." It gives me no pleasure to instead raise the alarm on what is frankly a negligent and dangerous bill. The bill is not just words without action; it is false hope. It is a cosy blanket of talking about climate action while carrying on with business as usual.

We would all like to snuggle under that blanket, but while we are denying the reality the world is literally burning around us. We do not have time to wait. We do not have time to send lukewarm signals to the market. We do not have time to think we can just set aspirational targets, get them set over and over by a commission full of people and not make the hard decisions that will get to us net zero. If we want to do our bit to avoid catastrophic climate change, we have no choice but to stop opening new coal and gas projects, and to stop logging our native forests. We have no choice but to rapidly upgrade our public transport system, move away from industrialised agriculture and do every single thing we can to get to net zero as fast as possible.

If we pass the bill as it currently stands—without binding and scientific targets—we are setting ourselves up for further failure, because we will set and forget. Labor will tick the box on climate action without making the difficult decisions that need to be made. The Greens will not stand by and let Labor double down on the mistakes of the last 20 years of governments in this country. We will not greenwash the bill when we know, and the community knows, that it is not what real climate action looks like. The simple truth is that there is no justice—no social justice, economic justice or racial justice—without climate justice. Climate justice means taking responsibility, showing leadership and taking swift and decisive action. As it stands the legislation does none of those things. If it is passed in its current form, then history will condemn this Chamber as failing the promise to future generations. I urge the Government and all members to do the right thing—stand up and be counted as having fought for the right thing, rather than having laid down for the easy one.

Ms CATE FAEHRMANN (20:33): I make a contribution to debate on the Climate Change (Net Zero Future) Bill 2023. As The Greens spokesperson on coal, gas and water, I acknowledge the excellent contribution of our climate change spokesperson, Ms Sue Higginson, as well as my other colleagues in this Chamber. The bill proposes to establish the Net Zero Commission as a statutory authority and a New South Wales government agency. Establishing an independent Net Zero Commission was in fact a commitment of this Government prior to the March election.

During that election and in the couple of years leading up to it, the then Opposition promised to ensure that climate change was taken seriously in New South Wales. It promised to legislate targets and net zero emissions by 2050. It committed to an interim target of 50 per cent reduction in carbon emissions on 2005 levels by 2030. Unfortunately, that is not taking climate change seriously because those were the targets of the previous Government, and they are outdated. Those targets will not stop runaway climate change. They are nowhere near what is needed to tackle the climate crisis or to avert the worst impacts of the climate crisis. Those targets are not worth the paper they are written on.

The Climate Council stresses that we need to see emissions peaking by 2025 and rapidly falling after that to avoid locking in the worst impacts of the climate emergency. Climate science is now saying we need to reduce our carbon emissions by 75 per cent by 2030 and reach net zero by 2035. But all New South Wales Labor could manage in terms of their ambition to tackle climate action was to legislate the Opposition's targets. When we talk about the Opposition, let us remember it is the Liberals and the National Party—with the National Party always holding back the Liberals, the coal-loving Coalition. But as it turns out, Labor did not legislate all of the Coalition's targets.

We are living in a climate emergency right now, yet the legislation has none of the urgency or the mechanisms that are needed to ensure that we rapidly transition every sector of our economy to what is needed for a clean, renewable, carbon-free economy within a short space of time. The legislation will set the course for what this Government does on climate change over the next three and a bit years, or maybe more. Yet all we have before us is a bill that does not set the targets that are needed and are not binding. It does not include a mechanism to allow the ratcheting up of those targets over time.

The bill is not going to be enough, because month on month we have seen temperature records broken—not just in Australia but around the world—as well as horrific floods, fires, storms and the melting of ice caps, which was not supposed to happen. It is all happening now. I was campaigning on climate change 25 years ago when we were talking about the potential impacts by 2100, maybe 2050. This is our reality now. What we were talking about 25 years ago as happening sometime in the future—that I would not be alive to see—is happening now. The World Resources Institute recently released its report entitled *State of Climate Action 2023*, which found that progress in closing the global gap in climate action remains woefully inadequate with 41 of the 42 indicators assessed as being not on track to achieve their 2030 targets. Public financing for fossil fuels globally increased sharply in 2021 with government subsidies nearly doubling from 2020 to reach the highest level seen in almost a decade.

Just last month a group of 12 international scientists published a journal article entitled *The 2023 state of the climate report: Entering uncharted territory*. The article stated that 20 of 35 identified planetary vital signs are at record extremes, meaning that the world will likely reach 1.5 degrees above the global average temperature of pre-industrial levels as early as next year. Coal accounts for more than 80 per cent of carbon dioxide added to the atmosphere since 1870 and roughly 40 per cent of current carbon dioxide emissions. As of 2022, global coal consumption is at near record levels.

In New South Wales we are playing our part in all of that. We have 12 coal expansions on the books—the biggest number since the Paris Agreement. They are on the books, ready to be approved. With the bill before us, it is as though none of this is happening and climate change is something we were talking about 30 years ago. Let us just set those targets. It would be really good to set those targets now because that is what responsible government looks like. It should have been done 30 years ago, but we are not there now. We are in a climate emergency now.

In her second reading speech on the bill, the Minister for Climate Change described the bill as having four key objectives. The first is the establishment of the guiding principles to address climate change in New South Wales. It dictates that action on climate change is to be taken as early as possible in a way that is fiscally responsible and promotes economic growth and considers the economic risk of delaying action on climate change. Given the climate emergency situation that we are in and the need to reduce our carbon emissions as rapidly as possible, we need to prioritise climate action first and foremost. During the pandemic, the top priority was not to be fiscally responsible; it was to save lives.

The bill is not an economic stimulus bill; it is a net zero future bill. Ideally, it is the bill that lays the path for the Government to act to reduce emissions in a way that gives future generations a safe climate. It is worth pointing out that the final guiding principle states that the Government of New South Wales is responsible for "ensuring that the Government of New South Wales pursues best practice in addressing climate change". I would be interested to understand how that works. I note also that the guiding principles make no mention of renewables, coal or gas. On that note, I foreshadow I will move an amendment to deal with the glaring omission in the bill, which is the issue of coal and gas. Realistically, there is no net zero goal with coal.

The second objective of the bill is to set targets for 2030 and 2050, but non-binding aspirations for these targets are already in place in New South Wales by the operation of the Climate Change Policy Framework and its Net Zero Plan. Again, the bill does nothing with those targets beyond what is already in place. It does not set more ambitious targets for the Government to reduce its emissions faster than it would ordinarily do, which my colleague Ms Sue Higginson has already spoken about. Again, those targets are hopelessly weak. The climate science says that we need to see a 75 per cent reduction in carbon emissions by 2030 and net zero by 2035. To be honest, it would be wonderful if we could be pragmatic and if we could delay this to 2050. That would give us a bit of breathing space.

It would be wonderful if we could ask the earth's weather systems to come to the negotiating table, to work something out and to please slow down in responding to the carbon going into the atmosphere and the whole global heating thing. That would be amazing, but we cannot. The bill before us lacks any mechanism to ensure that the targets are met by the government of the day. The Greens may address that in the Committee stage, which I understand will not happen tonight. During the inquiry into the bill, a number of stakeholders were adamant that, in relation to the targets, the bill needed a ratcheting mechanism as per the Paris Agreement. The Greens absolutely support that.

We believe it is critical to ensure that the bill has that mechanism to enable an increase in ambition. Even if the targets in the bill are not as strong as we think they should be right now, given the climate science—the fact that we cannot negotiate with the science because it is there, it is real, it is the science—a ratcheting mechanism is absolutely critical. It is one of the fundamental reasons why we are so disappointed with the bill before us today. In its submission to the inquiry into the bill, the Nature Conservation Council noted how important the ratcheting

mechanism is. It highlighted that other jurisdictions, like Victoria, have adopted such a model in their net zero emissions legislation, as my colleague Ms Sue Higginson also highlighted.

Again, it is an indicator that the Victorian Government is genuine in working on this, in upping its ambition and in making sure that the work it is doing is making a difference and reducing emissions to the level that we need to deliver a safe climate and reach the Paris Agreement. Something like that ratcheting mechanism is absolutely essential. The third objective is to prepare New South Wales to be more resilient to a worsening climate. Despite the bill's adaptation objective of New South Wales being more resilient to a worsening climate, the bill leaves it completely up to regulation to implement that. There is literally nothing in the bill to address that.

Finally, the fourth objective is to establish the Net Zero Commission. The big election commitment that the people of New South Wales were waiting for was the Net Zero Commission, but, again, it does not seem to have teeth. I understand we will move amendments in the Committee of the Whole to ensure that it does have teeth. I understand that stakeholders were generally supportive of the formation of the commission. We really do have to have hope these days. The Environmental Defenders Office called for greater transparency, independence and objectivity in the commission's operations. The Greens agree with a number of stakeholders who called for the commissioners to be free of influence from the fossil fuel industry. Again, I understand that we will move amendments to the bill to ensure that happens.

Overall, the bill is totally inadequate. I really hope that the Government is persuaded to support the amendments that Ms Sue Higginson will move in this place on behalf of The Greens in the Committee stage. This Parliament is the most progressive Parliament we have had, not just in the past 12 years but for a number of decades—if not in living memory. It is most disappointing that the Government did not bring its signature climate change legislation to this place with a view that the progressive crossbench would support it.

The Hon. Jeremy Buckingham: Yes, we are. We are supporting it.

Ms CATE FAEHRMANN: Not the majority. This is climate change, and we are in a climate emergency. A new New South Wales Labor Government has come in and said that it will act on climate change, yet it sends an email out to its supporters to get them to lobby the Liberals to support the climate change bill. That is what is before us. There is an opportunity to do great things and to get this on track. It is incredibly disappointing that this is what we have today. In two days' time we will go into the Committee stage. I certainly hope that we are able to convince the Government to support the amendments that will make the bill do what it needs to do, which is to take part in the global effort to deliver a safe climate for future generations.

The Hon. Dr SARAH KAINE (20:49): I speak in support of the Climate Change (Net Zero Future) Bill 2023. It is an important piece of proposed legislation that will demonstrate this Government's commitment to decisive action on climate change. The targets, guiding principles, adaptation objective and establishment of the commission will collectively shape genuine and accountable action to address climate change. We need a clear framework and objectives enshrined in law that provide clarity for our communities, industry and investors, and our interstate and international friends.

The Minister for Climate Change has rightly spoken to the environmental impacts of climate change and the need for urgent action that underpins the bill. Climate change is having a large impact on our natural environment, which provides us with food, water, shelter, recreation and beauty. Events caused by climate change are increasing in intensity and frequency. Warming sea temperatures, sea level rise and intense storms affect our coast, marine ecosystems and freshwater biodiversity.

In October, bushfires burned through more than 5,000 hectares in the Bega Valley, destroying three homes. Since then other fires have burned across the State—and it is only November. The Premier has already warned the people of New South Wales to be prepared for a horror summer that looks likely to reflect the horrific 2019-20 Black Summer fires. The 2019-20 fires killed or displaced nearly three billion native mammals, birds and reptiles. Almost 40 per cent of the State's national parks were affected and a quarter of koala habitat in the eastern part of the State was damaged or destroyed.

Bushfires, as we have heard today, are a natural part of the Australian landscape and many of our plant and animal species can co-exist with fires, but not at this intensity and not at this frequency. Extreme weather events and weather disasters induced by climate change are happening too quickly for New South Wales' natural environments to recover and adapt. Building resilience is crucial to protecting our environment. With modelled climate projections, we can better understand, predict and prepare for future impacts and changes to our natural environment.

The adaptation objective in this bill provides for New South Wales to be more resilient to a changing climate. This central pillar of the Government's proposed legislation recognises that action on climate change cannot only be preventative; it must also be realistic and respond to the climate impacts already being felt across

New South Wales. Nature plays a central role in regulating our climate through its remarkable capacity to store carbon. By taking action on climate change and building resilience within our natural ecosystems, we are also restoring nature's ability to reinforce our own efforts to draw down atmospheric carbon dioxide and mitigate the effects of climate change.

Building resilience requires considered and science-led planning, ecosystem management and education. In addition to the adaptation work already being undertaken by government, the Net Zero Commission will monitor, review and provide advice on progress towards the adaptation objective, as well as the targets, and government action on climate change. It will make recommendations on ways to achieve the objective and suggest areas for improvement. The value of independent advice on policy must not be underestimated.

We are privileged in this place to govern for the people of New South Wales, and we have a responsibility to maintain the integrity of our policy decisions and strategies, ensuring they have a strong evidence base. Complex policy making should be informed by well-researched public advice that instils trust in our Parliament, democracy and science. The reporting requirements for the commission, at clause 19 of the bill, ensure that the Parliament and public see the advice and recommendations that come before the Minister. The transparency and accountability mechanisms for the commission throughout the bill show that this Government is ready for collaborative and constructive action on climate change, supported by open dialogue.

Today marks an important day for New South Wales to stand alongside leading jurisdictions and say that we are genuine in our commitment to tackle climate change. For our environment, for the people of New South Wales and for the planet, I urge honourable members to support this bill.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:54): In reply: I thank all members who contributed to debate on the Climate Change (Net Zero Future) Bill 2023. To the Hon. Robert Borsak, the Hon. John Ruddick, the Hon. Rod Roberts and the Hon. Mark Latham, I say that we will have to agree to disagree on this one. I thank them for their ongoing contribution in terms of what they believe is important, but the Government does not agree—and nor does science. I welcome the support of the Hon. Scott Farlow, the Hon. Sarah Mitchell, the Hon. Jacqui Munro, the Hon. Emma Hurst and the Hon. Jeremy Buckingham for real action on climate change. I welcome the breadth of support they have provided in the Chamber for the need to take action.

It is easy to be pure in relation to these matters, but we need to take people along with us. It is important to have the broadest coalition that we can to support these efforts. I have listened to all of The Greens' speeches. They constantly demand action, but, when action is before us, it is never good enough, and they attack it and say that they would rather have nothing. Just as The Greens seem to be disappointed, I too am very disappointed in their attitude to the bill. I thank those who contributed to the parliamentary inquiry. The parliamentary inquiry was swift, but I know that many people contributed to it and it was an important part of the process. I thank Ms Sue Higginson for running that inquiry.

I also thank the climate scientists who are working every day to ring the bell in relation to the urgency of this matter. No-one in this Chamber is suggesting it is not urgent. We have a different view about the action that we take and the process by which we do that, but I thank the climate scientists. I also thank the Scientist of the Year, who is an oceanographer. I went to the awards ceremony just this week, and he urged all of us to think more about the urgency of the need to take action on climate change. I acknowledge the scientists' work and I know that this Government is taking their call seriously and will work every day to reduce emissions in the way that we must.

I also thank members for engaging in discussions. At this point there are around 31 foreshadowed amendments to the bill. As I have always said, the Government is willing to work through those, and we will do so before we get to the committee stage on Thursday. One of the things we have heard today in relation to the bill is that it is either too dangerous and goes too far, or it is not worth the paper it is written on. I am not quite sure how those things can be together, but perhaps that is where we land, which is what this bill is about.

The bill is about locking in the commitment to the people of New South Wales to get to net zero by 2050. It is about moving from aspiration to something that is in legislation for which governments and Ministers of the future will be held accountable through a Net Zero Commission that will independently report to Parliament and have independent oversight by a joint standing committee. We do not do this very often, and it is a bit disappointing that some members have not understood that we are setting up the architecture for future success and accountability of the Government now and of governments in the future.

New South Wales and Australia are playing catch-up. To go back to the reality of the politics of climate change, about 20 years ago there was a fragile consensus on the need to take action on climate change. There was an opportunity, and a window opened for us to step through with ambition. We have been playing catch-up ever

since, from the day Tony Abbott decided to press the button and go against bipartisanship on this issue, and to run a series of elections and destroy community consensus on taking action. That is what we are dealing with now.

We are having to play catch-up because we know that other States have moved forward on climate change. South Australia had climate change legislation in 2007, Tasmania in 2008, the Australian Capital Territory in 2010 and Victoria in 2017. It took until 2022 for the Commonwealth to legislate because those opposite—not the Liberal Party and the National Party in New South Wales, but their colleagues in Canberra—decided that was not something they thought they should do.

The opportunity that stands before us with the bill is to build consensus, to build back bipartisanship and to do the work that is necessary. The ambitions of this Government are high. We do not seek to lock in the targets as they are. We seek to have them as a start and for them to be ratcheted up in the future. We also want them to be based on science and on careful work, understanding the various sectors and the ways in which they are impacted. We seek to have social justice at the heart of the way that this is undertaken. We also seek to make sure that, sector by sector, vulnerable communities can be understood as we bring them with us. One point that someone made—I am not sure who it was, but it was the right one—was that the poorest in our community are some of those who are under the most pressure as we make this transition, and the Government is not prepared to leave people behind.

I make a couple of extra comments about why we would do this and what is the cost. There was a lot of discussion about that. I doubt that the Hon. Mark Latham and I will ever agree on that, but I put a few things on record. The cost of doing nothing is far more detrimental than the cost of what we are trying to undertake at the moment. Extreme natural weather events in New South Wales such as the Black Summer bushfires and the floods in northern New South Wales are already costing us billions of dollars. According to the Insurance Council of Australia's submission to the recent inquiry into the bill, the Black Summer bushfires cost \$16.8 billion in extreme weather claims and the northern New South Wales and south-eastern Queensland floods cost \$6 billion.

Federal Treasury's sixth intergenerational report predicts that the impact of high temperatures on Australia's labour productivity in 2063, in just 40 years, will be between \$135 billion and \$423 billion in today's dollars. For our State, New South Wales Treasury's intergenerational report found that more frequent and severe natural disasters would cost New South Wales between \$15.8 billion and \$17.2 billion per year on average by 2060-61. The UN's IPCC report in 2022 found that, with two degrees of warming, Australia's economy would miss out on \$115 billion in lost earnings over the next decade and \$350 billion over the next 20 years. That is before we even deal with the changes that are occurring in the international economy and the need for a State like New South Wales to diversify our economy so that we can keep up into the future, not be left behind, and to ensure true justice for the communities that are impacted.

The bill is important. It is a significant step forward that puts New South Wales on a tighter, more urgent and more ambitious agenda to do our part to deliver emissions reductions. The Hon. Rod Roberts quoted Dr Alan Finkel. Dr Finkel clarified some of his testimony about that, and I put on record what he actually said about why we need to take action. He said:

... doing nothing is not a position that we can responsibly take because emissions reductions is a little bit like voting, in that if everyone took the attitude that their vote does not count and no-one voted, we would not have a democracy.

Similarly, if all countries that have comparable carbon emissions took the position that they shouldn't take action because their contribution to this global problem is insignificant, then nobody would act and the problem would continue to grow in scale.

Let me be clear, we need to continue on the path of reducing Australia's carbon emissions. The fact remains that Australia's emissions per person are some of the highest in the world.

We have an international obligation, a local obligation and an obligation to our children and grandchildren to leave the planet in better shape than it currently is, given the trajectory it is on. I commend the bill to the House.

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

The House divided.

Ayes31

Noes5

Majority.....26

AYES

Boyd
Buckingham
Carter
Cohn

Higginson
Hurst
Jackson
Kaine

Munro
Murphy
Nanva (teller)
Primrose

AYES

D'Adam
Donnelly
Faehrmann
Fang
Farlow
Farraway
Graham

Lawrence
MacDonald
Martin
Merton
Mitchell
Moriarty

Rath (teller)
Sharpe
Suvaal
Taylor
Tudehope
Ward

NOES

Banasiak
Borsak (teller)

Latham
Roberts (teller)

Ruddick

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That consideration of the bill in Committee of the Whole stand as an order of the day for the next sitting day.

Motion agreed to.**BUILDING LEGISLATION AMENDMENT BILL 2023****Returned**

The PRESIDENT: I report receipt of a message from the Legislative Assembly returning the bill without amendment.

ROAD TRANSPORT LEGISLATION AMENDMENT (AUTOMATED SEATBELT ENFORCEMENT) BILL 2023**First Reading**

Bill received from the Legislative Assembly, 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.

The Hon. JOHN GRAHAM: According to standing order, I declare the bill to be an urgent bill.

The PRESIDENT: The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

The Hon. JOHN GRAHAM: I move:

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

Motion agreed to.*Documents***TABLING OF PAPERS**

The Hon. PENNY SHARPE: According to the State Owned Corporations Act 1989, I table the constitution of Intium Pty Ltd, subsidiary of State-owned corporation Essential Energy.

*Bills***24-HOUR ECONOMY LEGISLATION AMENDMENT (VIBRANCY REFORMS) BILL 2023****24-HOUR ECONOMY COMMISSIONER BILL 2023****Second Reading Debate**

Debate resumed from 19 October 2023.

The Hon. DAMIEN TUDEHOPE (21:14): I lead for the Opposition on debate on the 24-Hour Economy Commissioner Bill 2023 and the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023. These

two cognate bills build on the important legislative and policy work of the previous Liberal-Nationals Government in putting in place the changes needed to support a flourishing and vibrant 24-hour economy. The Opposition will support the bills. The 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 will amend the Gaming and Liquor Administration Act 2007, the Liquor Act 2007 and the Liquor Regulation 2018 with the overall intent of making the regulatory schemes impacting on live music venues and live music performances more fit for purpose.

The 24-Hour Economy Commissioner Bill 2023 will establish the 24-Hour Economy Commissioner as a statutory position to ensure that the focus on a vibrant 24-hour economy remains an ongoing priority for the New South Wales Government. The Opposition will move some amendments to the bills. We are grateful to the Minister and his office for the collaborative approach they have taken by listening to the concerns of the Opposition and continuing the bipartisan approach to reform in this space. The Hon. Jacqui Munro will make further comments on the bills on behalf of the Opposition. I commend the bills to the House.

The Hon. JACQUI MUNRO (21:16): I speak on the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 and the cognate 24-Hour Economy Commissioner Bill 2023. It is a welcome introduction and a great move towards enlivening New South Wales from Bondi to Broken Hill. I foreshadow that I will move amendments in the Committee stage. I thank the Hon. John Graham and the Hon. David Harris and their staff for their willingness to engage and collaborate on these amendments. Making the most of every hour of the day is an instinct that I think we all share in this place, and the growing acknowledgement of the value of a 24-hour economy from all sides is heartening.

Attending music or cultural events is not frivolous. It has value that is embedded in our psyches—in our very bodies. It is such a privilege to stand here tonight to extol the benefits of communal enjoyment of music and culture. It has given me so much joy throughout my life to be surrounded by these very human gifts. Music is with us at the best and the hardest times in our lives: from watching the Sydney Grammar School Bach Choir in high school to playing saxophone myself at the old Basement, seeing Hiatus Kaiyote on the Opera House Northern Broadwalk, listening to *Nights in White Satin* played at Mum's funeral, watching the Vampires—now ARIA award winners—play at the Wangaratta Festival of Jazz and Blues, dancing to DJ Sebastian Bayne's techno at Club 77 and being mesmerised by Flume at the 2023 Splendour in the Grass festival.

Many members know that I was very critical of the lockdown laws that saw Sydney and Newcastle shut down after 10.00 p.m. because of a single tragic incident that occurred at 9.00 p.m. Of course, risks associated with crowds and alcohol must be managed carefully, but it never made sense to me as a Liberal that we would shut down successful businesses and entire industries, prevent freedom of movement and trade, and strangle job opportunities in the range of professions associated with the night-time economy: from sound engineers to bartenders, restaurateurs to musicians.

I am a passionate advocate for entrepreneurship, freedom of expression and the creation of exciting job opportunities. Thankfully the Coalition reversed its decision, but there is a long way to go to foster the vibrancy so desperately needed in the global City of Sydney and with world-class, statewide destinations across New South Wales. I particularly acknowledge the work of former Minister Stuart Ayres and his adviser, Amanda Choularton, who were instrumental—pardon the pun—in reviving Sydney's culture. Massive events like Great Southern Nights and South by Southwest Sydney are a fabulous part of their legacy. I also want to note that night-time events and culture are not only about liquor. At Harris Park small businesses, cafes and shops are open until late with a thriving culture on any night of the week. Likewise, in Darling Harbour anyone can sit in Tumbalong Park with a froyo into the early hours.

There are enormous psychological benefits to experiencing music and culture in that communal environment. Patrick Fagan, an expert in behavioural science and associate lecturer at Goldsmiths University, was involved in a 2018 study that found that just 20 minutes spent at a gig could result in a 21 per cent increase in feelings of wellbeing. That elevated mood was linked with a 25 per cent rise in feelings of self-worth and a 25 per cent increase in closeness to others, and mental stimulation was shown to grow by an incredible 75 per cent. An Australian study involving 1,000 people in 2014 revealed that engaging with music by dancing or attending music events was associated with higher self-worth and social wellbeing than for those who did not engage with music in those forms. The findings also emphasise the important role of engaging with music in the company of others with regard to social wellbeing, highlighting an interpersonal feature of music.

A British Academy of Sound Therapy study released this year, called *Music as Medicine – The Musical Recommended Daily Allowance* tested over 7,500 participants and found that just nine minutes of music—mostly songs with a driving rhythm, fast tempo and positive lyrical content—is required to make people feel uplifted. Of those people, 89 per cent had improved energy levels after listening to music, 65 per cent laughed more and others felt more in control of their lives or able to take on anything. Associate professor in epidemiology at the University College London, Daisy Fancourt, said that "going to concerts significantly reduces the levels of the stress hormone

cortisol". According to a Yale University study, concertgoing leaves you more likely to help strangers. These studies and many more demonstrate the psychological and social benefits of music and the shared experience of music.

At a time when mental health is a priority and concern for all Australians, we should be looking to all practical means of treating isolation and mood disorders with social connection and positivity. The bill continues the Coalition's work to make events and spaces that promote social activity more numerous and desirable because there are economic benefits to increasing the duration of activities and the size of our economy. In their submission to the Callinan liquor law review, MusicNSW wrote:

The NSW live music industry makes a vital contribution to the cultural, social and economic fabric of the state, with an estimated value of \$3,623M and 23,207 jobs ...

That is an incredible contribution to our New South Wales economy and culture. Create NSW released a report—overseen by former Minister Don Harwin, who also did fantastic work in this space—which recorded 12.6 million international and domestic cultural heritage visitors to New South Wales in 2016. That report also found that 98 per cent of New South Wales residents engage with the arts; \$13 billion was spent by cultural and heritage visitors in 2017, which was up 53.2 per cent from 2013; and 87 per cent of community members think it is very important to have cultural activity in their local area. Those results taken from surveys at the time demonstrate the true value of the effects and benefits that a 24-hour economy has on the people of New South Wales.

The Coalition supports the bill as it builds on the good work of the former Coalition Government. It seeks to streamline entertainment sound management, modernise liquor licensing and increase support in the New South Wales planning system for the use of public spaces in the night-time economy. The bill includes legislative changes to outdoor dining, noise complaints, liquor licensing fees, trading hours, ID scanners, improvement notices for venues, provisions for small bars and restaurants, licence approvals and harm minimisation. The amendments are necessary to avoid the proliferation of nimbyism, particularly in relation to historic use of venues, and I certainly have a personal experience of that.

During the lockouts my friends who owned businesses that were night-time related, including club venues, abided by all the requirements set by the authority. Even though they progressed through all stages of approval, they were sent letters from the department that essentially warned them that they had to be on guard in relation to their activities because their security as a venue was not certain. Thankfully that culture is shifting. When I worked at the City of Sydney, I also experienced how powerful individual complainants could be in shutting down events that were being enjoyed by hundreds of people. Individuals who had moved into apartments that were opposite or above a nightclub that had been operating for years in Kings Cross were able to cause all manner of difficulties for those business owners who were trying to conduct their business activities lawfully.

One of the amendments that I have foreshadowed relates to the number of people that can make a noise complaint. It ensures that while a complaint can come from five people, they must come from separate households. That will ensure that the complaint is legitimate and that the complaint is not coming from one large household that has managed to make a serious complaint and incursion on a business. The special entertainment precincts are also a really important part of the bill. The bill seeks to put new structures and incentives in place to build and protect special entertainment precincts in various locations in New South Wales.

The former Coalition Government championed that concept through a successful trial in Enmore, which allowed an opportunity for the Inner West Council to work with the local entertainment industry to make it easier to run live events and to protect live music venues. I urge the authority to communicate proactively about the process to apply for and have approved incentivised events because they are not very well defined in the bill or the Act. I understand there has to be some inflexibility around that; however, to ensure that part of the bill and the Act are most effective and positive for business owners and communities which are applying for incentivised events, it is a really crucial part of communication and connection between the authority and the community that will be using those.

The benefits of liquor licensing changes are also part of the bill, which is fantastic. The bill speaks about the risks, which are important and can be serious, but they need to be managed and mitigated. The bill also ensures that the authority is made aware of the benefits and perceived positive impacts of new licensing as requested by individual businesses. In particular, new section 48 contributes to the great progress that is exemplified in the bill. It states that the proposed positive impacts or benefits for the local community if the relevant application were granted is highlighted as part of the authority's required statement from licensees that are applying to change regulations. It also states:

- (e) whether the granting of the relevant application would provide employment in, or other opportunities for, any of the following—
 - (i) the live music industry,

- (ii) the arts sector,
- (iii) the tourism sector,
- (iv) the community or cultural sector.

It further states that if the criteria are met, and that obviously includes the risk mitigation elements of the application, that the authority must:

... give due weight to the strong positive social impact associated with offering live music performances or arts and cultural events.

That is a fantastic part of the bill, and it allows licence holders to really demonstrate the positive impacts that their work and their activities will have on the local community.

It is also important to ensure that we continue the commonly accepted definition of live music and that it continues to include electronic music. That definition has been increasingly recognised as appropriate and must be ensured into the future. I do not believe that there are any current definitions of live music. It is a common cultural practice of an understanding between the authority and licensees. For the moment, that seems to be working well, and I urge the authority and the industry to continue to work closely together in that respect. Art and culture should not necessarily be defined by the Government. They are defined by artists and patrons. For the moment, it seems okay that they are not specifically defined in the legislation.

I move to the 24-Hour Economy Commissioner Bill 2023. The current commissioner, who was appointed by the former Government, is doing a fabulous job. He works tirelessly to utilise his international experience, networks and passion to ensure the maximisation of the activity of the New South Wales economy. It incorporates data to best plan and execute the policies that we need to develop a thriving, fun and productive 24-hour State economy. That includes advocating for the interests of the night-time economy in addition to his role as the 24-Hour Economy Commissioner.

The commissioner is not subject to the control and direction of the Minister or any other person in relation to the contents of advice, reports or recommendations given to the Minister. That independence is important to ensure that he—or she, in the future, when his term expires—is effective. The Minister may also establish a 24-hour economy advisory council to provide advice to the commissioner on the exercise of the commissioner's functions. Members of the advisory council are to be appointed by the Minister on the recommendation of the commissioner.

One purpose of the Opposition's amendments is to ensure that we do not leave the regions behind in the bill. We will move amendments to ensure that a specific regional component is represented in the commission. The expansion of the commissioner's responsibilities to include Newcastle, Wollongong and the Central Coast was an election commitment from the Labor Party, which recognised the value of the important reforms established under the Coalition Government and sought to expand their remit. But it was always the intention of the Coalition Government to expand the role of the 24-Hour Economy Commissioner.

I remind the House of the words of the then Minister and former member for Penrith, Stuart Ayres, in the other place. He said, "I am looking forward to working with the 24-Hour Economy Commissioner not just in the Sydney CBD but right across metropolitan Sydney and out into regional New South Wales." Herein lies the difference between the Labor Party's proposed reforms and the true intention of the 24-Hour Economy Commissioner. Labor may or may not have deliberately sought to confine the commissioner's responsibilities to the major metropolitan areas of Newcastle, Sydney and Wollongong, but the Coalition believes that the 24-Hour Economy Commissioner should have oversight over all of New South Wales. We will be moving an amendment to that effect.

In his second reading speech, the Minister talked about locations including Penrith, Parramatta, Wagga Wagga and Tamworth but only in relation to special activation precincts. While the Opposition welcomes a renewed focus on those activation precincts, all of New South Wales needs to reap the rewards of a 24-Hour Economy Commissioner. The Coalition wants to see the live music industry go from strength to strength in regional New South Wales in addition to urban parts of the State, because we understand the value of the night-time economy. It should be shared no matter where you live in New South Wales. In regional New South Wales, pubs and clubs play an important role in the community. They are essential to the wellbeing of those communities, just like clubs and pubs in urban areas like Sydney. As a Liberal and a young person, I will always support making life better for entrepreneurs, artists and patrons. I am looking forward to the bill passing with the amendments we propose. Again, I thank the Minister for all his work.

Ms CATE FAEHRMANN (21:34): On behalf of The Greens, I support the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 and the 24-Hour Economy Commissioner Bill 2023. I will move a number of amendments to the two bills. The cognate bills update the Liquor Act 2007, the Liquor Regulation 2018 and the Gaming and Liquor Administration Act 2007 to make a raft of changes to the way liquor

licences operate for small bars, restaurants, breweries and hotels; to incentivise venues to host live music; to address the issue of noise complaints shutting venues down; and to extend trading hours. The bills also establish a legislative framework for the 24-Hour Economy Commissioner and the commissioner's advisory council.

The proposed changes come in part from Liquor and Gaming NSW's public consultation on the operation of liquor licences, exploring options for licensing reform to adopt a risk-based licensing model. I understand that the cognate bills represent the first of two tranches of reform born out of the consultation. The Minister advises that a more comprehensive tranche is expected to be worked upon. I understand that it is being worked upon now and will be introduced in 2024. I understand that what is before us is the low-hanging fruit, if you like, and we certainly look forward to the second tranche.

As outlined by the Minister in his second reading speech, this tranche of reforms covers six areas. The first is the regulatory scheme for noise complaints. The 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill designates Liquor and Gaming NSW as the primary complaint handler for noise complaints concerning venues. This will address a longstanding issue for many of us who enjoy going out and who know people in the industry, promoters, venue operators and people who own small bars. That is the issue of noise complaints, whereby multiple government entities carry overlapping duties in respect of noise complaints, including Liquor and Gaming NSW, the Environment Protection Authority and development applications as enforced by local councils. We have heard from people within small bars and the Independent Bars Association that they are looking forward to the next tranche of reforms. They are frustrated that the bill does not cover development applications and all the barriers that small bars face in doing what they want to do every day. That is the second tranche.

Currently, three disturbance complaints about a venue, as they are referred to in the Act, is enough to trigger a formal complaint to Liquor and Gaming. Alternatively, a single complainant must satisfy the secretary that his or her interests are adversely affected by the undue disturbance from the venue. The bill updates the requirement from three complaints to five, providing a somewhat more balanced approach in the commencement of a formal complaint. However, we understand from questioning the Minister that the complainants could all be from the same household.

The Hon. Jeremy Buckingham: Or the same office.

Ms CATE FAEHRMANN: Or the same office. We suggest that the Government look at ways to ensure that complainants must be from different households. Moreover, the bill requires complainants to attempt to mediate the issue directly with the venue prior to making a complaint. That will allow impacted residents and the venue to discuss the issues raised at the local level. That is how the issues should be addressed at the first stage, rather than through government intervention. The bill also makes clear the process to be followed by Liquor and Gaming in assessing a complaint.

The 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill will support the creation of live music and performance venues by extending some of the incentives already afforded to them. It seeks to expand special entertainment precincts in addition to the existing one on Enmore Road. That special entertainment precinct is fantastic. We need more of them. It is great to see legislation before this Parliament that will allow more of them to sprout in a number of places, particularly in Sydney. Councils will be given the power to impose personalised limitations around these precincts, allowing each precinct to operate in a way that benefits the local area most. Councils will also be encouraged to allow venues to utilise outdoor dining areas, additional car park areas and will have other incentives to promote the night-time economy in their local areas.

I say at this point that it is important to remember that across New South Wales there are councils that really love the night-time economy and there are councils that do not love it as much. I have spoken with business owners, restaurant owners and small bar owners in areas where councils may not be as encouraging, so they are keen for us to examine a council's power in relation to development applications. We need to remember when we have these types of bills before us to be careful not to be too Sydney-centric. I live in Redfern and it is great.

The Hon. John Graham: Hear, hear!

Ms CATE FAEHRMANN: So did the Minister at one point. We used to always see each other at the local bars, cafes, restaurants and everything. He has moved, as I understand it, a little bit further out, but not too far out. On a serious note, we must remember that there are councils that are not as encouraging of night-time businesses such as small bars and what have you. Particularly in some areas on the coast and some areas in regional New South Wales, when we move away from the Wollongong, Newcastle and Sydney councils—

The Hon. Jeremy Buckingham: Oh!

Ms CATE FAEHRMANN: If there are any others, I am happy to acknowledge them.

The Hon. Jeremy Buckingham: They are not as progressive, not as cool as Redfern?

Ms CATE FAEHRMANN: I acknowledge the interjection because, if the Hon. Jeremy Buckingham had been listening to what I was saying just a couple of minutes ago, I indicated that I had spoken with business owners in certain coastal council areas who said that the councils were certainly not as encouraging as those we are used to in Sydney. Members of the community may recall offerings of outdoor dining areas, additional car park areas and other incentives from the COVID era, when the former Government did what it could to keep the hospitality industry afloat during those times. However, what we do not want to see as a result of increased trading hours is more hours for people to lose more money on pokies.

At this point I note that the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill extends the standard trading hours for Sunday from 5.00 a.m. to midnight, and possibly not everybody will agree to that. I understand that this will receive support in this Chamber either tonight or in a couple of days' time, but that should not also come with the poker machines staying open. The Greens will move an amendment, which hopefully will receive support, to ensure that additional trading hours—not just extended trading hours for live music but with standard Sunday trading hours—do not have those poker machines operating at the same time. We know that what the people of this State are losing on poker machines is more than it has ever been and it is increasing. We know that the State budget is in fact relying on it continuing to increase. The Greens will be moving amendments to restrict the operation of pokies in that regard.

I understand as well that all councils were invited to consult on the changes in the bill that is before us. I understand that no major issues were raised. That is a good thing. One change this bill seeks to make that The Greens will seek to amend is the major change to the consultation process for new licensees. In the Minister's second reading speech, he outlined what he called a duplicative process of consultation for licence applicants—once before the application is lodged and once again when the application is made and published on the Liquor and Gaming NSW website. Stakeholders informed me that this issue is not as straightforward as outlined in the Minister's speech. It is a significant change to not have the views of the community heard in the initial licence application process.

We do not believe that adequate consultation has taken place in terms of the impacts of these changes. For example, this afternoon I spoke with the Foundation for Alcohol Research and Education. The academics it speaks to are very experienced and across what community impact statements and community consultation mean when new venues open that are serving alcohol. I was told it is important that we do not remove too many of the requirements around consultation in our enthusiasm—which I share—for enabling venues to establish themselves more easily by streamlining the application process to incentivise venues. All of that is fantastic, but the community's views, particularly if a new venue selling alcohol is opening nearby at the corner and it will be open at 9.00 a.m. or 10.00 a.m., should not be taken out of that process by this bill.

The Greens will move amendments that remove that entire change and will be urging the Minister to put that into the second tranche of reform. It is possible we could be convinced, but I want to ensure that people who are expert in community consultation—academics in the field—are really confident that the new changes do not go too far in wiping out community consultation. I understand the sentiment, I understand the principles, and I understand that so many venues and so many small businesses in Sydney over the past eight years or longer have absolutely been hammered by restrictive legislation. I also understand the individual residents and people who have really had it tough and had to shut down businesses as well as the completely over-the-top reaction to anything new associated with any new business. We do not want to go back there, but we do not want to remove an absolutely essential part of the planning process, which is ensuring that the community's views are heard at the beginning when a proposal is put forward.

The Greens also support the establishment of special entertainment precincts. As I said earlier, bring them on. But, again, let us make sure that communities are consulted. Overall, as I have already indicated, The Greens support the bills. I thank the Minister and his office for being very open and available to discuss these issues. I look forward to working closely with the Government on future reforms of this nature.

The Hon. CHRIS RATH (21:47): I support the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 and the 24-Hour Economy Commissioner Bill 2023. I commend the Deputy Leader of the Government most sincerely for this bill. I know how passionate he is in this area. I wholeheartedly support his pursuit of deregulation to revitalise the New South Wales night-time economy, and long may he continue with that precedent. I refer to a little bit of history and say that lockouts are wrong. They were wrong in 2014 when the Coalition and Labor voted for their introduction. They were wrong when they were finally dismantled in 2019-21 and they are still wrong today. They do not work.

As a Liberal, they offended my sense of freedom, individualism and personal responsibility. I remember being involved in the Young Liberals many years ago with the Hon. Jacqui Munro. There were many motions at

Young Liberal council when the Young Liberal movement fought passionately against the introduction of lockdown laws. I certainly supported those motions condemning the lockdown laws, but the Hon. Jacqui Munro in particular had an important role to play in showing that, at the time, groups such as Keep Sydney Open had a Liberal voice. I particularly acknowledge the member for her involvement there. But, at the time, there was overwhelming support within the Young Liberal Movement to condemn the lockdown laws that the Liberal Government introduced with broad support from across the Parliament. These bills are, in part, an attempt to redress some of the errors we collectively made in the past. I hope that this Government remains committed to maintaining a cooperative, evidence-based approach to our night-time economy in the future.

The 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 addresses three key areas of the New South Wales night-time economy. Firstly, the bill seeks to strengthen the live music sector by streamlining approval processes, removing outdated red tape and preventing the fun police from spoiling a good night out. The bill will designate Liquor and Gaming NSW as the primary regulator for noise complaints and add section 79B to the Liquor Act 2007 to increase the threshold for disturbance complaints and place a focus on mediation before complaints are considered. For too long the live music sector has been shackled by vexatious neighbours who are allergic to fun, where complaints have led to the cancellation or reduction of events. Mediation will be a critical tool in providing a signal to complainants to moderate their complaints and seek a reasonable resolution that benefits themselves and the licensed venue.

Furthermore, the bill adds section 80A to the Liquor Act, which will strengthen the test for disturbance complaints where the order of occupancy is in favour of licensed premises or the venue is within a special entertainment precinct. This is necessary to protect well-established venues from new neighbours and occupants forcing restrictions where live music has been a long-held drawcard of the venue. What a lot of puritanical whingers, to try to shut down a live-music venue as soon as they move into a new neighbourhood. The local pub was there first. If they do not like it, they should not have moved there. If they want to live in splendid suburban serenity, then they should not move from Gregory Hills to Surry Hills. The bill also amends section 12A of the Liquor Act to increase extended trading for live music and performance venues from 60 minutes to two hours. Lastly, the bill introduces a range of measures and incentives for venues in special entertainment precincts. I look forward to the Government working with local councils to add additional special entertainment precincts across Sydney and all of New South Wales.

Secondly, the bill seeks to streamline licence applications by removing duplication in application processes. Changes to section 48 of the Liquor Act ensure that applicants must prepare a statement of risk of harm and other potential impacts as part of their liquor licence applications, with all mandatory consultation now taking place after the applications are lodged and listed on a public New South Wales government website for consultation. This will create a transparent, efficient and consultative application process for licensing. I hope that these changes to streamline the approval process will reduce the burdensome delays in liquor licensing, where the average processing time is about 65 days and in certain circumstances could blow out to 18 months. I note that further reform could be required, and I encourage Minister Graham to continue working with the industry and key stakeholders to streamline licence applications.

Thirdly, the bill proposes to streamline trading hours by adopting a standard trading period for liquor sales. Specifically, Sunday is no longer treated differently to the other six days of the week. This allows small bars to begin trading liquor at 10.00 a.m. instead of midday, and hotels can apply for extended trading on Sunday and Monday morning. Furthermore, the bill will permanently extend COVID-era rules related to outdoor dining for licensed venues, allowing for an efficient and time-appropriate application process.

We know that small businesses in the live entertainment space are definitely hurting after years and years of lockdowns and lockdowns. I live in Elizabeth Bay, and I am a frequent user of the facilities in Potts Point. One end of Potts Point—what they call the Parisian end—is incredibly vibrant, from the fountain and further along towards the navy base, where there are many nice cafes and restaurants, and it is definitely gentrified. At the other end, the Kings Cross end, there is still a lot of work to do. I think that the Kings Cross end does not really know what it wants to be. It used to be the live music and nightclub mecca of Sydney, but it has not been gentrified like the other end of Potts Point. So it is almost in an identity crisis. Does it go back to what it was, which would be difficult? Or does it go down the gentrification path like the other end of Potts Point? That is still yet to be seen, but there is certainly a lot of work to do in Potts Point and Kings Cross.

The 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 is a critical piece of reform that reduces red tape and allows venues to diversify their offerings, support local artists and remain profitable in a challenging economic environment. The bill strikes the right balance in providing for a safe night out and promoting a vibrant and diversified entertainment sector. I thank the Minister for proposing the bill to the House.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (21:56): In reply:

I thank the members of the House for their contributions to debate on the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023 and the 24-Hour Economy Commissioner Bill 2023. I will refer to some of their comments in the brief time I have this evening. Firstly, I thank the Leader of the Opposition for his brief but important contribution, in particular for his comments about the bipartisan work and collaboration in relation to the bills. It is a reflection on the former Minister, Minister Dominello, who brought a bill on this matter in 2020 and, faced with a flurry of amendments from the then Opposition, was extremely welcoming in actually working through the issues with the bill.

That set the scene for what has become important work across the Chamber, through the work of the parliamentary committees in this space, where we have carved out an agenda across the Parliament, but also through the work of these bills. That is one reason why, in particular with these bills, the Government has been keen to ensure that, where there are good ideas, good suggestions and amendments that can be incorporated, even late ones, we work in a way that picks up the good ideas around the Chamber. That is important to this agenda, and I recognise the work of former Minister Dominello.

I recognise the strong and passionate contribution of the Hon. Jacqui Munro on this matter. I can see that both she and the Hon. Chris Rath have some strong views about how this issue clashes with their view of liberalism. I am happy to hear that. There are some fundamental principles that underline how we regulate cities, especially after dark, and they raise big philosophical questions about how we do so. So I was pleased to hear those comments. I particularly commend her comments about this not being all about liquor. Haldon Street in Lakemba, during the Ramadan night markets, has an incredible night-time economy, where there is just a sense of community above all, without a drop of alcohol in sight. That is exactly the sort of night-time economy we should be encouraging across Sydney. In this diverse, multicultural city, we want every culture to feel welcome after dark. That is important in the framework we are setting up here.

Her comments about the need for it to go regional are strongly supported by the existing Government. We take the view that the bill already allows that and encompasses that, but we have also agreed to accept some of the amendments that make that clear. That is absolutely the goal of the Government. The work started in Greater Sydney. We took the election a commitment that it would extend to Newcastle, the Central Coast and Wollongong, but that work will go further.

Debate adjourned.

Documents

MINISTER FOR TRANSPORT OFFICE STAFFING

Claim of Privilege

The CLERK: According to the resolution of the House of 18 October 2023, I table a return identifying additional documents received on Tuesday 21 November 2023 which are considered to be privileged and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Claim of Personal Information

The CLERK: I table a return identifying additional documents received on Tuesday 21 November 2023 which are subject to a claim that they contain personal information and should not be published or copied. According to standing order, I advise that the documents are available for inspection by members of the Legislative Council only.

Adjournment Debate

ADJOURNMENT

The Hon. JOHN GRAHAM: I move:

That this House do now adjourn.

PUBLIC TOILETS

The Hon. STEPHEN LAWRENCE (22:00): World Toilet Day was on 19 November. More than half of the world's people live without access to safely managed sanitation. One of the things I am most proud of from my time as a councillor on Dubbo Regional Council is the construction of a public toilet. That loo, on the main street of Dubbo, is a monument to real and practical inclusion, equality and accessibility and meeting the public health and sanitation needs of the community. Prior to its construction there was no public toilet nearby, let alone a disability-accessible one. In fact, it is more than a public toilet; it has full adult change facilities with the equipment that is so vital for those amazing people caring for profoundly disabled adults. Many of them are loving

parents. The toilets are in the modern style—single-use cubicles accessible from public space. They are safe, private and comfortable. They are a world away from the old-style, gender-segregated toilet block that so many people enter with trepidation knowing much antisocial activity might be taking place inside a small, confined and shared space.

Around the time of the construction of the new toilet in 2019-20, I engaged in a conversation with council staff around the policy for the construction of our public toilets. I was informed, in summary, that while there was no Australian standard, or even a formal council policy, the council, along with other councils, had completely moved away from the construction of old-style male and female toilet blocks and were now constructing public toilets that consisted of single-use cubicles that people entered from the street. They advised these were preferred by the community, were economical and met principles around equity and inclusion. In Dubbo you see many recently constructed public toilets designed in that way: Church Street, Cameron Park in Wellington, Elston Park, Lady Cutler Oval, Kennard Park and many more. It is a real no-brainer when you think about it.

I can certainly say as a parent I know what sort of toilet the community wants available for their children: the single-use cubicle you enter from a public space. Therefore, recently I was surprised when Dubbo Regional Council departed from that apparent policy and this year built an old-style, gender-segregated toilet block made from cement in Lions Park West. The construction came with a blaze of national media attention—unusual for a toilet block—because it was built with so-called 3D printing. Apparently, that was something that no other council in Australia had ever done. I can say from my time as a councillor and vice-president of the Local Government Association, if no other council in Australia is doing something there is probably sound reason for that.

The stated reason for using 3D printing was because there is a plan to use it to construct housing on council-developed land in Dubbo. That, however, does not seem to make a lot of sense. I am told that the four council blocks reserved for 3D-printed homes will simply be sold with a condition on the title that the home be built with 3D printing. I am therefore unsure why council would need to 3D print a public toilet to learn about the technology, because it is not a property developer and has no plans to be. I am concerned that the council would reverse its public toilet construction policy in that way and construct an old-fashioned, less safe, less inclusive and less accessible toilet block using a technology no other council in Australia is using.

There is, however, a broader issue here that will be of concern to members from across the State. In Australia and New South Wales we lack consistent law and policy for the provision, design and installation of public toilets. There is no legislative requirement in Australia for ensuring the adequate supply of public access to toilets located outside of the home. It is that failure of public policy that allows local councils to inconsistently construct those facilities in the way I have just described. I commend to members a 2018 Churchill Trust report entitled *Exploring Accessibility and Inclusion in Public Toilets*. In 2021 the author of the report, Katherine Webber, published an article entitled *We Need to Talk About Public Toilets*, in which she said:

... a lack of coordinated access to public toilets in suburbs, urban spaces and cities due to limited provision, and the inappropriate location, design and maintenance of those facilities which are provided. These outcomes are due to several factors, including the lack of explicit assignment of responsibility to ensure equitable access to toilets across public spaces.

The impact of this failure for users can be significant, and disproportional for people living with disability or health conditions, women, parents and carers, children, and people who are trans or gender diverse. These users, in particular, need to feel confident they will be able to locate and access a toilet when they are out of their home.

A lot of work remains to be done in this important but often-unheralded area of public policy. I believe that, one, every local council should have a policy for the provision and design of public toilets and, two, State law should ensure their proper provision and construction in accordance with proper Australian standards.

GREAT WESTERN HIGHWAY FUNDING

The Hon. SAM FARRAWAY (22:05): This week's announcement by the Albanese Government to completely axe the Great Western Highway project has highlighted, as proof, that the only west that the Federal Government and, I would say, the State Labor Government, cares about is Western Sydney. I can only describe the decision by Minister Catherine King and the Federal Labor Government as narrow-minded. I have spent the past few days calling on not only the New South Wales Labor Government but also, and mostly, the Federal Labor Government—and my local Federal member, Andrew Gee—to start standing up for the Central West.

As soon as Catherine King, the Federal infrastructure Minister, started using those old accounting tricks to delay funding for the Great Western Highway and push it back for two years into those outer years from the 2022 budget, I knew that she was trying to push that project into the never-never land so it would never be built. That poses the question: Why? Minister King needs to say why she did not come clean at the beginning. She needs to answer why she wasted so many people's time and government time and the resources of agencies to create such uncertainty around the project.

The delay for the announcement has seen construction companies lay off staff across the country with no ability to plan for the future, all because the Federal Minister wanted to hide behind an infrastructure review. It was a 90-day infrastructure review that took over 200 days for Labor in Canberra to deliver. Now roads are being built in the Blue Mountains, like Coxs River Road, that are essentially roads to nowhere. They will be a monument to the National Party as the last party to have a vision for the Great Western Highway. When the party returns to government benches in Canberra, it will bring the political will to finish the project. Those roads cannot lead to nowhere. Duplicating bits and pieces of a highway corridor and network simply does not work.

I will always maintain that the Great Western Highway was not a fantasy. The previous Coalition Federal Government budgeted \$2.032 billion, which was obviously not honoured by the Labor Federal Government. But with the 20 per cent contribution from the then New South Wales Coalition Government, the project started. It was a vision that could have been delivered within the decade. What I am most disappointed about is the fact—as the facts roll out in the days that follow—that neither the New South Wales regional roads Minister nor the Federal member for Calare lifted a single finger to help keep the project on the table or fight or stand up for the people in the Central West.

We are all elected to Parliament to serve our communities, no matter how people vote. The Prime Minister has clearly said that he is there to govern for all—except if they live in regional New South Wales. The decision that was made is entirely political. People in the Central West—whether they are walking the streets in Lithgow, Bathurst, Orange, Dubbo, Mudgee, Parkes, Forbes or anywhere in between—do not really care about the politics. They want a decent road. They want a decent highway. They want a road that is fit for purpose. The freight sector and our road transport sector need a highway that is safe. It is hard to believe that in 2023 prime movers, trucks and trailers are climbing Mount Victoria in the winter months with black ice. It is unsafe. The road network was built by convicts. They had more vision than the Federal Labor Government because what they built has lasted until 2023.

It is time for us to move to the next step. It is time to build a highway that is fit for purpose and that is safe. That will allow for prosperity in the Central West, the Central Tablelands and western New South Wales. It was identified as the next major legacy road project in this State and country. It is one of the most critical east-west connecting highways that we have. It needs money put into it and it needs vision. Quite frankly, constituents, voters, people in this State, do not really care about the politics; they just want the Government and Transport for NSW to get on with the job. I am most disappointed that the work that has gone into this—the community consultation, the design of possible tunnels into the future, the road surface duplication, and the work of mayors, councils and joint organisations—has all been put in the bin. Ten years' worth of work has been put in the bin at the stroke of a pen from the Federal Labor Government.

USER-PAYS POLICING

Ms CATE FAEHRMANN (22:11): Have you ever wondered how much it would cost to hire your very own police officer? According to the NSW Police Force's *Cost Recovery and User Charges Policy* it is \$144 per hour. That is how much the New South Wales police charges for its off-duty police officers to attend events like music festivals before those festivals are allowed to hold their event. It may not sound like much, but let us assess the impact it has had on the industry. In the financial year 2017-18, New South Wales police pulled in \$21.5 million from user-pays services, the year before it pulled in \$16.7 million and in 2012-13 it pulled in \$8.5 million. Compare those numbers to the 2007-08 financial year, where the amount was \$5.4 million. That is a fourfold increase since the scheme's introduction in 2004. Upon coming into effect, then police commissioner Andrew Scipione said of the scheme:

Clearly there are some events where people put enormous crowds together for huge commercial events and they make a lot of money and there is an expectation that those events will be policed. Often they want police to supplement private security.

Let us be clear: It is the police and successive governments that want this scheme in place, not the event organisers. It certainly was not wanted by the organisers of the Bohemian Beatfreaks Festival, who in November 2018 were quoted \$200,000 for user-pays services, weeks after police attempted to shut down the festival—a move that was defeated in the Land and Environment Court. The organisers ended up moving the festival to Queensland—frankly, who can blame them? They are not the only ones.

In 2019 the Mountain Sounds Festival cancelled its festival a week ahead of the event after receiving a \$200,000 bill for 45 user-pays police officers who were apparently required to be engaged. That bill came after organisers cut down the size of their event and cancelled more than 20 acts to make sure they met newly imposed safety, licensing and security costs. A week later Psyfari cancelled its long-running festival on its tenth anniversary year because user-pays fees meant that it would have to charge \$500 a ticket. In its cancellation announcement, Psyfari's organisers stated that "excessive rules, bans on BYO alcohol" and "overly heavy police presences" were

not what they had in mind when they started the event. It is definitely not the attendees who want the police there either.

At the recent Listen Out Sydney festival, the organiser was required to foot the bill for 164 user-pays officers in addition to the 116 who were there at taxpayers' cost. The 164 officers cost Listen Out \$242,000 in addition to user-pays costs for medical and ambulance services. In all, police undertook 186 searches, 20 of which were strip searches. According to the police's own records, less than 25 per cent of the searches undertaken by police in the past 10 years have turned up an illicit substance. It is no wonder that in spite of those 186 searches, police made only 45 arrests, 37 of which were for possession of small amounts of drugs for personal use—which the Government has now admitted should be treated outside the criminal justice system. However, have any changes been made to the user-pay policy? No, they have not.

The situation is even more dire for festivals that are deemed to be a subject festival under the Music Festivals Act. Those festivals are deemed high risk, thereby increasing the number of police, medical officers and ambulance services that are required to be contracted, as well as the attached costs. That price gouging is unique to New South Wales. I give a recent example: A music festival with 16,000 participants in New South Wales cost \$107,852, a music festival with 14,000 participants in Victoria cost \$45,000 and a music festival with 14,000 participants in Queensland cost \$45,000.

Last week at budget estimates the Independent Liquor and Gaming Authority [ILGA] stated that "there has not been a single instance of ILGA designating a subject festival without the recommendation of the police to do so". That means police are deciding whether music festivals and other events should have to engage its services and how much they should be charged, and then the police are charging outrageous amounts, which is resulting in some events choosing to bypass New South Wales on their festival schedule. The last Government wanted to shut down music festivals. This Government seems more favourable to them. That is why it is so disappointing to have seen no action from the Government to deal with that outrageous and unfair user-pays scheme. It is a police rort and it is killing music festivals in New South Wales.

PORT BOTANY PROTESTS

The Hon. CAMERON MURPHY (22:16): I speak about the current dispute at Dubai Ports' DP World at Botany in New South Wales. The Maritime Union of Australia [MUA] has been negotiating with DP Ports in good faith for six months, attempting to reach agreement on a new enterprise bargaining agreement [EBA] that would ensure workers have secure jobs, safety in the workplace and a pay deal that can keep up with inflation and the cost-of-living crisis. Despite already paying significantly less than neighbouring terminal operators and the Australian industry average, DP World has refused to back down from its position of pay cuts and negotiate in good faith with the MUA. In the face of protected industrial action, DP World's negotiators are now refusing to meet with the union at all, further delaying necessary pay rises and safety entitlements for workers.

The continued drawing out of negotiations by DP World is a blatant attempt to try to game industrial relations laws by forcing negotiations before the new, intractable bargaining system, where it hopes to push through an agreement that cuts pay, conditions and job security for workers. According to *The Guardian* newspaper, DP Ports has paid exactly zero dollars in corporate tax since 2015, despite generating \$4.5 billion in revenue over the same period, including a record \$840 million in revenue last financial year. It is astounding for a company that saw a 140 per cent increase in profits over the past year to argue that it cannot support pay rises that keep up with the cost of living. It is having a lend of the Australian community by not paying tax.

Recently DP World hiked up its port charges by more than 50 per cent, which will have severe and detrimental consequences for the entire supply chain. Not only will consumers pay more but, worryingly, it will also encourage cost cutting along the whole supply chain and endanger the safety of workers at DP Ports. Those workers did their duty during COVID and kept the port running throughout. Instead of being rewarded for their loyal and diligent service, they are now being attacked by a company that is seeking to cut their conditions of employment and their pay. Recently the company had the audacity to email members of Parliament across Australia and complain that the union was taking protected industrial action as part of the bargaining process. They wanted members of Parliament to intervene to stop the union from seeking a fair deal on behalf of its members. Some free advice for the company is that, if it wants industrial action to end, it should bargain in good faith and reach an agreement.

The recent cyber attack is a sign of the company's reckless disregard for its obligations to its workers and the public. It is difficult to believe that anything but mismanagement and cost-cutting led to that cyber attack disaster, which has put the private data of workers, customers and others at serious risk. The company even failed to take up the generous offer made by the Maritime Union of Australia to assist it to move containers using a paper-based system until it recovered from the cyber attack.

I was honoured to visit DP World workers at Port Botany last week and to hear from them first-hand about their working conditions and how negotiations have reached where they are now. I stand in solidarity with them and their union as they fight for a just and fair outcome. I hope that DP World returns to the bargaining table and that it can see the necessity of what workers and the MUA are arguing for. Otherwise, there is an old saying in the CFMEU: There is no satisfaction without industrial action. MUA!

Government members: Here to stay!

The Hon. CAMERON MURPHY: MUA!

Government members: Here to stay!

The Hon. CAMERON MURPHY: Good luck to the workers. I stand in solidarity with them. I am sure they are going to win this dispute.

WATER BUYBACKS

The Hon. WES FANG (22:21): It is going to be hard to match that one.

The Hon. Cameron Murphy: Don't try.

The Hon. WES FANG: I acknowledge the interjection. I am not going to try because I am going to speak about something that is serious and that affects more than a few workers. It affects communities. We have tonight seen debate in this House around reviving the night-time economy. We have heard from members on both sides of the Chamber about the importance of supporting the community in which one operates and acknowledging that sometimes wrongs have happened. What we were talking about was a change to the night-time economy and the way that we regulated it, and the impact that had. Throughout that debate I was thinking about my community and changes and impacts on them because of government regulation and rules that have systematically reduced their ability to provide a future for the community. I am talking about water buybacks.

It is interesting to hear members in this Chamber talking about how, because of an incident, we have had an impact on a social group that likes to go out and how we need to correct the wrongs of the past. What we are trying to do is bring in legislation. What we have done to communities in irrigation areas, by enforcing buybacks and pulling water out of those communities, is to reduce our ability to feed and clothe ourselves with food and fibre because, in effect, water is life and water is productivity. Productivity is what drives our community. It means that our kids have a future. It means that farmers are able to produce food and fibre so that we can put food on our plates and clothes on our backs. When we take water out of those communities, farmers are able to produce less food and perhaps, in that position, are not viable. It also takes away the prosperity of the community. While we are talking about a regulation change or legislation change that impacted the night-time economy in metropolitan areas, we are completely ignoring the impacts of water buybacks and flushing environmental water out to sea in South Australia on those communities in the irrigation areas of our State.

For too long, people in this place have told people where I live what is good for them, in almost the same way that people who were not part of the night-time economy were making decisions about how it would operate, as we have discussed in the House tonight. We are seeing the same thing happen now. That is why, in the past few weeks, we have seen farmers, the dairy industry and the fibre industry rallying together to fight Tanya Plibersek's new round of water buybacks. They know that, if that water goes, it will be gone from that community forever. And when the water goes, the prosperity goes. When the prosperity goes, the future of that community goes. It is all well and good to say that we can deliver food and fibre by bringing it in from somewhere else, but, in reality, we all need to stand on our own feet. The people of New South Wales have to be able to feed and clothe themselves, and that means we need water. I stand with those farmers in my area, and I hope that people will learn from the wrongs of the past.

GOVERNMENT PERFORMANCE

Ms SUE HIGGINSON (22:26): On 26 March this year, people across New South Wales woke up expecting that change was afoot. Progressives across the environment and social justice movements breathed out, optimistic about a new Labor Government and the prospect of a new direction for our State, which had been trudging under the weight of Coalition governance for more than a decade. Eight months on and, in the last sitting fortnight of the year, the deep breaths of relief have turned into gasps of disappointment. School students are still being forced to take to the streets, calling for their future to be protected. Forest defenders are still in our forests, fighting to stop the Government from destroying the precious green line of native forests that stands between us and climate and biodiversity disaster. The communities of Western Sydney are organising to oust Premier Minns from his position, saying that he has Palestinian blood on his hands.

With the first year of a NSW Labor government almost done, those who were hopeful after the election have become disappointed. I am sad to say that I am among those who genuinely expected that we could have a better, more conscionable government in New South Wales if Labor were elected. We hoped that the small-target politics of Labor in opposition would be replaced with a bold reform agenda to address the extinction crisis. We were promised the Great Koala National Park—that we were taking a genuine, boots-and-all approach to protecting some of the State's wild koalas on the mid North Coast—but we quickly learnt that logging will continue and it will not be created for years. That was a more-than-devastating realisation. We genuinely thought that by now we would be working with the Government to end native forest logging, to stop the destruction and to stop those few workers who are left at the forefront of that expensive wanton destruction from walking off the inevitable cliff as that industry—which is comparable to whaling—comes to its end.

We continue to wrestle with a planning system that empowers corporations and disempowers communities, with development approvals that prioritise developer interests and mining companies over environmental outcomes. It sacrifices a safe climate for our young people and instead privileges the wealthy, with a revolving door between them and the Executive. We were also promised a more transparent, accountable government. Since that promise was made, one Minister has been dispatched to ICAC and another is holding on by the skin of her teeth as her position becomes more and more untenable. In the face of scrutiny, Ministers are misleading this House, deflecting, avoiding and disappearing.

Vulnerable people have been killed, month in and month out, by New South Wales police, with no real accountability and with the Government unwilling to support the genuine attempts to engage our democratic parliamentary process of inquiry and accountability to look at the issue. Meanwhile, the Premier has been more inclined to sit down to lunch with former police commissioner turned PwC partner Mick Fuller and the Australian Federal Police's Reece Kershaw at the same time that they were being accused of being involved in a dodgy consultant contract process—along with none other than 2GB's Ben Fordham—than to listen to the community and respond with bold, necessary action. We hoped the culture of corruption and failed accountability might change with a new government this term—that we would progress environmental justice. Instead, it seems the Government cares more about appearing to do something than actually doing the thing. This opaque, cagey Labor Party seems to regularly forget just how precarious being in minority government really is.

NSW Labor has shown disappointing form in the past eight months. While the climate crisis has worsened and our koalas and other forest-dependent species have been pushed that bit closer to extinction, this Government has introduced miscellaneous bill after miscellaneous bill, passed a paintball amendment and protected just 4.7 per cent of the Great Koala National Park—more than a third of which had already been logged when Labor came to government. The people who had hope are becoming more and more disillusioned. Where we hoped for courage, we got corruption; where we hoped for some vision, we got vapidness; and where we hoped for progress, we just got more politics. But, being the undying optimist I am and will always be, I will keep working to push the Government to go further and faster on climate, environment and justice. I truly and genuinely believe and hope that it will join the race, because positive progressive politics is what the State needs right now.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:30 until Wednesday 22 November 2023 at 10:00.