



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Eighth Parliament
First Session**

Wednesday 22 November 2023

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Wednesday 22 November 2023

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

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

Governor

ADMINISTRATION OF THE GOVERNMENT

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

Announcements

MEMBERS' PROFESSIONAL DEVELOPMENT

The PRESIDENT (10:02): I draw to members' attention the eighth in our members' professional development seminar series being run from 1.00 p.m. to 2.00 p.m. today. Today's session will be presented by Mr John Schmidt, NSW Electoral Commissioner, and Ms Andrea Summerell, Executive Director-Elections. The session will provide an overview of the role of the Electoral Commissioner and the Electoral Commission and their relationships to the Parliament; information about and time line of key events on the electoral legislation calendar; and an overview of members' obligations under electoral law and the support and resources the Electoral Commission can offer.

The session is being run in the Theatre and is open to all members. It is also open to members' staff. A light lunch will be provided. For those unable to attend, the session will be both recorded and live streamed. I encourage members to attend today's session on this important topic. This will be the last session in the members' development seminar series. We look forward to bringing members further sessions in 2024.

LEGISLATIVE COUNCIL BICENTENARY CONCERT SERIES

The PRESIDENT (10:03): I remind honourable members that from 12.45 p.m. to 1.30 p.m. today, talented musicians from Sydney Youth Orchestras will be performing in the Fountain Court as part of the special bicentenary concert series. The series invites everyone at New South Wales Parliament to reflect on our past, celebrate our progress and imagine our future. Today's musical program will be brought to life by a marvellous harp and string quartet, and we are encouraged to reflect on the theme of celebrating the spirit of togetherness as we move into the festive season. They will be playing all the Christmas favourites. I look forward to seeing members there.

Motions

KRISTALLNACHT COMMEMORATION

The Hon. MARK BUTTIGIEG (10:04): I move:

- (1) That this House notes that:
 - (a) on 9 November 2023, the NSW Jewish Board of Deputies held a Kristallnacht commemoration, and the Hon. Mark Buttigieg, MLC, was honoured to attend along with many guests, including:
 - (i) the Hon. Scott Morrison, MP;
 - (ii) Dr Marjorie O'Neill, MP;
 - (iii) the Hon. Mark Speakman, SC, MP;
 - (iv) Ms Kellie Sloane, MP;
 - (v) the Hon. Jacqui Munro, MLC;
 - (vi) the Hon. Chris Rath, MLC;
 - (vii) the Hon. Greg Donnelly, MLC;
 - (viii) the Hon. Scott Farlow, MLC;
 - (ix) Mr Matt Cross, MP;
 - (x) Mr Gareth Ward, MP;

- (xi) representatives from the consulates of the United States of America, Germany, the United Kingdom, Ireland and Greece;
 - (xii) councillors from Willoughby City Council, Woollahra Municipal Council, City of Sydney, Randwick City Council, Hornsby Shire Council, Northern Beaches Council, Georges River Council, Waverley Council and City of Parramatta Council;
 - (xiii) Mr Joseph La Posta, CEO of Multicultural NSW; and
 - (xiv) representatives and leaders in the interfaith and NGO communities.
- (b) Kristallnacht, or the "Night of Broken Glass", commemorates the events of 9 and 10 November 1938, where Nazis set alight and vandalised synagogues, Jewish homes and Jewish businesses around Germany, leaving glass littered over the streets;
- (c) the Nazis sent 30,000 innocent Jewish men to concentration camps during these pogroms, and many were killed;
- (d) Kristallnacht is considered a precursor for the horrific events of the Holocaust as it was one of the first openly violent attacks on Jewish Germans by Nazis; and
- (e) the NSW Jewish Board of Deputies commemoration included an insightful keynote speech by Dr Dave Rich on "Antisemitism: what it really is, why it thrives and how we can stop it", and a moving service where the families of Kristallnacht survivors lit memorial candles.
- (2) That this House congratulates the NSW Jewish Board of Deputies, including President David Ossip, the chair of the Shoah Remembrance Committee, Dane Stern, and the acting chief executive, Michael Gencher, on conducting such a significant and poignant service.

Motion agreed to.

TAIPEI ECONOMIC AND CULTURAL OFFICE RECEPTION

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

- (1) That this House notes that:
- (a) on 5 October 2023, the Taipei Economic and Cultural Office in Sydney held a reception to celebrate Taiwan, and the Hon. Mark Buttigieg, MLC, was honoured to attend and make a speech representing the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;
 - (b) the following guests attended the reception, many of whom gave speeches:
 - (i) the Hon. Paul Fletcher, MP;
 - (ii) the Hon. Rod Roberts, MLC;
 - (iii) the Hon. Damien Tudehope, MLC;
 - (iv) Mr Mark Coure, MP;
 - (v) the Hon. Anthony Roberts MP;
 - (vi) Dr Hugh McDermott, MP;
 - (vii) the Hon. Cameron Murphy, AM, MLC;
 - (viii) the Hon. Aileen MacDonald, OAM. MLC;
 - (ix) the Hon. Mark Latham, MLC;
 - (x) the Hon. Rachel Merton, MLC;
 - (xi) the Hon. Jacqui Munro, MLC;
 - (xii) Mr Matt Cross, MP;
 - (xiii) Mr Jordan Lane, MP;
 - (xiv) Mayor Karen Pensabene, Strathfield Council;
 - (xv) Mayor Sarkis Yedelian, OAM, City of Ryde;
 - (xvi) councillor Barbara Ward, Ku-ring-gai Council; and
 - (xvii) Deputy Mayor Brendon Zhu, Willoughby City Council.
 - (c) the reception was a great opportunity to recognise the importance of Australia and Taiwan's relationship.
- (2) That this House congratulates the Taipei Economic and Cultural Office in Sydney, including its director-general, Mr David Cheng-Wei Wu, on putting on the great reception.

Motion agreed to.

AC/DC

The Hon. JEREMY BUCKINGHAM (10:05): I move:

- (1) That this House notes that:
- (a) "In the beginning,
Back in 1955,
Man didn't know 'bout a rock 'n' roll show,
And all that jive,
The white man had the schmaltz,
The black man had the blues,
No one knew what they was gonna do,
But Tchaikovsky had the news, he said,
Let there be sound, and there was sound,
Let there be light, and there was light,
Let there be drums, there was drums,
Let there be guitar, there was guitar,
Oh, let there be rock!";
 - (b) in November 1973 Malcolm and Angus Young formed the rock and roll band AC/DC in Burwood, Sydney;
 - (c) on 31 December 1973 AC/DC played their first live gig at Chequers Nightclub on Goulburn St, Sydney, Australia;
 - (d) between 1975 and 2020 AC/DC released 18 studio albums, two soundtrack albums, three live albums, one extended play, 59 singles, 11 video albums, 58 music videos and two box sets;
 - (e) AC/DC's 1980 album *Back in Black* has sold over 30 million copies making it the all-time, worldwide, best-selling album by any band and the all-time, worldwide, second bestselling album by any artist;
 - (f) AC/DC have made over 200 million record sales globally, making them one of the world's top 20 artists for record sales;
 - (g) in 1991 AC/DC headlined "The Monsters of Rock" concert at Tushino Airfield in Moscow with over 1,600,000 attendees making it the largest concert ever for any band;
 - (h) in 1998 AC/DC were inducted into the ARIA Hall of Fame and in 2003 were inducted into the Rock and Roll Hall of Fame;
 - (i) in 2020 AC/DC's album *Power Up* debuted at number one in the United States of America, United Kingdom and Australia; and
 - (j) legendary American music producer Rick Rubin correctly described AC/DC as "the greatest rock and roll band of all time".
- (2) That this House calls on the Government to:
- (a) recognise AC/DC as New South Wales and Australia's most successful, and one of the world's most popular, performance artists; and
 - (b) construct a permanent public memorial that recognises the achievements of AC/DC and commemorates their globally significant musical and cultural contribution over the past 50 years.

Motion agreed to.

PARLIAMENTARY FRIENDS OF FRANCE RECEPTION

The Hon. NATALIE WARD (10:06): I move:

- (1) That this House notes that:
- (a) on Wednesday 18 October 2023, the Parliamentary Friends of France hosted a reception in collaboration with French tourism development agency, Atout France, celebrating the longstanding friendship between Australia and France; and
 - (b) in recognition of the 2023 Rugby World Cup held in France and the upcoming 2024 Olympics and Paralympics to be held in Paris, the Australian and French national love of sport and friendship was celebrated with "joie de vivre", in the Jubilee Room of New South Wales Parliament House.
- (2) That this House recognises the longstanding contribution of Mr Patrick Benhamou, Regional Manager of Atout France, for his commitment to promoting French culture and friendship in Australia, having opened the French Tourism Bureau in Australia 44 years ago, and hosting over 700 events celebrating French food, tourism, fashion and sport.
- (3) That this House acknowledges that the Parliamentary Friends of France reception was attended by:
- (a) Mr Martin Juillard, Consul General of France in Sydney;
 - (b) the Hon. Natalie Ward, MLC;
 - (c) Ms Trish Doyle, MP;
 - (d) the Hon. Ben Franklin, MLC;
 - (e) the Hon. Rod Roberts, MLC;
 - (f) the Hon. Chris Rath, MLC;
 - (g) the Hon. Leslie Williams, MP;

- (h) Mr Mark Coure, MP;
- (i) Dr Marjorie O'Neill, MP;
- (j) the Hon. Scott Farlow, MLC;
- (k) the Hon. Aileen MacDonald, OAM, MLC;
- (l) the Hon. Taylor Martin, MLC;
- (m) Mr Sebastien Vallerie, President of Union des Français de l'Etranger Sydney;
- (n) Mr Frederic Mazenq, Director of Atout France;
- (o) Mr Philippe Ostermann, Alliance Française;
- (p) Mr Angus Bell, Wallabies and New South Wales Waratahs; and
- (q) Mr Patrick Benhamou, Managing Director of Show7.

Motion agreed to.

TOGETHER FOR HUMANITY NSW YOUTH SUMMIT

The Hon. NATALIE WARD (10:06): I move:

- (1) That this House notes that:
 - (a) Together for Humanity is a not-for-profit educational organisation that works with schools to combat prejudice and help students learn how to deal with differences;
 - (b) since 2002, Together for Humanity has been working with and inside schools to foster tolerance through intercultural understanding in Australian youth from an early age;
 - (c) the mission of Together for Humanity is to develop and promote students' intercultural understanding in Australian schools, and in doing so bring communities together, despite differences of faith; and
 - (d) more than 100,000 students have experienced a range of programs, that not only expose students to different cultural perspectives, but educate teachers on how to plant the seeds of understanding and tolerance early on in their students' lives.
- (2) That this House acknowledges that:
 - (a) on Thursday 20 October 2023, Together for Humanity hosted its 2023 New South Wales Youth Summit, with the theme of "diversity and connection";
 - (b) the Together for Humanity Youth Summit is a platform for students to voice their ideas around diversity, inclusion and community cohesion to politicians, leaders and the broader community;
 - (c) the 2023 New South Wales Youth Summit consisted of representatives from:
 - (i) Asquith Girls High School;
 - (ii) Australian International Academy Sydney Strathfield Campus;
 - (iii) Bellfield College;
 - (iv) Birrong Girls High School;
 - (v) Broken Hill High School;
 - (vi) Willyama High School;
 - (vii) Delany College;
 - (viii) Emanuel School;
 - (ix) The Forest High School;
 - (x) Inner Sydney High School;
 - (xi) Knox Grammar School;
 - (xii) Oxley College;
 - (xiii) Pendle Hill High School;
 - (xiv) St George Girls High School; and
 - (xv) St Luke's Catholic College.
 - (d) students attending the 2023 New South Wales Youth Summit had the opportunity to present to a panel of parliamentarians consisting of:
 - (i) the Hon. Jihad Dib, MP, Minister for Customer Service and Digital Government, Minister for Emergency Services, and Minister for Youth Justice;
 - (ii) the Hon. Natalie Ward, MLC, patron of Together for Humanity;

- (iii) the Hon. Ben Franklin, MLC, President of the Legislative Council;
- (iv) the Hon. Cate Faehrmann, MLC;
- (v) Ms Julia Finn, MP, Parliamentary Secretary to the Premier; and
- (vi) Mr Greg Warren, MP, Parliamentary Secretary to the Deputy Premier.
- (e) students attending heard from other speakers including:
 - (i) Larissa Minniecon, we are the mainstream;
 - (ii) Amelia Moseley, Behind the News;
 - (iii) Jason Solomon, National Rugby League;
 - (iv) Imam Farhan Khalil, Australian International Academy School;
 - (v) Noah Smith, 2023 Youth Premier, Youth Parliament NSW; and
 - (vi) Nyadol Nyuon, OAM, Sir Zelman Cowen Centre.
- (3) That this House acknowledges the contribution and support of this event, and the invaluable work of Together for Humanity including by its dean and founder, Rabbi Zalman Kastel, AM, President Madenia Abdurahman, board members, observers and sponsors.

Motion agreed to.

HUNTER VALLEY BUS ACCIDENT MEMORIAL

The Hon. NATALIE WARD (10:06): I move:

- (1) That this House notes that:
 - (a) a public memorial service for the Hunter Valley bus tragedy occurred on Saturday 21 October 2023 at Singleton Showground;
 - (b) the service was held to recognise the 25 people who were injured in the tragedy and commemorate the memory of the 10 who lost their lives, who were:
 - (i) Zach Bray;
 - (ii) Darcy Bulman;
 - (iii) Tori Cowburn;
 - (iv) Angus Craig;
 - (v) Kyah McBride;
 - (vi) Nadene McBride;
 - (vii) Bec Mullen;
 - (viii) Andrew Scott;
 - (ix) Lynan Scott; and
 - (x) Kane Symons.
 - (c) the memorial provided an opportunity to acknowledge and recognise those who were affected by the tragedy on 11 June 2023.
- (2) That this House recognises:
 - (a) the survivors of the tragedy and the family and friends of the victims who attended the memorial service; and
 - (b) the first responders and health staff who assisted those who were lost or were injured in the tragedy.

Motion agreed to.

Documents

MINISTER FOR TRANSPORT OFFICE STAFFING

Tabling of Report of Independent Legal Arbitrator

The Hon. NATALIE WARD (10:07): I move:

- (1) That the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, KC, dated 13 November 2023, on the disputed claim of personal information regarding department liaison officers in the office of the Minister for Transport, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

Motion agreed to.

THE HON. SAM FARRAWAY QUESTIONS ON NOTICE**Tabling of Report of Independent Legal Arbitrator**

The Hon. SARAH MITCHELL (10:07): On behalf of the Hon. Sam Farraway: I move:

- (1) That the report of the Independent Legal Arbitrator, the Hon. Keith Mason, AC, KC, dated 23 October 2023, on the disputed claim of privilege regarding questions on notice submitted by the Hon. Sam Farraway, MLC, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

Motion agreed to.

*Motions***LEGAL PROFESSION ADMISSION BOARD**

The Hon. SUSAN CARTER (10:08): I move:

- (1) That, on 16 November 2023, the Hon. Susan Carter, MLC, was honoured to attend a celebration at the Supreme Court of New South Wales to mark the signing of an updated memorandum of understanding between the Legal Profession Admission Board and the Law Extension Committee of the University of Sydney governing the teaching of students proceeding to the Diploma in Law.
- (2) That this House notes that this new memorandum of understanding will ensure that the Legal Profession Admission Board and the Law Extension Committee will continue to work together to offer students a unique pathway to the legal profession, and that:
 - (a) the board's examinations represent the oldest continuing pathway to entry into the legal profession in New South Wales;
 - (b) this course facilitates a diverse and inclusive legal profession; and
 - (c) graduates are well respected members of the legal profession.
- (3) That this House notes that graduates of this program indicate the diversity and success of this program and include:
 - (a) the poet A. B. (Banjo) Paterson;
 - (b) Justices of the High Court and the NSW Supreme Court; and
 - (c) our current Attorney General.
- (4) That the memorandum of understanding was executed by the Hon. Arthur Emmett, AO, KC, on behalf of the board and the Hon. Justice Richard White on behalf of the Law Extension Committee in the presence of:
 - (a) the Hon. Chief Justice Andrew Bell;
 - (b) the Hon. Justice Anthony Payne;
 - (c) Ms Joanna Ernenwein, Director of the Law Extension Committee;
 - (d) Mr Jerry Riznyczok Executive Officer of the LPAB;
 - (e) Mr Dennis Wilson;
 - (f) Mr Angelo Biliias;
 - (g) Ms Sophie York;
 - (h) Ms Mary Wyburn;
 - (i) Mr Michael Christie, SC;
 - (j) Mr Michael Zammit; and
 - (k) other lecturers and members of the Legal Profession Admission Board and the Law Extension Committee.
- (5) That this House congratulates all those involved in the continuing work of the Diploma in Law.

Motion agreed to.

NETBALL NSW STATE DINNER

The Hon. AILEEN MacDONALD (10:09): I move:

- (1) That this House notes that the Netball NSW State Dinner Awards was held on Saturday 4 November 2023.
- (2) That this House congratulates all the awardees, and in particular former Swifts and Diamonds captain Liz Ellis, AO, who was awarded the "Netball NSW Legend" title.
- (3) That this House further notes that in attendance were:
 - (a) Linda Voltz, MP;

- (b) Kylie Wilkinson, MP;
 - (c) the Hon. Stephen Kamper, Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and Minister for Sport; and
 - (d) the Hon. Aileen MacDonald, MLC.
- (4) That this House notes that Netball NSW is one of the largest independent sports organisations in this State.
- (5) That this House further notes that Netball NSW does wonderful work in:
- (a) providing services and programs to its members, from grassroots to elite players;
 - (b) running regional clinics to encourage and promote netball throughout New South Wales; and
 - (c) offering pathways to ambitious and talented netballers to represent New South Wales in their game.

Motion agreed to.

CHILDREN'S WEEK

The Hon. AILEEN MacDONALD (10:09): I move:

- (1) That this House notes that Children's Week 2023 ran from 21 October to 29 October.
- (2) That this House notes that:
 - (a) this year's theme was "Children have the right to relax, play and take part in activities they enjoy"; and
 - (b) research shows that access to play and relaxation are important parts of healthy human development.
- (3) That this House further notes that:
 - (a) the NSW Advocate for Children and Young People hosted a wonderful event on 25 October, which launched the new office mural painted by the students of Redfern Jarjum College;
 - (b) the unveiling was officiated by Her Excellency the Hon. Margaret Beazley, AC, KC, Governor of New South Wales; and
 - (c) Jenny Leong, MP, also attended the event.
- (4) That this House calls on the Government to put forward policy that affords all children in New South Wales the right to play and do the things they love.

Motion agreed to.

Documents

UNPROCLAIMED LEGISLATION

The Hon. JOHN GRAHAM: According to standing order, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 21 November 2023.

THE HON. SAM FARRAWAY QUESTIONS ON NOTICE

Report of Independent Legal Arbiter

The CLERK: According to the resolution of the House this day, I table the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 23 October 2023, on the disputed claim of privilege relating to questions on notice submitted by the Hon. Sam Faraway, MLC.

MINISTER OF TRANSPORT OFFICE STAFFING

Report of Independent Legal Arbiter

The CLERK: According to the resolution of the House this day, I table the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 13 November 2023, on the disputed claim of personal information relating to department liaison officers in the office of the Minister for Transport.

Bills

LOCAL GOVERNMENT AMENDMENT (DE-AMALGAMATION PLEBISCITES) BILL 2023

First Reading

Bill introduced, read a first time and ordered to be published on motion by Dr Amanda Cohn.

Second Reading Speech

Dr AMANDA COHN (10:23): I move:

That this bill be now read a second time.

Local government is the closest level of government to the communities it represents. Local government plays a crucial role in shaping the places that we call home. It manages the best parts of community life, from public libraries and community centres to parks and open spaces, sporting facilities, and swimming pools. Councils take seriously their responsibility to make decisions that influence our built and natural environments because they know those decisions resonate for generations and impact our lives every day. That is why it is so critical that communities have a say in the local democracies that represent and serve them.

In 2016, 17 new councils were created through forced amalgamation by the previous Government. This has made many people very angry and has been widely regarded as a bad move. The forced amalgamations of 2016 were promised to offer huge savings and efficiency. Instead, they delivered rate hikes, shrinking services and a loss of local representation. The justification for those forced amalgamations was never made clear to impacted communities. Former planning Minister Anthony Roberts referred to the forced council mergers as failed policy. On the other side of politics, the current Minister for Local Government, Ron Hoenig, called the forced amalgamation of Bayside Council in his electorate an abject failure.

Resilient and tireless community advocates from Canterbury-Bankstown to Bombala, from the Central Coast to Tumbarumba, and more, have worked for the last seven years to undo this mess without success under the provisions of the Local Government Act as it stands. Today I introduce the Local Government Amendment (De-amalgamation Plebiscites) Bill 2023. The bill will amend the Local Government Act 1993 to empower communities through plebiscites on de-amalgamation that will ensure the restoration of former local government areas—that is what communities want. There are three barriers to de-amalgamation in the Act as it stands. The first barrier is that smaller communities whose councils were amalgamated into larger councils have effectively lost their voice if the larger council and larger community do not support their calls for demerger. Guyra is one such example.

The second barrier is the uncertainty regarding costs for councils pursuing demerger through the provisions of the Act as it stands. In Opposition, Labor successfully amended the Local Government Amendment Bill 2021 to ensure that the cost of any de-amalgamation is fully funded by the State Government. Now the Minister has curiously stated, including at a recent budget estimates hearing, that there is no cost to fund. There would obviously be an immediate administrative cost for a demerger, even if the separate councils are more efficient in the long run. I have seen credible estimates in the order of \$10 million. If councils foot that bill, it is local communities that pay through cuts to local services because of rate-pegging. Those communities have already paid multiple times over through dysfunctional local democracy for the past seven years.

The third current barrier to de-amalgamation is legal. Cootamundra-Gundagai Regional Council has done everything by the book to demerge under the Act as it stands. Their case has been supported by the Local Government Boundaries Commission and by the Minister. But the Minister says he is unable to enact the de-amalgamation under section 218CC of the Act, with no statutory mechanism under the legislation to create two independent and fully functioning councils. Instead of moving amendments to the Local Government Act as I am today, the Minister is forcing this exhausted community to have another public inquiry by the boundaries commission, calling this so-called new pathway a salvage. It is clear that amending the Local Government Act provides the clearest way forward for Cootamundra-Gundagai and any other councils that will take this pathway in future.

I am proud to have worked with and have the support of community groups representing a broad and diverse range of impacted local government areas: Save Bombala, Residents for Demerger of Canterbury Bankstown Council, Central Coast Friends of Democracy, Gundagai Council in Exile, Save and Grow Guyra, Inner West Residents for De-amalgamation, Protect Pittwater Association, and Save Tumbarumba Shire. I am buoyed to see the faces of representatives of those groups in the gallery today. Here is what they have told me about the impact of forced amalgamation on their communities. Snowy Valleys Council, formerly Tumut and Tumbarumba shire councils, is facing a dramatic decline in cash reserves, with staffing efficiencies decreased and rates being raised by up to an extraordinary 75 per cent in some cases from special rate variation and rates harmonisation. That is despite the merger proposal promising a three-year payback period when merger benefits would exceed merger costs. That has clearly not eventuated. Meanwhile, councillor representation for residents of Tumbarumba was reduced more than fourfold.

Northern Beaches Council recently voted to close the council customer service centre at Avalon. One Pittwater resident said, "We went from our own council with nine councillors that represented the Pittwater area to three councillors in a council of 15. The concerns which are Pittwater specific are now basically ignored because of the numbers game. When we were amalgamated, 63,000 Pittwater residents were immediately disenfranchised. Local government is supposed to be a democratic system which provides a forum for citizens to vent their concerns on issues that directly affect them."

A councillor at Hilltops Council has spoken up about the amalgamated council eating into its financial reserves just to stay afloat and the inequitable application of water and sewer fees and services across three diverse former shires. Central Coast residents have described the difficulty of living in a council area under administration for four of the past seven years: "The merger of Gosford and Wyong has failed to deliver the benefits that the New South Wales Government claimed it would. Instead, seven years later, we have increased rates, loss of staff, loss of services and the removal of local democracy."

At Canterbury Bankstown Council, the 2023-24 budget predicts that the council will not be able to fund required asset maintenance by 2026-27 and will require a rate increase providing \$40 million per year from 2026 just to balance the books. Residents have complained that the new council is unable to meet basic needs, like park and street maintenance, where the former councils could. Inner West Council has already held a poll of its residents in which 63 per cent of residents voted to demerge Inner West Council, formerly Ashfield, Leichhardt and Marrickville councils. Inner West councillors have told me, "Under the amalgamated council, services have deteriorated. The promised efficiencies from the merger, to free up spending for services and community programs, have not been realised. Instead, the performance of the council has declined, and there have been significant cost blowouts. Many residents complain of a reduction in services and reduced localisation. Council debt has increased, and rates increased in some areas as a result of rate harmonisation across the three council areas."

Regarding Cootamundra-Gundagai Regional Council, the boundaries commission report itself stated:

... the level of anger towards the 2016 merger decision felt by many in the Gundagai community has not subsided ...

What has changed however is the effect that this anger is having on the mental health of the community and the Council's employees.

Communities across our State have weathered a loss of representation, a lack of accountability, diminished local services and the serious burden of significantly increased rates amid a cost-of-living crisis. Amalgamated councils have not allowed effective representation. Critically, this bill is not about whether any particular council should or should not demerge. This is about ensuring that these decisions are made with the unequivocal support of the community itself. I could spend all day talking about why local representation matters, but I will now turn to the details of the bill.

The bill seeks to do two things. Firstly, it seeks to provide a clear pathway for councils already undertaking to de-amalgamate through the boundaries commission by removing the legislative roadblocks that the Minister has stated are thwarting his intention to demerge Cootamundra-Gundagai Regional Council. Secondly, it seeks to empower communities with a direct voice for de-amalgamation through a plebiscite process. Despite Labor's best efforts in 2021 to amend the Act to create a pathway for de-amalgamations via section 218CC, this falls short in that it provides a pathway only to the point where the Minister responds to a council whether or not the Minister supports a de-amalgamation proposal. Section 218CC fails to provide the final processes of proclamation, dissolution and reconstitution required for de-amalgamation.

With the lack of necessary provisions, de-amalgamation efforts currently have nowhere to go but to section 212, which requires the Minister to consider another public inquiry report before recommending that the Governor dissolve the area. The bill fixes this roadblock by amending section 218CC to ensure that the final processes for de-amalgamation are provided for. Items [1], [2] and [5] of schedule 1 achieve this. Item [5] inserts subsections (5A) and (5B) into section 218CC. Section 218CC (5A) provides that, if the Minister supports the de-amalgamation proposal, the Minister must make recommendations to the Governor for proclamations under division 1 to give effect to the de-amalgamation proposal. This provides for the necessary remaining stages of de-amalgamation that were missing from section 218CC. To remove unnecessary barriers, section 218CC (5B) ensures that the requirements of division 2 and section 210A do not apply to the proclamations. Item [2] of schedule 1 also provides that the requirement of a public inquiry for dissolution of an area does not apply to de-amalgamations under section 218CC, should another council in future seek to de-amalgamate via this pathway.

Schedule 1 [2] also makes clear the boundaries of constituted areas. If the area constituted arises from the dissolution of an area because of a de-amalgamation proposal or plebiscite, the boundaries for the area must reflect the former areas that are the subject of the proposal or plebiscite in accordance with the outcome of the proposal or plebiscite. Finally, to avoid doubt, schedule 1 [8] (2) provides explicitly that the amendments extend to the current de-amalgamation proposal relating to Cootamundra-Gundagai Regional Council.

I now turn to the second purpose of the bill: to empower local democracy through a plebiscite process. Items [6] and [7] of schedule 1, and proposed schedules 10 and 11 provide for this. These amendments to the Local Government Act allow electors of a former council area that has been amalgamated to bring forth a petition that triggers a binding plebiscite for de-amalgamation of that former area. Schedule 10 sets out the process for plebiscites. The Minister may initiate a plebiscite on the Minister's own motion at any time but must initiate a plebiscite within 28 days of receiving a petition. Item [3] provides that the petition must consist of more than

10 per cent of electors of a former area, be submitted within 12 years of the constitution of the new area and include a proposal for the reconstitution of the former area and a statement of reasons in support of the proposal.

Clause 4 of schedule 10 provides for how the plebiscite must be initiated. Subclauses (1) and (2) provide that the Minister must initiate a plebiscite by directing the secretary of the department to decide a date to hold the plebiscite, no later than six months after the Minister receives the petition, and to prepare a case for and against the proposed reconstitution of the former area in consultation with electors enrolled in relation to addresses in the new area. Subclause (5) provides that the secretary must advise the council for the new area and the electoral commissioner of the date for the plebiscite.

Clause 4 (3) and (4) of schedule 10 protect council assets and planning instruments during the plebiscite and de-amalgamation process. From the date when the Minister gives the direction to the secretary of the department, the new area is prohibited from selling businesses or other assets of the council and making or amending a local environment plan until the date the result of the plebiscite is known, if the plebiscite is not carried, or, if the plebiscite is carried, until the date the de-amalgamation takes effect.

There are new areas in New South Wales that are the result of more than two former areas amalgamating. Clause 4 (6) of schedule 10 addresses this by providing an equal opportunity for electors of former areas to achieve de-amalgamation of the former area in which they reside. Subclause (6) provides that nothing in schedule 10 prevents two or more plebiscites for former areas in the same new area from being held simultaneously. To allow for sufficient time to conduct a plebiscite and give effect to a de-amalgamation if the plebiscite is carried, item [7] of schedule 1 to the bill provides for the postponement of council elections by the Minister of areas that are the subject of a plebiscite under schedule 10. Clauses 6 and 7 of schedule 10 describe the nature and conduct of the plebiscites for de-amalgamation. Clause 6 (4) states:

(4) The question at the plebiscite is—

Should the [former area] be reconstituted as a separate local government area? Yes/No.

The persons entitled to vote at the plebiscite are the electors of the former area that is subject to the question. The plebiscite may be held on a Saturday, and the question is carried if a majority of the votes cast support it. Proper democratic processes are enforced through clause 6 (1), including who is entitled to vote in council elections and the governing of elections, which are applied to the plebiscite in the same way as they apply to elections. Clause 5 of schedule 10 provides that de-amalgamation cases must be available on the website of the Office of Local Government and also posted to electors of the former area.

Schedule 11 gives effect to a plebiscite where a majority of electors of a former area vote for de-amalgamation by requiring that, within 28 days after the plebiscite, the Minister must make a recommendation to the Governor that a proclamation be made to give effect to the de-amalgamation. The Governor may, by proclamation, de-amalgamate the new area into two areas with the same boundaries as the former areas if the new area is made up of two former areas. If the new area is made up of three former areas and electors of two or three of the former areas have supported the de-amalgamation, the new area will be de-amalgamated into the three areas with the same boundaries as the former three areas. If the majority of electors in one former area support the de-amalgamation but the majority of electors in the two other former areas do not, the former area that supports the de-amalgamation will be able to leave the rest of the amalgamation intact. The former area that supported the de-amalgamation will be reinstated, and another area, which reflects the boundaries of the remaining two former areas combined, will be constituted.

The proclamation must specify the date on which the new area is to be de-amalgamated and must be no more than 12 months after the date of the plebiscite. The new area is dissolved on this date, and the former areas are reconstituted. To avoid doubt, clause 1 (7) of schedule 11 provides that proclamations under section 218C extend to proclamations under schedule 11. To ensure that the processes required for de-amalgamation do not hinder local democracy but empower it, clauses 2, 3 and 4 of schedule 11 provide provisions for elections, costs and further regulations to assist the processes.

Clause 2 states an election must be held no later than 12 months after a de-amalgamation. That ensures that reconstituted areas are not held in administration for inappropriate lengths of time. Clause 3 recommends that the direct and immediate costs of a plebiscite and de-amalgamation be paid for by the State Government, not by councils, and clause 4 allows for regulations to be made to facilitate the implementation of the de-amalgamation, the making of the proclamation and the transfer of assets and liabilities.

I thank India Sweeney for her hard work supporting the drafting of the bill. I also thank the Demerge NSW Alliance and its coordinator Grantley Ingram for their extraordinary work to bring together impacted communities across the State in a collective effort to restore local democracy. I especially thank Brian Halstead for his particular interest and support of the bill. I am proud of the five years I served my local community as a local government

councillor and deputy mayor of AlburyCity Council. I hope that through the bill communities across our State can be empowered, have a voice about their local representation in the future and have the level of local democracy that they deserve. It is something that I hope every member of this Parliament can support. Let's put the local back into local government. I commend the bill to the House.

Debate adjourned.

Documents

NORTHCONNEX VEHICLE ACCIDENT

Production of Documents: Order

Ms SUE HIGGINSON (10:40): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 May 2023 in the possession, custody or control of the Minister for Police and Counter-terrorism, and Minister for the Hunter or the NSW Police Force relating to a vehicle accident in NorthConnex:

- (a) all correspondence relating to an incident on 13 May 2023 where a NSW Police Force officer crashed their vehicle in NorthConnex sent or received by:
 - (i) Commissioner Karen Webb;
 - (ii) Deputy Commissioner David Hudson;
 - (iii) Assistant Commissioner Anthony Cooke;
 - (iv) Assistant Commissioner Leanne McCusker;
 - (v) the NSW Police Media Unit;
 - (vi) the Safe Driving Panel;
 - (vii) any employee of the Ku-Ring-Gai Police Area Command; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This is a call for papers under Standing Order 52 (6) for documentation relating to an incident that took place in the early hours on 13 May this year, when a police officer allegedly crashed their vehicle after drinking some 20 beers at an event at The Rocks, abandoned the car in a nearby suburb and left the scene. The crash is said to have involved the senior detective's work vehicle. It is not uncommon, unfortunately, for New South Wales police officers to get done for driving under the influence, in which case—ordinarily—the New South Wales police will issue a media release and the case will proceed. In this case, however, charges were not laid for some six months and the New South Wales police are attempting to secure a 40-year suppression order on the name of the officer.

The reason for the suppression order has not been identified. Extraordinary requests to the media requiring that not even the physical description of the officer can be included in any reporting have been made. Yet the officer, as we understand, has appeared in the media previously with their name and photo and their name is in public documents throughout many Standing Order 52 returns. In this case, there are members of the New South Wales police executive who work directly with the accused officer, who claim to have had no knowledge of the incident. It seems unusual that that would be the case. Would you know if one of your team members totalled their work vehicle? It seems odd that anyone could claim not to know that, especially if they are one of the most senior police officials in the State. New South Wales police media policy states:

To ensure transparency in the community, the Commissioner has authorised PMU to issue a media release if a NSW Police Force employee (sworn or unsworn) is charged with an offence, regardless of the nature of the offence.

When the accused officer was charged on 14 November, no media release was issued. Two days later the New South Wales police issued a single statement that revealed no information—two days after the charges were laid. Through documents returned we also understand that the accused officer was working closely with the executive members days after the crash is said to have occurred—who apparently had no knowledge that the incident had occurred—and continued to work in the senior role until last week when police announced their employment was under review.

It is clear that we have some issues with police accountability in this State. On this issue it perhaps looks, from the outside, that there may have been some attempt to cover it up. That is certainly what some people in the community have claimed. It is important that we look behind any curtain and understand who knew what and at what time. How did a New South Wales police vehicle come to be in the circumstances that it was? Why did the executive not know, or if they did, how did it take so long for anything to be known and to be disclosed? We know that transparency and accountability about how our Police Force is operating is one of the fundamental principles of good policing and policing in a democratic state. It is absolutely essential for public confidence and it is the

role of this Chamber of the Parliament, when there is doubt around the functions of transparency, that this Parliament has the ability to shine a light and do all things necessary to facilitate the level of transparency. That is absolutely essential. If there is nothing to see, then there is nothing to see, but I urge members of this House to support the motion.

The Hon. ROD ROBERTS (10:45): I support the application for the order for papers. It is well known that there is probably not a bigger supporter of the New South Wales police in this Parliament than me. That is, I support the honest, hardworking frontline men and women that turn up day in, day out to keep our community safe. However, I will not stand by and watch potentially corrupt practices take place; I will not tolerate that. In relation to the call for papers, there are numerous things to be said. Normal practice is to issue a media statement when there is an incident involving a police officer. That was not done on this occasion. Deputy Commissioner Hudson, at a stand-up media conference about a week ago, when questioned said, "Yes, there should have been one." That is an admission that a press statement should have been made but no reason was given as to why it was not.

I will be brief because it will be prosecuted perhaps in the other place today, or maybe tomorrow. Recent returns of documents about the Cooma tasering incident have revealed that, I will allege, the Minister and the Commissioner of Police misled the public by their statements about why a press release did not contain the details of the tasering incident. That is in an unprivileged section of documents returned through that call for papers so I have no hesitation talking about it, and I believe the Opposition may be prosecuting that somewhere else. We have seen a cover-up take place already. That call for papers revealed that for us.

Policing is controversial—I know that—but never in my career of watching the police or being involved in the police since 1981 have I ever seen so many own goals kicked by the NSW Police Force. There is an old expression that a fish rots from the head down and clearly that is what is happening here. I have an amendment to this motion. I move:

That the question be amended by inserting in paragraph (a) ", including SMS and telephone records, diary entries and records or notes of conversations" after "all correspondence".

I support the motion.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (10:48): On behalf of the Government and the Minister for Police and Counter-terrorism, the Government will not be opposing the motion. There is not much more I can say in this place about the call for papers, given that the matter is currently before the courts. In the incident the honourable member has referred to, I restate to this place that the officer has been charged with high-range drink driving and driving under the influence. I understand that the officer will face court in December.

When somebody does the wrong thing, police officer or otherwise, police will take action. In addition to the ongoing court case, any issues arising from the incident will be thoroughly investigated by the Law Enforcement Conduct Commission. The Government trusts that the LECC will provide proper oversight and leave no stone unturned, including with regard to whether a media release should have been put out, which I understand has been the subject of some media discussion. I am assured that the Minister for Police and Counter-terrorism and her office will gladly produce any documents that are required to be produced as part of this order. Again, I cannot comment any further on the specifics of this matter. It would be inappropriate to do so given the ongoing court case, but the Government will not oppose the motion or the amendment.

The Hon. DAMIEN TUDEHOPE (10:49): I will be very brief in outlining the Opposition's position on the motion. We will be supporting the call for papers. The case articulated by the Hon. Rod Roberts is correct: The motion is about ensuring transparency around the decision-making processes and, as he observed—as only he can often relate—there have been missteps by the police in the way they handled those matters. The call for papers will shed light on that and hopefully lead to a better process in the way these sorts of matters are handled. The community expects that incidents involving police officers should be dealt with in a transparent way. To the extent that there was no media release or briefing in relation to this particular incident, there needs to be some explanation about why and about the chain of communication in the handling of that incident. The Opposition will not be opposing the making of the order.

Ms SUE HIGGINSON (10:51): In reply: I thank all members who contributed to debate on the motion and the Government for its support. It is difficult to put any more strongly how important transparency and the power of the Standing Order 52 process are to shining a light. As members say over and over again, sunshine is the best disinfectant against any potential problem or infection. In this place it is not so much the sunshine but the light within the Clerk's office that shines and assists us all to do our job. I thank all members for their support. The importance of the process of police accountability and transparency is of the absolute highest order when it comes to this State maintaining public confidence in and assisting the police. I absolutely heard what the Hon. Rod

Roberts said about policing being no easy job. No-one in this place suggests that policing in New South Wales is an easy job. We are looking into the systems, structures, processes and procedures. All members know that when they are set well, that assists every single cop in this State. That is what the motion is about.

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

Amendment agreed to.

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

Motion as amended agreed to.

Motions

EUGOWRA FLOODS

The Hon. SAM FARRAWAY (10:53): I move:

- (1) That this House notes that:
 - (a) on 14 November 2022 devastating floods impacted the community of Eugowra;
 - (b) sadly, two local residents, Les Vugec and Dianne Smith, lost their lives;
 - (c) massive damage was also caused to homes, roads and community infrastructure; and
 - (d) the official flood peak was in the vicinity of 11.2 metres, higher than the town's estimate for a one-in-5,000-year flood event.
- (2) That this House acknowledges that:
 - (a) on Tuesday 14 November 2023 a reflection service was held in Eugowra to mark the anniversary of the November 2022 floods;
 - (b) many members of the Eugowra community were in attendance, along with members of Parliament and representatives from police, emergency services and community service organisations; and
 - (c) local residents shared their experiences of the tragic events and how they are recovering, highlighting the resilience and determination of Eugowra locals.
- (3) That this House calls on the Government to continue to provide whatever support is necessary to help the Eugowra community to recover and rebuild.

On 14 November 2022 devastating floods impacted the little community of Eugowra. The official flood peak was in the vicinity of 11.2 metres, higher than the town's estimate for a one-in-5,000-year flood. Massive damage was also caused, as is outlined in the motion, to many homes, the road network and so much of the community's infrastructure. Sadly, two very well-known local residents, Les Vugec and Dianne Smith, lost their lives in that tragic flooding event. On Tuesday 14 November 2023 a reflection service was held in the community of Eugowra to mark the anniversary of the November 2022 floods, attended by me, my parliamentary colleague the Hon. Sarah Mitchell; Parliamentary Secretary for Disaster Recovery Janelle Saffin; and Ms Steph Cooke, member for Cootamundra and former Minister for Emergency Services and Resilience, and former Minister for Flood Recovery.

Lots of representatives were there from the NSW Police Force, emergency services, community service organisations and many local residents and businesses that wanted to support the community. I recognise Cabonne Shire Council, particularly Mayor Kevin Beatty and Deputy Mayor Jamie Jones, who have done a stellar job over the past 12 months in holding their community together. They always say local government is the closest form of government to the people. In a time of such tragic events across the Cabonne shire, particularly with what happened in Eugowra, they have done a stellar job. They have been front and centre for their community and they have ensured that they are always outcomes driven so that the community can bounce back.

People who live in Cabonne shire, particularly in Eugowra, are incredibly resilient, and they want to get on with it. That was clearly the message that I gave to Ms Janelle Saffin that day, who was there representing the Government. I acknowledge also members of the Eugowra flood recovery committee and the Eugowra progress association: President Sean Haynes, Liz Mitchell, Lachlan Noble, Kim Storey and Dave Herbert. They all play such an important role. Many of them were directly impacted by the flooding events but, 12 months on, they continue to serve their community and they continue to be an important part of the recovery process.

I will touch on the single biggest piece of community infrastructure that the community of Eugowra wants attention paid to, and that is the Eugowra Community Children's Centre. With the work of the former Minister, the Hon. Sarah Mitchell, and the New South Wales Labor Government, work is being done to ensure that there is a temporary facility. I remember making the phone call to then Premier Perrottet and my colleague the Hon. Sarah

Mitchell saying, "We have to get demountable classrooms there so that the childcare centre can rebuild." They are there working through all of the red tape that comes with that, and there is a bit of it. We need to do something about that as well. But my point is that for the future long-term sustainability and liveability of the community of Eugowra, we need to find \$6.5 million to enable the community to rebuild that piece of infrastructure so it can provide childcare and day care and keep youth and families in that community.

The reality is that if that significant piece of community infrastructure is not rebuilt from the ground up properly over the next few years, families will not have the amenities and services they need to stay in that community. It is important to note that that is the number one piece of community infrastructure needed in Eugowra. I commend and acknowledge the State and Federal governments' \$100 million recovery package that is on the table. As politicians and parliamentarians, in helping the people of New South Wales, particularly in the Central West and Eugowra, we need to get that much-needed investment and recovery package to the people who need it most. I call on the Premier to visit Eugowra. He has not visited and he has been the Premier for eight or nine months. He needs to get to Eugowra and support the community of the Central West.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (10:58): Firstly, I thank the member for moving the motion. Recognising those events is a very important use of the time of the House. I update the House about the state of things on the ground in Eugowra. I do recognise the impact of last year's 14 November floods. They were devastating. I join with the shadow Minister in recognising those two local lives lost. We remember them today as we debate this motion.

It is true that massive damage was caused. I thank the member for bringing to the attention of the House the reflection service that was held. I recognise those members who attended and thank them for being there with the community at this time. Significant work has been done and significant assistance has been given. As the member recognised, the Federal Government has been working with the council, with State Government assistance as well. I am advised that over 250 people have been provided with temporary dwellings in the Central West region since that time. Some 114 households are living in temporary housing pods, and four more have been installed and are ready for handover. There will be 130 installed by the end of the year.

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

Questions Without Notice

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Leader of the Government. What role has Cherie Burton, senior adviser, Premier's caucus liaison unit, played in confirming election commitments covered by the Local Small Commitments Allocation for each electorate?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:00): I thank the honourable member for his question. I think we have been asked one of these questions before. It is true that Cherie Burton works in the Premier's office. I do not think there is any secret about that. She works in our caucus liaison unit and assists our MPs, and she does a very important job. She is a very experienced person. She was a very distinguished member of the other place and a former Minister. She is doing a terrific job.

In relation to the details that the Opposition has asked for—if its members would stop interrupting and listen to the answer it would be helpful—I need to take them on notice because I am not aware of the details of what each individual member of the Premier's office does, even though they are very important. What I can say is that each and every staff member in the Premier's office works extremely hard for the people of this State. They are extremely focused on doing the most important thing, which is delivering for the people of New South Wales in the way that the Premier and the Ministers ask them to. All of them are valued members, and those opposite who have had ministerial staff before would understand how important they are, the role that they play and how hard they work in delivering on our election commitments.

We made really clear election commitments and the local commitments program is something that has been the subject of many questions. It is a rigorous process that my colleague the Hon. John Graham has explained in many places in many ways. I think through estimates he was probably asked a few questions about it and he is answering those. The point is that local commitments were taken to the election. They were very clear in relation to what we are doing and they are subject to a very rigorous process. Let us deal with it. I know that those opposite do not like it. Coming from people who shredded \$250 million worth of grants out of the Premier's office—

The Hon. Wes Fang: Point of order—

The PRESIDENT: Order!

The Hon. PENNY SHARPE: —shredded the paperwork and gave grants—

The PRESIDENT: Order! A point of order has been taken.

The Hon. Wes Fang: I now take two points of order: The first point of order is relevance. The Minister should be directly relevant to the question that was asked, and she certainly strayed from that. The second, Mr President, is that, whilst you were calling for order to hear my point of order, the Minister continued to talk over you. That is, I would say, disrespectful to you, Mr President. This Chamber should be respectful of you. I ask that you call the Minister to order.

The PRESIDENT: I will rule on the second point of order first, which brings to mind something about pots and kettles, which I will leave there. In terms of the first point of order, I am quite sympathetic to the member's point of order and ask that the Minister return to the substance of the question.

The Hon. Wes Fang: There, Penny, I know my standing orders.

The Hon. PENNY SHARPE: About 20 per cent of the time. Mr President, I apologise to you. I could not actually hear over the din on the other side while the honourable member was trying to take his point of order, so that is what I say in my defence. The second point is that I think I have answered the question well enough and I am taking the rest on notice, so I will leave it there.

The Hon. DAMIEN TUDEHOPE (11:04): I ask a supplementary question. The Minister in her answer articulated a position that each election commitment relating to the Local Small Commitments Allocation was a commitment taken to the election. Will the Minister articulate in respect of the manner in which they were each taken to the electorate at the election and the process by which those commitments were made public during the election process?

The Hon. Emily Suvaal: Point of order: Supplementary questions are to seek elucidation of a previous answer. This is going much wider and is, in fact, an entirely new question. I invite the Opposition to ask it during the next line of questioning.

The Hon. Scott Farlow: To the point of order: The Leader of the Opposition's question directly quoted from the member in her answer and sought clarification as to how that was shown in terms of Labor's election commitments. It is well within order.

The PRESIDENT: I have made it clear from the beginning of my time as President that there would be latitude given to supplementary questions. On this occasion it is not even required because the supplementary question is well and truly within order.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:05): I will take the supplementary question on notice.

DROUGHT PREPAREDNESS

The Hon. STEPHEN LAWRENCE (11:06): My question is addressed to the Minister for Regional New South Wales. Will the Minister update the House on the New South Wales Government's plan for drought?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:06): I thank the honourable member for the question and for his ongoing interest in our support of farmers preparing for drought. The Government has been listening to farmers across regional New South Wales and primary producers who are very concerned about the spread of drought and the dry conditions that we are facing across the State. Currently the NSW Department of Primary Industries [DPI] combined drought indicator identifies that 75 per cent of New South Wales is drought-affected. According to the latest figures on the DPI's website, drought means less money in farmers' pockets and an additional strain on regional economies.

The Minns Government has farmers' backs. That is why this week I was proud to announce, along with the Premier, our \$250 million Drought Ready and Resilient Fund. This fund is a quarter-of-a-billion-dollar commitment to encourage drought preparedness and bolster resilience to climate variability of the State's farming businesses and our regional communities. Through this new fund, eligible primary producers can apply for a low-interest loan of up to \$250,000 to fund a broad range of products, activities and services to prepare for and respond to the impacts of drought. This approach has been applauded by New South Wales farmers and we will continue to work with them and producers on the ground on future drought announcements. The fund can also be used by farmers in regions not yet experiencing drought and drier conditions to plan and to prepare before the drought reaches them.

The new fund will complement the Drought Infrastructure Fund, a former version of which was the Farm Innovation Fund, which will continue to offer loans of up to a million dollars at the incredibly low interest rate of 2.5 per cent. Importantly, the Drought Ready and Resilient Fund supplements the Drought Infrastructure Fund by supporting the purchase of essential items—not just infrastructure—including fodder, feeding equipment, stock transportation costs, veterinary and professional nutrition and welfare advice, fencing and rotational grazing, exclusion and cluster fencing, construction of containment feeding pens, stock shade structures, planting of trees, and much more practical support. Through these two products, farmers will be well supported to invest in drought preparedness and management through the various phases of drought that we are to experience in New South Wales.

Applications are currently open for the Drought Infrastructure Fund and will be open for the Drought Ready and Resilient Fund from 1 December 2023. Anyone looking for information related to the drought is encouraged to visit the New South Wales DroughtHub website, the one-stop online destination for drought support. As this drought intensifies, farmers and the people of regional New South Wales can be assured that the New South Wales Government has their backs. The Government will continue to adapt and develop support measures to ensure that regional communities can withstand the onslaught of the drought.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SARAH MITCHELL (11:09): My question is directed to the Treasurer. What role has David Mehan, the Treasurer's Parliamentary Secretary, played in confirming election commitments covered by the Local Small Commitments Allocation for each electorate? Did the Treasurer direct him to undertake that work as part of his duties as Parliamentary Secretary to the Treasurer?

The Hon. DANIEL MOOKHEY (Treasurer) (11:09): First, I thank the member for her question. I am thrilled. I take this opportunity to express my enthusiasm for a question from the Opposition because, as of yesterday, 83 questions had been asked since the Opposition last asked me a question. Somewhere in my office, they are resetting the clock because we finally got one. But I still hope that next year—

The Hon. Damien Tudehope: Point of order: The Treasurer has a habit of not answering questions.

The Hon. DANIEL MOOKHEY: You have a habit of not asking them.

The Hon. Damien Tudehope: Because you do not answer them truthfully.

The PRESIDENT: Order! The Leader of the Opposition will resume his seat. I have made numerous comments before about using debating points in points of order. I have made it clear that points of order will no longer be heard if debating points are used. That is why the Leader of the Opposition has resumed his seat. I ask him to withdraw the final comment that he made.

The Hon. Damien Tudehope: I withdraw the suggestion that the member does not answer truthfully.

The PRESIDENT: I thank the member. I will not respond to the point of order, but I will entirely independently instruct the Minister to come back to the question at hand.

The Hon. DANIEL MOOKHEY: I am happy to do so because I am so enthusiastic about answering a question from the Opposition. I am just so excited by the prospect of getting a question from members opposite. To the question that has been asked of me about my Parliamentary Secretary, David Mehan, I say three things. First, David Mehan is an excellent local member who well and truly brings a level of expertise to the issues that affect local communities, both large and small, which is of great value to the Government and to me as Treasurer. In fact, part of the reason I was so enthusiastic about working with David Mehan as my Parliamentary Secretary is that he brings that perspective to not just his responsibilities as Parliamentary Secretary but also to the contributions he makes to the Government writ large. Secondly, when it comes to being able to liaise with members on all sides of the House—

The Hon. Sarah Mitchell: Point of order: I have asked a specific question about the role that David Mehan has played in the Local Small Commitments Allocation. I am not asking about his general role as a Parliamentary Secretary; it is a very specific question about his role in a particular election commitment. The Treasurer has not even mentioned that program in his answer, and we are halfway through. I would like him to come back to the question that I have asked.

The Hon. Penny Sharpe: To the point of order: The Treasurer has been asked about the role that David Mehan plays as Parliamentary Secretary and the way that he interacts with the Treasurer. He might not be answering in the way in which members opposite would like, but he is being directly relevant.

The Hon. Natalie Ward: To the point of order: The question was very specific. It was not about how much he is valued by the Treasurer, his general role as Parliamentary Secretary or how many questions the

Treasurer has been asked. It was about the role David Mehan played in confirming election commitments covered by the Local Small Commitments Allocation. I ask that he be drawn back to that specific part of the question, given the time.

The PRESIDENT: The Treasurer was being directly relevant because he was referring to that part of the question that referred to Mr Mehan's duties as his Parliamentary Secretary. The Treasurer has the call.

The Hon. DANIEL MOOKHEY: As I was saying, David Mehan brings a marvellous understanding of the complexities of programs rolled out, which he has gleaned from his years of service to his community. Dare I say, he is not the only Parliamentary Secretary who brings such expertise to the manner in which they discharge their duties. Regarding the duties that David Mehan performs with me as Parliamentary Secretary, I am very pleased to have his expertise when it comes to the complexities of the energy transition because he represents a lot of workers in that space. Equally, I sought out and tapped David Mehan's expertise when the Government had to do the complexities of royalties reform, to which he again brought expertise.

The Hon. Sarah Mitchell: Point of order: The Treasurer is now talking about the role of the member in energy reform and royalties. It has nothing to do with the question that I asked about the Local Small Commitments Allocation. I was referring to a very specific policy area, and the Treasurer is being disrespectful by not answering the question that was asked.

The PRESIDENT: I was giving the Treasurer liberty earlier, and reasonably so. Now he is going quite outside the constraints of the question. I instruct the Treasurer to come back to the question at hand.

The Hon. DANIEL MOOKHEY: In addition to that work, he also assists me in liaising with parliamentary members from all sides of both Houses. It includes liaising with MPs about the rollout of election commitments, and I value that expertise. It is of real utility not just to me but to members on both sides of the House who have sought it out.

IMAM SHADI ALSULEIMAN

The Hon. ROD ROBERTS (11:15): My question is directed to the Parliamentary Secretary for Multiculturalism. It has been reported that Imam Shadi Alsuleiman has been appointed as the Islamic community spokesperson to the NSW Faith Affairs Council. In 2016 it was widely reported that Imam Alsuleiman preached that homosexuality was responsible for "spreading all these diseases" and said, "These are evil actions, that bring upon evil outcomes to our society." Minister Kamper is quoted as saying that members of the NSW Faith Affairs Council are expected to "represent their communities, but also to deliver on their commitment to interfaith co-operation and inclusion". Noting that the Premier stated that the Labor Government would not work with my parliamentary colleague the Hon. Mark Latham following his remarks on homosexual sex, why was one man promoted and accepted as an instrument for inclusion and the other rebuked and censured for his opinion?

The Hon. MARK BUTTIGIEG (11:16): I thank the Hon. Rod Roberts for his question. I will undertake to get a detailed answer from the Minister, but I make this observation. The Minister has been very conscious of trying to bring together people from all faiths, and people who are seen as leaders in those faith communities, to try to engender a dialogue between different faiths so that we can use our multiculturalism to strengthen those ties and that harmony. I can only suggest that the Minister has made a judgement based on the ability of the sheikh to carry out that functionality, notwithstanding any comments that might have been made previously, but I will undertake to get a thorough answer and come back to the member.

STATE BUDGET AND COST OF LIVING

The Hon. GREG DONNELLY (11:17): My question without notice is addressed to the Minister for Finance. Will the Minister update the House on how the Government is relieving cost-of-living pressures on New South Wales families and households?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:17): I thank the Hon. Greg Donnelly for his question and his ongoing concern for and understanding of the challenges that families and households are facing.

The PRESIDENT: The Minister will resume her seat. If I cannot hear the Minister, Hansard cannot hear the Minister. Members will at least bear Hansard in mind. The Minister has the call.

The Hon. COURTNEY HOUSSOS: Since taking office, our Government has been focused on helping New South Wales families and households with the cost-of-living pressures that they are facing. We acknowledge—

The Hon. John Graham: Point of order—

The Hon. Bronnie Taylor: So we're not allowed to talk?

The Hon. John Graham: My point of order is that interjections are disorderly, and the low-level discussion going on between the two experts at the table is certainly disorderly.

The PRESIDENT: Order! Although I do agree that interjections are disorderly at all times, I am mindful of the comment just made by the Hon. Bronnie Taylor that it is utterly unreasonable to expect that there will be absolute silence in question time. Parliament should be a robust arena. That being said, I remind members that interjections are disorderly at all times. The Minister has the call.

The Hon. COURTNEY HOUSSOS: We understand that households and families are facing renewed pressure with the most recent interest rate rise from the Reserve Bank of Australia. In the excellent budget handed down by the Treasurer in September, we announced a series of significant measures which target this once-in-a-generation crisis. We are funding a new program of \$500 for fee relief to help with the costs of three-year-olds in long day care. We are delivering energy relief to more than 1.6 million eligible households and giving direct toll relief to more than 700,000 families and businesses in Western Sydney. We also recognise that the housing crisis is placing significant stress on the community, which is why the housing Minister and the planning Minister are working so hard and have already made a number of significant commitments to increase supply. It is critically important that in such a challenging economic environment we are using every tool at our disposal to help families and businesses and make sure that our communities—

The Hon. Mark Latham: Point of order: It relates to Standing Order 91 (4). A feature of question time today, which is an insult to the Chamber, is that for every Dorothy Dixier Ministers read out the answer word for word from a document. Standing Order 91 (4) states that a member may read reasonable lengths of extracts from documents. After eight months in office Ministers should be able to answer questions without reading material word for word. The Hon. Courtney Houssos is a talented person and a talented Minister, and I think it encourages a higher standard of debate if Ministers are more extemporaneous in their presentation to the Chamber. We would get through more questions if they would just table the document. We could read it later and actually have more questions, instead of this charade of reading out word for word answers that are possibly written by someone else.

The Hon. Emily Suvaal: To the point of order—

The PRESIDENT: I do not need to hear further on the point of order. We would get through more questions if members did not take long and tedious points of order. There is no point of order. The Minister has the call.

The Hon. COURTNEY HOUSSOS: Last week I attended a stakeholder round table convened by Revenue NSW to discuss its fairer fines program. It was put in place by the former Government, but it will probably not surprise members, at least those on this side of the Chamber, to hear that it just does not work. The program is supposed to give people experiencing hardship the ability to pay a 50 per cent reduced fine, but those opposite made the eligibility conditions so restrictive that the scheme is virtually inaccessible. Since 1 July 2021—almost 2½ years—fewer than 600 fines were reduced under the scheme, for a total of just \$92,790. I thank the nine community organisations that participated in our round table. They do important work advocating for the most vulnerable in our community, and their insights and expertise provided valuable feedback as we consider how to make the program work better. We understand that families, households and businesses are struggling under immense pressures with increasing costs right now, and we are committed to ensuring that we provide genuine options for those struggling to pay their fines at this time.

EXPLORATION LICENCE COMPENSATION

The Hon. JOHN RUDDICK (11:23): My question is directed to the Leader of the Government. On 6 June 2019, Reverend the Hon. Fred Nile introduced and delivered the second reading speech on the Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill 2019. The bill was referred to the Standing Committee on Law and Justice for inquiry and report. The committee's report was published on 30 October 2019, just before COVID. It recommended that the New South Wales Government address the outstanding matters, including issues of compensation for the more than 4,000 innocent shareholders who had suffered adverse impact through no fault of their own. The committee also advised that affected companies held exploration licences EL 7270, EL 7405 and EL 7406. Will the Leader of the Government report if any negotiations around compensation have taken place at meetings with representatives of the companies that own those exploration licences? If negotiations have not taken place, when will they commence? [*Time expired.*]

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:24): I thank the honourable member for his question. I am aware of the issue and know that it has been of interest to numerous members in different configurations over the past

few years. I can advise the member that the Government has no plans at this point to go any further than what has been recommended in relation to the ICAC findings.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. NATALIE WARD (11:25): My question is directed to the Leader of the Government. On 17 March 2023 the Labor candidate for Ryde posted an election advertisement on social media, authorised by the now Government Whip the Hon. Bob Nanva, stating "Lyndal and Labor will build a new cultural centre in Eastwood!" and urging voters to "Vote 1 Labor for a new cultural centre in Eastwood!". Will the Minns Labor Government build a new cultural centre in Eastwood as promised to the electors of Ryde by the failed Labor candidate, and as authorised by the Hon. Bob Nanva?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:25): I thank the honourable member for her question. Lyndal Howison may have not been successful, but she came close with a 50-vote difference. We are coming for those 50 votes pretty soon. She has been excellent. The clock is ticking on the member for Ryde—just 50 votes. Lyndal is a high school teacher, an absolutely fantastic woman and local community person. The Hon. Bob Nanva used to do a fantastic job as the general secretary of NSW Labor, but he is an even better Whip, and we are very pleased that he is here. We were glad to bring him over to this place, where some of the time it is a bit nicer than at head office.

The member has asked some pretty specific questions. I am happy to take the questions, but I am not the responsible portfolio Minister. The detail of those things, I need to sort out. The portfolio Minister who is responsible is actually right here. I would remind members that I can direct that the question be answered by whoever I like. We take this really seriously. Election commitments are something that all political parties make. The Opposition made a few as well. As Opposition members made election commitments, if they had won the election, we would have asked them questions on how they were fulfilling and delivering on those. Those are fair questions to ask us, but I will have to get the details on where this is up to because it is not in my portfolio and I am not responsible for it.

The Hon. Damien Tudehope: It's certainly not in the budget.

The Hon. PENNY SHARPE: The local commitments are absolutely in the budget—

The Hon. Damien Tudehope: Is it in the budget?

The Hon. PENNY SHARPE: I make the point that they are totally in the budget.

The Hon. Damien Tudehope: Oh, they're in the budget?

The Hon. PENNY SHARPE: Yes.

The PRESIDENT: Order! The Leader of the Opposition is not helping.

The Hon. PENNY SHARPE: The striving for "gotcha" moments is welcome, and I admire the tenaciousness with which the Opposition is trying to pursue this. There is nothing to see here. I will take the details of the question on notice.

The PRESIDENT: Order! The Hon. Wes Fang will cease interjecting.

The Hon. PENNY SHARPE: We will fulfil our election commitments, and I look forward to Lyndal Howison being the next member for Ryde in 2027.

ASSET PRIVATISATION

The Hon. EMILY SUVAAL (11:28): My question is addressed to the Treasurer. What has the Treasurer done to help the citizens of New South Wales better understand the State's existing assets, rights and liabilities following the privatisation of our ports, electricity networks and power stations?

The PRESIDENT: Order! The Hon. Wes Fang will cease interjecting.

The Hon. DANIEL MOOKHEY (Treasurer) (11:28): I thank the member for her question. This is a salutary opportunity for us to remind the House that the previous Government sold off at least \$72 billion worth of the public's assets in its 10 years-plus of misrule. My favourite remains the sale of the Vales Point Power Station. It was sold for \$1 million and resold last year for \$200 million. I predict that business schools around the world will teach this as a case study in stupidity undertaken by those opposite. People deserve to know how these deals were done. It is disappointing that none of the details were revealed when the sell-off was happening under the previous Government's watch. I can tell the House that in the past three weeks I have written to every

counterparty to every transaction that involved a privatisation of a State asset, seeking their consent to release all of the details so that the people of New South Wales can see what they have been signed up for.

Indeed, sunlight is the best disinfectant when it comes to many of the dastardly deals done by those opposite. It is especially important today, as we have received the latest update on electricity network supernormal profits, nationwide. When it comes to the super-profits that are now being levelled on the people of New South Wales as a result of the privatisation deals made by those opposite, I inform the House that, for the second year in a row, the two companies that have been charging the highest are Ausgrid and Endeavour Energy—two of the assets sold off by those opposite. The magnitude of their super-profits is ginormous when we take into account the amount a household will pay each year for electricity. On initial examination, it seems one out of every four dollars paid to Endeavour by its customers is going to fund its super-profits. We should know how these deals were done. Under this Government, we will know how these deals were done.

TROUT COD

The Hon. MARK BANASIAK (11:31): My question is directed to the Minister for Agriculture. Time and again the preservation-based strategy for the conservation of wildlife has failed in Australia. Way back in 2001, Professor Grahame Webb, who is widely regarded as one of the world's leading authorities on conservation, was awarded the prestigious Clunies Ross National Science and Technology Award for his contribution to the new vision for wildlife conservation based on sustainable use. As part of the *Draft Trout Cod Action Plan 2023 to 2033*, will the Minister consider departing from the failed paradigm of the previous action plan and instead embrace a community-based, collaborative conservation approach, engaging and utilising enthusiastic organisations such as the Australia New Guinea Fishes Association or private sector aquaculture enterprises to breed and grow trout cod fingerlings, and acclimatisation societies and private individuals to stock private dams as well as creeks on private property and, with the appropriate approval, to stock rivers?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:32): I thank the honourable member for the question. The plan we have in place is terrific and I stand by it, but of course I am open to working with anyone who has great ideas about how to manage these issues. Any of the groups that the member has named are welcome to reach out to me directly and I am happy to engage on any suggestions or ideas about good ways to deal with this issue or any other, whether it is about fishing, in relation to the question that I have just been asked today, or anything else in the Agriculture portfolio. So I invite the organisations that have been mentioned in the question to reach out to me directly. My door is open for suggestions.

The Hon. MARK BANASIAK (11:33): I ask a supplementary question. In her answer the Minister stated she stands by the current plan. Will the Minister ask her department why one of the short-term goals of the plan is to develop a reintroduction strategy for trout cod? Will the Minister ask her department what the hell they have been doing for the past 10 years, given that is something they should have done in the previous plan?

The PRESIDENT: I excise the word "hell" from that question. Other than that, I instruct the Minister to answer.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:34): I thank the member for the supplementary question. What was happening over the past 10 years was the previous Government. The Liberals and The Nationals were in charge of what happened in this area, and now I am. I stand by the plan that is in place. But, again, if there are suggestions or ideas that groups or others have about how we might look to do it in better ways, then I am very open to them.

STATE BUDGET AND MID-WESTERN REGION

The Hon. BRONNIE TAYLOR (11:34): My question is directed to the Minister for Regional New South Wales and Minister for Western New South Wales. According to the disclosure log on the Cabinet Office website dated 16 August 2023, the Mid-Western Regional Council was due to receive \$108,000 for parks and playground projects as its share of \$396,000 of unallocated funds for the electorate of Dubbo. However, it now appears that these funds have all been directed, by the failed Labor candidate and Dubbo regional councillor Josh Black, to a specific park project in the Dubbo Regional Council local government area. What steps has the Minister taken to ensure a fair deal for the people of the mid-western region?

The Hon. Emily Suvaal: Point of order: There is a naming of an individual in that question that is not necessary to understanding the question. There is also an imputation within the question that the individual has acted in some way which is underhanded. I ask for that part of the question to be ruled out of order.

The Hon. Wes Fang: To the point of order: Under the standing orders there is no restriction on naming a person in the question being asked. In relation to the member's interpretation of an imputation, I would suggest that the Minister can answer the question.

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

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:37): I thank the honourable member for the question. I want to make sure, just as everyone across the Government does, that money is allocated across regional New South Wales, and particularly western New South Wales, in the most appropriate and accountable way possible. We have looked at all kinds of things since we have been in government, in the lead-up to the budget and in the budget, and I am making decisions about how money should be allocated in a very fair and appropriate way, where and when it is needed, including by establishing a new regional development trust, because we are moving away from the rorted, pork-barrelling grant program that was run by the previous Government.

As I have said many times in this place, and will continue to say, I think it is a big part of the reason why we were elected to government. People expect us, as the new Government, to consider these things in an appropriate way and not just automatically accept what was done by the previous Government. I am particularly focused on making sure that regional New South Wales has money allocated in the appropriate way. And, again, I am particularly focused on making sure that western New South Wales gets money allocated in an appropriate way.

The PRESIDENT: I call the Hon. Wes Fang to order for the first time.

The Hon. TARA MORIARTY: In terms of the specifics of what was disclosed in particular documents, I will have to look at those and give some consideration to the things that were raised. But I make no apologies for considering how funds should be allocated across regional New South Wales in accordance with the values of the Government that was elected by the people of New South Wales.

The Hon. BRONNIE TAYLOR (11:39): I ask a supplementary question. I ask the Minister to elucidate because the question asked about a specific park project. She said the question was specific and she would have to go back and look at it. I ask the Minister to confirm that she will take that question on notice.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:39): I stand by the answer that I gave previously. What I will look at is references that have been made to documents on websites and from the Cabinet Office. I will look at the matters that have been referenced in the question so I can get a better understanding of the issues that have been raised.

ENERGY SECURITY

The Hon. ANTHONY D'ADAM (11:40): My question is addressed to the Minister for Energy. How is the New South Wales Government partnering with the Commonwealth to keep the lights on in New South Wales?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:40): I thank the Hon. Anthony D'Adam for his question. I have very exciting news for the House today. Earlier this morning I stood on the roof of Parliament House—after 18 years here, I had never been on the roof before—in front of the solar panels with my colleague the Federal Minister for Climate Change and Energy, Chris Bowen—

[Opposition members interjected.]

They don't want to hear good news. We announced the outcome of the tenders that will produce one gigawatt of firming technology: three big batteries across New South Wales and three virtual power plants. This is what happens when the Federal Government and State Government work together and are able to deal with the challenges we have in relation to renewable energy.

The PRESIDENT: Order!

The Hon. PENNY SHARPE: We are behind in climate change because the Opposition's Canberra colleagues did nothing and the New South Wales Opposition had to step in. I congratulate the Opposition on the work it did to admit that climate change is right and that we need to do something about renewable energy.

The PRESIDENT: Order! The Minister will resume her seat. The Clerk will stop the clock. Members' behaviour is getting absurd. The Minister for Finance also will resume her seat. There are too many interjections. The Hon. Robert Borsak will cease speaking. There is too much interjection from Opposition members. This Chamber has to work, and it does not work if members just shout all the time. I am trying not to call members to

order because they have a right to be robust, but there is a difference between being robust and, frankly, being rude and bullying other members. Calling members by their first names and bullying them is not acceptable behaviour in this Chamber. It is not funny. It is inane. All members will think about the dignity of this place when they interact in this Chamber.

The Hon. Wes Fang: Why don't you do something about it?

The PRESIDENT: I call the Hon. Wes Fang to order for the second time. The Minister has the call.

The Hon. PENNY SHARPE: As I was saying, we have very good news today. The challenge to decarbonise our electricity grid is extremely important and needs to be done faster than we have ever done before. The road map that was by bipartisan arrangement across this Parliament and the previous Parliament is now being rolled out when it comes to firming tenders. I am very happy to stand with my Federal colleague because what started as a tender for 380 megawatts of firming technology has now become over one gigawatt, which will be delivered by the end of 2025. For those watching at home and those who are actually interested in this, that means that the batteries will provide the storage for when we have peak demand to use when we have less demand.

It helps us smooth out costs. It helps us smooth out the reliability challenges that we have. When we are moving from base-load coal-fired power to renewables, we are moving to intermittent forms of energy. This energy is extremely important. The technology is there to do it and this firming technology does this exactly right. Today's announcement is extremely important. It is worth \$1.8 billion in investment to this State. It will be in Wellington, Western Sydney and it is a new battery on the old Liddell coal-fired power plant site. It is also about virtual power plants, which harness our rooftop solar, the batteries that people have in their houses and their electric vehicle chargers. When we are trying to deal with the peaks and troughs, when we are trying to keep prices steady and when we are trying to make sure that there are no reliability gaps in our energy system, virtual power plants can make that work and distribute it. It is new technology and it is extremely exciting.

Today we have been able to go from our aspiration, which was 380 megawatts, to now talking about over one gigawatt of this new technology being delivered by the end of 2025. That will be able to power over 430,000 houses. This is about managing the transition so that no-one is left behind. It is about driving down prices and it is about delivering on one of the most important challenges for New South Wales.

ENERGY SECURITY

The Hon. ROBERT BORSAK (11:44): My question is directed to the Minister for the Environment, the Hon. Penny Sharpe, who gave a good answer. In 2023 the budget of the New South Wales Labor Government allocated \$1 billion establishing the Energy Security Corporation. The Government also committed \$804 million to fast-track the development of New South Wales renewable energy zones. The Government will also need to fund continued operation of the Eraring Power Station. Given the massive cost blowout, for example, in the Snowy Hydro battery, there no doubt will be similar blowouts and costs for the development of the so-called renewable energy projects and rewiring New South Wales. Will the Minister please inform the House of the total impact of the New South Wales commitments on the net decrease to total carbon emissions and greenhouse gas emissions in tonnes, taking into account the carbon produced in construction, production of infrastructure and the removal of native vegetation that stores carbon?

The Hon. Jeremy Buckingham: Point of order: The central part of that question clearly contained an argument that there will be cost blowouts. The question is therefore out of order.

The PRESIDENT: I will review a copy of the question.

The Hon. Mark Banasiak: To the point of order: I acknowledge that the Minister seemed okay to answer it. She was nodding in agreement that there would inevitably be cost blowouts.

The Hon. Penny Sharpe: Don't verbal me.

The Hon. Mark Banasiak: You didn't say anything; there was nodding.

The Hon. Penny Sharpe: Don't verbal my nodding. I am very attentive.

The PRESIDENT: The chief censor will become involved once again. I rule that the Hon. Jeremy Buckingham is quite right about the phrase "there no doubt will be similar blowouts". If the Hon. Robert Borsak is happy, the question should be rephrased to say, "there may be similar blowouts in costs". Then the Minister can answer the question.

The Hon. Robert Borsak: I accept that, Mr President. I also accept that the Hon. Jeremy Buckingham is running a protection racket.

The PRESIDENT: The Leader of the Government has the call.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:47): I thank the Hon. Robert Borsak for his question and for his ongoing interest in this matter. I make a few points. First, yes, it is true that Snowy 2.0 is way over budget and is taking too long. I point out that it was Malcolm Turnbull's project that was completely underdone and I would point to the *Four Corners* program that went through some of the detail of that. I also make the point that the Labor Government has been left to pick up the pieces and fix the mess, which is what my colleague the Hon. Chris Bowen is doing—and all good luck to him.

The second part of this is that we are going through a very different process in New South Wales for tenders and costs. In my previous *Dixer* I talked about the tender process that we have through the AEMO Services Limited. Its entire structure is to try to drive down the costs of providing this energy. It is proving through these tenders to be delivered in a way that is far less costly than if we just went to an open expression of interest process. It has been very carefully done. I congratulate those at AEMO Services on the work and the modelling they do to make sure that we get such a good result out of these tenders. They will continue for the next 10 years. They are critically important and they are about driving down costs.

The third point I make in relation to the \$1 billion of the Energy Security Corporation and the \$800 million in the transmission acceleration facilities is that this is critical for doing the job that we need to do, which is to decarbonise our electricity system as quickly as possible. This Government takes that very seriously. We inherited a road map with bipartisan support, but we also inherited a road map that was over budget and there were significant delays, as we have seen, with issues like workforce and global supply chains. What we are doing through this process and through this careful investment is working carefully through those issues to make sure that we can keep the road map on track and that we can accelerate renewables as quickly as possible.

I need to take on notice the details of exactly how many tonnes will be abated. But I indicate that my understanding of the road map, even without some of the things I announced today, is that it is expected to reduce our emissions by over 90 million tonnes. But I will get more detail because it was quite specific, and I am pretty good on some of it but not all of it. I thank the honourable member for his question.

The Hon. Daniel Mookhey: Misleading the House!

The Hon. PENNY SHARPE: I do not want to mislead the House. The costs of how we make this transition are not insignificant, and they will require investment. This Government and I, and the Treasurer in particular, are working every day on how we make sure that the costs are as low as possible. At the end of this we are trying to get to a clean, green electricity sector that provides the cheapest electricity possible to people across New South Wales, not just because it is good for the planet but also because it is good for households and it is good for businesses.

The Hon. ROBERT BORSAK (11:50): I ask a supplementary question. I thank the Minister, who almost got there. Will the Minister further inform the House of what the total global temperature decrease from the \$1.8 billion committed to date on these projects will be?

The Hon. Jeremy Buckingham: Point of order—

The PRESIDENT: Unfortunately for the Hon. Jeremy Buckingham, the Minister is on her feet, ready to answer. The time for points of order has passed.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:50): It is fine. I will take the question on notice, and I will give it a red-hot go.

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. SCOTT FARLOW (11:50): My question is directed to the Special Minister of State. On 20 March 2023 the *St George and Sutherland Shire Leader* reported that the Labor candidate for Miranda had announced six local projects receiving funding totalling up to \$214,000 in election commitments, including "up to \$50,000 in partial funding for an outdoor area for Project Youth". How did the Minister satisfy himself of Project Youth's eligibility to receive twice the amount promised in funding—\$100,000—before he approved the grant?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:51): I thank the member for the question. He is entitled to ask about these election commitments. I do not have the specific details of that particular project here with me, but I would be happy to take that on notice and look into it. I certainly have no trouble with that. I would describe the Hon. Scott Farlow as the first member of the House to read the guidelines. When I tabled them on 31 July, they came to no attention, but the Hon. Scott Farlow actually went and

read the guidelines, much to his credit, after I drew them to the attention of the House. He would know that any of these projects are signed off after a recommendation from the Premier's Department. So any approvals will be done in relation to those recommendations to me.

I cannot confirm whether I have or have not signed that particular grant off. Of course, the member would know in asking the question that, as I committed to the House, all those approvals were provided to the House voluntarily by the Government as part of a call for papers. So he is entitled to check. I encourage him to do so. Noting his attention to detail in these matters, I am sure he has. But I think that it is a specific question. I am very happy to take the details on notice and come back to the House with an answer.

The Hon. SCOTT FARLOW (11:52): I ask a supplementary question. I seek an elucidation in terms of the information that was provided to the House by the Minister. The Cabinet Office disclosure log shows \$186,000 in unallocated funds under the Local Small Commitments Allocation going to Sutherland shire for parks and garden projects in the electorate of Miranda. Who decided to reduce this amount to just \$32,000, by reallocating \$154,000 in funds that were unallocated in the Miranda electorate prior to the election?

The Hon. Daniel Mookhey: Point of order: The member is renowned for his attention to detail, so I am sure he is across the standing orders and knows full well that his question strays well beyond the bounds of what is an elucidation and what is a new question. We enjoy getting questions from the Hon. Scott Farlow, so I invite him to ask it as the Opposition's next question and invite you to rule it out of order as a new question and not an elucidation.

The PRESIDENT: I uphold the point of order. It is indeed a new question, and it can be asked on another occasion.

CAPTAIN DEBORAH LAWRIE

The Hon. MARK BUTTIGIEG (11:53): My question is addressed to the Minister for Roads. Will the Minister tell the House about Deborah Lawrie, her story and the progress of Sydney Gateway?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:54): I thank the member for the question. Members are familiar with the Sydney Gateway project, particularly the shadow Ministers who are involved in it. It is a \$2.6 billion project to improve traffic flow and reduce travel times and is due for completion in 2024. Some 100,000 vehicles will use the gateway. It is right near the airport and will really open up that area of the city.

On Monday 6 November the new flyover was named after Australia's first female commercial airline pilot, Deborah Lawrie, AM. The flyover has been named in recognition of her significant service to aviation and her advocacy for gender equality. I want to tell Deborah's story to the House. Deborah Lawrie had to fight for her wings, winning Australia's first High Court sex discrimination case in 1979. Despite being qualified, Deborah Lawrie's applications to be a pilot were repeatedly rejected due to her gender. Sir Reginald Ansett had never employed a female pilot and made it clear that he had no intention of doing so. In 1978, having been repeatedly rejected, Deborah took Ansett to court. The airline argued that it should be exempt from equal-employment laws on safety grounds, maintaining that only an all-male crew was safe. It was said also that she was not strong enough to control an aircraft and that the airline would be disrupted should she have children. Deborah disagreed, and the High Court supported her views.

Deborah Lawrie became the first woman in Australia to become a pilot for a commercial airline. She made history on 22 January 1980, when she copiloted an Ansett flight from Alice Springs to Darwin. The moment was a catalyst for change around the country to give women equal rights and opportunities in the workplace. I met Deborah Lawrie at the naming ceremony. She told me that she could never have imagined, back when she was 25 years old, that she would be taking on Ansett in the High Court to become a commercial airline pilot or that one day there would be a significant road in Sydney named after her. Deborah describes the Sydney Gateway flyover as a pilot might, as a gentle descending turn onto final approach, an engineering masterpiece. It is hard to disagree with that description. I think that it is fitting that the Deborah Lawrie Flyover will cast just a little shade over the road it towers over, Sir Reginald Ansett Drive, given that same man said that she would never become a commercial airline pilot.

HOUSING AFFORDABILITY

Ms ABIGAIL BOYD (11:57): My question without notice is directed to the Treasurer. The Treasurer was quoted in the media on Monday arguing for laxer planning laws in the eastern suburbs and, in particular, asserting, based on supposed Treasury modelling, that the median Sydney unit rent would be cheaper if blocks built in the past five years had been 10 storeys instead of seven. Does that Treasury modelling including any

analysis of how much rental prices would have been reduced if the huge numbers of vacant homes, Airbnbs and other temporary and short-term rentals in the eastern suburbs had been freed up or if tax settings in the past five years had discouraged rather than encouraged hoarding property?

The Hon. DANIEL MOOKHEY (Treasurer) (11:58): I thank the member for her excellent question. The member is quite right to say that on Monday we released some Treasury modelling undertaken by the NSW Productivity Commission. It showed that around 1,500 new apartment buildings were built in Sydney between 2017 and 2022, and these buildings were seven storeys on average and contained 10 dwellings per storey. If instead we had permitted moderately denser development by building an additional three storeys, we would have built an extra 45,000 homes. And, yes, the modelling did show that, by typical rule-of-thumb estimates, this would have lowered apartment prices and rents by 5.5 per cent, all else being equal. Also, in dollar terms, the modelling showed that it would reduce rents, on average, by \$35 a week on the median apartment, or \$1,800 a year, which is material.

As to whether the modelling included the effects of short-term rentals in the east and elsewhere, the answer is that it did not because the Government has a separate review underway about short-term rentals, which the Minister for Housing is leading. The short-term rental accommodation review will look at the impact of actions taken in other jurisdictions to ensure that some of that stock can remain in the long-term rental market. We are looking at what the Western Australian and Victorian governments have announced. We are also looking at the impacts of policies applied in Vancouver, British Columbia, New York and London, and policies applied in the past in Barcelona.

The effect of stock migrating from long-term rentals to short-term rentals is not unique to New South Wales, nor is it unique to Australia. It is a globally recognised phenomenon as new sharing platforms—or Airbnb-style products—are having an effect. It is prudent that we study it and the right way that examination takes place is through the process that the Minister for Housing is leading, a methodical and sensible way that will allow us to make reasonable decisions. Right now so many people are without a roof over their heads, and those with a roof over their heads are paying higher rent or higher mortgages. It is the cascading effect of the fact that we have not built enough homes. This Government understands the problem and we welcome all parties to get on board with producing a solution.

Ms ABIGAIL BOYD (12:01): I ask a supplementary question. In his enthusiasm to answer the first part of the question, the Treasurer missed the second part, which was about the different ways we can free up existing housing including through tax settings, which in the last five years have encouraged, rather than discouraged, property hoarding. Will the Treasurer elucidate his answer in relation to that?

The Hon. DANIEL MOOKHEY (Treasurer) (12:01): I believe the question was about short-term rentals and included vacant properties and tax settings. In my first answer I gave a good overview as to how we are looking into the question of short-term rentals. I stress that that includes vacant property actions taken by other governments. That is a part of the review. We are looking forward to seeing how that flows out. I inform the member of a few things about tax settings. First, we think that, particularly for first-time buyers, stamp duty is an impost that diminishes the capacity to purchase a home, which is why the Government took a policy to the election to ensure that 84 per cent of first home buyers pay either no tax or less tax. That is underway.

Second, we repealed the former Government's forever tax on the family home, which saddled people with an obligation to pay tax that was likely to rise much faster than disposable income. Third, tax settings for housing—whether treated as a capital asset or an investment asset—are set at the Commonwealth level and interact with pension and superannuation policies, so the three need to be looked at all together. We are always open to sensible suggestions about how we can take action to improve housing affordability, but our core responsibility is to build more quality homes that people want to live in that are close to public transport and people's jobs. We can talk about tax as much as we like but, if we continue to underbuild, it will not matter what the tax settings are because supply will exceed demand, prices will go up and the crisis will continue.

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

LOCAL SMALL COMMITMENTS ALLOCATION

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) (12:04): I have a further answer to a question asked by the Hon. Chris Rath on 18 October 2023. As indicated in question time and as promised, the Government has tabled grants and decision-making paperwork in relation to the local small commitments allocation. Of the approvals, a single project in the electorate of Newcastle has been approved. It is

a grant of \$47,000 for the Hunter Melanoma Foundation. Given the nature and standing of that organisation, it was approved using the routine conflict of interest processes for this program.

Supplementary Questions for Written Answers

ASSET PRIVATISATION

The Hon. MARK LATHAM (12:04): My supplementary question for written answer is directed to the Treasurer. Given the Treasurer's announcement in question time that he has written to the owners of privatised State assets to uncover the terms and conditions of the sale, will he now publicly release the letter written to Origin Energy, the owner of Eraring Power Station, and any response, as per his promise of transparency? Will he table documents on any financial incentives or renationalisation proposals for Eraring as the Government fulfils its promise of keeping Eraring open to keep the lights on in New South Wales?

STATE BUDGET AND MID-WESTERN REGION

The Hon. BRONNIE TAYLOR (12:05): My supplementary question for written answer is directed to Minister Moriarty. Given the Cabinet Office disclosure log states that the Mid-Western Regional Council was due to receive \$108,000 for parks and playgrounds in the Dubbo electorate, why has that allocated funding now been offered to Dubbo Regional Council as part of \$396,800 park project favoured by the failed Labor candidate and Dubbo regional councillor Josh Black?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. BRONNIE TAYLOR: I move:

That the House take note of answers to questions.

DROUGHT PREPAREDNESS

CAPTAIN DEBORAH LAWRIE

The Hon. BRONNIE TAYLOR (12:06): I take note of a number of answers given by Ministers in this place. I draw attention to the non-answers given by the Minister for Agriculture, and Minister for Regional New South Wales. Not answering questions and refusing to take questions on notice when the Minister does not know the answer is becoming absolute form for this Minister. It flouts the rulings and processes of this Chamber. If a Minister does not know an answer to something then they take it on notice. That is the standard way that we do things. To flout that and the long history of this House is absolutely unacceptable from a Minister of the Crown in the State of New South Wales. The behaviour continues; it continued right through budget estimates hearings and it was evident for all to see today. We have this House for a reason: It is a house of review. The Opposition has the right to ask questions and the Government needs to answer those questions. If Ministers do not know the answers, they take the questions on notice and provide them at a later date. I know we will be debating that later but it is very important.

I commend the answer about Deborah Lawrie, AM, from the Special Minister of State. What a wonderful story. He was very eloquent and it was lovely to listen to, but I sometimes find the hypocrisy a bit much in this place. The Special Minister of State said, "Isn't it fantastic? Women are great. Women have cut through. Deborah Lawrie has done an amazing thing. She was the first ever pioneer and first commercial pilot. I bet she received the pay that she deserved and I bet that those things were what happened." It is great when members make those sorts of comments but they should stand by their convictions and stand up for the right thing to do. They should make sure when they talk about their values and the great things that women do that they do not just pick one particular woman to not do the right thing by, because the hypocrisy reeks and it is coming to get people.

I leave the Chamber with this: The behaviour that members stand by is the behaviour that they choose to accept. So every time a member talks in this Chamber about how fantastic women are and how they have broken through glass ceilings and what they have done, remember that it should not be personal; it should be about the real issues of pay equality, gender parity and giving women a fair go for a fair day's work.

ENERGY SECURITY

NET ZERO EMISSIONS TARGETS

The Hon. MARK LATHAM (12:09): I take note of the answer given by the Minister for Energy that she is now going to have a red-hot go at quantifying carbon abatement in New South Wales in terms of what it means for global surface temperatures. I have asked three times and I got a very cold go—not a red-hot go. No answer was provided at all.

The Hon. Daniel Mookhey: What about tepid?

The Hon. MARK LATHAM: Tepid indeed, as the Treasurer says. I very much welcome that we have moved to the Nathan Rees language of having a "red-hot go". I hope it has a better ending, with a definitive answer as to the outcome of net zero and those carbon abatement efforts in New South Wales. I take note also of the Treasurer's answer to a supplementary question from yesterday. Now he seems to be making a commitment that, in planning for the 2026 NSW Intergenerational Report, he too will have a red-hot go in modelling the impact of New South Wales carbon abatement on global surface temperatures and, just as importantly for a Treasurer, the cost of that. But it raises the question, of course, that if we are legislating for net zero in 2023, what is the use of finding out the impact three years later? It shows how little research and rigour the Government has applied to that policy area.

In fact, the Minister for Energy, in trying to get Alan Finkel off the hook, used his analogy of comparing carbon abatement and global temperatures with the democratic process. Alan Finkel said there is little tangible impact from Australia eliminating all its carbon and that it will not impact global temperatures. Well, New South Wales would have even less impact in doing the same, at just 0.4 per cent of global carbon emissions. But the point is, of course, that in a democratic process there is one vote, one value. Everyone may contribute their one vote, one value. In that game theory approach, no-one has a disadvantage against anyone else. But it is not a valid comparison against the nature of carbon emissions around the world. The Minister has it upside down. Why would a voter with 0.4 per cent of the voting power bother when there is another voter in China with 27 per cent of global carbon emissions? Why would we worry in New South Wales? Why would we worry when the United States contributes 14 per cent?

Why would we worry if we have 0.4 per cent of the voting power at a NSW Labor conference—some little delegation coming in from a State electorate council? Why would we worry if those big union blocs—this is the valid comparison—have all the power? The United States—it could be the Health Services Union or something like that—contributes 14 per cent. India contributes 7 per cent—the Hon. Bob Nanva is writing this down. He knows the valid comparison—48 per cent. Only a Murphy can beat that bloc—and he had a bit more than 0.4 per cent, didn't he? Those comparisons put forward by the Minister for Energy are not valid. Murphy is laughing his head off. May he well laugh his head off because he pulled their pants down at the conference—but with more than 0.4 per cent. Those three together—China, the United States and India—have 48 per cent of the voting power, which is 120 times New South Wales' carbon emissions. Why would we bother?

HOUSING AFFORDABILITY

The Hon. Daniel Mookhey: Defend the honour of our conference.

The Hon. CAMERON MURPHY (12:12): Labor Party conferences are excellent, and I commend them to everybody. Come along and watch one. I take note of the excellent answer given by the Treasurer in relation to the immense privatisation of government-owned assets by the former Liberal-Nationals Government. It was absolutely astounding to hear the sum of \$72 billion, at least, in assets that were privatised by the former Government, which privatised everything. Even assets that we thought were nailed down and could not be privatised, the former Government found innovative ways to sell them off and, ultimately, screw the public of New South Wales in the process—even the Land Titles Office, which nobody thought could be privatised and sold off. Often those assets were sold off at reduced prices and they were then sold again at a profit by the lucky purchasers of those public assets.

It was even more astounding to hear the super profits statistic that the Treasurer talked about in relation to Ausgrid and Endeavour. He said that \$1 out of every \$4 went to that super profit. That is an absolutely extraordinary sum. Anyone in New South Wales who is wondering why they are paying exceptionally extraordinary prices for electricity has no further to look than at the former Liberal-Nationals Government, which sold off those assets and put the Labor Government in a position where, in New South Wales, we do not own those assets, so we cannot intervene in the way that the Queensland Government was able to do to protect the people of Queensland. We cannot do that in New South Wales because the former Government sold off all of those assets.

In comparison, I like the approach that our Government has taken. I love the initiative that was announced by Minister Chanthivong the other week to bring Junee jail back into public hands. That is a wonderful announcement. That is a difference between this Labor Government and the former Government. It is public assets that fund frontline workers: nurses, hospital workers, cleaners, doctors, teachers and police officers. The dividends from those assets have funded that important work. When the former Government sold off the assets, we were left with a budget black hole and an inability to fund those frontline workers. The Treasurer has worked incredibly hard to protect that and turn it around in the budget. [*Time expired.*]

STATE BUDGET AND MID-WESTERN REGION

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. NATALIE WARD (12:15): I take note of answers to questions, which were extraordinary today. The Opposition asked questions of this Government, which came to government on the election promise of transparency and accountability—"Here we are; we are going to do it better"—and yet we have seen the biggest dodge show in the history of this Chamber. One Minister said a lot but actually said nothing. The Opposition could not figure out what was being said because nothing was being said with a lot of words. One Minister purported to take a question on notice, but she could not confirm that she was taking the question on notice because she was going to get some advice and look at something. We had to put the question in writing, requesting her to take the question on notice.

There was a protection racket from one member—who is commendably practising her skills in understanding the standing orders—whenever we asked a question about a specific matter. The Opposition asked a range of specific questions about very important and serious matters to the community. The community was promised projects in their electorates by this apparently transparent—but not so much after the election—Government. They were told, "You will get this money if you vote for us." It is right, correct and proper that we ask those questions in this House. The lack of answers is telling to Opposition members that there is much more to see here, so we will continue to ask those questions.

There was a lack of accountability when we asked about Cherie Burton, a former Labor member who was involved in the recruitment process for Josh Murray—an appointment of a mate. We asked about the processes in the caucus liaison unit and about the involvement of Mr David Mehan and the role he has played, but there was no answer. The dodging and weaving and the "look over here" tactics of this Government are terrifying for the people of New South Wales, who were made those promises. We know that Ryde was made a promise that Lyndal and Labor would build a new cultural centre in Eastwood. We would like to know when the centre will be commenced, when the first brick will be laid and when the first sod will be turned. Our member for Ryde, Mr Jordan Lane, will help to turn the first sod at that promised cultural centre.

It was also terrifying that some Ministers have a very selective memory of history. I am happy to provide a history lesson. When we choose to be selective about history there is the potential to mislead. We are very clear that we are not better off under this Government. The Labor caucus looked at and costed selling assets, but it could not get it through and it lost a leader over it. We went to an election on the sale of poles and wires. A bloke called Mike Baird went to the election and asked, "Is it okay if we do this?", and the electorate voted yes to doing that. As a result, we recycled assets, which is how we built more assets and got more assets on the balance sheet. That is how to manage a government.

TROUT COD

The Hon. MARK BANASIAK (12:18): I take note of the answers given to my question and supplementary question. I expressed a level of frustration with the plan because it is that same frustration that is felt by the people of New South Wales. The second iteration of the plan is much of the same. The community has been locked out and unable to fish through significant periods of the year for 10 years. I cannot understate the impact that has not only on the financial contribution that recreational fishing makes to communities but also on the mental health of those communities. It is an absurd proposition that has been put by the Minister and by other Ministers in this place over time: that it was the former Government and "is not what we're doing".

The proposition that highly paid public servants somehow sit under their desks in a box and only come out and do work when they are instructed by their Minister is absolutely absurd. They are paid significant amounts of money. They do work independently. That is clear, because the fisheries department is working quite independently in actively trying to walk back the Minister's election commitments on statutory authorities. They can quite independently do that, it seems. For five years a senior Transport public servant by the name of Howard Collins has successfully independently led five transport Ministers up the garden path on the Kamay ferry wharves to the tune of \$78 million. He has also, independently and successfully, helped run the Boating Now fund into the ground. So the proposition that public servants cannot work independently and cannot just continue on with business as usual in day-to-day operations is absurd.

The plan is a farce. I appreciate that the Minister has said that she is willing to engage with different associations or groups that might have input, or valuable input, but, as it stands, the plan is just situation normal from the previous 10 years—and it has failed. There has been no significant improvement in the species whatsoever, and we have essentially locked out a community from being able to fish in the river. For what benefit? Zero.

IMAM SHADI ALSULEIMAN

The Hon. MARK BUTTIGIEG (12:21): I address directly the question of the Hon. Rod Roberts. The Minister has concurred with the assessment I made, which is that notwithstanding the fact that the Minister does not necessarily agree with the views of Imam Alsuleiman on that particular issue, he is nevertheless a representative of that community. He was put forward by his religious community to represent the Muslim community on the interfaith council. The Minister's view is that he has a responsibility to discharge those views of his community, and the interfaith council is designed to act as one to inform the Government on a range of issues associated with the various faiths and how their communities can be best serviced by government delivering into those communities based on their needs. I do not think the two things are necessarily mutually incompatible. The analogy with the Hon. Mark Latham is probably inappropriate, given what the Hon. Mark Latham said and the language the Hon. Mark Latham used, and the fact that a religious leader may have beliefs associated with that particular religion does not necessarily preclude them from making an informed judgement and advising government on the correct way forward.

I remind the House of how proactive this Government has been on the interfaith dialogue. The previous Government had a body called the religious advisory board, which met on only one occasion. That body, which is meeting this week to discuss the situation and the tension surrounding the Middle East, had an interfaith dinner that I attended along with my colleague the Treasurer, several other MPs and, indeed, the Premier a couple of weeks ago. It was unprecedented. Every single faith was represented, from the Jewish religion to the Muslim religion, Hindus, Catholics, Greek Orthodox—right across the board. In one room, I think a few hundred people were sharing a meal and discussing the strength of multiculturalism and how we can use that to counter some of the things that are going on overseas.

The ability to gain empathy through people's insights from different religions is a strength that this Government recognises. Certainly the Minister recognises that and is moving heaven and earth to bring people together to foster that dialogue so that we can learn how to better unify communities, have a more harmonious relationship and avoid some of the tensions resulting from overseas conflicts. Notwithstanding those comments that the Minister disagrees with, the bottom line is they do not affect Imam Alsuleiman's ability to provide that advice to government.

QUESTION TIME

The Hon. AILEEN MacDONALD (12:24): I am a little tired of question time. The penny finally dropped for me today. For one hour each sitting day of Parliament we attend question time. It is not question and answer time, but only question time. I am disappointed each time that questions are asked and answers are not provided. Instead, we have blame and shame, statements made that have nothing to do with the question asked and much time wasting. Government members have mastered the art of not answering questions—no transparency—and continue to shift blame for decisions they make to everyone else but themselves. I am tired of the grandstand perspective taken by the Government whereby it rules by the thumbs up, thumbs down method. There is no leadership in making decisions for only a few with vested interests while neglecting the majority of New South Wales. I invite the Government down from the grandstand and into the arena to show true leadership and empower the people of New South Wales, own its decisions and move New South Wales forward.

EXPLORATION LICENCE COMPENSATION

The Hon. JOHN RUDDICK (12:25): I take note of the Leader of the Government's answer to my question without notice. The Leader of the Government plainly said that the Government has no interest in pursuing compensation for innocent and impacted parties but will simply follow the recommendations of ICAC. The December 2013 ICAC report entitled *Operations Jasper and Acacia—addressing outstanding questions* states:

The Commission recommends that the NSW Government considers enacting legislation to expunge the authorities for Doyles Creek, Mount Penny and Glendon Brook. That could be accompanied by a power to compensate any innocent person affected by the expunging—

The Hon. Jeremy Buckingham: "Innocent" being the operative word.

The Hon. JOHN RUDDICK: Thank you, Mr Buckingham—

(and, if the NSW Government deems it appropriate, any refusal to grant relevant pending applications) to the extent that that was considered appropriate.

Given that recommendation and the Minister's answer, I believe the Government should immediately begin the process of creating a power to compensate innocent parties, which I understand is about 4,000 people. Some 4,000 mums and dads have been innocently impacted by this.

COST OF LIVING

The Hon. SUSAN CARTER (12:27): I take note of the answer given by the Minister for Finance, the Hon. Courtney Houssos, to the question of what the Minns Government is doing to help families with the cost of living. I was very surprised by the answer that was given. The first thing that was pointed to was toll relief. Toll relief? Tell that to the families of Kellyville, the families who were identified in this House the other day by the Minister for Roads as being the most highly tolled population in Sydney, and those families who will be crossing the Harbour Bridge and paying the increased toll that this Government has levied. It is hard to talk about toll relief when you are increasing the tolls that families will be paying.

There was also discussion of the one-off \$500 preschool payment. I am sure it will be gratefully received by families of preschoolers, but it does not match our \$5 billion investment through the Childcare and Economic Opportunity Fund, which was offering not a \$500 one-off payment but a free year of pre-kindergarten for all families in New South Wales. What if those families want their kids to play sport? The cost of living is really impacting on what are called extracurricular but are actually really important family activities. One family I spoke to the other day was tremendously excited when their child came home, because they had made the representative soccer team. That night the parents were then so worried about how they were going to pay the \$3,000 registration fee for that representative soccer team. It is an opportunity their child should have, but the cost of living is really biting on family activities.

With Active Kids decimated, where is the help with the cost of living? If those families want to give their children piano lessons, drama lessons or art lessons, there are no Creative Kids vouchers anymore to help with the cost of living. What is happening to the First Lap program if those families want to offer their children swimming lessons? Those really important family activities are being hurt by the cost-of-living crisis. If grandma and grandpa want to visit the grandkids at Christmas—let alone if they want to go to the doctor—there is no regional seniors travel card. Where is the cost-of-living help for them? Last year families could celebrate Christmas as a family at Noel Sydney. That will not be happening this year thanks to the cost-of-living crisis. The former Government offered programs because it really cared about families. But with Active Kids, Creative Kids and First Lap cut, and with Noel Sydney cancelled, it is hard to see what relief this Government is offering families.

ASSET PRIVATISATION

CAPTAIN DEBORAH LAWRIE

The Hon. EMILY SUVAAL (12:30): I take note of the answer provided by the Treasurer to the question about the \$72 billion in privatised assets under the former Government. Obviously, selling those off was a really terrible use of public money given that we now know how much they were resold for, including Vales Point. Another important point to highlight is the impact it has had on many workers. I recall a conversation I recently had with a worker in one of those privatised assets, and they lamented to me how much they wanted the State Government to buy said asset back because of how much better their working conditions and working environment were when they were run by the State Government, as opposed to the private corporation that now owns the asset and is running it and its workers into the ground.

I also take note of answers given by the Special Minister of State and acknowledge the work of Captain Deborah Lawrie, AM. Her story is really wonderful. I was interested to learn some of the reasons cited by Ansett that she would not be able to fulfil the role of pilot. She has now been a pilot for some 50 years and is widely regarded as the best female pilot in Australia. She still flies a Boeing 737 for Virgin. One reason given was that her earrings might get caught during the emergency evacuation process, which is abjectly ridiculous and absurd. Others were concerns that women were more prone to panicking or would run off and have millions of babies—also ridiculous and absurd in today's environment.

It is important to also recall that that decision was made less than 50 years ago, so we have come a long way, largely on the back of amazing women like Captain Deborah Lawrie. I will join her in a wry grin every time I drive across the flyover that goes above Sir Reginald Ansett Drive because of the irony of that situation. She is a wonderful woman and a wonderful and aspirational example to all of us of women in leadership positions. She did not give up and probably never thought of the implications of taking on her employer all those years ago. I commend her and thank her for her service and her duty, and for the difference she has made for women in leadership positions everywhere.

ENERGY SECURITY

The Hon. JEREMY BUCKINGHAM (12:33): I take note of the answer given today by the Minister for Climate Change, and Minister for Energy. I am very excited to hear that the Government is partnering with the Federal Government to expand battery storage in the State. In my contribution to debate on the net zero bill last

night, I said that I was very optimistic about us being able to decarbonise our electricity network in the short to medium term because I have some experience in that space.

While I was having a hiatus from politics for four years, I worked for a company specialising in distributed energy resources [DER] and virtual power plants [VPP]. It was and still is working with the Australian Renewable Energy Agency [ARENA] and the CSIRO on demand management and the development of virtual power plants that ensure that all of the electricity producers and rooftop solar in this country can be aggregated, managed and fed into the grid when and where it is needed.

Behind our substations, this country is blind. Our smart meters are not smart. We cannot manage electricity or voltage very well in this country, especially in the regions. We have the opportunity. The Federal and State governments are grasping that nettle, and the savings to consumers are considerable—hundreds of dollars a year—if they can feed their electricity into the grid from batteries and electric vehicles when and where it is needed. The quantum of electricity is absolutely astounding: We are talking about thousands of megawatts—the equivalent of coal-fired power stations—just sitting there and waiting for the technology, and it is coming. We have the know-how and the technology now to release that.

I welcome the news that this Government and the Federal Government are continuing the work of ARENA, the Clean Energy Finance Corporation and the Australian Energy Market Operator to make sure our National Electricity Market—which is described as the biggest machine on earth—is the smartest machine on earth. The technology that is coming in AI and quantum computers will mean that we can drive down demand and increase supply by doing more with less. Efficiencies are coming; batteries, VPP and DER are the future.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! Pursuant to standing orders debate is interrupted to allow the Minister to respond.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (12:36): Question time today was as illuminating as always, and once more the Opposition persisted in its campaign to expose how this Government is keeping its election commitments. Opposition members are determined to make sure that Government members have ample opportunity to speak about our Local Small Commitments Allocation program, which we took the opportunity to do. It stands in contrast to the practices that took place under the previous Government.

Every time Opposition members talk about the Local Small Commitments Allocation, it is an opportunity for us to remind the House how systematically rorted the previous Government's grants programs were. My favourite remains the Deputy Premier's Discretionary Fund. I spent many a Christmas, after the annual reports were tabled, reading who John Barilaro and Paul Toole were giving money to that year. I remind the House that 91 per cent of money under that program went to National Party electorates. Until we see some repentance from members opposite for the rorts they committed, we will continue to use their questions as an opportunity to highlight our election commitments, including our smallest election commitments through that program.

In the course of this take-note debate, I have also been invited to respond to the people of Kellyville about why they are paying tolls. Let me tell the people of Kellyville—a community I know very well, having gone to school in that region—why they are paying tolls. It is my sad duty to tell the people of Kellyville that they are amongst many who will have to pay at least \$123 billion between now and 2060 as a result of the previous Government's plan to impose tolls and privatise the roads. It is my sad duty to inform the people of Kellyville that, as a result of those privatisation contracts, the toll on WestConnex goes up 4 per cent or higher each quarter. It is a result of the previous Government's deals. And it is my sad duty to inform the people of Kellyville, who have to use those roads, that they are treated separately to other communities who more frequently use the Harbour Bridge.

I say to the people of Kellyville: I am really apologetic that the people of Mosman, for example, have not had an increase on their main toll road since 2008; yet the people of Kellyville, Penrith, Camden, Riverstone and Blacktown have had their tolls go up quarterly. That is part of the reason this Government is determined to release the privatisation contracts and the supporting documents—to make clear to the people of Kellyville why they are now paying super profits to a toll road company and super profits to electricity companies at the same time. We look forward to the cooperation of members opposite as they repent for their record and we correct the failures of their privatisations.

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

Motion agreed to.

*Written Answers to Supplementary Questions***NET ZERO EMISSIONS TARGETS**

In reply to **the Hon. MARK LATHAM** (21 November 2023).

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

I am advised that NSW Treasury produced modelling for the *2021-22 NSW Intergenerational Report* that tested the sensitivity of the New South Wales economic and fiscal outlook to global coal demand and the broader energy transition. The paper is available for the member's review here: [The sensitivity of the NSW economic and fiscal outlook to global coal demand and the broader energy transition for the 2021 NSW Intergenerational Report](#).

The relevant modelling considered the costs of a counterfactual "slow and disorderly transition" scenario where the Electricity Infrastructure Roadmap was not in place and electric vehicle uptake is lower than expected. The research showed that while the New South Wales budget is sensitive to differences in global demand for coal, a slow and disorderly transition to renewable energy could pose an even more significant risk to the fiscal outlook.

Planning has commenced for the *2026 NSW Intergenerational Report* and work to prepare for this publication will commence in early 2024. This will include reviewing opportunities to improve or extend the *2021-22 NSW Intergenerational Report* modelling, and I welcome the engagement of the member if he wishes to provide additional input or consult on relevant sources.

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

*Private Members' Statements***GAZA CONFLICT**

The PRESIDENT: Before I call the Hon. Anthony D'Adam, I welcome representatives of Palestinian Christians in Australia to the gallery. You are very welcome.

The Hon. ANTHONY D'ADAM (14:00): It has been 45 days since the violence in Gaza escalated after the Hamas attack. In this time we have witnessed death and destruction on a mass scale. Israeli and Palestinian communities in Australia are hurting, as is the broader Australian public. In Sydney, rallies calling for peace and an end to the conflict have been held every weekend since 7 October. People are justified in their desire for a legitimate outlet for protest. In our democratic society, it is essential to respect freedom of assembly and freedom of speech. People have a right to ask their governments to protect human life and support a ceasefire. The Australian Government has been slow to act on this issue.

Palestinians in my local community are traumatised by the events unfolding in Gaza and are looking for solidarity from our national and State leadership. It was disappointing that the Australian Government abstained in the vote on the United Nations resolution demanding a ceasefire. The General Assembly overwhelmingly called for an "immediate, durable and sustainable humanitarian truce". Australia's commitment to international human rights law should be a given. The right of Israel to defend itself has been turned into a licence to wage war and kill innocent civilians in an act of collective punishment.

Polling conducted by YouGov found that 53 per cent of all respondents supported a government call for an immediate ceasefire. The results demonstrate a lag between public sentiment and the Australian Government's position. Last week I had the chance to hear from Francesca Albanese, the United Nations Special Rapporteur on the Occupied Palestinian Territories, at a briefing of the Parliamentary Friends of Palestine as well as at a fundraiser hosted by Palestinian Christians in Australia. Her latest report details the abhorrent human rights situation, in particular the impacts of the occupation and conflict on children. Children, who make up half of the Palestinian population, are being deprived from exercising the right of every child to grow up in safety. At a National Press Club of Australia interview, Ms Albanese stated that the international community is "epically failing" in its response. Francesca's words resonated with recent conversations I have had with members of the Palestinian community, many of whom have family and friends in Gaza. They are deeply worried about their loved ones and what happens next.

Some hours ago a temporary four-day pause in fighting in the Gaza Strip was announced. This is an important step forward towards peace. Now the Australian Government must do all it can through diplomatic channels to support a permanent ceasefire. The Australian Government must address the underlying injustice and use its influence to end the Israeli occupation of Palestinian territory and recognise the state of Palestine now, in order to support a peaceful, viable and fair political solution based on self-determination and equal human rights for all people in the region.

PORT BOTANY PROTESTS

Ms ABIGAIL BOYD (14:03): The Maritime Union of Australia has been in negotiations with DP World at Port Botany for months. The dispute has been over an enterprise bargaining agreement that goes directly to the

core issues facing workers today and every day. The workers are fighting for fair pay, job security and safety in the workplace. DP World, on the other hand, is fighting to rip workplace justice away from essential workers. DP World already pays its workers significantly less than neighbouring terminals, but it is not content. It has embarked on a campaign of bad-faith bargaining, intimidation tactics and attacks on hardworking maritime workers around the country, serving up roster and working arrangements that smash work-life balance and create a precarious and unsafe working environment.

DP World is a bad corporate citizen, notorious for its shocking industrial relations practices. DP World has not paid a single dollar in corporate tax since 2015, despite its \$4.5 billion in revenue and a 140 per cent increase in profits over the last year alone. But DP World is crying poor and screwing over its workers. Not only is it screwing over its workers, but it is also screwing over the rest of Australia, recently jacking up its port charges by more than 50 per cent. That gross price gouging will hit the hip pockets of every single household in Australia and will squeeze the logistics industry into potentially unsafe practices to maintain profitability.

I was proud to stand with and speak to the mighty Maritime Union of Australia last week on the picket line as it continues to hold firm in this dispute. The Maritime Union of Australia has always been a bastion for its members, for the working class and for social justice both domestically and abroad. The Maritime Union of Australia is always the first to sign on to and the last to back down from any solidarity actions and struggles, and The Greens are proud to stand with them. The Greens are also proud to stand in solidarity with the brave and peaceful protesters who blockaded Hutchison Ports Australia at Port Botany against ZIM shipping, which had a vessel docked in port last night. ZIM shipping is a company heavily integrated into the Israeli Defense Forces and is complicit in delivering weapons to be used against peaceful, trapped civilians in the Gaza Strip.

Through successful and sustained boycott actions, just like those taken against apartheid in South Africa, we can exert our strength in the struggle for global justice and liberation. We condemn the violence and intimidation tactics used by police against a peaceful blockade by concerned citizens. This is part of a terrifying pattern of fascist behaviour by the New South Wales Government on its rapid descent into a police state, wielding the violent coercive forces of the police against peaceful civil society actors. So far at least seven individuals have been charged with disrupting a major facility under section 214A of the Crimes Act. This is the offence that was shamefully waved through by the major political parties as they rushed through the repressive and anti-democratic anti-protest laws in Parliament last year. The New South Wales Government must immediately repeal these draconian laws and call for the charges against protesters to be dropped.

BATHURST INTEGRATED MEDICAL CENTRE

The Hon. SAM FARRAWAY (14:06): Today I put on record five very good reasons that the Bathurst integrated medical centre should proceed. The first is that the Bathurst Private Hospital currently has a very short lease. It is a very tired facility, and it is struggling, one would say, to attract new specialists and surgeons. New specialists and surgeons want modern facilities. They want a proper, integrated medical centre. They want to ensure that their clients, who are patients in the Central West, are better connected to other medical services, and that is what the Bathurst integrated medical centre would do. The second is that a new Bathurst integrated medical centre would become an anchor in the Bathurst CBD, occupying the old Clancy Motors site and bringing life to what is now a very dead and empty site. The third is that it would create foot traffic for the CBD. In order for small businesses to survive the current cost-of-living crisis and the tightening within the economy, especially in small business and retail, they need more customers. The only way to create more customers is to create more foot traffic walking through and past their shops in and around the CBD.

The fourth reason is the employment and the access to those services, which is incredibly important. This building could, quite possibly, house hundreds of people who would have a new place of employment in Bathurst in the CBD, and that is good for our regional economy. The fifth is that the Bathurst integrated medical centre would solve the very long-term problem of parking in Bathurst CBD. This development would allow collaboration between local government, the private hospital and the Bathurst RSL club. That would allow hundreds of new parking spaces within the Bathurst CBD, which would go a long way towards ensuring that people who work in and visit the CBD have access to proper parking options in the longer term.

We are talking about hundreds of car spaces—not metered, one would hope—that would allow for parking and for the activation of the CBD. In many ways, the Bathurst integrated medical centre would be a one-stop shop for all the medical services that are required for that growing regional city. It would solve a longstanding car parking issue in the city of Bathurst and would become an anchor tenant in the CBD that will prosper and allow for development into the future. It is good to ensure that our local businesses have the foot traffic to create activity into the future. I strongly support the Bathurst integrated medical centre proposal.

ABORIGINAL DEATHS IN CUSTODY

The Hon. CAMERON MURPHY (14:10): I speak about a serious issue that sadly still plagues our community—an issue that I believe we all have a duty to fix, regardless of our ideological or party differences. I speak about the continued scourge of deaths in custody, particularly the deaths of First Nations people, which regularly occur across Australia. Landmark reporting by *The Guardian* last year revealed that 516 Indigenous people died in custody between 1991 and 2022. Of the 106 deaths in custody in 2021 to 2022, 16 were deaths of Indigenous people. Every death in custody is a tragedy.

In October this year an inquiry was undertaken in Townsville into the death of Selesa Tafaifa, a Samoan woman who died in custody. Video footage of the incident has revealed that Ms Tafaifa, who had asthma and other health concerns, was forcefully restrained by officers and had a spit hood placed on her while in respiratory distress. Six minutes after the confrontation began, she was dead. Thankfully, the controversial practice of using spit hoods is not employed in New South Wales, and I look forward to legislation to formalise this position. Sadly, however, Ms Tafaifa's story is not unique—in fact, it is all too common. Ms Tafaifa repeatedly stated, "I can't breathe." That statement has a new resonance following the tragic death of George Floyd at the hands of police officers in the United States in 2020.

In New South Wales, Dunghutti man David Dungay Jr died in custody after being restrained by several officers for eating rice crackers in his cell in 2015. At the coronial inquest it was revealed that Mr Dungay also repeatedly yelled "I can't breathe" while being restrained. The community and this Parliament must demand better from our prisons and from our justice system. People placed in the care of the State, whether through incarceration or some other reason, must be assured of their safety and care. It is the only way that our system can deliver justice while respecting human rights. In my view, the return of June Correctional Centre to public hands—rather than being run by a United States-owned private contractor, as it currently is—is a very welcome step in the right direction. I commend Minister Chanthivong for that move, and I look forward to seeing the other measures this Parliament will take to address the complex causes and to eliminate deaths in custody once and for all.

BOATING NOW PROGRAM

The Hon. MARK BANASIAK (14:13): Following the recent budget estimates hearing on the Transport portfolio, I was left perplexed and dismayed by the responses I received following questions about the NSW Boating Now grant program. I had hoped for clear and concise answers, considering the ongoing conversations I had had with the Minister's office and the recent review of the program, but was given a mishmash of conflicting and convoluted answers that made me feel like I had stepped onto the set of the Abbott and Costello comedy show. Between July 2020 and August 2022, four separate Ministers announced that \$28 million in funding had been allocated for Boating Now Round 4. If we are to believe the answers in recent budget estimates hearings, that \$28 million was never even budgeted for, and no successful applicants were informed—unless, of course, you listen to the less senior public servants, who told recreational boating representatives the very next day that the money had been expended.

Initial answers given by the Minister in the hearing were that the Waterways Fund would be in deficit by \$17 million by 2025. The Minister cited the mismanagement of the Waterways Fund, blaming the former Government and stimulus spending for the fund's state of disarray. In the afternoon that answer was changed by Trudi Mares, who stated that it was the Boating Now fund that would be in deficit. My understanding from previous budget estimates hearings is that the Boating Now program is a subsidiary and monetised from the Waterways Fund. To quote Howard Collins from that hearing, the Waterways Fund commenced in 2023 with a surplus of \$400 million and closed with a balance of \$348.3 million. How can the Boating Now fund be at risk of deficit when it is drip-fed by a fund flush with cash?

Trudi Mares then took the baton that Mr Collins inevitably fumbled, clarifying that \$84.2 million of the original \$98 million allocated to the Boating Now program had been indulgently consumed through rounds 1, 2 and 3 up to the end of the last financial year. In full respect of the projects undertaken at the time and future predictions, how can one announce \$28 million in funding that effectively does not exist? Or does it? Is it up or down? Who's on first? What's on second? If the Minister and the department do not know, what hope does anyone else have?

I put it to the House that the current Government is not solely responsible for this cluster of a funding program, nor is the former Government. It is the public servants who have failed in their duty to provide frank and fearless advice. It is the public servants who have mismanaged those accounts on a day-to-day basis. I have zero faith that Mr Collins and others in the Maritime division can do anything effectively except waste taxpayers' money. Howard Collins needs a firm handshake and to be shown the door before he wastes more taxpayers' money. While I called for a review of the Boating Now program, which the Government agreed to, perhaps I should have asked for a forensic audit instead.

AUSTRALIAN BRANDENBURG ORCHESTRA

The Hon. CHRIS RATH (14:16): Despite those who deride classical music as an art form of ages gone by, the reports of its death are indeed greatly exaggerated—to appropriate a quote from Mark Twain, often misattributed to Oscar Wilde. I, like thousands of people in this State, continue to benefit from and be blessed with some of the finest chamber music and symphonic groups in the country. There are few finer than the Australian Brandenburg Orchestra [ABO]. Performing baroque music composed between the beautiful operatic works of Monteverdi and the elegant chamber music of Haydn, the ABO has been able to bring imaginative programs and outstanding soloists to a State whose talent is fast outgrowing its population.

I had the pleasure of attending the Poet of the Violin concert a few weeks ago to see the Australian debut of Leila Schayegh. The depth of works on display was, as always, particularly impressive, mixing well-known composers like Bach and Handel with unique and rare performances of works from composers like Leclair and Zelenka. I have also attended the concerts *The Lover*, *Gloria* and *The Four Seasons*, Spanish Steps and Bach's Universe, all of which were special in their own way: from procuring rare period instruments, to debuting new talent, to premiering works for the first time in Australia. The hospitality provided by the ABO was consistently impressive through each event.

I must thank Paul Dyer, AO for his three decades of artistic leadership of the orchestra and for his equally impressive contributions through the harpsichord. Special praise must also go to concertmaster Shaun Lee-Chen. I know the ABO will continue to showcase both domestic and international talent to enrich the classical music scene in Australia. It should be on the itinerary of every New South Welshman to attend one of its upcoming concerts in its 2024 season. I am looking forward to attending many more. Bravo!

COVID-19

Dr AMANDA COHN (14:18): People in New South Wales have the right to safe health care. They expect that attending a health facility will result in better health, not exposure to a potentially deadly infection. The Government has an obligation to reasonably protect patients from hospital-acquired infections, including COVID-19, in our State's healthcare facilities. This week infectious diseases expert Brendan Crabb described our current COVID management strategy as the "blindfolded era" because limited testing and reporting has made it difficult to assess and communicate the extent of the spread of the virus. Professor Crabb warned that complacency and inconsistent government messaging would lead to millions of people contracting the virus before the year is out, with tens of thousands likely to suffer long-term complications.

With rates of COVID-19 now reported by NSW Health to be at moderate levels and increasing, the time for action from the new Government is past due. In Victoria, 10 per cent of people with hospital-acquired COVID-19 died as a result of their illness. We do not know the equivalent figure in New South Wales because it is not being aggregated or reported. People living with chronic illness, particularly those who are immunocompromised, are being forced to go to extraordinary lengths as individuals to protect themselves because the Government is not acting to protect them by making public spaces safe. We urgently need ventilation and filtration of all public buildings.

Based on the level of urgency currently conveyed by the Government, it is not surprising that most people in New South Wales do not know that there is a new COVID wave upon us. It is fascinating that, rather than recommending that people wear a mask, particularly in crowded indoor settings, including public transport, the NSW Health advice on social media is to "be kind to people who choose to wear a mask". That puts the burden of responsibility on vulnerable people. There is mounting scientific evidence that long COVID, a systemic post-viral inflammatory response, is related to chronic fatigue syndrome—also known as myalgic encephalomyelitis. This condition can be profoundly debilitating, even for people previously well.

We should be taking all reasonable steps to prevent transmission of COVID. That would also reduce the spread of influenza, which has always been very serious for the very young and very old. The New South Wales Government should be recommending masks in high-risk settings, including healthcare facilities; communicating properly with the public about the current level of risk; and making sure booster vaccines for current strains are available and encouraged. All workers, including gig and casual workers, should have access to sick leave so that people are not forced to attend work with infectious symptoms to keep food on the table. I know that many people are desperate to go about their lives as if COVID never existed, but for the Government and health agencies to do so is not only dangerous but also a missed opportunity to learn from our experiences during this pandemic and to do better by people with chronic illness and who are immunocompromised.

NO-CONTACT ORDERS

The Hon. TAYLOR MARTIN (14:21): Today I speak to start a conversation and to put forward a concept that I invite all members of Parliament to work together on in a fashion beyond party lines. I believe the

time has come to look at making an option available to people which sits below the seriousness of an apprehended violence order [AVO]. In this day and age, with the stratospheric uptake of online dating apps over the past decade, many young people are meeting up and quickly engaging with prospective romantic partners who do not come with the verification or approval of friends, family or the wider community, as they may have done in decades past. They are meeting up with people who are totally unknown to them, other than what they purport themselves to be, and it can often take quite some time before people really get to know a person's true nature. It is clear that there are people in our community who are not safe to be around once an intimate relationship is brought to an end.

It is clear that there are people who do not accept no for an answer when they are informed that their advances are no longer welcome or that their relationship has been brought to an end by the other party. It is in such circumstances that what I propose to be known as a "no-contact order" may eventually become a necessary option. It is not currently available. A less serious course of action than an AVO, a no-contact order would be a first port of call that people could easily avail themselves of to serve as formal notice to the other party that the next step will be an AVO should they breach the no-contact order. It would be a form of final notice. People should be able to assert their right not to be contacted by someone once they have informed them of their wish not to be in a relationship and not to be contacted again. Relationships are tricky, complicated and, of course, messy but, once a person has reached a point where they have given notice that they do not wish to be pursued any longer, they must have an avenue to have that wish imposed.

Some might say this is where an AVO becomes an option already, but I can tell you from experience that applying for an AVO is not a matter to be taken lightly. It is an extremely confronting and triggering experience, particularly if you have not had reason to deal with the NSW Police Force before. To be clear, a no-contact order would not replace an AVO, nor would it be required before initiating an AVO. But it would be of assistance to the police and the courts should such an order be breached by a person who ignores it, and it could be used as evidence when subsequently applying for an AVO, which could assist greatly in that process. I look forward to working constructively and genuinely with anyone—MPs of all persuasions, or even those outside of this Parliament—to achieve an outcome and to give people who are being harassed a pathway to peace.

BENEFOLK

WARDELLCORE

The Hon. EMILY SUVAAL (14:24): I speak about the important work of the Benefolk organisation in improving the health and wellbeing of workers in our social services sector. Last week I had the opportunity to meet with Benefolk's founder, Julia Keady, and its resources and advocacy manager, Annette Herschtal, to discuss the crucial work they are doing in this space. Many not-for-profits, charities and impact-focused businesses provide important services for the more vulnerable members of our community. Working in the social services sector can take a massive toll. The nature of their work can be confronting, and workers and volunteers can be exposed to significant trauma. This is exacerbated by the fact that this sector relies on a considerable volunteer base. Research undertaken by Benefolk in 2020 found that 45 per cent of professionals in the sector often felt anxious, overwhelmed, stressed and at risk of burning out; 31 per cent of leaders in the space reported that they were needing help to manage staff and volunteer mental health and wellbeing; and 97 per cent of community sector staff reported that their main service could not always meet demand.

The impact of social services sector work on the mental health and wellbeing of its workers puts the sustainability of the workforce and the delivery of crucial services at risk. This is a longstanding issue, but it has of course been exacerbated in recent years by the effects of the pandemic, natural disasters, and now the cost-of-living crisis. I am reminded of the work of a wonderful organisation in my duty electorate of Ballina, the Wardell Community Organised Resilience Effort, known as WardellCORE. It is a community-centred recovery centre and resilience facility. It is run almost exclusively on goodwill and grant funding, by volunteers and by two part-time paid staff who, realistically, both work more than full-time. Their vision is to help their community navigate the complexities of flood recovery and to provide continuity of care and ongoing support for the Wardell region. It is a shining example of a non-profit that has been recognised for many awards, including most recently as a finalist in the NSW Resilient Australia Awards 2023.

But let me go back to Benefolk, which aims to support and improve the mental health and wellbeing of workers and volunteers in the social services sector, like the people at WardellCORE. Its major project, the Community Well, a social sector wellbeing and resilience hub, provides free online content. It has assisted over 12,000 organisations in building resilience, capacity and capability. What is clear from Benefolk's work is that solutions to address and improve the mental health of workers do not need to be overly complicated; they just need to work. Some 95 per cent of organisations that have engaged Benefolk for services have reported that their workers' mental health and wellbeing has improved. I commend the work of both Benefolk and WardellCORE to the House.

EUTHANASIA AND PALLIATIVE CARE

The Hon. DAMIEN TUDEHOPE (14:27): All is set for the first State-authorised killing in New South Wales of a named individual since John Trevor Kelly was hanged on 24 August 1939. From 28 November 2023, the euphemistically named NSW Voluntary Assisted Dying Board will be empowered as an agent of the Crown to authorise prescription by a named medical practitioner of a lethal poison to be ingested by or administered to a named individual for the sole purpose of causing that person's death. Before authorising the medical practitioner to prescribe the deadly poison, the board must check that all the paperwork has been correctly filled in and submitted. In Victoria, despite the equivalent Voluntary Assisted Dying Review Board noticing that witnesses had not signed the form at the same time, the secretary for health still gave a permit to Dr Nick Carr to issue the lethal prescription. Although Dr Carr was subsequently fined for his unprofessional conduct, the applicant is dead and the secretary seems to have escaped censure.

Board minutes from Victoria show that its board is more intent on persecuting the resisters and critics of the euthanasia program than identifying harms. Board members with clinical experience dismissed a report of a person experiencing seizures after ingesting the prescribed poison with the claim that the seizures were unlikely to be related to the ingestion of the substance. Are they really ignorant of the Oregon annual reports which record seizures as a known complication of assisted suicide? NSW Health has issued a mandatory policy directive binding all local health districts to:

... endeavour to have a sufficient number of authorised coordinating, consulting and administering practitioners within their services to support timely access to each step of the voluntary assisted dying process for patients.

NSW Health has been advertising for medical practitioners to be employed solely to facilitate assistance to suicide and to perform euthanasia. Where is the same passion to ensure there are sufficient palliative care specialists in every local health district to deliver gold standard palliative care to every person in New South Wales who needs it? The Minns Government budget that cut \$150 million from planned palliative care funding also allocated \$97.4 million to facilitate State-authorised lethal poisoning through the ubiquitous euthanasia program. The palliative care funding should be fully restored, and we should slow down our headlong rush to expedite the State-authorised killing of people in New South Wales.

Documents

TABLING OF PAPERS

The Hon. JOHN GRAHAM: In accordance with the Transport Administration Act 1988, I table the report of Transport for NSW entitled *NSW Road Safety Progress Report 2022: Centre for Road Safety*.

Motions

EUGOWRA FLOODS

Debate resumed from an earlier hour.

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) (14:31): As I was saying before the debate was interrupted, finally around 29 households are supported with at-home caravans, with another 106 households having already left the program. In detailing some of the State support that has been there since those early days in 2022, I want to say that no amount of help can really stitch together and support the amount of damage that was done here. That is why I am particularly pleased that the member brought this motion to the Chamber today as that community reflects, joined by other MPs and some of the emergency service providers who were there in those early days. I thank the Hon. Sam Faraway for moving the motion. I commend the motion to the House.

The Hon. SARAH MITCHELL (14:32): I associate myself with the motion moved by my friend and colleague the Hon. Sam Faraway. In doing so, I also acknowledge that I was able to attend the reflection service that was held last week in Eugowra, along with Steph Cooke and Janelle Saffin. It was a very moving and solemn reflection, recognising the devastation and the loss of life that occurred just 12 months ago, but I think there were also very clear messages of hope and renewal coming from the community. A lot of the people we spoke to on the day certainly felt that it was an important milestone to commemorate and remember, but they also saw it as an important part of the healing process. That was an incredibly powerful message.

I mention one gentleman who contributed to the reflection service, local resident Hugh Ellis. He told a very powerful story about the experience he and his wife had of literally crawling up a ladder into the attic of their home and watching their worldly possessions go out the windows and doors as the floodwaters swept through at a very fast rate. He also referenced the suit he was wearing on the day. In a moment of humour and lightness in what was a very reflective service, he said that it was a suit that a neighbour had found entangled in a paddock

fence and asked, "Is this yours?" Once the suit had had a pressure clean and a dry clean, it was back to being as good as new—and he was wearing it again. As he said, it was a good advertisement for the Australian wool industry because that suit had literally survived the most devastating flood his community had seen. Those moments of lightness were incredibly important in a day that was very solemn, and for a community that is obviously still grieving and moving on from what they went through.

I also mention, as the Hon. Sam Farraway did, the issues around the Eugowra Community Children's Centre. As the then Minister, I worked very closely with Raewyn Molloy and some of the parents in the aftermath of the flood. We got them registered and set up to be at the hall on the school site within days of the flooding event, which was really important. Now, 12 months on, unfortunately they are yet to move to that temporary facility at the showground that we had earmarked when the Coalition was in government and that work had started on. We think it is important that there is support to make that happen as soon as possible.

Everybody, including Mayor Kevin Beatty and Deputy Mayor Jamie Jones, was speaking to us that day about the importance of getting that childcare centre back up and running in its own facility on its own site. It also needs financial support to build a permanent centre. It has put in an application for the Start Strong Capital Works Grants Program crisis funding. I urge the Government to do what it can to expedite the approval of the project. That is the direct reason that crisis funding was set up—to help services that need to rebuild. I also urge the Premier and the education Minister to visit Eugowra to meet the families and communities and give them the support that they need, particularly to rebuild this childcare service, which is a preschool and a childcare centre. This is about making sure the kids get the support that they need.

Dr AMANDA COHN (14:35): The Greens support the motion. We are having an important debate. So often after a disaster the communities are forgotten when the news cycle moves on; they are left to pick up the pieces with inadequate resources. As the mover of the motion, the Hon. Sam Farraway, noted, flooding in Eugowra was extraordinary in its proportion. An estimated one-fifth of the community was evacuated, some by boat and by helicopter.

The impacts of a disaster like this on a small community are long-lasting, both practically in terms of the work that needs to be done but also in terms of the experience of collective and individual trauma and the impact that that has on mental health. To that end, anniversaries are important to note. Floods also cause considerable health issues, from immediate injuries through to infection and animal bites, and higher rates of mosquito-borne illnesses like Japanese encephalitis. In my community of Albury, last year a man died at Albury Base Hospital of Japanese encephalitis. It is something communities are increasingly aware of and, importantly, are being vaccinated for when they are at risk.

On 14 November 2022, 120 millilitres of rain fell on the Central West overnight. The New South Wales Government has listed the Central West as a region that is particularly vulnerable to the impacts of climate change. Climate change is already affecting the Central West, particularly through increased temperatures. Disaster-impacted communities bear the financial cost of disasters three times over: as residents themselves clean up and rebuild, as they foot the bill for higher insurance premiums, and then the emergency services levy via their local council. Taxes on insurance premiums and council rates make up a whopping 85 per cent of emergency services funding.

We urgently need more equitable funding of emergency services to remove the disproportionate impact on disaster-affected communities. The Greens welcome the recently announced review by the New South Wales Government. To the residents of Eugowra at the time of this terrible anniversary: We see you, we hear you and we have not forgotten you.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (14:37): I support the motion. It is very important that we take time to remember and reflect on the events that impacted the community of Eugowra in November 2022. My heart continues to go out to the community. I visited the community in early June this year and had the opportunity to meet with a number of residents, particularly farmers who gathered together for a meeting with me on a property in Eugowra to share their stories. I was the first Minister and first member of the Government to visit the community since we formed government, and so it was the first opportunity members of the community had to tell the stories of what had happened to them in November the year before.

Of course I wanted to hear every single story that people had to share and of course I worried that retelling the stories was retraumatising them, but it is important for us to hear and listen to however people want to tell the stories, particularly those of such devastating events as the floods that occurred across the community. When I visited, it was an opportunity not just to hear from people about the experience they had but also to see the devastation that is still in place in the community and certainly was still in place in June. A number of farmers

took me on a tour of the community to see a couple of properties and to see the damage to fences that was still in place, and to other parts of their property, which they were still working through dealing with.

The point has been well made during debate on this motion that the flood occurred on 14 November 2022, but here we are in November 2023, importantly still remembering that this is not something that goes away once things start to be rectified. I hope the community continues to get back on its feet, and the Government will continue to support it to do that. I thank everybody who engaged with me when I met them on that day. It was a powerful message both to me as the Minister for Agriculture, and the Minister for Regional New South Wales, and to the Government.

The Hon. EMILY SUVAAL (14:39): I support the motion brought by the honourable member to recognise the tough year of disaster recovery and underscore the resilience and determination of the Eugowra locals to rebuild, to live safely in their homes and to continue with their lives. It is critical that we continue to support the Eugowra community as it recovers and rebuilds. The flood surge that hit the Cabonne shire, including Eugowra, with fast-rising water on 14 November 2022 was utterly catastrophic. I acknowledge and pay my respects to the two residents who lost their lives and to their families and the many locals who knew them.

The Government will continue to support communities in Eugowra and the surrounding Cabonne area and fund commitments for them for the long haul. We have committed \$50 million for Central West communities impacted by last year's devastating floods. Government services have been on the ground in the community since 14 November, providing Service NSW support and mental health, housing and disability support. The funding package is a significant forward-looking step and assists in the community-led recovery in the Central West. It will be split across four local government areas: Cabonne, Parkes, Forbes and Lachlan shires.

The cash injection will be an initial down payment towards measures that include the priority disaster adaptation plans for the Central West communities, repairs to and replacements of critical community assets, and improvements—building back better—to the resilience of public infrastructure, including bridges and roads. There is also assistance with housing programs and with ongoing work that will be further developed with those local councils and community leaders. The funding has been matched by the Federal Government with an additional \$50 million for retrofitting and rebuilding houses, repairing roads, legal aid and transportation.

I remember and pay tribute to the SES and RFS volunteers and all the frontline services that responded on that day. More than 200 SES and interagency personnel responded quickly. Twelve helicopters were in action. In just one day, the RFS assisted with 67 rescues. Anniversary events are an important reminder and are important for the community's healing. I acknowledge the people of Eugowra and say we are here for the community for the long haul.

The Hon. SAM FARRAWAY (14:42): In reply: I acknowledge all members who spoke to the motion: the Hon. John Graham, the Hon. Sarah Mitchell, Dr Amanda Cohn, the Hon. Tara Moriarty and the Hon. Emily Suvaal. It is important that this House and this Parliament recognise the reflection service, the anniversary and the tragic events that happened but support the community at the same time. I appreciate all the comments from those who contributed. I will touch on a couple of key points. It is absolutely imperative that the State Government, working with the Commonwealth Government, finds a way to rebuild, from the ground up, a new childcare centre for that community. That is so critical to the community's survival, sustainability and prosperity. Families need those amenities and services; otherwise, they will move out of the region. People genuinely want to stay in the region. The overwhelming majority of residents who were impacted want to retrofit, raise and repair their houses. They want to stay.

I acknowledge the member for Lismore, Janelle Saffin, whom I have been having dialogue with. She is an experienced local member in a highly flood-impacted community and has been good to work with to date. I also acknowledge the State and Federal governments. Some \$100 million is now on the table. It is important that the money gets to the community. It is important for the Central West because it was not only Eugowra that was impacted. Cudal, Molong, Manildra, Canowindra and Forbes, as well as some areas in the Lachlan shire, were impacted too. What happened in Eugowra, with the loss of life, was devastating. It is so important to ensure that those funds get through to the people who need them and that they are spent as needed for community recovery in the longer term.

I acknowledge Hugh Ellis, who went through a very traumatic experience on that day, as he said at the reflection service. I spoke to Hugh afterwards and put two and two together and realised that I went to school with his son Ed. I had not seen Hugh or Ed for a long time. But that is what happens in the Central West, in small towns. We are sometimes connected because of many different reasons. Hugh's words were powerful. I acknowledge Minister Moriarty's words about listening and being on the ground. The Premier must visit Eugowra. He has been the Premier for almost nine months. I will finish on that note. I urge Premier Minns to visit Eugowra. The people want to tell their stories and see him there.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the motion be agreed to.

Motion agreed to.

Committees

JOINT SELECT COMMITTEE ON PROTECTING LOCAL WATER UTILITIES FROM PRIVATISATION

Establishment and Membership

The DEPUTY PRESIDENT (Ms Abigail Boyd): I report receipt of the following message from the Legislative Assembly:

MR PRESIDENT

The Legislative Assembly informs the Legislative Council that it has this day agreed to the following resolution:

That a message be sent informing the Legislative Council of the following Legislative Assembly members nominated to serve on the Joint Select Committee on Protecting Local Water Utilities from Privatisation, as announced on 13 September 2023 and amended on 18 October 2023:

Ms Liza Anne Butler
Mr Justin Paul Clancy
Ms Stephanie Anne Cooke
Mrs Helen Jennifer Dalton
Dr Michael Joseph Holland

Legislative Assembly
22 November 2023

GREG PIPER
Speaker

PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Reference Amended

The Hon. NATALIE WARD (14:47): I seek the leave of the House to amend private members' business item No. 601 standing in my name on today's *Notice Paper* by omitting paragraph (1) and inserting instead:

- (1) In paragraph (1) insert "and senior executives and department liaison officers in 2023" after "Josh Murray to the position of Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Assistant Commissioner".

Leave granted.

The Hon. NATALIE WARD: Accordingly, I move:

That the resolution of the House of 23 August 2023 referring the inquiry into the appointments of Josh Murray to the position of Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Assistant Commissioner to the Public Accountability and Works Committee be amended as follows:

- (1) In paragraph (1) insert "and senior executives and departmental liaison officers in 2023" after "Josh Murray to the position of Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Assistant Commissioner".
- (2) Insert after paragraph (1) (e):
 - (f) the appointment, actions, duties and responsibilities of departmental liaison officers seconded to ministerial offices;
 - (g) the creation of transition offices in the Government; and
 - (h) other matters related to senior executive appointments at Transport for NSW.
- (3) In paragraph (2) omit "30 November 2023" and insert instead "20 May 2024".

This is a simple motion to extend the terms of reference and reporting date for an ongoing inquiry that is already supported by this House. Following the original reference regarding the appointment of the Transport secretary and the question around the lack of disclosure of a political donation to the Minister's campaign, the committee still has witnesses to call. They said they were not available, so this House will endeavour to continue to inquire, as we should and as we are elected to do. It is extraordinary that there could be more to look at in the conduct of at least one Minister of this Government after just six months in office. Nonetheless, that is where we are.

The referral is important because, following a lot of fanfare and theatrics from the Government trying to stop, curtail or shorten a number of Standing Order 52 motions about the transport Minister's staffing arrangements, it is clear that there is much more to answer. So far we have had two returns to order under Standing Order 52. From those there is proof that a ministerial office was requesting public servants with clear Labor links to join the office while still being paid by the public service. We have clear evidence of at least one departmental liaison officer [DLO] breaking his employment obligations. One DLO is under investigation for breaking his employment rules. A chief of staff mysteriously resigned two days before the Minister faced budget estimates but, according to the Government, that was unrelated to the matters I just mentioned. We also have proof from another

agency that the Public Service Commissioner had concerns about DLO requests and requests from ministerial officers to sit on recruitment panels for senior executives.

The Minister has not taken accountability for—or, in the alternative, professes to have no knowledge of—what happened in her office. It is all "nothing to see here" from the Government. If there is nothing to hide, the Government will happily support the inquiry. It is, after all, the purpose of the Public Accountability and Works Committee, which Government members, not so long ago, were supportive of. Labor talked about transparency, accountability and a new approach in its election campaign, so much so that Jo Haylen, the now transport Minister, said, "Accountability, transparency and integrity need to be at the heart of government." That is why NSW Labor made an election commitment to bring back integrity into the grants system, and I am pleased to be able to do that today. She said that this year so we would like to see that through the committee.

In relation to the terms of reference covering all ministerial offices, I highlight that the Standing Order 52 motion to be brought before the House later today, if successful, would support the inquiry. Paragraph (2) (f) of this motion focuses on all ministerial offices so that if another incident is found or produced under a Standing Order 52 motion, the inquiry can look into that matter without needing to come back without more. That is the purpose of the inquiry. However, I have made it clear to Minister Graham during our interactions that we have no interest in looking at DLO appointments that follow proper process. This is a specific request into those that have not done so, and subparagraph (f) is focused on incidents of impropriety.

Paragraphs (2) (g) and (h) of the motion concern the new revelations that arose out of this House's budget estimates inquiries regarding the direct requests for changes and appointments to the public service that certainly caused concern for Transport for NSW officials and included requests that required legal advice to stop certain activities. This call for papers from across government, should it pass today, will also provide information on whether requests from similar officers occurred, whether they were set up and whether there was a proper process.

I seek leave for an extension of time.

Leave granted.

The Hon. NATALIE WARD: I appreciate the opportunity for us to have had some dialogue to try to clarify those issues. I thank the committee chair, Ms Abigail Boyd, and Minister John Graham for their involvement. We have endeavoured to clarify the inquiry reference and make it clear and quite pointed. The purpose of the inquiry is to deal with all those issues once and for all. We had to discard a hearing date last week and so we are endeavouring to deal with them in one go to provide the proper answers to the House. If there is nothing to see here, that is fine; the inquiry will wind up. The committee should be able to inquire into these issues in one go in the two hearing dates, without having to come back to the House, to ensure that the House is satisfied that proper processes have been covered off and to ensure that what has arisen out of the documents is fully tested. If there is nothing there then the witnesses have the opportunity to say that nothing incorrect or outside the terms of reference of the Government Sector Employment Act, or otherwise, was undertaken.

The inquiry extension should be supported, in my submission to the House. We have endeavoured to work with the Government on production of documents. We note that the Minister for Transport has been over a month late in producing documents to the House under order and we have worked with all of that. We have not sought to censure her or otherwise. We have worked with that, but it does, at times, set back the timing. We are not open to coming back to the House each time; we want to deal with it comprehensively and thoroughly in the hearing and we have sought to do so and work with the Government. The inquiry extension, should it be supported, will continue to investigate those serious matters of the executive using public resources for political benefit. We will ensure that the public service remains at arm's length and the processes at Transport are thoroughly vented. The extension is about the transparency, integrity and honesty of the Government, which it promised well and truly before the election. It should have nothing to worry about if that is the case.

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) (14:54): I move:

That the question be amended as follows:

- (1) In paragraph (1) omit "in 2023".
- (2) In paragraph (3) omit "30 June 2024" and insert instead "20 May 2024".

The Government moves the amendment to slightly improve the motion. We are concerned about the wideranging proposal in front of the House. The Government will oppose the expansion of the inquiry into such a wideranging series of matters. I welcome that the shadow Minister has reversed the position where one executive was included but another executive with Coalition links was deleted from the inquiry; now both will be included. That is a welcome amendment. I ask the House to support the additional two amendments.

The Government is opposing the motion because of the wideranging nature of the inquiry. It inquires right across government and about departmental liaison officers and other executives. It significantly broadens the scope of the inquiries that the House has undertaken to date. The estimates process was an appropriate point to examine the matters. Those estimates processes will resume in February. We have had two full days of hearings into these matters and there was significant questioning about them. I am concerned about the impact that has on the good public servants who are acting in those roles right across government. The way that some of those individuals have been named is of concern to the Government and it is discouraging to many of those hardworking public servants. The Government thanks them for the work that they do and asks them to continue doing that work.

The provisions in the motion are very general. The shadow Minister said that the request, in the end, is quite specific but the Government's view is that, while the request might be specific, the inquiry terms are very general. They sweep right across government and across a number of roles. They are not constrained in the way that is described. Of course, the committee is able to shape its own destiny. I take seriously the assurances that the shadow Minister has given the House and I hope that is carried through into the way the committee interprets the terms. That would reduce the Government's concerns, but that is not how the terms are written. The Government opposes the motion.

Ms ABIGAIL BOYD (14:57): The Greens support the motion. As chair of the Public Accountability and Works Committee I have been following this matter with great interest. It is fair to say that when the inquiry was first set up, I thought, "Well, maybe there is something; maybe there's not. Let's hear it out and have the discussion and then we can draw a line under it, one way or the other." The course of the hearing, and particularly the subsequent evidence that has come out about the Minister for Transport and Transport for NSW regarding the departmental liaison officers, the secondees and a lot of other issues, has only served to increase my interest in what is going on. The House has passed a couple of calls for papers that were heavily opposed by the Government. We negotiated in good faith during that process to try to give the Government as much time as possible and to make it as easy as possible for it to return the information that we were looking for and to go no further.

However, the documents that were returned after each of those calls for papers showed that there is definitely something that does not pass the sniff test. When I asked the Minister for Transport a series of questions around those issues in budget estimates hearings, I found her answers to be unconvincing and, again, they raised more questions than they answered. On that basis, we find ourselves debating a motion to extend the scope of the inquiry that we are already running to bring these departmental liaison officers [DLOs] into it to have a good old look at what exactly is going on.

Again, sometimes they say that the cover-up is worse than the crime. I do not know what is going on, but the cover-up—or the response, shall we call it—to the information that has been presented to the Minister has not filled me with confidence. On that basis, The Greens support the motion. Again, we found ourselves negotiating at the last minute on the motion in relation to that same issue. I had assumed that when we were negotiating, we were negotiating on the basis that the Government would drop its opposition to the motion.

I seek an extension of time.

Leave granted.

Ms ABIGAIL BOYD: I am less inclined to support the amendments to improve the motion if they will not lead to a reduction in the Government's opposition to it. But, on balance, I support the amendment to the 20 May 2024 date. I do not think it matters whether we have "in 2023" in the motion because, either way, the other relevant matters will cover DLOs prior to that, so I am indifferent to that amendment. On balance, I am happy to agree to it, but I say to the Government that if we have those negotiations, we would prefer it if they actually resulted in movement on both sides.

The Hon. NATALIE WARD (15:01): In reply: Despite the best endeavours of all parties, it is disappointing that we have spent a lot of energy and achieved quite disparate results. While we do work well together on some things, again, the extent of the cover-up, obfuscation, delay, deletion and omission tells me that there is more to see here. That is frustrating. While I have enormous respect for the Minister, it is frustrating that I have not been given the courtesy of being provided with or told about the Government's amendments, even when asked. We both have our L-plates on. We will move to our red P-plates and shortly our green P-plates and "do better", as my daughter says.

The Hon. John Graham: They have been provided.

The Hon. NATALIE WARD: Not until I asked.

The Hon. John Graham: But I accept your L-plates and P-plates metaphor.

The Hon. NATALIE WARD: Thank you. When Government members talked about two days of hearings, one of those days was taken up at their insistence, so I do not accept that we have had two days of hearings. We have had one day on the particular issues that we have raised through numerous calls for papers, despite the watering down of those requests, as well as different tranches, samples, non-attachment attachments and a range of speed humps along the way. That would say to me that there is a lot more to see here. If the Government had provided all the documents, we could have been a lot further down the road. But here we are at the Government's insistence.

In response to the Government's comment about this sweeping across government, it is ironic that that comment would have been made when the Government seeks to open-end this to all DLOs from eternity. I do not know when DLOs began, but in taking "2023" out of the motion, I do not think that is a helpful way to hold an inquiry. The chair of the committee accepts that amendment, so it is what it is, but I do not think it is helpful to have unlimited inquiries. This was very specific: It arose out of the documents. One of the Government's complaints was that there were too many documents to be produced but, on the other hand, it wants to open it to infinity and beyond. Which one is it? All of that says to me that the Government is trying to muddy the waters. In the great words of Walt Secord, "Cover-up!" Nonetheless, we will push through.

It is disappointing that the Government, despite its amendment, is still not inclined to support an inquiry of the Public Accountability and Works Committee, which it so ferociously supported when in opposition. That goes against transparency, accountability and a fresh approach. It seems to me to be quite a different way of dealing with it, which says to me that we have more to do. I foreshadow that I would like the Government's amendment to be dealt with by paragraph, as there are two of them, they are very last minute, and they have not been provided to me. For the clarity of members, I ask that we deal with them separately. I commend the motion to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Natalie Ward has moved a motion, to which the Hon. John Graham has moved an amendment. I will deal with the two paragraphs separately. The question is that paragraph (1) of the amendment of the Hon. John Graham be agreed to.

Paragraph (1) of the amendment of the Hon. John Graham negatived.

The PRESIDENT: The question now is that paragraph (2) of the amendment of the Hon. John Graham be agreed to.

The House divided.

Ayes 19
Noes 17
Majority..... 2

AYES

Boyd
Buckingham
Buttigieg (teller)
Cohn
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Houssos
Jackson
Kaine
Lawrence

Mookhey
Moriarty
Murphy (teller)
Primrose
Sharpe
Suvaal

NOES

Carter
Fang (teller)
Farlow
Farraway
Hurst
Latham

MacDonald
Maclaren-Jones
Martin
Merton
Mitchell
Munro

Rath (teller)
Roberts
Ruddick
Tudehope
Ward

PAIRS

Nanva

Taylor

Paragraph (2) of the amendment of the Hon. John Graham agreed to.

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

Leave granted.

The House divided.

Ayes21
Noes15
Majority.....6

AYES

Boyd	Higginson	Mitchell
Carter	Hurst	Munro
Cohn	Latham	Rath (teller)
Faehrmann	MacDonald	Roberts
Fang (teller)	Maclaren-Jones	Ruddick
Farlow	Martin	Tudehope
Farraway	Merton	Ward

NOES

Buckingham	Houssos	Moriarty
Buttigieg (teller)	Jackson	Murphy (teller)
D'Adam	Kaine	Primrose
Donnelly	Lawrence	Sharpe
Graham	Mookhey	Suvaal

PAIRS

Taylor

Nanva

Motion as amended agreed to.

Motions

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL DEMERGER

The Hon. ROD ROBERTS (15:18): I move:

- (1) That this House notes the contents of an article in the *Cootamundra Times* dated 4 October 2023 relating to a press conference held by the Minister for Local Government, Ron Hoenig, at Gundagai-Cootamundra council chambers on Tuesday 3 October 2023.
- (2) That this House raises concerns that:
 - (a) the Minister is not supportive of the demerger plan approved by the boundaries commission in 2022, commenced by the previous Government; and
 - (b) the Minister now requires the council to submit a further plan to the boundaries commission for consideration, which will place an unfair financial strain on an already burdened council.
- (3) That this House raises further concerns at the statement made by the Minister at the press conference "Cootamundra Gundagai never voted Labor anyway".
- (4) That this House calls on the Minns Labor Government and local government Minister, Ron Hoenig, to continue the demerger process commenced by the previous Government as recommended by the boundaries commission.
- (5) That this House calls on the Government to honour its commitments given before the 2023 election to demerge councils.

This motion relates to the diabolical, unconscionable, unjust and completely untenable position that the good people of Cootamundra and Gundagai find themselves in because of the action—or lack thereof—of the Minns Government and, in particular, the Hon. Ron Hoenig, Minister for Local Government. Members will recall that on 17 March 2021, more than 2½ years ago, I moved a motion in this House to urge the then Coalition Government to work with Cootamundra-Gundagai Regional Council to find and create a pathway for the demerging of the council back to its original entities of Gundagai Shire Council and Cootamundra Shire Council.

It was canvassed and elucidated at the time that as a result of the forced merger—which the local communities did not support, by the way—diseconomies of scale emerged that led to the council accumulating tens of millions of dollars in losses despite it being a very professionally run council that tried hard to make the

amalgamation a success. Those losses have led to not only a substantial increase in fees and charges to the locals but also a loss of services to the communities, initiated to stave off impending insolvency.

It should be noted that although the then Coalition Government did not support my motion, it did not divide. With the support of the then Labor Opposition and The Greens, the motion was agreed to. Sometime after that motion, the boundaries commission agreed and recommended that the proposed demerger should proceed. Then local government Minister Wendy Tuckerman set about putting a plan in place for the demerger to proceed. Although I was critical at the time of the inordinate delay to the demerger, at least there was a plan and a road map in place. The light at the end of the tunnel was growing brighter for those embattled communities. Let us fast-forward to 2023 and, of course, a change of government. On 11 May this year I wrote to Minister Hoenig to get an update on the demerger of the council. He replied:

I acknowledge the concerns expressed in your letter from members of the community about the time taken to enact the demerger announced by the former Government. ... I am advised that the Office of Local Government has been working with Council to progress planning for its de-amalgamation.

Good work so far. He went on to say:

The NSW Government is examining the demerger process, including the likely need for legislative change to enable de-amalgamations. This is consistent with our election commitments.

Before we go any further, let us delve back into the *Hansard* record to see what Minister Hoenig has said about merged councils in the past. On 19 October 2017, during debate on the Local Government Amendment (Amalgamation Referendums) Bill 2017, he said:

The Opposition supports this bill because it encapsulates a promise made by the Leader of the Opposition more than six or nine months ago to restore democracy and choice to councils throughout New South Wales. ... If the Government wants to know why the member for Orange is sitting in this House and why it nearly lost its two safe seats of Murray and Cootamundra, it is because it broke its word to the people of New South Wales.

Here is a classic from Minister Hoenig in the same debate. He said:

The people of New South Wales will not cop dishonest politics. ... The Government's amalgamation proposal has been a political disaster and a breach of faith with the people of New South Wales. ... This bill restores democracy to local government areas and gives them choice.

On 8 March 2018 Mr Hoenig said:

I repeatedly warned the Government of the day that there is no political return on amalgamations and it would pay a heavy price. I have been shown to be right in that respect.

There are plenty more examples, but I will run out of time. It is clearly very easy when one is in opposition. Back to the present, on Tuesday 3 October 2023 Minister Hoenig fronted the council, media and—more importantly—the communities of Cootamundra and Gundagai and basically put the demerger plan back to square one. He determined that the council must go back to the boundaries commission once again for another inquiry. Remember that the boundaries commission had already made a determination in that matter and the previous Minister had commenced the process. He also told those assembled that legislation or lack thereof was standing in the way. If that is, in fact, the case, Minister Hoenig should change the legislation.

When politicians start hiding behind a response that they cannot change the laws, people sort that out real quick. That is what we do in this place every day. The Minister needs to step up and show some real leadership on this issue; he cannot just keep kicking the can down the road. If he does not, it is just another Labor backflip to add to the ever-growing list. Labor needs to remember its election commitments. To rub salt into the wound, in that same address the Minister said, "Cootamundra-Gundagai never voted Labor anyway." That is an arrogant statement. For a Minister of the Crown to say that shows a deep disrespect for democracy. The Minns Government needs to get on with the demerger that has already been approved by the boundaries commission, for the sake of those poor, long-suffering communities. There should be no more stuffing about.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (15:23): I represent the Minister for Local Government in this place and lead for the Government in debate on the motion. The decision to merge Cootamundra and Gundagai was singularly unsuccessful, costly and reprehensible. Setting it up cost \$21 million, including implementation costs and tied grants for infrastructure. The council was still forced to seek a 53.5 per cent special rate variation. Even after that, Cootamundra-Gundagai Regional Council is looking at a long future of deficit budgets totalling \$17 million over the next decade. The council's long-term strategic plan includes no plan to solve the glaring financial difficulties it faces.

The New South Wales Labor Party supports demerging Cootamundra-Gundagai. However, due to issues with the Local Government Act, a brand-new government has been left without an easy way to do that. There is no legal basis for the continuation of the demerger process commenced by the previous Government. There is no

clause to that effect in section 218CC, which allows new councils to be proclaimed. Since coming to office, Government members have explored the avenues to achieve a successful demerger. We now have a plan to salvage the de-amalgamation and to give legal effect to our predecessors' decision to demerge Cootamundra and Gundagai. The motion of the Hon. Rod Roberts states:

- (a) the Minister is not supportive of the demerger plan approved by the boundaries commission in 2022 ...

However, the plan submitted by council in 2022 contains no mention of how high rates should be, what service levels residents should expect and what services and back-end staff would be shared by the councils. The business case put forward was an argument to dissolve Cootamundra-Gundagai Regional Council but provided no detail for the Government to take action to determine the community's future.

The error of the previous Government was overriding local communities by imposing decisions on the future of council areas without the benefit of local expertise. Our Government is attempting to avoid that mistake. Under our plan, the elected councillors of Cootamundra-Gundagai will decide what the two demerged communities look like. They will determine the rates and service levels. They are their communities, and they will tell the State how they intend to do it. The boundaries commission will review their plan and, if it sets up two financially viable councils, we will proclaim them. Our Government is committed to supporting communities in forcibly amalgamated councils that decide to demerge, and we will continue to support those councils to determine their futures for their own communities.

The Hon. WES FANG (15:26): I lead for the Opposition in debate on this excellent motion from the Hon. Rod Roberts. From the outset, I make the point that the contribution by the Minister should come with a little asterisk. Her contribution should be put at the bottom of the promises made by Labor members at the last election, because we did not hear any of those qualifications prior to the election. No qualifications were made to the promise to demerge Cootamundra-Gundagai. Labor said clearly that it would support the demerger of Cootamundra-Gundagai because the Libs and Nats in government had a plan to do that.

I have spoken to Steph Cooke and Wendy Tuckerman, who are the two members most closely linked to that decision. Steph Cooke, an absolute champion and a fighter for her community, took the plan to demerge the council to the former Government, and Wendy Tuckerman was the Minister for Local Government who had the guts to put a plan in place. What do we see now from the lily-livered Minister in the other place? We see a set of qualifications that his mouthpiece has had to deliver in this place, which should have been asterisked as the qualifications of Labor's election promise. But Labor members did not have the guts prior to the election to step up and tell the community what they would do.

Now that they are in government—now that the Minister in the other place has his white car and his big pay packet—they tell the community that they will dismantle the plan and send it back for another inquiry. Where was that commitment prior to the election? It was not there. We know the community wants to demerge. Community members have fought for it time and again, and the local member, Steph Cooke, went against the policy of the then Government and stood up for her community. All they are asking for now is for Ron Hoenig, the Minister for Local Government in the other place, to stand up for them as he said he would. But has he belled the cat? They did not vote for Labor, so he does not care about what they want. He does not care about the promises he made to them prior to the election. All this motion seeks to do is hold Labor members to account for the promises that they made in the lead-up to the election. They should stand by their convictions and demerge Cootamundra-Gundagai like they said they would.

Dr AMANDA COHN (15:29): The Greens enthusiastically support the motion. The Hon. Rod Roberts and I disagree about many things but, on this issue, he is spot on. Members know that I introduced the Local Government Amendment (De-amalgamation Plebiscites) Bill 2023 this morning. That was because the Local Government Act, as it stands, is not fit for purpose to enable councils to de-amalgamate where this is the will of the community. Cootamundra-Gundagai Regional Council has not just been inefficient. The Local Government Boundaries Commission report itself states:

... the level of anger towards the 2016 merger decision felt by many in the Gundagai community has not subsided ... What has changed however is the effect that this anger is having on the mental health of the community and the Council's employees.

There is a current legal barrier to de-amalgamation. Cootamundra-Gundagai Regional Council has done everything by the book to demerge under the Act as it stands. Its case has been supported by the boundaries commission and by the Minister. The Minister says he is unable to enact the de-amalgamation under section 218CC of the Act, with there being no statutory mechanism under the legislation to create two independent and fully functioning councils. Instead of moving amendments to the Local Government Act, as I did today, the Minister is forcing the exhausted communities of Cootamundra and Gundagai back to another public inquiry by the boundaries commission, calling this so-called new pathway a "salvage".

It is clear that amending the Local Government Act provides the clearest way forward for Cootamundra-Gundagai and any other councils that will take this pathway in future. At the budget estimates hearing I agreed with the Minister for Local Government that the process of de-amalgamation has been shown to be ineffective, and I asked him why he, as the Minister, was not proposing legislative change to fix it. I was deeply disturbed by the politicisation of the de-amalgamation issue in a round of questions between the Minister and the Hon. Scott Farlow in which the Minister referred to Cootamundra-Gundagai Regional Council as a National Party council.

Communities across our State have weathered a loss of representation, a lack of accountability, diminished local services and the serious burden of significantly increased rates amid a cost-of-living crisis. Amalgamated councils have not been allowed effective representation. The bill that I tabled this morning also enables a process of plebiscites, giving other communities a direct voice to drive de-amalgamation. I commend the motion to the House, and I look forward to collaborating with any member of Parliament who cares about local democracy on the legislative change we need to enable it.

The Hon. EMILY SUVAAL (15:32): The decision to merge Cootamundra with Gundagai councils was singularly unsuccessful, costly and reprehensible. In discussions today we have heard about the need to ensure that local councils, particularly in our regional areas, are fit for the future.

The PRESIDENT: Order! The Hon. Wes Fang will cease interjecting. I cannot hear the member.

The Hon. EMILY SUVAAL: We have heard about the need to ensure that our local governments across the State are set up to ensure their success. One thing that has been made abundantly clear, including by members opposite, is that we should not be meddling with the decisions of local communities here in Sydney at a State Government level. That is one reason why a change to the law is not necessarily a good idea or in the best interests of those communities. Communities need to be able to take ownership of their own futures. They elect their local councillors to have their say, and we do not want the State Government to be deciding matters on behalf of local councillors. The Minister in the other place has been clear that local councillors are elected officials for their communities. They make decisions for their constituents, and they are best placed to make those decisions at the local level. There is a valid pathway, under the current legislation, for us to move forward.

We heard about the road map that the former Government announced in February. That road map supposedly led to the light at the end of the tunnel for those residents. But there was no light at the end of that tunnel. That road map led to a dead end. In trying to clean up the mess in local government left by those opposite, since coming to office the Minister has been exploring the avenues available. Indeed, at budget estimates we heard how the Minister had read the Act to look at ways that he could support that local community. He explored whatever possible avenues he could. The boundaries commission case that has been talked about had many flaws, as my colleague pointed out. Local communities need to have their say in those decisions, not the State Government.

The Hon. ROD ROBERTS (15:34): In reply: I have heard and seen a bit in my life, but I have heard a bit today that I have never heard before. I heard from the Minister at the table, the Hon. Tara Moriarty, and I have no axe to grind with her. She is simply doing her job and doing what she is told by the Minister in the other place, but why were the communities of Cootamundra and Gundagai not told that by the Minister when he visited there in October? He said nothing. It is a recent invention, because of this motion today, no doubt. The Local Government Boundaries Commission had already made a decision. The full hearing was already done. Why the need for another inquiry? I have heard several other members in the Chamber say that all Labor seems to do at the moment is hold inquiries.

I congratulate Dr Amanda Cohn. She is a recent but obviously motivated member of the Chamber, who, in a very short time, has come up with a bill. Others may criticise or support it; I do not know. But she has done it. What has the Minister done? He has been there since March. We are now nearly in December, but the Act is not suitable. Well, fix it. I notice that the Leader of the Government is here today too, and I congratulate her. We do not agree on the net zero policy bill in any way, shape or form, but it is quite a momentous bill. She has got it done and got it before the Chamber. What bill has the Hon. Ron Hoenig bought before any chamber? Absolutely none. He has just said, "This is too hard. The bill won't work, and we can't do it."

The Hon. Wes Fang: Nothing.

The Hon. ROD ROBERTS: I could just sit down and let Wes do the rest of this for me, by the sound of it. He knows the answers. The Minister is not motivated to want to solve the problem. The problem is solvable simply by legislation, so let's get it done. This is hurting people. While I am at it, the Hon. Ron Hoenig's statement that they never voted Labor anyway means that he obviously has a very short memory. Terry Sheahan, a relation of the current mayor of Gundagai, was a Labor member who held the seat of Gundagai. Poor old Ron has forgotten

about that completely. Even if they did not vote Labor in, what about all the people in that electorate that did vote Labor? There are quite a few of them. He has let them down as well.

The Hon. Wes Fang: Where is Charlie Sheahan?

The Hon. ROD ROBERTS: Charlie is cranky and rightly so, let me tell you. So is the rest of the community. I commend the motion to the House.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the motion be agreed to.

Motion agreed to.

Documents

MINISTERIAL OFFICE STAFFING

Production of Documents: Order

The Hon. NATALIE WARD (15:38): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, excluding any documents previously returned under an order of the House, created since 25 March 2023, in the possession, custody or control of the Government, including all Ministers, government departments or agencies, relating to staffing requests from ministerial offices:

- (a) all documents relating to the assignment, appointment, secondment or duties of public servants or departmental liaison officers in any ministerial office;
- (b) all documents relating to the roles, structures, assignments, appointments, secondments or responsibilities of public servants of a government department or agency who were the subject of a staffing request from a ministerial office;
- (c) all documents relating to roles, structures or appointments within the public service regarding the creation of transition offices, project offices or similar functions, structures or roles in a government department or agency that was the subject of a staffing request from a ministerial office; and
- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

The motion goes to the heart of how this Government operates and intends to operate. It follows from the use and dispatching of Labor-aligned public servants in the transport Minister's office. There are allegations of roting the public service for political gain, and we have had a chief of staff resign. This was a rort.

The motion is really a health check. It seeks papers from across the Government concerning three specific matters: departmental liaison officers; the appointment, duties or assignment of the public servants; and the creation of transition offices. That is critical to understanding what the Executive has requested of the public service since coming to office, and potentially to understand how widespread the requests and directions of the Executive to the independent public service have been. We want to know what directions have been made. After all, the operations and appointments of the public service are supposed to be independent and merit based.

For the information of members, the Opposition included definitions in the draft motion. We were kindly and rightly advised by the Procedure Office to take them out. But for the information of members, I will state the definitions now almost as though this were a second reading speech. I will define what this motion seeks from affected Ministers, agencies and departments. I encourage those affected by the motion to reference the definitions in their response. I hope that a number of agencies have no documents to return. I hope that everything is fine, they have done the right thing and there is nothing to see here. But I place the following definitions on record to allow the agencies to respond.

In the first part of the motion "staffing requests from ministerial offices" intersects with whether a ministerial office identified or requested specific public servants to work in a ministerial office and communicated that in any form to the relevant department or agency. That is where a specific request has been made by a Minister's office that they wanted specific public servants—and the identified or requested public servant does not have to be seconded or assigned into the ministerial office for that to be relevant. I want that to be clear to members, and I am happy to have that on record. If there are any documents as defined by the Interpretations Act that relate to that guidance concerning the first part of the motion, it will apply. That is clear.

Paragraph (a) of the motion is not interested in department liaison officer appointments where they were selected and put forward by the department; it is merely where the Minister has said, "We want these people. We want those specifics." Where the department has said, "These people are available through the proper process", and they were put forward through a normal recruitment process without ministerial involvement, those people will not be included. That is what the Opposition means by "staffing requests".

Paragraph (b) intersects with requests or communications from ministerial offices to a department or agency regarding specifically identified public servants and requests or communications about their roles, assignments, appointments or responsibilities in the department, or specific requests from a ministerial office that required changes to a public servant's responsibilities, their role or the structure of the department—very clearly a change—or communications from ministerial offices to public servants about any public servant's roles, assignments, appointments or responsibilities in the department or the structure of the department, or communications from ministerial offices regarding senior executive recruitment and appointments, including requests to sit on recruitment panels, edit job descriptions or any ministerial office involvement in the recruitment process for a public service position. They are supposed to be separate. Where there has been crossover or involvement, that is what we are interested in. We are not interested in the rest. If there are any documents as defined by the Interpretations Act related to that guidance, paragraph (b) will apply.

Paragraph (c) intersects with requests from ministerial offices and whether a ministerial office has made any request or communications relating to the roles, structures or appointments within the public service regarding the creation of transition offices, project offices or similar functions, structures or roles in a government department or agency. This includes the ministerial office specifically requesting and identifying public servants to work in transition offices, project offices or in similar functions, or any communications with public servants about roles, structures, appointments or responsibilities within the public service. They are supposed to be separate. That is clear. It is a separation of power, and they are supposed to be independent.

I seek an extension of time to finish the clarification.

Leave granted.

The Hon. NATALIE WARD: It includes any communication relevant to a general request to establish transition offices, project offices or a similar function across a department or agency. I hope that assists honourable members to understand that this is not a fishing expedition. We are clear and specific about what we want. It is a health check of the Government. We have provided those clarifications for assistance, and I hope the Government will therefore support the motion. I understand there are some Government amendments. I will address those in reply, if that is appropriate. I commend the motion to the House in the spirit of integrity, transparency and accountability.

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) (15:44): I move:

That the question be amended as follows:

- (1) Omit "21 days" and insert instead "26 days".
- (2) Insert "created between 1 January 2019 and 26 January 2023 and" before "created since 25 March 2023".

The shadow Minister has put forward a position restricting the scope, which is helpful, but the Government is still struggling with the issue because that is not what is in the motion that is before the House. That is the motion we must respond to, and it is very broad. For that reason, the Government will oppose the motion in its current form. I accept that the shadow Minister has tried to give some guidance, but in its current form the motion relates to the assignment, appointment, secondment or duties of all public servants and all department liaison officers in any ministerial office. It is without any limitation to the specific matters, specific secondments or assignments.

The issue for the Government—and this is a serious issue for the House—is that it raises questions about whether something this broad or with this lack of specificity is reasonably necessary for the exercise of the House's functions. We are right up against that question, and that is of concern. The Government view is that we should therefore consider whether production of this material is reasonably necessary for the House to fulfil its scrutiny function. The risk is that the order may be invalid. Were that not to be the case, I am thankful for the shadow Minister's restrictions, but they do not go to the actual wording of the motion before us.

The Government has moved an amendment that says that if this is the view of the House, and if the House is determined to press ahead, it would be inappropriate to simply look at the issue since March. We should look at what this practice has been over time, including in the last term of the Coalition Government. We would look at the long trail of people who moved between ministerial offices and public sector agencies and back again—some of whom did so very quickly. That would be in scope as a result of the Government's amendment. We believe, for the reasons I outlined in relation to the earlier inquiry, that the House is really stepping into some areas that are not specific enough. This is not as specific as the House has usually been. We encourage the shadow Minister to draw that closer. However, if this is the path we are going down, then the tens or perhaps more than 100 people who might be caught in the earlier period should also be examined. Let us examine exactly how this has worked over time. That would be appropriate.

Ms ABIGAIL BOYD (15:47): I speak on behalf of The Greens to say that we support the motion on the basis of much of the rationale that we have outlined in relation to previous orders for papers, but also in relation to the extension of the terms of reference for the Public Accountability and Works Committee. There is definitely something to answer here, and I want to know those answers. There is something to see. We are very interested in investigating this further, and I think that the papers that will be returned under this Standing Order 52 motion will be very informative, one way or the other. The amendment proposed by the Government will, in effect, create another tranche of documents. That is almost something that could be done with a separate motion. Although The Greens are sympathetic to the amendment, we would not want it to interfere with the original motion.

If it was instead redrafted to insert after "that there be laid upon the table of the House", "(1) within 21 days of the date of passing this resolution"—and I am not moving this amendment, I am merely suggesting it for those who may want to move it—"the following documents, excluding any documents previously returned under an order of the House, created since 25 March 2023; and", the Government could then insert "(2) within"—however many days it wants—"of the date of passing of this resolution the following documents created between 1 January 2019 and 26 January 2023," followed by a paragraph return so that it then captures the last three lines as applicable. Paragraphs (a) to (d) would then be applicable to both paragraphs (1) and (2). It would have to be two separate tranches. We would expect the returns to come back on different days and be labelled separately. If that can be drafted then we would support it, but we would like the original intent of the original motion to stay intact.

The Hon. CHRIS RATH (15:50): I thank the Hon. Natalie Ward for moving this motion. This Standing Order 52 request is an important accountability and transparency measure. I remember when I was a ministerial staffer—all those years ago—that the DLOs in a ministerial office were different to the rest of the ministerial staffers. They were not political; they came from the department. They were not political appointments. To my knowledge, the people I was working with were not Liberal Party members; they were not campaigning for the Liberal Party on the weekends or organising fundraisers or running campaigns. In fact, there was almost a bit of a suspicion around the DLOs because they were separate to us. They were not political appointments. But this is a completely different set of circumstances. I will use the Premier's own words:

... things could have been done better... In retrospect, we should have taken the advice from the secretary of transport on ... who was best placed to serve in that role.

They are the words of Premier Chris Minns in reference to the secondment of a former Labor candidate and campaign manager to the office of the transport Minister, Jo Haylen. Clearly, by Chris Minns' own admission, the intentional selection of a strong political ally to a public service role that is meant to be apolitical does not meet the standard expected of Government Ministers by the people of New South Wales. It should go without saying that public servants who are approached to work for a time in ministerial offices should not be chosen on the basis of their political affiliations. Public servants or department liaison officers working in any ministerial office are there for one purpose: to serve the people of New South Wales.

The recent case of Minister Haylen's DLO provides a clear example of why that is the case. Minister Haylen requested this DLO, this Labor apparatchik, specifically be seconded to join her office. The people of New South Wales would expect this DLO to work to ensure the most efficient operation of Minister Haylen's office and to serve the State. Instead, with this secondment we saw the writing of blatant political attack speeches and the organisation of a Labor supporters' barbeque to celebrate Labor's election victory. What part of a barbeque for Labor's donors and volunteers organised to celebrate one political party's victory seems apolitical? Is this the kind of public service output New South Wales taxpayers expect their money to go towards? I thank the Hon. Natalie Ward for moving this Standing Order 52 motion. It is a simple transparency measure that seeks to ensure that ministerial officers are not confusing politics with policy.

The Hon. CAMERON MURPHY (15:53): I move:

That the amendment of the Hon. John Graham be amended by omitting paragraph (2) and inserting instead:

- (2) Insert "and within 26 days of the passing of this resolution the following documents created between 1 January 2019 and 26 January 2023" after "created since 25 March 2023".

In relation to the substantive motion, transparency is vitally important. Standing Order 52 is one of the most important powers that this House has to ensure government accountability and transparency. It is a power that this House ought to, and most often does, use very carefully. In relation to the underlying issue, I would have thought, given the voluminous amount of material that has already been produced, that if there was something to see here the House probably would have already found it and identified it. But I am happy to move this amendment to ensure that we get a fulsome picture of the evidence in relation to the way DLOs have been operating both under this Government and in the past. It is a really important power. It is about transparency and ensuring that members of this place can hold the Government to account, and it is something that this Labor Government has no issue with whatsoever. I leave my remarks there.

Ms ABIGAIL BOYD (15:55): I move:

That the amendment of the Hon. John Graham be amended by omitting paragraph (1).

That is, leaving the original 21 days for the original tranche.

The Hon. NATALIE WARD (15:56): In reply: I thank honourable members for their contributions to debate. There are a couple of matters to address. The Minister talked about the definition not being in the motion. I make it very clear that that was on the advice of the Parliament. We drafted this Standing Order 52 motion with a definition of request. That was taken out on the advice of the Parliament, so we have attempted to use my time in prosecuting this call for papers to provide that definition. We have been very clear and specific with the House about what we want. That is there to assist: Let us be clear, it should be treated as a second reading speech.

This is our attempt to try to work with the Government. Nonetheless, if there is nothing to see here there is nothing to produce, so it is curious that the Government would seek to add four years to the order, even if, as sensibly suggested by Ms Abigail Boyd, in a second tranche. It does so with no basis, with no allegation, with no concrete or specific issue. Government members talked about what is reasonably necessary and that it may be invalid. To add four years would add thousands and thousands of documents, with no basis—no allegation whatsoever. It is just because those opposite do not believe in transparency. They believe in delay, obfuscation and muddying the waters. We oppose that part of the amendment.

I acknowledge and thank Ms Abigail Boyd for her attempts to work through this. It is disappointing to me that, having moved a well-intentioned Standing Order 52 motion, and given it is the purpose of this House to look into these allegations—which are established, clear and have come out of tranches and tranches of documents—such a tactic would be used by the Government. It is on those opposite, particularly when they are overdue in compliance in any event—over a month by the transport Minister alone. They talk about the resources required by the department, but they are then saying they are happy to return documents in 26 days. I do not know how four years of documents can be returned in 26 days. It is also a disappointment that the courtesy of a discussion about the amendments or proposals was not extended to me as a member until I asked for it. On that basis, we have tried to deal very fairly with the Government and tried to request them.

There is no concrete allegation to support the amendment. If they want to, they can move a separate motion under Standing Order 52. If there is something to look at, the Opposition will be very happy to support an SO 52 when the Government has something to say, but to propose the amendment just to muddy the water is on the Government. It is disappointing. I commend the motion to honourable members. It is very specific. We have provided a definition and a basis. When Government members talk about accountability, transparency and integrity being at the heart of government, they may well be talking about a different government. I commend the original motion to the House.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): As members will appreciate, I need to consult the Clerks. I thank members for their indulgence to enable me to work through what is best for the House and for the progress of the motion. First I will put the question on the amendment of Ms Abigail Boyd to the amendment of the Hon. John Graham.

The Hon. Natalie Ward: Can I clarify whether the two amendments—the 21 days and the two tranches—will be dealt with separately?

The Hon. John Graham: I am doing the two tranches. This amendment only relates to the 21 days. We are all for it, essentially.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Natalie Ward has moved a motion, to which the Hon. John Graham has moved an amendment, to which Ms Abigail Boyd and the Hon. Cameron Murphy have moved further amendments. The question is that the amendment of Ms Abigail Boyd to the amendment of the Hon. John Graham be agreed to.

Amendment of Ms Abigail Boyd to the amendment of the Hon. John Graham agreed to.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The House will now consider the amendment moved by the Hon. Cameron Murphy to the amendment of the Hon. John Graham as amended.

The Hon. Natalie Ward: Can I just clarify whether that amendment relates to the two tranches?

The Hon. John Graham: The two tranches, yes.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question now is that the amendment of the Hon. Cameron Murphy to the amendment of the Hon. John Graham as amended be agreed to.

Amendment of the Hon. Cameron Murphy to the amendment of the Hon. John Graham as amended agreed to.

The PRESIDENT: The question now is that the amendment of the Hon. John Graham as amended be agreed to.

The House divided.

Ayes19
Noes15
Majority.....4

AYES

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

NOES

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

PAIRS

Jackson	Tudehope
Nanva	Farlow

Amendment of the Hon. John Graham as amended agreed to.

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

Motion as amended agreed to.

The PRESIDENT: According to the determination of the Business Committee of Tuesday 21 November 2023, proceedings are now interrupted to allow the Hon. Bronnie Taylor to move private member's business item No. 594, relating to the passing of Stephen Bromhead, which will take precedence until concluded or adjourned.

Condolences

STEPHEN BRUCE BROMHEAD, FORMER MEMBER FOR MYALL LAKES

The PRESIDENT: I acknowledge in the gallery Stephen Bromhead's wife, Sue, his children Caroline, Stewart and Trent, his sister Bethany, his brother Gordon, his sister-in-law Gwyn and his niece Amalia. You are all welcome, and we are grateful for your being here today for this important occasion.

The Hon. BRONNIE TAYLOR (16:16): I move:

- (1) That this House extends its deepest sympathies and sincere condolences to the family of Mr Stephen Bruce Bromhead, who passed away on 16 March 2023.
- (2) That this House acknowledges Mr Bromhead's years of service as the member for Myall Lakes from 2011 to 2023, and his roles as Parliamentary Secretary for Regional Housing and Regional Transport and Roads, and as The Nationals Whip.
- (3) That this House recognises with gratitude his contribution to regional New South Wales.

Mr President, honourable members and, most importantly, family, what a privilege it is for me as the Deputy Leader of the New South Wales National Party to move this motion for a man I cared about, adored and loved deeply. Brommy was unique. He had a long history. He spent 12 years as the member for Myall Lakes, but probably his most famous membership was 40 long years of the New South Wales National Party, which is quite an achievement, and I do not think that many will follow. Brommy's life was always about serving his community, whether as a nurse, a police officer, a lawyer, a local councillor or a member of Parliament. He did all of those

with the commitment, dedication and drive with which he did everything he pursued. He had a long history, about which we heard beautiful speeches in the other place today, about his career and what he did.

But what I will do is talk about the man I knew and loved. Brommy protected us all. He was always a great champion of women and a great mentor. He was the first person to stand up if he felt that any of us were under threat or could not do the things we needed to do. His loyalty to his people and to his community was fierce, and it was fiercest of all for his family. He loved the National Party and stood by it because of what it meant to him, to us and to communities but mostly because he absolutely loved where he lived. When one female member of our party was having a particularly difficult time, he was the first to stand up and say that we needed to do something and to call it out, and we did. He was a true gentleman in every sense of the word.

He put on a famous seafood dinner, and he got me to come and speak at it by saying, "Bronnie, if you come and speak at this, really good things will happen to you. You will get a promotion, and you will rise in the National Party, because it's legendary." It was the time of the shocking fires. I drove up there through plumes of smoke, going to the seafood dinner in Myall Lakes, but Brommy said I had to go so I jolly well had to be there. I am really glad I went to that seafood dinner because I got to become the first female deputy leader in the New South Wales Nats. That was because of that jolly seafood dinner, I know it, and all those prawns I ate. That was the sort of person he was. He wanted you to come. He would do it any way that he possibly could, but he genuinely wanted the best for you and he genuinely wanted you to succeed.

The other things for me were his dignity and his strength, and nowhere were they more evident than the day I went up to announce that we were able to do an upgrade to the hospital. Brommy had checked himself out of hospital because he wanted to be there for that really special occasion; it meant so much to him. He was as white as a jolly ghost and I knew he was not well. He was finding it really difficult to breathe, but he walked up and down the wards of that hospital and he would not stop. It meant something to him and, for me, never was that more evident about a man who had so much dignity and so much strength. It was a mark of the man. Health meant a lot to him. He was one of the first psychiatric nurses, as we used to say in those days; we now call them mental health nurses. He was very well placed to operate in this place, with that sort of career. Health meant a lot to him and that is why the hospital upgrades meant so much to him and Forster Hospital meant so much to him. Unfortunately, that recently got cut out of the New South Wales budget, but I give you my word—and I know the strength in Tanya Thompson—we will get that across the line and we will not stop until we do.

I will talk about two more things before I finish and allow time for my colleagues. Sam Farraway will talk about this, but Sam always said that Brommy really is a true Nat. It is really who he was. He is everything that we envision to be. He showed us how to represent the National Party. He showed us what it is to stand up for people. Most of all, he always showed us that loyalty was so important, whether you were standing on your own or you were standing with most of the room. It was loyalty that mattered. For me, his family and the way that he spoke about each and every one of them is just so very special. His love for you, Sue—the way he looked at you and the way he spoke about you—was such a testament to the love that you shared. It was an incredible love and it will live on for a long time. To his children, I say that he was so proud of you—so proud of you. Remember that every single day, he lives on in each of you. That special bit of magic that was Brommy lives on in all of you. I thank the House for allowing us to move the motion and for allowing us to do it a bit later. It is with immense pride that I stand here to speak about a man who was a true friend, who I loved. Vale, Brommy.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:23): On behalf of the Government, I support the motion and thank the Hon. Bronnie Taylor for bringing it forward. Losing a colleague like that is always extremely hard, particularly someone who spent such a long time in a political party and who you have grown up with and have worked with. Leaving aside all those reasons, the loss of members like that is felt very hard. I acknowledge the other National Party members who are in the Chamber.

Stephen Bromhead was a strong advocate for the community of Myall Lakes ever since he was elected in 2011. We tried to dislodge him—several times—and failed, partly because of his long and deep connection to his community and his great campaigning, but also because his community loved him back. He was a loyal, steadfast and committed member of the other place, and as everyone has said—and I am sure that we will hear from his Nationals colleagues—a very proud National. Long-time membership of political parties is too rare; some people do not want to stay the term.

Being part of a political party can be hard. It can be like being in the most dysfunctional family you have ever been in. You love it, but sometimes it is very hard to stay because it can be challenging. We have to make hard decisions and we do not always agree, and sometimes the people closest to you are the people who are coming after you. That is the reality of politics. To survive so long is not just a testament to survival; it is a testament to commitment and, as the Hon. Bronnie Taylor said, to loyalty and to understanding the values of who you are and

what you seek to represent. I think that those on this side of the House really understood that Stephen Bromhead was one of those men and that he cared deeply for his community.

We recognise that one of his many achievements for his community—and there were many—was, of course, the landmark Manning Base Hospital, which is a lasting legacy for public health care in the regions. His community was well served by him. We know that Stephen was a registered nurse who cared for patients in his community. He then took on an interesting role—I would love to know the story—when he decided to join the NSW Police Force. He served initially as a general duties officer and then as a detective. He served for a total of 12 years, mainly around Taree and surrounding districts.

His passion for policing flowed through to his time as a member of New South Wales Parliament; he was constantly on the case about better police services for Myall Lakes. He was a volunteer firefighter and was also involved in many other groups, including the chamber of commerce. I believe that he was a big fan of the Forster-Tuncurry rugby club and, of course, the RFS. His history of service continued as a member of Parliament and we acknowledge his contribution to his community. We acknowledge the loss for his colleagues, who are very sad, and we pass on our condolences to them. Like all people who have served their community for a long time, I acknowledge the loss for his family. We send our condolences to you and thank you for sharing him with the people of New South Wales. All politicians give up a lot, but our families give up even more when they let us do the jobs that we want to do. Vale, Stephen Bromhead.

The Hon. SARAH MITCHELL (16:26): I support the motion moved by my colleague and friend the Hon. Bronnie Taylor, as we commemorate the life of our former colleague Stephen Bruce Bromhead, MP. I am calling him Brommy because I never called him Stephen once in the 13 years that I knew him. It feels very strange, so it will be Brommy from here on in. As others have said, sadly, we lost him earlier this year. It was a really tough time for us. We have the opportunity now to pause and reflect on the amazing man that he was and the incredible legacy that he left.

I have had the joy of knowing Brommy the entire time I have been in Parliament. We were part of the class of 2011; there are only a few in that group who still serve. I was thinking, when I was preparing for today, about my reflection of when I first met him. It was when we were going, as candidates, to do media training. We had to practise telling stories about things we might not want to talk about and how we would deal with it. I will never talk about what Brommy and I were practising, but I think we were both very happy that those stories never saw the light of day. What I picked up from that initial meeting with him was his very dry sense of humour. He was a funny man who made me laugh from the first day that I met him. He was whip-smart and incredibly passionate about his community. Even then, as a candidate, he could see the role that he could play to make life better for them. That was a really powerful trait of his that did not change or waver in the more than a decade that he served in the other place.

He did not have an easy journey into this Parliament. I think, as Gurmeh Singh said in the other place, he won his seat, with a margin, from a hospital bed because he had had a car accident mere weeks before the 2011 election. There was also the infamous jumping up to ask a question and breaking his leg midway through. I have seen some good reasons to try to get out of question time, but putting yourself in hospital was among the greats. The way he managed that showed the measure of the man that he was. There are a lot of stories we could tell about our visits, but my favourite memory of Brommy is of him standing at that barbecue on the National Party balcony, with his Wallabies jersey and his apron on, clicking the barbecue tongs and, more often than not, telling a story about one of his kids or something that he and Sue had done on the weekend, while turning the meat that had come down from the Myall Lakes for the Nats family barbecue that we have on a Monday night.

That epitomises everything that he loved. It was about the Nats. It was about rugby. It was about family. That is such a wonderful legacy. We would have a steak and a beer. Brommy would have a diet ginger beer—always diet, Sue, I promise; always a diet Saxbys—and we would have a laugh. True friends are sometimes hard to find in this place, but he genuinely was a friend to all of us and a father figure to so many. He was fiercely loyal, as the Hon. Bronnie Taylor said. He was a strong advocate for women in our party and a really passionate defender of what was right. He was a man who had the courage of his convictions. He stood by them every single day that he came into this place.

I seek an extension of time.

Leave granted.

The Hon. SARAH MITCHELL: His background as a nurse, police officer and solicitor gave him a richer perspective, more than anybody, on some of the challenging things that people go through and the best way to help them. Our party, party room and this Parliament is so much richer for having had him as a member. We are all very privileged to serve in this place, but Brommy, hand on heart, genuinely loved his role as a local MP. He

loved being able to help people. It did not matter how small it was, he took so much pride in his role. What makes me especially sad about his passing is that I know he would love to be here serving in this place. He was not done; he was not ready to leave. He would have been a very cheeky member in opposition. He loved fighting the good fight for his people and he would have loved to hold Labor to account.

I know that, without doubt, he would have been immensely proud of the incredible result at the election this year, which saw the amazing Tanya Thompson elected as his successor in Myall Lakes. He is a strong backer of women, and he mentored and supported Tanya for many years. I am certain, Tan, that Brommy is up there watching your star shine and he is very proud of you. I finish by acknowledging his beloved wife, Sue, who is part of our National Party family and always will be. I acknowledge your family, who are here today as well. He loved you deeply and he was so proud of you, as Bronnie said. That was so obvious. Every time he would speak about any of you, his face would light up. I know you are all feeling his loss today and every day, as are we. We share in that grief with you. We promise you that we will always cherish the contribution he made to his community, to The Nationals and to the people of rural New South Wales. Rest in peace, Brommy. We love you and we miss you.

The Hon. SAM FARRAWAY (16:31): I support the condolence motion for Stephen Bruce Bromhead. I too never called him Stephen; it was always Brommy. I will tell a couple of quick stories. Yes, he was a nurse, lawyer, police officer, local councillor and fantastic rugby club administrator. He was very much an old-school Nat. He was very genuine. He never tolerated fools, did Brommy, including some people in our own party room at times. I had only been in Parliament for four years, but I knew Brommy well before then, when I was a business person and vice-president and vice-chairman of the National Party. I knew him for a long time and always, at every conference, he would talk rugby. He was a massive Waratahs and Wallabies fan. It was an absolute privilege to follow in his footsteps. I now run the Parliamentary Friends of Rugby, even though Australian rugby is in the toilet. But he did keep it alive here, and I will try to do that for him.

There are some funny stories. Everyone in the lower House spoke about those Monday night barbecues. I was only in Parliament for a matter of months before I saw Brommy at one *The Daily Telegraph* journalists were hovering around the library and they had found where our party room was. They were trying to take a photo of this exclusive National Party barbecue—it was nothing like that—but what was hilarious was Brommy was in the photo, which was pitch black except for the lighting from a flame coming out of the barbecue. I said, "Brommy, I do not know if there are any fire alarms around, but you are going to be in big trouble soon." It was hilarious. He put that barbecue on every week. If you wanted the meat well done, like I did, you went every week because it was chargrilled.

I remember a couple of other things, including the opening of the Pacific Highway. The National Party was in government, both State and Federal. We made our way up to Little Italy on the North Coast. I do not mind saying this now, but the then Prime Minister tried to bar some of the State National Party MPs from cutting the ribbon and from being in the photo. Somehow Brommy had figured it all out. He found Gurmehsh, Dugald and I and said, "Bloody Scomo is trying to cut us out." So we went around the back of Little Italy and we took selfies with Scomo. We said, "We are going to put you in the thick of it; we are going to put you in our photos." We were there to cut the ribbon. But Brommy was no fool. He was so genuine. He did not tolerate fools. The Liberals started a story after a photo was taken of him and I cutting the ribbon on the Pacific Highway with all our colleagues.

I seek an extension of time.

Leave granted.

The Hon. SAM FARRAWAY: After that photo I became known as Brommy Junior. I think Taylor Martin, who was in the Chamber before, instigated a lot of that. The photos went around in all of the Liberal chat groups saying, "Look, it is Senior and Junior," but I take that name with pride. He is like royalty in Myall Lakes. Last weekend I joined the new member for Myall Lakes, Tanya Thompson, at Wingham Preschool. She is the local member, and I just went along for the ride, but I saw Brommy's name there on a plaque because of his contribution. There was an accident at the Bulahdelah Show, where all of his pop-ups were used by the woodchoppers instead of Tanya's. But he lived on through that, and to see him acknowledged that day was absolutely amazing.

He was a Nationals man, he was a family man, he was a community man. He was a nurse, lawyer, police officer, local councillor, State MP and rugby club administrator. He was an all-round good bloke. We have talked about that 2011 story when he won that seat from a hospital bed. Tanya may correct me, but he had that accident in a yellow van on Blackhead Road, which now has the world's largest roundabout you have ever seen. But that was thanks to Brommy. Tanya will follow in his footsteps and get a roundabout on Failford Road, which we were

covering the other day. Tanya, you will carve out your own path, but he was very proud of you. He was a bit of a father figure to me. He was a good bloke, Brommy. Vale, mate.

The Hon. WES FANG (16:36): I contribute to the condolence motion. As was noted in the other place, Brommy loved a short speech. We are allowed to speak for three minutes in this debate, but I note that a couple of extensions of time have been granted. I will try to keep my contribution as short as possible so that other members can speak. But those extensions go to show the heart that Steve brought to this place, which everyone has had to speak to, because there is just so much to say about him.

How do we encompass the contribution Steve made to the Parliament in three minutes? It is almost impossible. As everyone else has said, Brommy—because no-one ever called him Steve or Stephen; it was always Brommy—took me under his wing like he took so many others under his wing. In my case it was because I was elected mid-term, as the President would remember. The President was the then Government Deputy Whip, which he was keen to hand over to somebody else. That role was handed over to the new guy—me.

I was trying to learn about not only what was happening Parliament, but also about how to be the Whip, and the Whip in the other House was Brommy. So Brommy and I sat together at the table, and I tried to learn from him as much as I could. Everyone is right: He did not suffer fools. But he was so willing to give, if you were willing to learn. That is why all of us have so much love for him, because if you were willing to absorb the stuff that he was prepared to give you, you would become a much better parliamentarian and person. For me, that meant learning all the stuff about being a Whip, and he was so giving of his time. As we have all spoken about, my memories of him will be of the barbecues, the Monday nights, the Christmas parties and his way of doing the Secret Santa, which I have never seen before. It was famous, or infamous—I do not quite know the words for it—but it made the night, and that was Brommy. The legacy he has left is in the gallery, in Tanya.

I seek an extension of time.

Leave granted.

The Hon. WES FANG: The best legacy a member can leave is to hand the representation of their electorate to somebody who will look after the community as well as they have. We know how much Brommy loved his community. Mentoring Tanya Thompson and having her take over as the member for Myall Lakes is a real legacy. It goes to the very point that we have made: He was a real Nat. He was exactly what a Nat should be. Tanya's presence in the other place is a legacy that speaks for itself. I will always remember my time with Brommy. I will always remember the lessons I learned from him. I will always remember his heart and passion for his electorate. I will always remember the battles that he fought to get more for his community. He was a giant of a man. I am so honoured that for a brief time we can pay tribute to him in this place. I thank his family for coming and listening to our words so that we can honour him appropriately. Vale, Brommy.

The Hon. DAMIEN TUDEHOPE (16:40): I hate to interrupt a National Party love-in, but it is appropriate that I do, from a Liberal Party perspective, because I was a colleague of Brommy in the other House for at least four years.

The Hon. Penny Sharpe: Those were the days.

The Hon. DAMIEN TUDEHOPE: Those were the days before I saw the light and came to this place.

The Hon. John Graham: We've loved having you.

The Hon. DAMIEN TUDEHOPE: And it is great to be here. In reflecting on Brommy, the first thing to say is that he was a person to whom it was impossible to say no. He had the ability to sidle up to you and, whether you were in the Lions Club or not, you would be regaled or dragooned into attending Lions Club dinners. He had the ability to get 500-odd people to those dinners to raise endless funds for a charity, probably not of his choice but of others' choice. The establishment of the Parliamentary Lions Club was virtually his baby and he was very passionate about it.

The second thing is that he was enormously passionate about the community of Myall Lakes that he represented. The electorate of Myall Lakes represented the thing that he was, in many respects, born to. He wanted to be part of that community and to give back to that community what he thought they had given to him. On a daily basis, he lived for making his community a better place. Lastly, no-one could have a conversation with Brommy without him talking about rugby. He would have been appalled by the performance of the Australian rugby team at the World Cup. He would be appalled by the current administration of Australian rugby and would probably be offering himself as an alternative administrator to ensure that we got the best out of Australian rugby. In the final analysis, Brommy was an adornment to his electorate and an adornment to the Parliament.

The Hon. AILEEN MacDONALD (16:43): I add to the expression of deepest sympathy that this House extends to the family of Stephen Bromhead following his death earlier this year on 16 March. As we have heard, Stephen Bruce Bromhead was a member of the New South Wales Legislative Assembly representing Myall Lakes for The Nationals from 26 March 2011 until his retirement on 3 March 2023. He died less than two weeks after he stood down. His electorate was in northern New South Wales, an area I also represent, and I do know he had a reputation for serving his electorate with sincerity and energy.

He lived in Forster on the mid North Coast and was known for devoting his life to serving his community. He was taken away too early, at the age of 65, by an insidious disease. I was rather taken by him saying in his valedictory speech that it was not because he was tired and no longer wanted to be the local member but, rather, it was his diagnosis that forced him to retire. His community involvement extended to rugby union clubs, tourism associations, chambers of commerce and horseracing clubs. By all accounts, he was the epitome of what a hardworking local member in regional New South Wales is all about. I extend my condolences to his wife, Sue, and their seven children. Vale, Stephen Bromhead.

The Hon. BRONNIE TAYLOR (16:45): In reply: Again I thank the House for its indulgence in this matter. This motion obviously means so much to all of us, and it means so much to us that his family could be here today to listen to how we felt about the man that they love and the man that we love. I thank everyone who spoke. It was joyous. When someone has gone, it is so important that we have the opportunity to tell the stories, to enjoy the memories, to value the person that they were and how they live on. As I said, I am a big believer in people living on in others, and I find it very interesting that after someone passes often people take on more of their traits and personality. Genetics are very powerful. Stephen Bromhead—our Brommy—was a very powerful man. In this Chamber today we pay tribute to a great man—a man loved by his family and loved by us, and a man whose legacy, integrity and dedication to the cause will always live on in all of us.

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

Motion agreed to.

The PRESIDENT: I ask all honourable members to stand and spend a few moments in silence to reflect on the life of a good man, a kind man and a true gentleman, Stephen Bromhead—Brommy.

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

HELENA CARR

The Hon. MARK BUTTIGIEG (16:47): I move:

- (1) That this House acknowledges and celebrates the life and contribution of Helena Carr, who tragically passed in October 2023.
- (2) That this House further notes Ms Carr's extraordinary life coming from Malaysia, moving to Australia to become a successful businesswoman, intellectual and public figure.
- (3) That this House notes Ms Carr's incredible contribution to New South Wales as the wife of former Premier Bob Carr.
- (4) That this House notes Ms Carr was a leading figure in New South Wales, a role which she performed with great compassion, generosity and stoicism.
- (5) That this House send its sincere condolences to her life partner and husband, Bob Carr, and all family and friends of Helena Carr.
- (6) That this resolution be communicated by the President to the family of Helena Carr.

Last Tuesday, 14 November, along with many others, I attended the funeral of Helena Carr at St Mary's Cathedral, the place where I married my wife, Anna, in 2000 and where my son, Gerard, was baptised. It has always been a place of reflection and happiness for me. I experienced that reflection and happiness again at Helena's service last week. In the opening of his beautiful eulogy, Bob Carr recalled Helena asking in a cheery mood, "Why do you love me?" Bob replied, "Because you've got a beautiful face and because you're always happy." Bob went on to say:

Happiness is the theme of this celebration of the life of Anne Helena Carr. Happiness was her very essence; happiness, her middle name.

The atmosphere in the cathedral that day was one of brightness and the celebration of a happy soul—a clear manifestation of the spirit of Helena Carr and the way that people in her orbit clearly felt about her life. The cathedral was packed to the rafters, with the congregation including former Prime Ministers and Premiers; the current Premier; numerous State and Federal parliamentarians; senior members of the Catholic clergy and Jesuits; and, more pertinently, fellow human beings who knew and loved Helena and wanted to pay their respects to a woman who exuded warmth and gave happiness to everyone she met, no matter how briefly. I had the pleasure of meeting Helena on only perhaps a dozen occasions over the past few years, when she happened to be with Bob

when I was meeting with him. She always took the time to engage with me and make me feel like I had known her forever. A happy-hearted soul who took an interest in her fellow human beings—that was the impression I got from a woman who was clearly a major complement to the Bob Carr success story.

More importantly, Helena had lived a good and substantial life and was a success story in her own right. She was born in Malaysia to a Jaffna Tamil father, Lourdes, and a Chinese mother, Regina. In 1965 Helena moved to Sydney to attend Our Lady of Mercy College in Parramatta, and she later studied economics at the University of Sydney. An accomplished businesswoman, Helena first worked for CSR and later joined Leigh-Mardon in 1976. In 1984 Helena became a member of the Leigh-Mardon board. Over 1,100 people were employed under Helena, and the company's turnover in 1990 was a whopping \$160 million. At the funeral last week I was struck particularly by Bob's recitation of a disagreement that he and Helena had had in their early years together. As Bob said, they were "young people learning to live with one another", and Bob got up and played the McCartney-Lennon song *We Can Work It Out*:

Try to see it my way.
Do I have to keep on talking till I can't go on?
While you see it your way,
Run the risk of knowing that our love may soon be gone.

Bob said, "She said how much she liked my gesture ... and the words." Of course the words made sense to Helena's spirit—her common sense and her instinct for joy over conflict. The McCartney-Lennon lyrics said it all:

Life is very short, and there's no time
For fussing and fighting, my friend.
...
We can work it out.
We can work it out.
We can work it out.

Thanks to Helena, she and Bob did work it out. The people of New South Wales are better for it, having had the benefit of a partnership of love that sustained the 10-year Carr Government—an undeniable success story, due in no small part to Helena's foundation stone as the centre of gravity and wellspring of happiness for the partnership. Vale, Helena. Our love and deepest condolences to Helena Carr's family and friends, and her partner and husband of 50 years, former Premier of New South Wales and Federal foreign Minister Bob Carr.

The Hon. NATASHA MACLAREN-JONES (16:52): On behalf of the Opposition I speak to the motion moved by the Hon. Mark Buttigieg acknowledging the life of Helena Carr. At the outset, I extend the Opposition's deepest sympathies to Helena's family, particularly her husband, former New South Wales Premier Bob Carr. Helena was born in Malaysia as the youngest of six children. As a teenager she emigrated to Sydney in pursuit of education, attending Our Lady of Mercy College in Parramatta and later studying economics at the University of Sydney. She first worked with CSR and later became an expert in security printing. Helena's professional journey culminated in her role as a half-owner and manager of a significant printing company specialising in high-quality commercial work.

For five decades Helena stood alongside her husband, Bob, throughout his political career as both a companion and a trusted counsel. She was a great contributor in her own right to the Labor Party, and her influence reached beyond politics, touching various charitable and community endeavours. As many of us in this place know, we could not do our jobs without the support and sometimes sacrifices of those who love us. Helena's passing leaves a void that will be deeply felt by her family and friends, and none more so than her husband. On reflecting on their 50-year partnership, the Hon. Bob Carr described Helena as the "light of my life, the little friend always there. No-one ever smiled more, or with more spirit". He acknowledged that his own achievements would not have been possible without her steadfast presence. On behalf of the Opposition, I extend our condolences to the Hon. Bob Carr and the broader Labor Party for the loss of Helena, and commemorate a life well lived.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (16:54): I thank the Hon. Mark Buttigieg for bringing the condolence motion to the House, and of course I support it. At the funeral of Helena Carr, the love his life, former Premier Bob Carr said:

Happiness is the theme of this celebration of the life of Anne Helena Carr. Happiness was her very essence; happiness, her middle name.

Helena Carr was a truly generous, intellectual and kind woman. She touched everyone that she met, and all of us in the Labor Party feel like we knew her. She was there with a smile and an encouraging word at every single function that she had to attend, for long periods, with zero complaint. Helena Carr was born in September 1946 in Perak, Malaysia. As others have mentioned, she was the youngest of six children. In 1965 she came to Sydney to study at Our Lady of Mercy College in Parramatta. Economics was one of her best subjects and she majored in

it at the University of Sydney, where she was a resident at Sancta Sophia College. In 1972 she met Bob Carr on holiday in Tahiti, and the two great partners were then married on 24 February 1973. Fifty years is an incredible innings by anyone's measure. Bob Carr was very lucky on that holiday in Tahiti.

Helena was also a very successful businesswoman in her own right. While we talk about her links to the Labor Party and the importance of her contribution to the successful Carr Government by being the mentor, confidante and partner of the former Premier, we also need to acknowledge that she was a woman in her own right with her own interests, passions and successful businesses that she undertook while also taking on the extra job of first lady of New South Wales. That job has no role description and is not well defined, but she took it very seriously and we are grateful that she was willing to do it.

Helena Carr approached public life with integrity, compassion and stoicism. One story that goes to the love of both Bob and Helena for the environment was passed on by one of my staff, who was on a walk with them on that day. In 2020—so quite recently—Bob and Helena went up to the Channon Gorge with the member for Lismore, Janelle Saffin. They were joined on the walk by iconic environmentalists Hugh and Nan Nicholson, who led forest blockades in the Northern Rivers in the 1980s. They then worked really closely with then environment Minister Carr and Premier Neville Wran to create the Nightcap National Park and to save the now World Heritage listed rainforests of northern New South Wales.

It was a day of great minds and community-minded people, but anyone who has been bushwalking with Bob Carr—which I have done—knows it is not for the faint-hearted. You have to go pretty fast and you have to keep up. It was a scorching hot day and Bob raced ahead on the walk. Helena stayed with the rest of the crowd as Bob tore through the bush, looking at everything—very enthusiastic. The creeks were hard to get across and a variety of people—including, I think, my staff member Harry Gregg—helped her across the creek. She loved the walk and was as determined to see that beautiful place as Bob was. She was willing to be by his side, even if he strode ahead. Nan Nicholson said of Helena:

I could tell that she was indeed a wonderful person and, indeed, Bob's equal. When she and Bob wanted to look at Terania Creek and the Channon Gorge, we knew they both really cared about important places.

On behalf of the entire Labor family, I extend my heartfelt condolences to Bob, the former Premier of New South Wales. "H," as he called her, was his rock, his equal and the love of his life. His eulogy was very moving; it was very powerful, and eloquently expressed his love for Helena and her legacy in New South Wales. I think it needs to be shared more broadly, so I seek leave to table his eulogy for the House.

Leave granted.

Document tabled.

The Hon. PENNY SHARPE: Vale, Helena Carr. I thank Bob for sharing her with us.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (16:59): I thank the Hon. Mark Buttigieg for moving the condolence motion, and I think the two condolence motions today are highly appropriate. As the Chamber has heard, Helena Carr was a very successful businesswoman, but she really was there at all of the big moments over that 50-year partnership. Inside the Labor Party, whenever there was a big gathering, she was one of the constants there are amongst the Labor family. It was deeply sad to hear of her passing, but I was glad to hear about that last night where Helena and Bob were together in Vienna doing what they loved. In the middle of a very sad moment, I was a happy to hear exactly what they had been up to.

I too attended the requiem mass at St Mary's Cathedral. It really was a remarkable occasion. Bob's tribute—that form of public grieving—was such an articulate declaration of love. That was what really came through as he spoke about her life. The detail I loved was about their first meeting in Tahiti, when Helena was sitting by the pool reading economist John Kenneth Galbraith's *The New Industrial State*. That is how they met. That was the book that drew them together. I was a fan of both of them before hearing that detail, but it really made me love them both more. As well as being a loving life partnership, theirs was one of intellectual equals. There was real equality in their relationship. I join the House in offering my sincere condolences to Bob and to Helena's family and friends, and I send my thoughts and love.

The Hon. EMILY SUVAAL (17:01): I too pay tribute to Helena Carr. The marriage, the teamwork and the partnership of Helena and Bob Carr is certainly one that we can all aspire to. Helena Carr was a woman of faith. By all accounts, she was a woman who was steadfast, resolute and had a great amount of conviction and strength. The loss of a life partner, as Bob said, is unfathomable. It is a path no-one wants to walk. My thoughts are certainly with Bob, his extended family and friends at this time, when they are navigating that unknown and unfamiliar territory which is losing a loved one and, no less, a life partner of five decades.

We were all shocked and saddened to hear of Helena's passing. Being the partner of someone who serves in a position with such scrutiny and intensity is certainly not something that everyone is made for. It is no mean feat that their relationship lasted and, indeed, flourished for all that time. It is a tribute to Helena and the effort and work she put in throughout that relationship but also, by default, to the people of the State and the country who all benefited from her. She was a successful and intelligent woman in her own right and was obviously someone who was not a fan of the spotlight. She was a woman of integrity and great strength. Her contribution to all of us is one that cannot be measured. She is a woman that we can all aspire to. Vale, Helena. Our thoughts are with you, Bob.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (17:03): I make a contribution to the condolence motion and thank the Hon. Mark Buttigieg for bringing it. I think it is right for our Chamber to reflect on the absolutely remarkable contribution of Helena Carr to the State. She was a truly kind, generous, genuine and happy person, as others have reflected. That was the theme of her requiem mass, which I was honoured to attend last week at St Mary's Cathedral, a suitably grand location. On hearing the beautiful, heartfelt and eloquent tribute from the former Premier, the Hon. Bob Carr, you really got a sense that Helena, with the sense of humility that drove her enormous contribution to the State, might have been a little bit embarrassed that we were all there.

Bob reflected on the unwavering support that she had provided to him over so many years, and the story that stayed with me from the beautiful and eloquent tribute was when he spoke about how he had been promoted to Minister while, at the same time, she had received a promotion at work. But she did not tell him about it until after he had been sworn in, because she knew what a huge moment it was for him. She was a genuine partner, in every sense, and I love the way the Hon John Graham said it was a genuine intellectual meeting of minds. It was a partnership that made such an enormous contribution to our party and our State, and it deserves recognition. That is why it is appropriate that we recognise her. Many of us have reflected on that.

We know Helena as Bob Carr's wife, but she was incredibly well accomplished. I reflect on her amazing story of growing up in Malaysia, writing to schools in Sydney and making the journey, as a teenager, to attend Our Lady of Mercy College Parramatta. We are so thankful for the remarkable resilience and strength that drove her to become an accomplished businesswoman in her own right and to continue to make that active public service contribution to our party and our State. I did get to know Helena a little bit through interactions over many years, and the last time I saw her was during the campaign. We were speaking at the at University of Technology Sydney Labor Club, and I was filling in for the Treasurer. In the way that she kindly and generously spoke to me as a young person wanting to get involved in politics, she did the same on that night with so many university students. It is that sense of duty and love and her partnership with Bob that we pay tribute to. Thank you so much, Helena Carr, for the remarkable contribution you made to our State and, of course, to our Premier, Bob Carr.

The Hon. ANTHONY D'ADAM (17:07): I contribute to the condolence motion for Helena Carr. It is undoubtedly true that when you are a participant in public life the love and support that is provided by your partner is essential to sustaining you. It is very hard to be in the public eye, and being able to draw on that kind of support is essential for you to be able to keep going, to get up each day and to do what you do, in often very difficult circumstances. It was clear from the very lovely service that the partnership that existed between Bob and Helena was something special that he drew a lot from, in terms of the kind of support that you need. She was an essential part of that. She was not someone who was there just in the good times, but who was there to support him in difficult times as well.

I was unaware of the accomplishments that Bob gave account of in her eulogy, but Helena was clearly an accomplished person in her own right. She was a very capable but very private person. She was someone who was not keen to be in the limelight but who had a partnership with a politician. Although Bob indicated in the eulogy that he thought that she had said to one of her friends that it might be interesting to have a politician as a partner, Helena really was someone who accepted that she was not a public figure and that the relationship that existed was one of supporting Bob in his public life. It is clear that Bob is suffering a great loss as a result of Helena's departure, and my heart goes out to him in this very difficult time.

The Hon. Dr SARAH KAINE (17:09): I contribute to the condolence motion for Helena Carr. I think my colleague and I must have been moved by the same sentiments, because I also intended to reflect on the partnership aspect of Helena's and Bob's contributions to this State. It is important that members reflect on that. I do not pretend to ever reach the accomplishments of either Helena or Bob, but as people who are in this line of work and potentially in the public eye, the support and love that we get from our partners and our families, as we have just heard, cannot be underestimated. I, too, was at the service last week. Bob Carr is a very impressive man with a very big presence and a clear intelligence. Most of the time, when you are in his orbit, you are taken by that. You are taken by his energy and gravitas, and that is quite imposing.

But last week in St Mary's Cathedral we were presented with a grieving husband who had lost someone key to his life, and it was very humbling to be in the presence of that grief. All of us who were at the cathedral last week shared both in the sense of joy that I think Bob wanted to portray about his life with Helena, but also the deep sense of loss. We could all reflect on that with regard to our own special people and what they mean to us and how much support we get from them. I join my colleagues in recognising that Helena was indeed a very impressive and special woman in her own right. Everyone has said that today, and we should make sure that we continue to recognise that. But we should also recognise that we can all see ourselves in Bob's experience: both in the support that we get from our own loved ones, and because we can also very much sympathise with the depth of his loss of his person. I was privileged to be there to share that last week.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:12): I briefly associate myself with and support the condolence motion. It is very appropriate that we are acknowledging the life of Helena Carr. I have known Helena in dispatches for many years, and she was nothing short of an absolute delight on every occasion that I interacted with her. I acknowledge, as others have said today, that Helena was incredibly accomplished and intelligent in her own right. But as a partner to former Premier Bob Carr, one of the giants of the Labor movement—as a partner to someone of that stature in our movement or as a partner to any Labor member—you become a member of the Labor family by default, whether you like it or not. That is what she was, and we certainly saw that in the beautiful service conducted in State Mary's Cathedral last week. My heartfelt condolences go to Bob. I know he is suffering greatly from the loss of his partner of 50-plus years. He delivered a wonderful eulogy at the service last week. I offer him my condolences.

The Hon. DANIEL MOOKHEY (Treasurer) (17:13): I had the great pleasure of having dinner with Bob and Helena Carr in April. I was newly sworn-in as Treasurer, and I was grabbed by them and by former Treasurer Egan. It was an opportunity for them to pass on their wisdom. I got to see the amazing power that Helena Carr had: a power that no Prime Minister had, no Parliament had, no Labor Party figure had and that no Liberal Party figure ever managed to achieve. That power was to send up Bob and mock him a great deal, and to do so in a manner that was devastating and terrific to watch. It was a singularly wielded power that punctuated his brilliance and his eloquence, and I got to see the genuine warmth and affection that the two of them had for each other. I also saw just how insightful Helena Carr was on so many different questions of commerce, geopolitics, State politics, national politics and business. Regardless of whether or not Bob was Premier—even if he was not—we would still be commemorating Helena Carr for her contributions.

The manner in which Helena built her business is an amazing story. The fact that she was a migrant is terrific and, to a son of migrants, inspiring. I also cannot overlook the fact that Helena attended Our Lady of Mercy College. It was a very important institution for her, and it is a very important institution for the Parramatta and Western Sydney community. As a famous alumna of that particular school, she was raised in the finest tradition of the school, with a strong Catholic social conscience and a real commitment to social justice. She had commitment to the best teachings of the Catholic social movement tradition, which are about using your power, privilege and compassion to give back. That is what she did throughout her entire life. It was to her great credit that Helena Carr was able to ply those talents and put them at the disposal of the State.

When Bob was foreign Minister, Helena was equally a very important presence and a national asset. Bob's diaries make the point that when you are turning up to dine with the Singaporean foreign Minister or the Malaysian foreign Minister, to be armed with an Australian of Helena's background is an amazing symbol and metaphor to send to the world. That is really only possible in Australia, and was of great benefit to this country. It was another form of contribution that we should not overlook. Helena will be missed by Bob, but she will also be missed by the Labor family and the Australian family as well. My generation of Labor Party people looked up to Bob and Helena. The 2003 campaign, which is dear to the hearts of many of us, consisted of Helena being such a strong advocate for our cause. She had such an impact on that election. I wish her the best in her eternal life, and offer heartfelt sympathy to the former Premier and foreign Minister.

The Hon. MARK BUTTIGIEG (17:17): In reply: I acknowledge the valuable and heartfelt contributions of my colleagues: the Hon. Natasha Maclaren-Jones, the Hon. Penny Sharpe, the Hon. John Graham, the Hon. Emily Suvaal, the Hon. Courtney Houssos, the Hon. Anthony D'Adam, the Hon. Dr Sarah Kaine, the Hon. Tara Moriarty and the Hon. Daniel Mookhey. I will finish with something that I think encapsulates the spirit of Helena and the depth of a person who has obviously gone through life reflecting on its meaning—more than just the superficialities of day-to-day work or business, the minutiae of life and what we all, as human beings, experience and go through—and thought beyond to what it genuinely means to be a human being and pass on into the next life. The ode that was presented at the funeral service last week very appropriately sums up Helena Carr. It reads:

When I come to the end of the road
 And the sun has set for me
 I want no rites in a gloom-filled room
 Why cry for a soul set free?
 Miss me a little, but not for long
 And not with your head bowed low
 Remember the love that once we shared
 Miss me, but let me go.
 For this is a journey we all must take
 And each must go alone.
 It's all part of the master plan
 A step on the road to home.
 When you are lonely and sick at heart
 Go to the friends we know.
 Laugh at all the things we used to do
 Miss me, but let me go.

Vale, Helena Carr.

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

Motion agreed to.

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

Motions

CHILD SEX ABUSE PROCEEDINGS AND PERMANENT STAYS

The Hon. JEREMY BUCKINGHAM (17:21): I move:

- (1) That this House notes that:
 - (a) a case was brought in January 2020 by the appellant known as "GLJ", who commenced proceedings in the Supreme Court of New South Wales against the Trustees of the Roman Catholic Church for damages for personal injury resulting from alleged child sexual abuse perpetrated against her in 1968 when she was 14 years old;
 - (b) the alleged perpetrator was a priest incardinated in the Diocese of Lismore;
 - (c) the church had sought a permanent stay of proceedings, thus cutting off any hope for justice in civil law for the plaintiff; and
 - (d) the appellant appealed this permanent stay to the High Court of Australia, which handed down its decision last month.
- (2) That this House welcomes:
 - (a) the recent High Court decision in favour of GLJ, where the judgement severely limited the use of permanent stays as a means of preventing litigants, especially child sexual abuse survivors, from pursuing their case in court;
 - (b) the conclusion, which stated that "the jurisdiction to grant a permanent stay must be understood as a measure of last resort"; and
 - (c) the prospect that future survivors of child sexual abuse will be free to have their case tested in court without unfair impediment, and to obtain just compensation if they win.
- (3) That this House notes the High Court's decision and reasoning in GLJ in which the focus was on the rights of the survivor to bring a case at any time, over and above the right of the institution to assert prejudice due to lapse of time.
- (4) This House calls on the Government to:
 - (a) consider legal or other mechanisms for those child abuse survivors already affected by permanent stays to seek justice;
 - (b) consider changing statute law to ban the use of permanent stays altogether in cases where child sexual abuse is alleged; and
 - (c) consider enacting legislation to amend the Limitation Act 1969 to remove this roadblock to justice once and for all.

I draw the attention of the House to what I believe is a very important and welcome decision handed down by the High Court of Australia on 1 November. In January 2020, the appellant known as "GLJ" commenced proceedings in the Supreme Court of New South Wales against the Trustees of the Roman Catholic Church for the Diocese of Lismore for damages for personal injury resulting from child sexual abuse alleged to have been perpetrated against her in 1968 when she was 14 years old. The alleged perpetrator was Father Clarence Anderson, who died in 1986—well before GLJ made a complaint to the Diocese of Lismore. The church argued that a just trial was impossible and sought a permanent stay of proceedings. An investigation by *The Guardian Australia* found that the church was routinely using permanent stays in cases where perpetrators had died, either to defeat active claims before the courts or to lowball survivors in settlement negotiations.

I note the research of Sydney barrister James Masur, who has strongly challenged the use of permanent stays in child sexual abuse cases. He argues that, too often, the very threat of a permanent stay will be enough to coerce a vulnerable survivor into a settlement that is not in their interests, or to risk an adverse costs order amounting to many tens or hundreds of thousands of dollars. Mr Masur also notes that it is in the nature of child sexual abuse that many survivors do not feel able to reveal their trauma or pursue justice until well into adulthood. He further says that the legal barriers imposed by limitation periods unfairly deprive plaintiffs of having their matters determined on merit. As with any other proceeding, if a case is vague or has no merit, the plaintiff is likely to lose.

The use of permanent stays is plainly against the spirit, if not the letter, of the findings made by the Royal Commission into Institutional Responses to Child Sexual Abuse, which lifted the previous limitation to prosecuting child abuse cases. I refer the House specifically to recommendation 7.5, which states:

The Australian Government and state and territory governments should ensure that legislation provides comprehensive protection for individuals who make reports in good faith about child sexual abuse in institutional contexts. Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report ...

I also refer to recommendation 7.6:

State and territory governments should amend child protection legislation to provide adequate protection for individuals who make complaints or reports in good faith to any institution engaging in child-related work about:

- a. child sexual abuse within that institution or
- b. the response of that institution to child sexual abuse.

Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report.

Finally, I quote Peter Karp, a solicitor who is a tireless defender of the legal rights of survivors of sexual assault. He told me:

The Royal Commission into Institutional Responses to Child Sexual Abuse made recommendations for the enactment of legislation to remove limitation periods for child abuse actions. The New South Wales Court of Appeal has taken a narrow interpretation of those provisions and child abuse actions heard since the removal of the limitation period, whereby institutions are able to rely upon the lapse of time since the abuse occurred as the basis for an application seeking the survivor's claim to be permanently stayed.

In light of the High Court's decision and reasoning in *GLJ* in which the focus was on the rights of the survivor to bring a case at any time, over and above the right of the institution to assert prejudice due to lapse of time, will the Parliament now enact legislation to amend the Limitation Act to remove this roadblock to justice once and for all?

For these reasons, I commend the motion to the House.

The Hon. MARK BUTTIGIEG (17:26): On behalf of the Government, I thank the Hon. Jeremy Buckingham for bringing this motion to the House. On Wednesday 1 November the High Court of Australia handed down its decision in *GLJ v Trustees of the Roman Catholic Church for the Diocese of Lismore*. The High Court found in favour of the appellant and overturned the Court of Appeal's decision to order a permanent stay. The appellant will now be able to continue to pursue civil litigation against the respondent, seeking compensation for injuries suffered as a result of the alleged abuse. The Department of Communities and Justice is carefully considering this decision and its implications for the use of permanent stays in civil litigation relating to historical child abuse.

The Attorney General has requested a brief on the High Court judgement and any implications that it may have. This is matter of significance that the New South Wales Government must consider incredibly carefully. I provide some brief background to illustrate why the Government must take a careful and considered approach to responding to this ruling. I draw to the attention of the House two of the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in its *Redress and Civil Litigation Report*. The first of those recommendations was:

State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person where that claim is founded on the personal injury of a person resulting from sexual abuse of the person in an institutional context when the person is or was a child.

We have done that in New South Wales and limitation periods do not apply to these particular claims. The second relevant recommendation made in the report was:

State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

The royal commission did not make this recommendation lightly. That is obvious from the careful consideration given in the report to competing arguments about limitation periods. One of the arguments made in the report in favour of limitation periods being relaxed was that the interests of the defendant would still be protected by the court's jurisdiction to stay proceedings if any delay has made the chances of a fair trial unlikely.

Specifically, the report stated that the commission acknowledged that institutions might face additional claims if limitation periods were removed with retrospective effect—and they now have been in New South Wales—but was satisfied that limitation periods had worked great injustices against survivors for some time. The report also considered that institutions' interests are adequately protected by the need for a claimant to prove his or her case on admissible evidence and, importantly, also acknowledged the court's power to stay proceedings in the event that a fair trial is not possible. In the time that remains for my speech, suffice it to say that the Government supports the motion as it asks for the Government to consider mechanisms and changing statute law, which we will do.

The Hon. SUSAN CARTER (17:30): I contribute to debate on the motion moved by the Hon. Jeremy Buckingham, and thank him for bringing this difficult issue to the attention of the House. Abuse of any kind is always wrong and cries out for justice, and child abuse can never be tolerated by a civil society. The legal system, which offers some hope of redress for survivors, should not inflict further harm or suffering. In 2016 then Attorney General the Hon. Gabrielle Upton observed:

... the abuse suffered by many children and young people in our community ... can forever alter the course of people's lives and continue to cause trauma and hardship for decades.

This was on the occasion of the introduction of the Limitation Amendment (Child Abuse) Bill 2016, which acknowledged the suffering of the survivors of child sexual abuse and sought to remove barriers to justice. The Attorney General recognised:

Legislation is not enough to take that pain [of abuse] away, but by removing the limitation periods for damages claims the bill will lift one barrier to justice for survivors of child abuse.

The bill inserted section 6A into the Limitation Act, which now provides that there is no limitation period for child abuse actions in New South Wales. I am proud to be a member of the party that was responsible for this important reform, which has offered hope and redress to a number of survivors. Section 6A (6) makes clear that it does not limit the inherent jurisdiction of the court, so the court's power to permanently stay proceedings remains. The motion calls for this to be reconsidered. As my colleague the Hon. Mark Buttigieg indicated, any reconsideration would require a careful weighing of factors as if, in seeking to improve access for survivors, we created other injustices. This would be very unfortunate. Happily, proceedings are rarely stayed. As the New South Wales Court of Criminal Appeal observed in *R v Littler* in 2001, the stay has long been considered:

... a remedy of last resort, only used in most exceptional circumstances, where any trial would involve such oppressive unfairness, incapable of being overcome, that it would be an abuse of process.

This view was recently endorsed by the High Court in *GLJ v The Trustees of the Roman Catholic Church for the Diocese of Lismore* and reminds us that in our system, Parliament and the courts are responsible together for the shaping of our legal system. Indeed, in GLJ, the majority of the High Court found that any abuse of process that could justify a stay must be evaluated in the context of section 6A. The best answer for child abuse is prevention. Legal action after the fact can never provide a complete redress. I endorse the intent of the motion that the legal system should not constitute a barrier to healing. Our amendments have started the process, but it is clear that this work is ongoing. It is not a finished book that can be put back on the shelf.

Ms SUE HIGGINSON (17:33): On behalf of The Greens, I support this motion moved by the Hon. Jeremy Buckingham. The GLJ decision is an important step on the path to justice for survivors of institutional sexual abuse. Permanent stays have been weaponised by the Catholic Church and other institutions to deny justice to people who have experienced the very worst of crimes. Not only have children been abused by members of the church but those perpetrators have been protected by the institution while they were alive and after they have died. These institutions have shown that they care more about cladding and sheltering their institution than justice and fair compensation for the people who have had their lives torn apart by the trauma.

Permanent stays are an important function of our legal system that can be used in exceptional circumstances, when nothing else can be done, to avoid an unfair trial. This legal mechanism has been identified and exploited by institutions to avoid accountability in child sexual abuse cases, protecting the institution from prosecution, even when the evidence has been compelling. And it is not just the Catholic Church that has weaponised permanent stays. We saw it in May this year when the New South Wales branch of the Scouts shielded an alleged perpetrator of child sexual abuse by securing a permanent stay. We know that in many cases the mere threat of a permanent stay has been used to push victim-survivors into accepting compensation payments that are far lower than what they might have won in a court case, and do not go close to reflecting the scale of suffering that has been caused by the institutional abuse they have suffered.

The High Court decision to overturn in the case of GLJ has rightly opened the door, which has been jammed shut, just enough to let some light in. Allowing this case to proceed means that all of those who have been denied justice through the use of permanent stays now have a small glimmer of hope of accessing justice. But the

Government now needs to respond to prevent the weaponising of permanent stays by powerful institutions against those who have endured the very worst. This needs to be a delicate reform that does not impede the ability of courts to make permanent stay orders where the circumstances of the case genuinely risk a miscarriage of justice, thereby maintaining the power of the courts to genuinely ensure that people are not subject to unfair trials.

We must make reforms to prevent permanent stays from being wielded by powerful institutions to avoid justice. We must also review the payments that have been accepted under the threat of a permanent stay to ensure that all victim-survivors of institutional abuse have access to justice and fair compensation. We look forward to seeing what the Government brings forward. This is a live matter that we should not be delaying at all. People are suffering and the Government must take steps.

The Hon. CAMERON MURPHY (17:36): I thank the Hon. Jeremy Buckingham for moving such an important motion that deals with such a traumatic and difficult issue. Child sexual abuse is an abhorrent crime that the State needs to do everything to stamp out. We must act to ensure that victims have access to justice and the full support of the State in terms of redress for the suffering that they have endured because of this crime. The motion asks us to consider a number of effects, including removing permanent stays. It is a really complicated problem, and it is important that the Government examines this in detail and carefully considers what has come out of the GLJ decision of the High Court. That decision reminds us that a permanent stay should be a matter of last resort.

The High Court also found that the New South Wales Supreme Court was granting permanent stays too readily in these cases, which acted as a barrier to people who were seeking justice and seeking redress as victims of child sexual abuse. Far too readily the Supreme Court was granting stays in favour of the horrific institutions that had perpetrated this abuse, which, in effect, assisted those institutions to cover up their horrific crimes. By the same token, it is a complicated issue. In my view, we must be very careful about removing permanent stays. From memory, section 6A of the Limitation Act 1969 sets out the removal of the limitation period for crimes of child sexual abuse.

As the royal commission found, it is a balancing act. If we remove the ability of people to make a claim, we still need to provide a permanent stay. I think it has been abused. Permanent stays have been used far too often and, as the previous speaker said, they have been, in a sense, weaponised. But we must look at this issue carefully, consider that decision and find a pathway forward that ensures that we have access to justice and that we look after victims. I would like to see a system where litigation is avoided and people are properly compensated without having to go through that process, but I welcome the motion and thank the honourable member for bringing it to the House.

The Hon. NATALIE WARD (17:39): I was not going to speak on this motion, but I feel compelled, so I will attempt to do so briefly. It would be remiss of me not to. I welcome the honourable member's motion. I readily admit that there are far too many lawyers in this place, but it behoves those of us who had a prior life in the profession to acknowledge the incredible work done here. I acted for hundreds of child sexual abuse survivors—those who did survive, who did not succumb and were able to bring a claim. Hundreds and hundreds cannot bring themselves to face bringing a claim to bring perpetrators to account. In the dark days, when we were bringing those claims and trying to work with the church through the Towards Healing program, many victim-survivors were persuaded to settle their claims because the heavy burden of going to court for a fully litigated set of proceedings was just too much. So I am proud of our Government's record and acknowledge the work of the Hon. Mark Speakman, SC, who did some big work for the Government in signing up to the redress scheme, which I welcomed.

The motion before the House is sensible. This area should continue to evolve, and we should continue to address the obstacles to justice in our legal system and amend them. I hope that the House does not mind the indulgence of my acknowledging my husband, David Begg, who acted pro bono for hundreds of clients. We took the Catholic Church to the High Court and were unsuccessful in the Ellis case against the Catholic Church, which gave rise to the famous Ellis defence. To go from that to standing in this place, where we brought in the redress scheme, with the church eventually agreeing to not use that defence, was a defining moment for me on this journey. I know that hundreds of other people were involved in that; I am not taking credit. It is a moment when I feel obliged to acknowledge the work of this member in bringing this motion forward and ask the Government to consider this change, the High Court's decision and what it can do to look at these mechanisms.

We have come a long way, but it behoves us to continue reforming this area of law to make it easier to seek and achieve justice. I acknowledge absolutely that there is a place for permanent stays, but there is a time and a place to recognise that the sheer obstacle of facing court is quite enough for these survivors. I commend and thank the honourable member for bringing the motion. My thoughts are with all of those victim-survivors and those who have not survived.

The Hon. STEPHEN LAWRENCE (17:42): I will say a few things about this important motion and the important decision of the High Court. One of the welcome developments in the law in recent decades is the renewed advent of civil actions in relation to sexual crimes. I think that it started with civil actions in relation to child sexual abuse, but it has also accelerated in more recent times in relation to adult sexual abuse. It is a welcome thing. Obviously, the accused persons, perpetrators or responsible institutions will not always be persons of means, but they often are. It is a good thing when victims take civil actions, whether after or in lieu of a criminal action. It needs to be said, though, that the power to stay a prosecution on the basis that no trial could be fair is a fundamentally important one, virtually a constitutional guarantee, and it applies to any party, whether an accused person in a criminal matter or a respondent in a civil matter. I do not think that it can be removed, ultimately.

I have read the decision of the High Court. One unfortunate thing is that not all seven judges sat. It was a court of only five, and the court was divided three to two on quite a complex matter. It is unfortunate that its weight of authority is perhaps somewhat reduced because of that. An interesting part of the judgements is focused on the question of the legal significance of the removal of the statute of limitations for these matters. The majority view was that the removal of the statute of limitations by the Legislature signalled something important in relation to the qualitative assessment of fairness. That removal, to them, was a signal thing in concluding that the trial could be fair, whereas, in the view of the minority, that had no relevance because, from the royal commission onwards, it was clear that the power to permanently stay was preserved, notwithstanding the removal of the statute of limitations.

It is a complex series of issues. I think that the impact of this decision on cases that have been disposed of by way of permanent stay or settlement will lie to be determined in the context of the principle of finality of litigation. I suspect that these things will be hard to unpick, but we have moved to better times for these matters, and one sign of that is the civil litigation that people engage in to vindicate their rights after these terrible crimes against them.

The Hon. JEREMY BUCKINGHAM (17:46): In reply: I thank all members for their considered, thoughtful, informed contributions to this important debate: the Hon. Mark Buttigieg, the Hon. Susan Carter, the Hon. Cameron Murphy, Ms Sue Higginson, the Hon. Natalie Ward and the Hon. Stephen Lawrence. Clearly, there are a lot of lawyers in this place, maybe too many. But it is good to see that the Government and all sides of politics recognise the importance of this decision and this issue and the profound impact that institutional child sexual abuse has had on individuals, families and society as a whole, and that so much work has been done in recent times by the former Government, by this Government, hopefully, and by society as a whole to redress those horrendous crimes and to make sure that victims of those crimes have access to justice.

The motion is a request for the Government to consider, and I welcome the contribution from the Parliamentary Secretary, saying that the Attorney General will be doing so. I did not include this in the motion, but I will be suggesting in a letter to the Attorney General that this matter be referred to the Standing Committee on Law and Justice. I think that that is an appropriate place for this matter to be considered by all parties and for a considered response to a complex and serious issue to be thoroughly developed. It is an appropriate way for this House to continue its work in reforming this space. We must always act to make sure that people impacted by these crimes have access to justice and that permanent stays are not weaponised or used, as Ms Sue Higginson said and the Hon. Natalie Ward suggested, in a way that makes people less inclined to pursue justice. With that said, I thank all honourable members for their consideration and commend the motion to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that the motion be agreed to.

Motion agreed to.

Documents

TRANSPORT FOR NSW TRANSITION OFFICE AND COORDINATOR GENERAL

Production of Documents: Order

The Hon. NATALIE WARD (17:49): I move:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 28 March 2023, in the possession, custody or control of the Premier, the Minister for Transport, Transport for NSW, Sydney Trains, Sydney Metro, the Cabinet Office, the Premier's Department or the Public Service Commission relating to the Transition Office and Coordinator General, Transport for NSW:

- (a) all documents relating to the proposal or creation of the Transition Office and related functions, structures or roles within Transport for NSW;
- (b) all documents relating to senior executive assignment, recruitment or appointment for the Transition Office in Transport for NSW;
- (c) all documents relating to the proposal or creation of the Coordinator General role at Transport for NSW;

- (d) all documents relating to the appointment or assignment of Mr Howard Collins as the Coordinator General, Transport for NSW;
- (e) all documents relating to the announcement of Mr Howard Collins as Coordinator General, Transport for NSW; and
- (f) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

This Standing Order 52 request stems from the transport Minister's budget estimates session earlier this month. I acknowledge that it was very nice to see her—finally—safely surrounded by public servants and her iPad to deliver non-answers. Following questions from the Opposition, a brave public servant who recognised their oath and the Oaths Act and their duty to tell the truth and the whole truth, went on the record to detail concerning matters. I outline them for the benefit of members: that the Minister's chief of staff directed Transport for NSW to create a new transition office in the public service; that the Minister's chief of staff told Transport for NSW that he would provide them with the names of who to appoint to the public service; that something unclear happened and the then secretary had to get legal advice to stop whatever happened in that appointment process; and that the then Minister's office did or did not provide a name for who should be appointed to the position in the public service.

This Standing Order 52 request will provide answers to what occurred in setting up the transition office and what role or directions the Minister's office had in the appointments or processes surrounding the office. It would appear there is more to see regarding its establishment, including a recruitment process, which was run after a candidate had already taken up the position. It is a serious matter that the ministerial office provided names to the public service of who it should employ in those positions and that it requested specific public servants to complete work. It was all very unclear and messy. Where there is smoke, there is fire and on the transition office, there is a lot of smoke.

In regard to paragraphs (c) and (e) I make a few comments on the odd and bizarre timing of the appointment. I place on the record that I am not attacking Mr Collins, who, in my experience, is an excellent and capable public servant, but the timing of the appointment is bizarre. It was reported on 2GB a week before the announcement that he would be getting a job. Members would remember that the media was interested in the appointment process of Josh Murray as the new transport secretary. Mr Collins was appointed on the day the new secretary started. He had discussions with the Minister's office and the chief of staff about his appointment. It is curious that a Minister's chief of staff was discussing a new job in the public service for a public servant. It goes to governance and transparency. It goes to ensuring that a proper process, as required under law, is followed.

This Government came to government on a platform—and it is a privilege to serve as a government—on the promise of accountability, transparency and integrity, which it said should be at the heart of government. It is clear that there are questions to answer and if it has nothing to worry about and nothing to hide then it should be emphatically supporting this Standing Order 52 saying, "We have nothing to hide. We will produce all the documents about the matter and we would love the opportunity to clear it up. We would love the opportunity," but I suspect we will not be seeing its enthusiastic support for the call for documents. I suspect that there will be the usual games of obfuscation, delay or other tactics. It will say, "It's not appropriate. Do not look here; there is nothing to see." If there is nothing to see, it should produce the documents, support the motion and be as accountable and transparent as it promised the voters of New South Wales it would be before it came to occupy the Government benches.

We know that there is more to see here. We have had the opportunity to ask questions and we have more questions to ask. The public service, who do an excellent job, deserve to have its integrity respected and deserve to have processes in place respected. Public servants deserve to be able to do their jobs unencumbered by political influence and deserve to do so independently, as they are required to do. I note that honourable members will have seen that a number of Standing Order 52s have been submitted by me this week—

The Hon. John Graham: A flurry.

The Hon. NATALIE WARD: A flurry. It should be no surprise to the Government. Government members are the architects of the Standing Order 52, as we were once the architects of the thing we discovered called estimates. I warmly commend it to honourable members and I hope that we have a production of documents within 21 days. I commend the motion 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) (17:54): There has been a flurry of calls for papers as we approach the end of the parliamentary year. The Government has done the best it can to work with the shadow Minister in the short time the Government has between when the motions are dropped on the *Notice Paper* and when they dealt with—this morning and this afternoon. I have assured the

shadow Minister that the Government will not move amendments on this occasion, but it opposes the call for papers.

I will make some general remarks and address some of the specific facts. The Government, as I have indicated, is concerned about some of the other calls for papers. They have been wideranging and they have captured all Ministers, all departmental liaison officers and a range of other public servants. This motion is more narrowly drawn and I thank the shadow Minister for that, but it is still part of a flurry of wideranging calls for papers. It presents legal issues for the House. I have already made comments about that. I recognise that the Minister turned up to estimates, answered questions and responded to each question that was put. I discourage any member of the House from consistently naming public servants as we make those observations where we can. I believe that should be the practice.

I watched estimates. The Transport estimates hearing was on shortly before my own, so I was keenly watching the shadow Minister in action to get some clues about where she might head in my session. I watched it but I have to say that I do not agree with her characterisation of the facts. I do not agree that the evidence showed there was a direction from the chief of staff. That formal direction power, usually exercised in writing, certainly did not appear to occur. That was not the evidence I saw when I observed that estimates hearing.

It was true that legal advice was sought but, in my brief experience as Minister, I can assure the House that in the transport space legal advice is relatively routine in my brief experience as a Minister. That advice was then followed when it was drawn to the attention of the Minister's office. That was what I heard senior public servants assure the hearing. The shadow Minister is entitled to have her own view about those facts; I am simply giving my recollection of that evidence. Members should check for themselves the assurances that were given in that session, including by senior public servants. For those reasons, that is the Government's position today. It is an unamended Government position, but it is where the Government rests today.

The Hon. CAMERON MURPHY (17:57): I make a contribution to the debate on the motion moved by the Hon. Natalie Ward. I was there in estimates and I observed the shadow Minister deftly asking the right questions and using her enormous talent and skill to cross-examine the Minister and all the public servants about exactly those matters. She did an excellent job and she ought to be congratulated on the great work she did during estimates, but the content of the motion has already been canvassed. What we are left with here in the Standing Order 52 is nothing more than a grand fishing expedition. All of those questions were asked. The Minister and the public servants were grilled for more than half a day. This motion and the earlier one on private members business item No. 603, concerning staffing requests, are both unreasonably broad and incredibly burdensome on the Executive.

This issue has been completely and fully canvassed through the estimates processes. We have already made a number of orders for papers in relation to this matter over the past few months as well as orders relating to staffing matters in Transport for NSW. The Government has complied with all of those orders. Now another two calls for papers are seeking more information. I listened carefully to the contribution of the shadow Minister, and that was not my recollection of estimates. Having been in the room, it is my view that the questions were answered properly by the Minister and public servants.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I remind the Hon. Wes Fang that he is on two calls to order.

The Hon. CAMERON MURPHY: The matter has been effectively dealt with through that process. This motion calling for papers is nothing more than a grand fishing expedition, which will put a great burden on the Executive. It will take people like Howard Collins, whom the shadow Minister praised, away from the important job of fixing our transport system and keeping it running on time. Public servants everywhere will be searching through files, trying to produce those documents for yet another fishing expedition, when those matters have already been fully and appropriately canvassed through the estimates process. I oppose the motion for that reason. There is nothing to see here; everything has been produced. It is time for the Opposition to move on to important matters. [*Time expired.*]

The Hon. Dr SARAH KAINE (18:00): I speak in opposition to the motion. Like my colleague, I was present for the duration of the budget estimates hearing. I have a very different recollection from the Hon. Natalie Ward of the answers that were given that day. A couple of matters in particular strike me as quite starkly different. Firstly, the Hon. Natalie Ward mentioned the evidence that was given by one public servant in particular about the set-up of the transition office. I distinctly know, because I asked clarifying questions of that public servant about the nature of the requests from the various offices to the public servants, about the set-up of that transition office. I caution members of the House about accepting an interpretation of events and of answers that does not accord with the recollections of at least two of us who were in the estimates hearing at the time.

Secondly, paragraph (a) of the motion refers to "all documents relating to the proposal or creation of the transition office and related functions, structures or roles". Government members expressly asked—forgive me if I get the title wrong—the chief counsel in the Premier's Department about the set-up of the transition office and the legitimacy of that request and, indeed, that entire exercise. We were assured that that was within the realms of accepted general practice. I can only concur with my colleagues that this motion is indeed a grand fishing exercise that smacks of desperation. The Opposition has had attempts in budget estimates and through earlier calls for papers under Standing Order 52. Surely it is time for the Opposition to accept that there is nothing further to investigate and to move on—hopefully to something more fruitful for the State of New South Wales. I oppose the motion.

The Hon. STEPHEN LAWRENCE (18:03): I also speak against the motion, which the Government, of course, opposes. When the motion is considered together with private member's business item No. 603, which is concerned with staffing requests from ministerial offices, we get the full sense of how unreasonably broad and overly burdensome on the Executive the motion is. It is certainly a good thing that we have the estimates process. It was a privilege to be a part of it for the first time and to see that accountability mechanism work. Of course, we also have question time and all of the other processes of the Parliament. But in the context of those processes working, and in the context of members already having had many opportunities—hours and hours, really—to examine these issues, it certainly could not be said that they have not had a chance to get to the bottom of some of them.

Certain matters have come to light that have been made much of, but when one looks at the limbs of the motion one really does get a sense of how incredibly broad it is. There are phrases like "all documents in relation to the creation of an office" and "all documents relating to senior executive assignments, recruitments or appointments" et cetera. One really gets a sense that we will be providing reams and reams of documents. Some notion of reasonableness must come into play. The Executive has a role to govern the State. At some point it becomes burdensome and, frankly, a waste of public money. That is at play here; that is what the Opposition is doing. It does not have a factual basis for bringing this motion. After everything that we have heard, any reasonable analysis shows that.

Frankly, the Opposition is engaging in a waste of our public money. It will not end there because there will be matters that come out of it and much time will be spent on it. That will mean more burden on the Executive when our officials could be working in the public interest and for the people of the State. I urge members to not just vote on a reflex but to look at the matter on its merits and consider it carefully. If they do that, they will reach the conclusion that this truly is an abuse of the processes of the House and will lead to a true waste of public money. It should not be countenanced; it should be voted down.

The Hon. MARK LATHAM (18:06): The abuse has been in the office of the Minister—that is the reality. I remember the last time the Hon. Natalie Ward moved a motion under Standing Order 52. A conga line of Labor backbenchers with material written by the Minister's office came forward with all sorts of outrage and denial that anything could possibly be wrong. We have seen more than one strike with Josh Murray, more than two strikes with the departmental liaison officer [DLO] and there is a third strike against this Minister. Old, slow-talking Huckleberry said that this is an abuse of process. The abuse came from the office of his own Minister. My advice to the member is—and I know he puffs himself up and holds his lapels for the defence—that I would not go defending her.

Given the whole record in this House, if we see one strike and then a second and then a third, well, they are out. We have seen a lot of smoke as the bat has been swung through. That normally indicates that there is more to come. That is the role of this Chamber. For members who might not have seen the noble Labor Opposition in the last term of Parliament, the young man opposite produced his own library, one floor up from this Chamber. The "Daniel Mookhey, have a lookey" library was famous. It was the good, legitimate transparency work of a fighting Opposition, no doubt, and it was fine to see from the crossbench. But no different standard should apply in this Parliament—that is the point. The standard I have always set for a Standing Order 52 motion is that it must always be more than a fishing trip; it must be based on existing public controversies and a reasonable suspicion that we will find something.

The accountability and transparency functions of this Chamber through Standing Order 52 have been fundamentally important to trying to lift the standard of government in this State. The reality for Chris Minns is that he promised a whole new era. He looked at the sparkling diamonds of the Mookhey library and thought, "We can do so much better. No jobs for the boys; no Barilaro-type scandals. We are going to set a new standard." Well, it has not been set by Minister Haylen. I do not know why. If she wanted Josh Murray, she should have just appointed him. These new DLOs are drawing up contradictions like "this bloke said this" and "this one said that". Do they really need to go to that trouble in their office when they have said that they will not politicise issues that should not be politicised?

The Hon. Natalie Ward is following in the footsteps of the interrogators who sit opposite. They are smiling. They know the work they have done. What they did was set an example for others to follow, and that is why this motion should be supported. It is a legitimate Standing Order 52 motion of this Chamber. It is consistent with our functions as a house of review, with transparency and accountability. Let us get on with the business and add to the Mookhey library.

The Hon. Daniel Mookhey: A poor addition to my library.

The Hon. MARK LATHAM: We love the library, and we love this motion.

The Hon. MARK BUTTIGIEG (18:09): I suppose in some senses we have to be sympathetic towards an opposition that is not prepared to argue policy, a re-election platform or, in some cases, is doubling down on its previous failed platform. Every time we raise privatisation, those opposite double-down and say it was a good idea. So one can understand them wanting to trawl through documentation to try to target Ministers instead of coming up with an alternative policy platform. The Hon. Mark Latham makes the comparison with the Mookhey wing. The Mookhey wing was a qualitative analysis of failed government policy. We were not about attacking Ministers and bringing Ministers down. If members remember—and I remember very well—it was about exposing rorts like the Transport Asset Holding Entity and the mismanagement of icare. We used Standing Order 52 very productively, which ended up creating the impression in the public mind that the Government at the time could not manage things properly.

It was not about gratuitous fishing exercises to try to attack Ministers on the basis that we had a whiff of grapeshot, so let's keep going—trawling and trawling until we bring it out. Those opposite have moved motion after motion under Standing Order 52, and they have had budget estimates hearings—and they still cannot lay a blow. Now we have "all documents relating to the proposal or creation of the transition office", "all documents relating to senior executive assignment recruitment", "all documents relating to the proposal"—all, all, all. Earlier today amendments were moved to expand the terms of reference to keep this going as a political issue for as long as they can. It is very obvious that all the Opposition is trying to do is besmirch the character of Ministers to try to get a political blow. Why does it not put in the legwork and work on some policy, for God's sake?

The Hon. NATALIE WARD (18:12): In reply: I thank honourable members for their contributions. How telling that five Labor Government members got on their feet to oppose the motion. But not one defended the Minister or her actions. Not one addressed the actions that I clearly outlined for consideration by this House. It is telling that everyone got to their feet to oppose the Standing Order 52—

The Hon. John Graham: Point of order: I ask the shadow Minister to reflect on whether that accurately represents the contributions, particularly mine.

The Hon. NATALIE WARD: I will move on because time is short, but there is much more to see here because we have not had fulsome answers. Had we had fulsome answers and fulsome production—not over a period and by tranche, narrowed down and narrowed down—we may well have an answer on this, but we do not. There is so much more to see here. We know that; it is very clear. A brave public servant has come out with the truth, done her job and done her duty, and we could deal with this very quickly and easily if the Minister would front up. We had an inquiry. She was invited to attend and she did not attend. That in itself is telling. It is ironic that the Government now opposes the motion and says that lots of public servants will be trawling through lots of documents when just a while ago they moved a motion for four years' worth of documents to be produced to this House. Someone should get their story straight. Someone should sort out their approach.

Standing Order 52 is a fundamental part of the rules of this House, the house of review. With the greatest of respect to newer members, that is our job. That is what we do in this House, and that is what they did in opposition. I will not paste anymore on the Hon. Daniel Mookhey—he has had enough approval today—but I acknowledge the Hon. Mark Latham, who made the point that the Hon. Daniel Mookhey taught us everything we know. We are here to look at documents. We are here to get to the bottom of this, and we will do so relentlessly. We do not shy away from the fact that this matter involves public servants and public money. The Minister did not answer basic questions in estimates hearings and the documents have not been produced. To say that a former public servant is attacking people just for doing their job—and even having this debate—is ironic when all of us want good governance. We want good government use of taxpayers' dollars.

The Hon. Sam Faraway: Just follow the rules.

The Hon. NATALIE WARD: Follow the rules. There will be no questions to answer if the Government follows the rules. But it clearly has not. There is more to see here. We have not had the chance to ask all of the questions. We will continue to do so relentlessly. On that basis, I commend the motion to the House—and there will be more.

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

Motion agreed to.

Budget

BUDGET ESTIMATES 2023-24 TIMETABLE

The Hon. MARK BANASIAK (18:15): I move:

- (1) 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, and the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, Portfolio Committee No. 4 - Regional NSW hold a supplementary hearing in 2023 to examine the portfolios of Agriculture, Regional New South Wales, and Western New South Wales.
- (2) That for the purposes of the 2023-2024 supplementary budget estimates hearing:
 - (a) each portfolio be examined concurrently by Opposition and crossbench members only, from 9.15 a.m. to 10.45 a.m., and from 11.15 a.m. to 12.45 p.m., then from 2.00 p.m. to 3.30 p.m., and from 3.45 p.m. to 5.15 p.m., with 15 minutes reserved for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m., if required;
 - (b) the committee must hear evidence in public;
 - (c) the committee may ask for explanations from the Minister, Parliamentary Secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure;
 - (d) the Minister be invited to appear for the morning session only unless requested by the committee to appear also for the afternoon session;
 - (e) witnesses, including the Minister, may not make an opening statement before a committee commences questions;
 - (f) members may lodge supplementary questions with the committee clerk by 5.00 p.m. within two business days following the receipt of the hearing transcript; and
 - (g) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.

I thank the Government for objecting to my motion regarding a supplementary hearing into the Agriculture portfolio being taken as formal business, despite the Minister's reaction and comments yesterday following Opposition interjection where she indicated she was keen. It gives us the opportunity to raise some of the reasons that it is important for this House, not just from my perspective but also that of other members. I move this motion in part as the chair of Portfolio Committee No. 4 - Regional NSW, on behalf of that committee, just as I did in the previous Parliament when members of the committee wanted an annual inquiry into approved charitable organisations. I used my private member's time to be a servant of democracy. As members of this House, we all acknowledge and accept that it is the responsibility of committees to examine issues in thorough detail. Budget estimates hearings are a key process for government accountability and transparency.

As the chair of Portfolio Committee No. 4 - Regional NSW, it is my duty to facilitate fellow members having every opportunity to hold the Government to account. I note that the Agriculture portfolio is significant and deeply entrenched in the veins of the Shooters, Fishers and Farmers Party. I also recognise that there are other members of this House who are keen in this space and are partial to sectors of the industry as well. It has been noted to me personally that I am a fair chair. I believe even the Hon. Mick Veitch remarked on that fact in his valedictory speech. Being the fair and reasonable chair that I undeniably am, what reason could I possibly have to deny the request of my colleagues for the opportunity of an additional hearing? In seriousness, being a fair chair, it is worth noting that during the estimates hearing there were more than 102 points of order taken by Government committee members.

In many cases, those points of order were not valid. To help to educate some of the new committee members on the Government side, I did take time to explain the reasons for that. They were dealt with as expediently as possible by me, but it did test my patience, and clearly that of other members as well. Midway through the hearing I was approached by several members who felt that they were being swindled because of the vast number of points of order, which inevitably ate into the committee's opportunity to constructively criticise the Government. From my personal perspective, I know that I probably have at least three-quarters of a day's worth of questions unasked. Other committee members would probably say something similar, but I will allow them to articulate that themselves.

To pre-empt some of the potential arguments we may hear in response from the Government, it is not possible to put every question as a supplementary because quite often the answer we get to our first question might materially change how we ask our next couple of follow-up questions. It is also not acceptable to just wait until 6 February. Some of the questions I wish to ask about the work that the department is doing are time sensitive. There is a distinct impression in the community that I represent that the department is actively trying to walk this

Government back from certain election commitments, and I do not really want to wait until 6 February to ask questions regarding that. With that in mind, I commend the motion to the House.

The Hon. SAM FARRAWAY (18:19): I support the motion and declare from the outset that I was one of the members who moved the motion to our fair chair during the estimates hearing of Portfolio Committee No. 4. As the Hon. Mark Banasiak has said, there were some new Government members and it was early in the estimates process. They were a bit excited and took 102 points of order. We are debating this motion today because, as the chair outlined, there were a significant number of questions on behalf of the Opposition that I was unable to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales.

I acknowledge that, in a bit of banter, the Minister said she wants to turn up. That is a good thing. I urge the Minister to support the motion and turn up, because Agriculture is a huge portfolio. I hope that she takes it as seriously as I do, but it is a big one. Agriculture is at a particular juncture right now based on a factor external to many farming operations, families and communities, and that is moisture. It is rain. What is the outlook for a lot of those communities? What support is available? I note that the Government has made announcements recently, and that is important, but the Minister holds big portfolios. There is significant change around funding and around programs from the last budget. I note significant cuts in certain areas, and Portfolio Committee No. 4 needs to explore the unfinished business from these budget estimates.

I have seen this done before. There is a way to have a truncated additional estimates hearing, and I think it would be hugely valuable to the people of regional New South Wales and many of the stakeholders in and around the agricultural sector. I also have pages of questions regarding projects that are in train or thoughts, criticisms and feedback around different programs and different funding instruments in the portfolio of Western New South Wales. They are important questions.

In the estimates hearings I participated in after Minister Moriarty's hearing, the points of order reduced significantly. I certainly have not seen the need to call any other Ministers back before the committee for estimates, as some of my colleagues on the Government benches did not take as many points of order. That is the reality of the situation. There is a full day's worth of questions between Opposition and crossbench members, and I urge all members to support the motion so we can ask those questions.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:22): The Government will not oppose the motion, but there is a need for some pause for thought about what the House is doing. Calling a Minister back, on top of the 29 days of budget estimates next year and the opportunities that members have to question Government members, is a new precedent. The role of estimates is incredibly important. Members on this side of the House support that, and we are given the opportunity to do that. There are also a range of other ways that members can hold the Government to account and ask questions of the Minister. Both members who have spoken in support of the motion spend a lot of time in question time every day asking questions of the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales.

We had this conversation yesterday when we were talking about the Government's ability to set down the sitting days and deal with estimates hearings, and the motion is a departure from that. It was the first budget estimates for everyone, and I think we were all learning a bit in terms of being on the other side of the table. We also have a lot of new members. That does not necessarily make the motion reasonable. As I said, the Government will not oppose it. But the ability of the Government to do its work and to travel around New South Wales, particularly this Minister—which is demanded by members on the other side of the House—

The Hon. Sam Farraway: It is expected; it is the portfolio she holds.

The Hon. PENNY SHARPE: Yes, which she does all the time. The other point suggests that members opposite do not have other opportunities to question her and to put questions on notice. I do not know how many questions they have asked on notice, but it is probably a couple of hundred. There is a lot of opportunity here. The Minister will appear before estimates again in February. But, as I said, the Government does not oppose the motion. We have nothing to hide; the Minister has nothing to hide. She is doing a fantastic job in what is a very difficult—

The Hon. Wes Fang: Huh!

The Hon. PENNY SHARPE: You are on two calls, mate.

The Hon. Wes Fang: I know.

The Hon. PENNY SHARPE: There is still time. There have been a lot of opportunities to ask questions, and it is a significant departure. We know Opposition members have been challenged going into opposition. They

are not very happy about it; they are still very angry about it. But they should think about what they are doing in relation to the role of the Government and the role of this House. But the Minister is happy to answer their questions.

The Hon. EMMA HURST (18:26): Others have already articulated this, but the significant number of points of order that were taken needs to be highlighted. A point of order was taken regarding the very first question that was asked. There were over 10 points of order in the first 20 minutes, which included significant discussion around several of them. Over 100 points of order were taken across the session. Some of them may have been valid, and this is not about whether points of order can be taken. It is about the large number of frivolous points of order, which waste the time of people who have been democratically elected to ask questions of the Minister about the portfolio. I have a couple of examples of some points of order that were taken during the day. I was asking questions about shark nets, to which the Hon. Greg Donnelly took a point of order. He said:

I understand that the person pursuing the line of questioning is a representative from Animal Justice Party, not The Greens party.

I highlighted that that was not a point of order. The Hon. Greg Donnelly said:

I would have thought that The Greens party, if they had a concern, would have raised this. They had the opportunity.

To that I said again that it was not a point of order and the chair agreed, stating that it was not a valid point of order. At another point during the day, the Hon. Bronnie Taylor asked the Minister a question. The Minister responded, "I don't know the definition that you're putting to me." The Hon. Bronnie Taylor responded, "You don't know. That's fine. I'll move on." The Hon. Greg Donnelly took a point of order and stated:

The Minister answers, and then she comes back by saying she doesn't know. That's just trying to have the final say. That's not the way—

The chair said, "The Minister admitted that she didn't know. The member just reiterated that point." Then the chair asked us to move on. Those are just a couple of examples of the frivolous points of order that we were dealing with, and obviously that frustrates the entire budget estimates process. I agree with the Leader of the House that Ministers have a lot of work to do and a lot of travel to do, and it will always be difficult to bring one of the Ministers back for another budget estimates day. But if Government members want to avoid that in future, I suggest that they allow the budget estimates days to run their course and allow Ministers to actually answer the questions, rather than frustrating the process. The committee members have so many questions left over to ask because so much of our time was wasted on so many points of order. I support the motion.

Ms ABIGAIL BOYD (18:28): On behalf of The Greens, I indicate support for this motion. We do not do so lightly; we gave it significant thought and had discussions between ourselves. A number of the budget estimates sessions were, in my view, unduly interfered with by Government members. A lot of the new Government members were taking points of order which we had not encountered in the previous two or three terms of Parliament. They were not in the spirit of budget estimates, which is about holding the Minister and the bureaucrats to account and being able to ask not just the questions that we want to ask, but also the questions that we know the people at home want us to ask.

We know that people have a list of questions that they want to see the Minister respond to. There were many cases in budget estimates where, even though a Minister seemed quite willing to respond, Government members were, in some cases, interfering by taking the most absurd and ridiculous points of order, like the one that the Hon. Emma Hurst just raised, when an Animal Justice Party member was told, "You're not a Greens member." That Government member must have known it was an absurd point of order. If that is not an abuse of process and an interference, I do not know what is.

As I said, a lot of the budget estimates in this session were marred by that sort of Government interference. It was well in excess of anything that I witnessed from Government members in the previous term of Parliament and was completely unnecessary. It did no favours to the Ministers who were trying to answer the questions. This is a learning experience. We are new at having a Labor Government and a different Opposition. I understand that. This was a first go at budget estimates in this new term of Parliament, but the way it happened this time did not work.

In the case of Portfolio Committee No. 4, it particularly did not work. I encourage the Government members who were sitting on that committee to reconsider their tactics because I do not think they were beneficial for the Government, the Minister or democracy. That is my view on that. The Greens were convinced to vote in favour of this motion more so on the basis that a committee has been elected to fulfil a purpose. We have elected people to committees. The committee, in this case, believes it needs another day of hearings with the Minister in order to fulfil its investigations for this particular inquiry, and I do not think that we should be overriding the will of the committee.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:31): As has been indicated by the Leader of the Government in this place, we are not opposing the motion. I am not opposed to the motion. I think it is a waste of everybody's time, but I respect the processes of the House and I respect the processes of the committee. At no point in this debate has anybody said I did not answer a question. I answered every single question that was asked of me during the hearing. I will be back for supplementary budget estimates hearings in February, very willingly, just like the rest of the Government. I am here every day, and all of the things that people felt that they missed in the hearing that happened a month or so ago can be asked of me any day in question time. I have just signed off on and submitted about 200 supplementary questions that were put to me. Just for the record, there are people who participated in this debate today who are members of the committee and who did not even submit a supplementary question. The processes of the House provide many appropriate opportunities to ask Ministers questions. Budget estimates hearings are but one of them. Question time is another. Supplementary questions from budget estimates is another.

Again, there were parties who did not bother to submit supplementary questions; nor did anyone wait for the answers that have been submitted today, which members would not have seen before debating this motion. I am advised that the motion to call me back was drafted in the lunch break at the midpoint of the hearing, so people did not even wait for the hearing to conclude. There is clearly an agenda here. That is okay. My job is to be accountable. I have nothing to hide. I am very proud of the job I am doing as the Minister for Agriculture. It is a sector that I take seriously, and it is a role that I enjoy very much. I enjoy meeting with all of the stakeholders and representing their views in this place. Frankly, I think I am doing a good job of it. I am going to continue doing that for people in the agriculture sector in New South Wales and western New South Wales.

I am a very open book. My door is open for people who have questions outside of this Chamber. Pretty much all members of this House have come to ask me about different issues for different stakeholders. Local MPs from every party have come through. They are very welcome to continue to do that. The door is open and the phone is on. I will be here at question time tomorrow. I will be answering more questions on notice. I will be here at budget estimates in February. I will be out on the road engaging with stakeholders between now and when we are back next year. I genuinely have nothing to hide, so I will participate in whatever processes the House feels need to occur. But people should think carefully about what is happening here, because, again, no-one is alleging that I did not answer any questions. I have done and I continue to do so. I look forward to continuing to engage with every member of this House and the House as a whole about any issues that they feel are necessary for the Government to engage on.

The Hon. WES FANG (18:35): In her contribution the Minister said that, at this point, nobody has made the accusation that she did not answer questions during the budget estimates hearing. I ask members to read the transcript and note that the Minister was consistently asked questions and said she did not know the answer. For example, the Hon. Bronnie Taylor would ask her to take a question on notice, and she would refuse. So not only did she refuse to provide an answer, she would refuse to take questions on notice and provide an answer later on. Members should check the transcript. The Minister is condemned by her own words in that transcript, and that is another reason why she is being called back.

The Hon. MARK BANASIAK (18:36): In reply: I thank the honourable members for their contributions. I will pick up on a couple of things before we close here. The Hon. Penny Sharpe mentioned that this is some sort of straying from tradition, but I note that in the previous Parliament we called the education committee back because we found out the witnesses were doing dress rehearsals. We called them back for an additional hearing because the answers were unsatisfactory—

The Hon. Mark Latham: It was misleading.

The Hon. MARK BANASIAK: —and misleading. So it is not a complete change of tradition. It is not breaking new ground. I also note that a lot has been said about the other opportunities to ask questions in this place. Notably, most crossbenchers only get one question in a sitting week, and supplementary questions do not provide the opportunity to get that immediate feedback from a Minister or a public servant and then ask follow-up questions. A very special part of what budget estimates provides for crossbenchers and opposition is the immediate feedback of an answer and then being able to immediately ask a clarifying or follow-up question.

We do not get that with supplementary questions. We do not get that with questions in the Chamber necessarily. We do not get that with questions on notice, which are put in writing. There is a lag. We should acknowledge that special advantage of immediate feedback that we get in budget estimates. I note the Minister said that she is willing to come back, and she has expressed her willingness for anyone to come into her office. I have taken up that offer. We have had a lot of good conversations on a lot of things. That is important; I accept that. But so is budget estimates. On that note, I commend the motion to the House.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that the motion be agreed to.

Motion agreed to.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I shall now leave the chair. The House will resume at 8.00 p.m.

Motions

STATE INFRASTRUCTURE

The Hon. SAM FARRAWAY (20:01): I move:

- (1) That this House notes that:
 - (a) funding for 17 critical infrastructure projects across New South Wales has been cut by the Federal Labor Government following its strategic infrastructure reviews;
 - (b) the total loss for New South Wales infrastructure funding from the Federal Labor Government's cuts is \$3.6 billion, over half the total \$7 billion cut nationwide; and
 - (c) this substantial loss of Federal funding for New South Wales critical infrastructure will have severe budgetary impacts on future New South Wales budgets.
- (2) That this House condemns the Albanese Labor Government for these savage cuts to critical infrastructure funding for New South Wales.

The motion speaks for itself. Seventeen critical infrastructure projects across New South Wales have been cut by the Federal Labor Government under its 90-day infrastructure review, which took the Treasurer's colleagues in Canberra over 200 days. It is unacceptable. The infrastructure funding the Federal Labor Government has cut is \$3.6 billion. More than half of the total cuts nationwide have come at the expense of New South Wales. This is just not acceptable. This does not pass the test, in particular in communities where these projects have been cut.

A good example is the \$44 million Moree intermodal overpass. I truly believe that someone in the State Labor Government is not talking to someone in the Federal Labor Government because this is an important part of the puzzle of inland rail and even more so of the Moree Special Activation Precinct. A \$224.8 million project is happening in Moree for the special activation precinct. To cut the intermodal overpass is so narrow-minded, as is the common theme with these cuts to projects. How does the Moree Special Activation Precinct reach its full potential without that overpass?

Many will have heard my comments about the Great Western Highway this week. I cannot believe the narrow-minded vision that has led to the decision to cut one of the most important east-west connecting highways that this State and country needs upgraded. Some 18,000 tonnes of freight are transported between the Central West and Sydney by road. Some 20,000 vehicles per day transit through the Blue Mountains, connecting the city with the bush over the divide. We are talking about a \$2.032 billion cut to a project for 34 kilometres of road duplication between Lithgow and Katoomba. Again, I just cannot believe it.

There are 8,500 vehicle movements per day in and around Lithgow. The population of the Central West is growing. If people need more housing, they will have to go west. They will choose the country lifestyle of the Central West. But in order for people to build lives, have families, build houses and send kids to school, they need better connectivity. That will not be the case if we do not have connectivity between the east and the west, between the city and the bush. That is not to mention getting the freight—commodities, fresh food and fibre—from paddock to port or to distribution centres.

This week Ron Finemore, the founder and owner of a successful trucking company, has been reported in the media as saying that anyone who would make these funding cuts to the Great Western Highway must not have driven on that road. If they had driven on that highway, there is no way they would ever endorse a cut, because it is no longer fit for purpose. Ron has his trucks climbing up Mount Victoria in the middle of winter, with black ice on the road, which was built by convicts. As I have said earlier, there was a lot of vision when that was built by convicts. But it is madness to think that in 2023 we cannot incrementally upgrade this highway by means of the same funding agreements and structures on the 80-20 model, which is how the Pacific Highway was built. It is how all of the major highways in the State—the Golden Highway, the Pacific Highway, the Princes Highway—should be built. That includes the Great Western Highway.

I call out the Federal Labor Government for the uncertainty that Minister King has caused for road construction companies, for local communities, for businesses and even for the State Labor Government and Treasurer Mookhey, who did not know what was cut, what was in and what was out, while he was doing his own cutting, of course. What is sad is that I am sure that construction companies with no ability to plan have had to lay off workers across the country. It is so disappointing that the Federal Labor Minister has been hiding behind

a fake review. With over 200 days taken to do a 90-day infrastructure review, it is clearly evident that certain Labor Ministers do not have the back of people in the Central West.

The cuts are not only to significant roads, such as the Great Western Highway. There are cuts to the Bruxner Highway. There are also cuts to commuter car parks. We have been talking about one particular MP on the coast who thinks that it is a good idea to cut funding for commuter car parks, even though the member had something else to say only months prior. There are cuts to the planned improvements to Gwydir Highway, the M7 and M12 interchange and stage two of Mulgoa Road. Another big cut is to the inland port at Narrabri. That is a significant investment that the community of Narrabri needs to see it prosper and succeed into the future, to complement inland rail, to complement the future of gas in that area, and to complement the Moree Special Activation Precinct. It was always about ensuring that the region had the ability to grow and be diverse well into the future.

We are talking about the southern connector road at Jindabyne, the Remembrance Driveway corridor upgrade around Camden, and the Western Sydney road transport network development and planning. The list goes on and on. I ask Treasurer Mookhey who stood up to the Feds, to Catherine King and to Prime Minister Albanese? For New South Wales to have to wear about 50 per cent or \$3.6 billion worth of the \$7 billion worth of nationwide cuts is unfair on New South Wales because this State, in particular regional New South Wales, pulls its weight. It contributes its fair share not only to the State's economy but also to our national economy. If New South Wales does not have the infrastructure to succeed and prosper into the future, this country will not succeed and prosper into the future. I ask Minister Graham and Minister Aitchison, in particular, to tell us what they said, how much they defended the cuts and what they are doing to ensure that the Federal Government comes back on board with those critical infrastructure projects. [*Time expired.*]

The Hon. DANIEL MOOKHEY (Treasurer) (20:09): The Commonwealth infrastructure decision is poor in the short term and it threatens to become disastrous in the long term. It continues a long pattern of funding decline from the Commonwealth, regardless of who has been in charge in Canberra. No-one should forget that this State takes 37 per cent of the Commonwealth's population increase, on average, each year. We account for 32 per cent of the economy and the population, yet a decade of conservative rule in this State and in Canberra has seen New South Wales' share of Commonwealth investment fall to just 23 per cent. That long-term pattern of decline wounds the citizens of this State—in Sydney, Newcastle, Wollongong and regional New South Wales.

My message to the Commonwealth is that it should not see this as a State-Commonwealth stoush but as a failure of the Commonwealth to use its responsibilities and its powers to meet the needs of our citizens, especially those who are doing it hard right now, in New South Wales as well as in the other States. Members on this side of the House will have the fight. We have been having the fight each day of the 90-day review that has taken 200 days, and we will continue to have that fight. But we want a fix. We are simply not interested in making points in this place; we want an outcome for our community. Therefore, I propose that the question be amended to be bipartisan so we can send a message loudly from both sides of the House. I move:

That the question be amended as follows:

- (1) Omit "critical" and "Labor" wherever occurring.
- (2) In paragraph (2) omit all words after "That" and insert instead:
this House calls upon the Federal Government to:
 - (a) ensure every dollar taken from New South Wales infrastructure spending comes back to New South Wales;
 - (b) continue helping New South Wales build the houses, roads and public transport necessary to support the Federal Government's population policy; and
 - (c) keep its word that the Commonwealth will back the projects already contracted.

Members have a choice. If they want to make a point, make the point. If they want to deliver an outcome for our constituents then let's make it a bipartisan opportunity to send a message to Canberra. Let's make it clear that we are as upset about the previous Federal Government's policies as we are about the policies of this one. Let's take the opportunity to get what we deserve here in New South Wales so all of our communities can prosper regardless of who represents them in this place.

The Hon. CHRIS RATH (20:12): I acknowledge the capital-D disappointment in the Treasurer's fighting words. This year the people of New South Wales have been hit with a one-two by the Labor Party. One, as the honourable member's motion notes, the Commonwealth Labor Government has placed New South Wales on track to lose a total of \$3.6 billion in Federal infrastructure funding. Two, despite the Federal Labor Government opting for a more reserved approach to its own expenditure in some respects, the New South Wales Minns Government has decided that now is an appropriate time to commence significant public sector wage increases, which place an enormous burden on the State's finances. That is a one-two that not only cripples our State's capacity to build infrastructure today but burdens our State tomorrow with debt and a productivity-harming infrastructure backlog.

At a Federal level there is a troubling display of decision-making, which treats the States unequally. The Commonwealth Albanese Labor Government has, in essence, decided that New South Wales does not deserve its fair share of Federal infrastructure funding. Despite being the largest State in the country, we are on track to lose out on Federal funding for the largest number of projects in any jurisdiction. Of the \$7 billion cut nationwide, New South Wales will likely lose more than half of that total funding. As a consequence of that deficit, our State faces a potential \$1.4 billion budget hit if we wish to maintain our current infrastructure pipeline by picking up the slack. In reality the decision of the Federal Government is only likely to lead to cancellations of projects in the New South Wales infrastructure pipeline. The loss of those planned investments to the future of our State will be seen across productivity, housing and employment statistics.

Concerningly we face the near-certain prospect of a Federal Labor Government reducing its financial support for New South Wales even further as a consequence of its own budgetary mismanagement, particularly caused by other program cost blowouts and by attempting to rein in superfluous NDIS expenditure. New South Wales cannot turn to additional funds from asset recycling to fill the gap, as those opposite have ruled that out. That means that all the successfully enabled infrastructure boom over the past 12 years of Coalition Government will not continue. If the public service wages cap is abolished, it bakes in a whole lot of new expenditure. If asset recycling is ruled out, nothing new will ever be built. But now it is even worse because the Federal Labor Government has pared back a whole lot of new infrastructure spending. Those opposite might be lucky for now. They are going to cut the ribbon on all of our projects for the next few years, but the pipeline will dry up over that time. That will be a disaster for the people of New South Wales.

The Hon. CAMERON MURPHY (20:16): I will not say this very often but I think we are on unity ticket. I agree largely with virtually everything that the Hon. Chris Rath just said. I agree with the Hon. Sam Faraway and thank him for bringing the motion to the House. I was astounded when I read in the newspaper that those important infrastructure projects are going to be cut.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! I remind the Hon. Wes Fang that he is on two calls to order. It is fine for members to interject occasionally but not continuously.

The Hon. CAMERON MURPHY: I was absolutely astounded when I saw it. It was incredible to wake up and read in the newspaper that those vital and important projects for the people of New South Wales have been cut by the Commonwealth Government. The M7-M12 interchange was to support a Commonwealth airport at Badgerys Creek. That airport will be stranded without the important infrastructure project going ahead. It is not fair that the taxpayers of New South Wales should bear the entire burden of an important Commonwealth infrastructure project, essentially. Without roads around the airport, people will not be able to use it effectively. I do not understand the thinking of the Commonwealth Government. I do not think it is fair.

I am really proud of the work of the Premier, the Treasurer and other Ministers who have been standing up and arguing for their projects. I particularly want to single out Nathan Haggerty, the member for Leppington, who was immediately out there fighting for his community against the decision regarding the M7-M12 interchange. New South Wales deserves more. We should at least retain the same level of Commonwealth infrastructure funding, including the timing of the funding. I do not understand the logic behind the cuts at all. Projects that are half-built simply should not have their funding withdrawn. Withdrawing funding from any project in progress, as the honourable member who moved the motion pointed out, puts jobs and workers at risk. Workers simply do not know whether they will be able to continue in their jobs. I commend the amendment to the motion and urge the House to support it. It is not good enough for New South Wales. I thank the Opposition for bringing the motion to the House.

The Hon. SCOTT FARLOW (20:19): I contribute to debate on the motion. We may well be on a unity ticket in this place when it comes to this motion; we may be on a unity ticket when it comes to our shared disappointment. Whether or not that disappointment is capitalised on, someone should send a memo to the member for Gosford, who said that the decisions made by the Federal Government were sensible. Those sensible decisions on the Central Coast included cutting a billion dollars from the fast rail link between Tuggerah and Wyong to upgrade that vital piece of infrastructure. That would have helped to get people up and down the coast quicker; it would have helped the Central Coast, Newcastle and Sydney; and it would have realised that future city and the interconnectivity between those cities. Of course, shamefully, the member backed in the cuts from the Federal Government for the Woy Woy commuter car park, which would have delivered over 140 new car parking spaces.

We must realise what is happening on the Central Coast: More and more people have moved to the coast because they see opportunities to move from and commute back to Sydney, and that has seen a growing and thriving coast. When it comes to this infrastructure, it is so important that we are able to stand up to the Federal Government and demand New South Wales' fair share. When we were in government, there were some barneys with the Federal Government. It was not about strongly worded press releases with capitalised Ds; they were well and truly blues where people did not communicate from time to time because the former State Government stood

up to Canberra. I am not seeing that same determination from the Minns Government to stand up to Canberra and declare that New South Wales needs its fair share.

It is no wonder that the Commonwealth Government is carrying on with reckless abandon and not caring about what the State Government says, because it knows the State Government is not really serious about it. The Federal Government knows that the State Government will not go kicking and screaming to ensure that those projects, like the fast rail upgrades on the Central Coast or the Woy Woy communicate car park, are actually delivered. The Federal Government knows that it is just a little kabuki show at the moment, that we will get past it, and that people will forget and move on. Well, members on this side of the House will not let the Minns Government move on because it must make sure that no stone is unturned so that the people of New South Wales get that vital infrastructure.

We are seeing net overseas migration at record levels in this country. We need the infrastructure in place to support our growing communities. That is a Federal Government responsibility. The Federal Government needs to come to the party. The Hon. Cameron Murphy was right about the M7-M12 interchange: That project supports a Federal Government project in the Western Sydney airport. That is a vital project and it is needed for New South Wales. Both sides of the House support that project, but the Federal Government must come to the party, and that is exactly what the Opposition will ensure it does.

The Hon. JEREMY BUCKINGHAM (20:22): I contribute to debate on the motion. I join the unity ticket with members who are alarmed at the cuts to infrastructure funding for New South Wales. I commend the Hon. Sam Farraway, the mover of the motion, for representing the Central West. I note his advocacy for road funding in the Central West. The principal reason for my contribution to the debate is because I join with those who are alarmed that New South Wales has been stripped of billions of dollars of Federal infrastructure funding. I am alarmed that the Great Western Highway upgrade in this State was shelved. That causes me great concern. Members may or may not be aware that I lived in Orange for nearly 20 years.

The Hon. Sam Farraway: A good council.

The Hon. JEREMY BUCKINGHAM: It is a good council. I just met with a fantastic group of councillors from the region, including councillor Jeff Whitton, hosted by Mr Phil Donato in the Jubilee Room. We discussed the Great Western Highway. It is the arterial route from the west into Sydney. It has long been neglected. It was very close to being completed, in a way, which would have made a significant difference to the economy of western New South Wales and the people of the Central West. I long advocated for that project on council through the Central NSW Joint Organisation and in this place. I do have to differ with the National Party on the history, because it pushed for an upgrade to the Bells Line of Road, which really did not pass muster. But the Great Western Highway upgrade was expensive, and the Government had its reasons for shelving it.

However, it will make a material difference that that road is not being upgraded. As a stonemason I had the unfortunate job of making more than a few headstones for people who had been killed on that road. Many of them were truck drivers who died on Mount Victoria. We should have continued with that upgrade. That road was carved by convicts. It is not fit for purpose. The area does not have the rail infrastructure. We could open up the west of this State if we had a proper highway through the Blue Mountains. The tunnel should have gone ahead. We should have funded it and seized the opportunity to open up the west of this State to the benefit of the economy, those communities and future development. I commend the motion to the House.

The Hon. MARK BUTTIGIEG (20:25): I contribute to debate on the motion. The amendment moved by the Treasurer is eminently sensible given that it effectively agrees with the thrust of the motion. We do not want Federal money ripped away from New South Wales for those essential projects. The Treasurer's amendments effectively depoliticise what is a very politicised motion. The Treasurer's amendment states:

This House calls upon the Federal Government to:

- (a) ensure every dollar taken from New South Wales infrastructure spending comes back to New South Wales;
- (b) continue helping New South Wales build the houses, roads and public transport necessary to support the Federal Government's population policy—

if the Federal Government is going to bring people in, it must help us out—

- (c) keep its word that the Commonwealth will back the projects already contracted.

Those are eminently sensible amendments. I trust that the Government is going to accede to them and agree.

The Hon. Wes Fang: He still calls us the Government. I appreciate that.

The Hon. MARK BUTTIGIEG: The Opposition, I am sorry. Well, we are all on a unity ticket, so we are all in the Government in this particular case. I trust that the Opposition will agree with the amendment because

it will bind us on a unity ticket and give it much more force. That would make the motion worthwhile, rather than condemning the Federal Government, which is not going to achieve anything at all. This is an honest attempt by the New South Wales Government to try to make it clear that we are not happy with this and we want the money returned to the State. The Hon. Chris Rath made the point that if we used privatisation—or the euphemism asset recycling—we would not have to worry because essentially we would just keep selling things off and let the Federal Government rip money out of us. Selling assets to fund the Federal Government is not a sustainable policy.

I reiterate the point that this Government is on the right track by stopping privatisation and keeping assets in public hands. We do not need to sell things to fund our State budget, as the Treasurer so aptly proved a little while ago. That is not the way to go. I do not want to turn this into a polemical debate because I am getting the vibe that there might be a general acceptance of the Government's amendment. I think it is a good thing that the House unites and backs it in so that we can send a clear message to the Federal Government to say that it is unacceptable and New South Wales will not cop it. I commend the amendments from the Treasurer and, in anticipation, I thank the Opposition for supporting us on this unity ticket.

The Hon. WES FANG (20:28): I contribute to debate on the motion from my good friend the Hon. Sam Faraway. I will join the unity ticket with the Hon. Jeremy Buckingham. Members will not hear me say that very often, but he was right about the infrastructure that was to be delivered to the Central West and rural and regional New South Wales. However, I will not join the unity ticket with members of the Government because, honestly, they are trying to get out of the fact that they should have done their job properly and they have not. We know that those opposite have not done their job properly because we have seen \$2.6 billion cut from our pipeline in New South Wales. What does the Treasurer have to say about it? He is capitalising letters. We want him to do a bit more than that. We want him to pick up the phone to his Labor colleagues and say, "Stop what you're doing and deliver the money. Show us the money, Feds."

Instead, Government members come into this place trying to amend motions. They are the Government now. They need to get into that mindset. They should pick up the phone to their mates in Canberra and say, "Give us the money." Who has done that? Who has actually made the call? Those opposite are letting Canberra federally rip us off. They need to do better. We delivered infrastructure in spades when we were in government. We worked with the Feds, we fought with the Feds, and we delivered. Those opposite have not done that and they have lost the Federal Government delivering money to the State. Do not come to this place and try to change our motion thinking that that will fix the problem. That is not the unity ticket. Therefore, I move:

That the amendment of the Hon. Daniel Mookhey be amended by omitting paragraph (2) (b) and inserting instead:

- (b) continue supporting New South Wales to build the houses, roads and public transport the people of New South Wales deserve; and

That is an amendment that we will support. We want those opposite to do a better job, but, in lieu of doing a better job—because, let's be honest, they have not done that so far—we will fix their amendment, get on the unity ticket and then all of a sudden— [*Time expired.*]

The Hon. DANIEL MOOKHEY (Treasurer) (20:31): In the spirit of bipartisanship, we will accept the amendment that has been moved by my good friend the Hon. Wes Fang. I could not reconcile the cognitive dissonance between a person who said we should not be amending it and who then moved an amendment to my amendment. Nevertheless, I do feel that it enhances the motion. It is important that we come together. We find ourselves in a position in which we can send a very clear message that this is a bipartisan cause. The reality is that, regardless of who is in charge in Canberra, these issues happen from time to time. So in the spirit of bipartisanship we support the amendment moved by my good friend the Hon. Wes Fang.

The Hon. EMILY SUVAAL (20:32): It has been a while since I have heard the term "cognitive dissonance" used. It is a welcome phrase in the spirit of Wednesday evenings when I often find myself in a state of constant cognitive dissonance. I speak in support of the amended motion and join my colleagues in calling out the damage that this decision of the Commonwealth Government has caused. It is important to underscore that by saying—and I apologise because the clocks have stopped at three minutes—that the Commonwealth's investment funding has been dropping year on year, as was pointed out by my colleague in question time in the one question he was asked this week, although I note that the Commonwealth infrastructure spending did get significant attention from others. Just a few years ago it was 30¢ out of every dollar and we are now at 23¢—and that was before this decision was made.

I also talk briefly about the Bruxner Highway upgrade from Wollongbar to Goonellabah, which is in one of my duty electorates. This is an important piece of road that, like so many roads in our regions, is quite dangerous at times. There have been multiple serious and fatal accidents on that road in recent times. It is clear that upgrades to that road are important for that community and for that community to remain connected between Ballina and

Lismore, of course. We have inherited many projects under stress coming into government with cost blowouts and the like, but we have worked through all of the projects quite systematically to get those costs under control.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): Order! I am sorry, but the member's time has expired.

The Hon. EMILY SUVAAL: It is very hard to address you when only one clock is working, but I will leave my comments at that. Thank you.

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

The Hon. SAM FARRAWAY (20:35): In reply: I thank the Government, and in particular the Treasurer, for the spirit of making sure that we can send a signal to Canberra, but also the fact that this will have a significant consequence on infrastructure building in parts of this State. As the Hon. Jeremy Buckingham said, he was a former councillor at Orange City Council and a Central West local once upon a time, so even Jezza knows how important, in all seriousness, the Great Western Highway is. It is one of many projects that has had funding cut, but it is the most significant because, of the \$3.6 billion that New South Wales has had ripped away from it, \$2.032 billion of that was put aside for the Great Western Highway. That highway does not benefit just one town or one community; it benefits an entire part of the State, the entire Central West, the Central Tablelands and the connectivity through to western New South Wales.

As my colleague the Hon. Chris Rath said, this will create a compounded problem in years to come when the pipeline dries up. It is clearly evident that we need to build for tomorrow, not just for today, and we should be building projects incrementally. That was always my take on the Great Western Highway and the former Coalition Government's plan. Rome was not built in a day. The Great Western Highway was not going to be built overnight. Let us incrementally do it stage by stage. Let us get value for the taxpayer.

It is just such a shame that the Federal Labor Government has been so narrow-minded because, essentially, it may not represent any electorates in that part of the State, does not see the value in that highway or has not consulted with the freight sector—or perhaps the Prime Minister has never driven on the Great Western Highway. If Minister King had driven on that road rather than flying into the Central West on her visits, she may appreciate the investment and vision needed, as well as the ability to further open up that region to offer more prosperity, more economic development and more economic growth. It is very disappointing. I have touched on the Moree Special Activation Precinct and the inland port at Narrabri. Two distinct regions in different parts of the State—the Central West and the north-west—have had significant projects or significant funding cut or taken away. It is narrow-minded. Let us together send a message to the Prime Minister that if he wants to govern for all, regional New South Wales must be included.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The Hon. Sam Faraway has moved a motion, to which the Hon. Daniel Mookhey has moved an amendment, to which the Hon. Wes Fang has moved an amendment. The question is that the amendment of the Hon. Wes Fang to the amendment of the Hon. Daniel Mookhey be agreed to.

Amendment of the Hon. Wes Fang to the amendment of the Hon. Daniel Mookhey agreed to.

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

Amendment of the Hon. Daniel Mookhey as amended agreed to.

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

Motion as amended agreed to.

Bills

STRATA LEGISLATION AMENDMENT BILL 2023

Returned

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I report receipt of a message from the Legislative Assembly returning the bill without amendment.

EMERGENCY SERVICES LEGISLATION AMENDMENT BILL 2023**Messages**

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendment to the bill.

UNLAWFUL GAMBLING AMENDMENT (BETTING ON ANIMALS) BILL 2023**First Reading**

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

Second Reading Speech

The Hon. EMMA HURST (20:41): I move:

That this bill be now read a second time.

The Unlawful Gambling Amendment (Betting on Animals) Bill 2023 is the first of its kind to be introduced in New South Wales Parliament or, to my knowledge, anywhere in Australia. The bill would ban gambling on the lives of animals. Last month, in a great shame to our State, both the Million Dollar Chase and the Everest race took place in Sydney. As usual, the events were marked with serious and needless animal cruelty. At the Million Dollar Chase, three greyhounds suffered serious injuries, including a foreleg fracture, neck laceration and a hock fracture. At the Everest horserace, three riders were found to have exceeded the number of permitted strikes of the whip under the Australian Rules of Racing.

Both of those events, advertised as the world's richest race in greyhound racing and horseracing respectively, were funded by sponsorship deals with Australia's biggest gambling service providers. They were followed by the Melbourne Cup, an event with an incredibly dark history that has claimed the lives of at least seven horses in the past decade: Verema, Admire Rakti, Araldo, Red Cadeaux, Regal Monarch, The Cliffsofmoher and Anthony Van Dyck.

This year the Melbourne Cup was won by jockey Mark Zahra, a man who had been fined only hours earlier for over-whipping his horse and who had been issued a seven-week suspension and a \$50,000 fine for over-whipping at the Caulfield Cup only weeks prior. The fact that a jockey with such recent repeated breaches of whipping rules was even allowed to participate in the Melbourne Cup shows how little the industry cares about animal welfare. Three other horses pulled up lame from the Melbourne Cup this year, and another was found to be suffering serious heat stress.

By now, members of the public know the immense cruelty associated with racing and are simply turning away. Far from it being "the race that stops the nation", polling now shows that 62 per cent of Australians have little to no interest in the Melbourne Cup. Even Myer, once synonymous with the cup, has pulled out of its 40-year sponsorship of the event, along with Channel 10. The public knows that one horse is killed every two days on Australian racetracks. Last year 54 racehorses died in New South Wales, giving us the record for the highest death toll in the country. We know that horses bred and trained for racing undergo such extreme physical exertion that many will suffer disease, internal bleeding, including bleeding lungs from being forced to run at high speed, and organ failure.

Then there is the use of the whip, which has been described by Professor Paul McGreevy as "arguably the most visible form of violence to animals" in our society. The science is clear that being whipped causes considerable pain to horses and has the potential to cause trauma and tissue damage. There have long been questions as to whether the use of whips is even permissible under animal cruelty legislation. The Prevention of Cruelty to Animals Act 1979 states that one cannot unreasonably, unnecessarily or unjustifiably beat an animal or cause an animal pain. The industry may argue that jobs and revenue from the gambling industry is a justification, but then, of course, it would need to make a legal argument that people gamble specifically because the animals are beaten with whips and that that is the reason people attend and watch the races themselves—to see the animals being repeatedly hit.

There is already a clear argument that whipping an animal is beating them and causing them pain. The rules of racing limit the amount of whipping, which is only necessary because the industry recognises there is a welfare impact from hitting the animals in such a way. Anyone who whipped any other animal, including a cat or a dog, would be charged with animal cruelty—and rightly so—so why are racehorses not given the same protection? In addition to cruel whipping, horses in the industry are forced to endure electric shocks, spurs and tongue ties that leave them frothing at the mouth from exertion. Of course, those are the horses we know about, which end up on the racetracks. It is estimated that 10,000 horses simply vanish from the industry each year, most likely ending up in the slaughterhouse.

The same shocking record applies to the greyhound racing industry. From the exposé of the gruesome live baiting scandal and the discovery of mass greyhound graves across New South Wales to the tens of thousands of greyhounds killed as so-called wastage simply because they could not run fast enough, the industry is synonymous with animal cruelty. Thousands of greyhounds continue to be killed or injured on greyhound racetracks every year. This year alone, 108 greyhounds have been killed and over 10,000 have been injured on Australian tracks. That is 27 racing greyhounds being injured every single day. New South Wales remains the worst offender, having the highest rate of deaths and injuries in 2023. It is only getting worse, with the Coalition for the Protection of Greyhounds exposing an increase of 40 per cent in serious injuries this year in New South Wales.

Joyous Treasure died a brutal death after colliding with a running rail in Wagga Wagga. Reefton Vivi endured a horrific crash that broke her back and legs in Temora. Miss Indi died from a broken neck after falling at high speed on a track in Richmond. They are just a few of the victims on New South Wales racetracks this year. Dogs are being killed by the industry. Their suffering and their deaths are not a form of entertainment. While the Government claims to have implemented whole-of-life tracking for greyhounds, the reality is that nobody really knows where these animals are ending up, and dogs are continuing to go missing and be killed by the profit-driven industry.

The greyhound industry continues to massively over-breed and train dogs in deplorable conditions in pursuit of finding a winner, only to discard them when they are no longer considered valuable. Just this year, New South Wales greyhounds have been exported to China to be bred and raced in illegal overseas industries, and a deal was struck by Greyhound Racing NSW to send thousands of ex-racing greyhounds to the United States because they simply cannot find homes for all of the dogs they are pumping out and discarding. One dog has already died on their way to the United States.

Similar to the public disdain for horseracing, the community absolutely does not support greyhound racing. An ABC poll found that 82 per cent of the population want to see greyhound racing banned. The community simply does not want to see animals being trained and raced to death for so-called entertainment. If the public does not support these industries, why are they still continuing? To answer that question, all we need to do is follow the money. All roads lead to the powerful gambling industry and the enormous profits it is making off the lives of animals.

According to the thirty-sixth edition of *Australian Gambling Statistics*, annual turnover from gambling on racing was \$27 billion across Australia and \$6.5 billion in New South Wales. The Government takes a cut of that too, of course, via taxation revenue, which it gives right back to Racing NSW and Greyhound Racing NSW to continue to fund the cruelty. The reality is that the thoroughbred, harness and greyhound racing industries would not exist if the gambling industry was not able to profit off them. The two are inextricably linked in a matrix of cruelty, harm and blind pursuit of financial gain, regardless of how animals or vulnerable people—including the problem gamblers they rely on for their existence—are impacted.

And I do not say that lightly. That industry is financially sustained, apart from being given tens of millions of dollars by the New South Wales Government, by the losses of vulnerable people who are currently in a cost-of-living crisis and who are seeing record rates of homelessness. That industry targets those people, destroys their lives and makes a profit from it. In an interview in 2015, Peter V'landys said:

As we said from day one, we didn't want a handout, we didn't want a grant. We just want what's rightfully ours, which is a greater share of the punter's losses.

That revealed, once again, that the industry relies on the lost income of vulnerable people. And, of course, this is the same man who has bizarrely denied that a whip hurts a horse, despite all of the science and evidence to the contrary. On that point, there has been a lot of discussion during this Parliament and during the election about the harmful impact of poker machines on our society, and rightfully so. Poker machines are a particularly destructive form of gambling, with a disproportionate impact on vulnerable communities and a high association with problem gambling, not to mention the now well-established links to money laundering and criminal activity.

But, as I say, what has been left out of this conversation entirely are the serious social harms associated with gambling on animals, which attracts the largest group of problem gamblers, after the pokies. The fact that animal gambling has been left out of these discussions raises serious questions on the power and influence of that industry on the New South Wales Government. A 2015 study found that 41 per cent of race betters experienced one or more gambling-related problems, more than double the rate among gamblers nationally. The same study showed that 41 per cent of race gambling revenue comes from problem gambling, highlighting again how both the gambling and racing industries rely on and exploit problem gambling to exist. We know that problem gambling can adversely impact all aspects of a person's life, from the loss of homes and relationships to the loss of lives through death by suicide. Problem gambling is associated with financial loss, job loss, bankruptcy, homelessness

and mental health conditions, which affect not only the problem gambler but also their family, friends and broader community.

There is also a demonstrated link between domestic violence and gambling. Problem gamblers are at least 2.5 times more likely to be a perpetrator or recipient of domestic violence, and evidence shows there is a spike in domestic violence offending around the Melbourne Cup and other major gambling events. Given there is also a known link between violence against animals and violence against humans, the fact that the Government allows members of the public to bet on animal cruelty and children to watch it, for so-called entertainment, is even more disturbing. It is perpetuating a cycle of violence. There have been suggestions made to my office that we should also be looking into laws to protect children from attending gambling events that involve animals, particularly given that animal cruelty is likely to occur.

I now turn to the text of the bill, which is very straightforward. I want to be clear: The bill does not actually ban horseracing or greyhound racing, even though it is the position of the Animal Justice Party that these harmful animal abuse industries must be abolished as soon as possible, and we will continue to lobby the New South Wales Government to do so. What the bill does is amend the Unlawful Gambling Act 1998 to make it an offence for a person to gamble on an activity involving a live animal, and it also makes it an offence for a bookmaker to offer bets on such activities.

An activity involving live animals includes but is not limited to greyhound racing, harness racing, horseracing and jumps racing. It also includes gambling on activities such as rodeos or other more unusual types of animal racing. The bill will not affect any community activities, like sweepstakes, which are not associated with the same harm as traditional race betting. Gambling and animals do not mix. The community does not support harmful animal racing industries, nor does it support the gambling industry exploiting problem gamblers to profit off animal cruelty. It is 2023. Nobody should be allowed to bet on the life of a sentient animal. Remember, when you bet, they die. I commend the bill to the House.

Debate adjourned.

Motions

GIG ECONOMY WORKERS

The Hon. Dr SARAH KAINE (20:54): I move:

- (1) That this House notes that:
 - (a) there have been two deaths of delivery drivers in New South Wales this year, and six others since 2019; and
 - (b) that SafeWork NSW has fined a food delivery company for not adequately training more than 1,000 food delivery riders in hazard and fatigue management, road safety, the use of personal protective equipment, and work health and safety duties and obligations.
- (2) That this House acknowledges:
 - (a) the importance of work by SafeWork NSW inspectors in New South Wales to identify food delivery platforms that are not complying with work health and safety regulations; and
 - (b) that the Minns Labor Government is committed to better labour market outcomes in the gig economy and is committed to complementing Federal Government efforts in this area.

I firstly note that there are two parts to the motivation for moving the motion today. The first is to talk about and put a focus on safety in the gig economy, and, in particular, to talk about the deaths of two delivery drivers in New South Wales this year and six other drivers since 2019. There has been some progress made in that area, particularly in trying to ensure that gig delivery riders are afforded more safety than they have been previously in their workplaces and going about their business. In doing this, SafeWork NSW has recently fined a delivery company for not adequately training more than 1,000 food delivery riders, which, of course, makes the likelihood of injury and death that much greater. The first impetus to moving this motion was to highlight the issue of safety, but also that there is progress being made and that the Minns Government is very committed to the work health and safety of gig workers, particularly delivery riders.

The second motivation is to acknowledge and recognise that there is still much more work that needs to be done. In fact, it is timely to consider the type of focus that we should have on the gig economy when we consider that it is just over a decade since Uber landed on our shores. Back in 2012 the term "gig work" was not ubiquitous. In common parlance, it still referred to the type of work that musicians engaged in from time to time. Since then, we have all become very used to the term to refer to the type of work that is precarious, poorly paid and unsafe. It is also the type of work that has made our lives more convenient.

When we think about the gig economy, we often think about the delivery rider, but we do not often think about the other areas in which gig work has become more prevalent. The one that concerns me the most is the

delivery of care work to our most vulnerable residents. I am talking about people who need care in their homes, whether it be people with disabilities or the aged, who engage gig workers to provide them with their personal care. I am not at all suggesting that gig workers do not provide quality of care, but the form of employment they are engaged in makes it difficult for them to spend the time and get paid a reasonable wage that allows them to undertake the work in the way they would like to. So it is really about recognising that. When we think of gig work, we often think of food delivery and our cheap, convenient dinner, but gig work is much more than that. We need to be thinking about those types of workers who now permeate the most vulnerable sectors of our workforce.

Importantly, the Federal Government, we know, is making a start on the issue of minimum conditions for gig workers. In fact, in the closing the loopholes bill, it is addressing the issue of employee-like work, which is that grey area which has caused so much of an issue and was, of course, brought into relief with the High Court decision about contracts being the determinant of someone's employee status. We are seeing that begin to be addressed at a Federal level, but there is a lot of work for us to do at a State level. We have responsibilities with work health and safety. We can take initiatives with regard to payroll tax and levelling the playing field for competitors in particular industries, including food delivery. There are things that we should be considering at the State level. I want the motion to remind us that, while we are making progress—particularly on safety in the gig economy in food delivery—a lot of work needs to be done to secure appropriate wages and conditions for a much broader range of gig workers than we tend to think about. I commend the motion to the House.

The Hon. CHRIS RATH (20:59): Gig economy workers are a valuable component of the New South Wales economy. They serve an important role in enabling small businesses—the bulk of our hospitality sector—to offer delivery options, and those businesses have become increasingly successful as a result. Given my recent comments regarding yimbyism and the 24-hour economy, I think it is only fair to also acknowledge the popularity of gig economy services amongst young people in particular. The opportunity for anybody to easily become, for example, a delivery rider is a great credit to the intersection of technological innovation and economic growth. It is also a marvellous demonstration of the benefits of a free and accessible market. It is for that reason that I am emphatic in my support for gig economy workers and their right to be safe while working.

I support the motion and much of its sentiment. The New South Wales Government should be creating a regulatory framework that encourages both the growth of the gig economy and the safety of its many workers. In fact, the previous Coalition Government did a lot in that space as well. In 2021 the former Government introduced regulations that enhanced the reporting of incidents, increased compliance activity by SafeWork and issued riders with a unique identification number to enable crackdowns on repeated unsafe practices. In the budget estimates hearing with Minister Cotsis we had the opportunity to explore some of the advances that have been made, both under the previous Government and under the new Government, in terms of safety for workers.

However, the Opposition does not support paragraph (2) (b) of the motion, which is the part that relates to the Federal Government's reforms. Our Federal position is that we do not support that legislation because, to date, the Albanese Government has not presented any legislation that accomplishes the dual objectives of both safety and growth. We do not support the Commonwealth Fair Work Legislation Amendment (Closing Loopholes) Bill. I move:

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

I think that the original motion is a good one. More needs to be done in terms of safety for gig economy workers. As I said, a lot was done under the previous Government, and a lot is being done by Minister Cotsis and by this Government. If paragraph (2) (b) were removed from the motion, it would get the bipartisan support that it deserves in standing up for the safety of gig economy workers.

Ms ABIGAIL BOYD (21:02): I contribute to debate on the motion as The Greens spokesperson for work health and safety. It should go without saying—but it bears repeating—that whether someone leaves home to go to work as a gig worker, a casual worker or a permanent worker, they should come home safe. One's classification of work should have no bearing on one's right to a safe and secure workplace. It is our responsibility as legislators to ensure that is the case—and it is a responsibility that over the past years has been sadly lacking, resulting in utterly tragic and avoidable workplace deaths. This is an unacceptable state of affairs, and urgent action must be taken to curtail the predatory and dangerous practices of these platforms that have had a free ride for far too long.

I acknowledge the interesting fact that the motion seeks to convey to the House the importance of SafeWork inspectors in enforcing worker safety. That is undeniably true and I, and many others, eagerly await the impending and hopefully far-reaching structural and cultural reform of SafeWork NSW so that it can actually fulfil its function as an active and interventionist workplace safety regulator. The motion's point feels slightly dissonant considering the legislation recently passed in this Parliament in relation to SafeWork NSW. From that legislation it seems that we are less interested in workplace safety being regulated by the workplace safety regulator and are more interested in leaving it up to the police.

We have absolved supermarkets of their responsibility to provide a safe working environment for their staff. That task is now being enforced by the police and the courts. The same goes for food delivery riders, whose workplace safety rules, like the enforcement of appropriate personal protective equipment such as high-vis vests, is now to be enforced by the NSW Police Force. Everyone wants workplaces to be as safe as they possibly can and dodgy employers to face strict and effective enforcement measures. But I have to wonder how serious the Government really is when it is not willing to put in the investment to bolster and support a true workplace safety regulator, and is instead willing to kick the problem off to the untrained and inexperienced police force. The Greens, obviously, will not oppose the motion, but I really hope that we will see more action soon, because the workers of this State cannot wait.

The Hon. MARK BUTTIGIEG (21:04): I support the very important motion that my colleague the Hon. Sarah Kaine has moved in the House. Both parts of the motion are important—that is, the importance of work by SafeWork inspectors in New South Wales to identify food delivery platforms that are not complying with work health and safety regulations. SafeWork has about 350 inspectors. In fact, I had the pleasure of presenting awards to 41 of the newly graduated inspectors just the other day. It is a testament to how important they are that a \$3,600 fine was handed out to Fantuan, the online food delivery platform, for failing to train delivery drivers in a number of areas. The quote from SafeWork NSW mentions:

... hazard and fatigue management, road safety, the use of PPE and work health and safety duties and obligations.

I remind the House, as the Hon. Chris Rath acknowledged, that the Minister recently put through a bill called the Work Health and Safety Amendment Bill, which would make food delivery driver training—and the production of records of training—a mandatory, enforceable requirement under the Act. It will allow the police, as Ms Abigail Boyd said, to enforce the use of personal protective equipment, which makes perfect sense given the drivers are out there every day on our streets and it is the police who have the wherewithal and the volume to help enforce that requirement.

There are good things being done in this area. It is a tragedy to have deaths in the workplace just because a platform economy is employed, and the employer attempts to outsource its responsibilities to the driver, and they have no protection. I do not think the Opposition's amendment is acceptable. The Hon. Chris Rath tried to argue that the Federal Government initiative—that is, the "closing the loophole" bill—somehow puts safety in front of growth. I would argue that is not true, because the presupposition that growth in the industry will suffer as a result of safety is wrong. That bill is before a committee. The committee is looking into it now.

Even if it were the case—and I do not accept it is—that the industry's growth has suffered as a result of safety, safety should always come first. A person's life should be the number one priority. If we were put in a situation where we had to choose between safety and growth, I would choose safety every time. But it is an incorrect premise, because the bill is before a committee and the committee is looking into it. I do not accept the amendment, and I support the motion moved by my colleague the Hon. Sarah Kaine. It is very important. I want to thank— [*Time expired.*]

The Hon. EMILY SUVAAL (21:08): I support the motion of my colleague the Hon. Sarah Kaine. I speak for her substantive motion and against the amendment moved by the Hon. Chris Rath. I start by acknowledging the Hon. Sarah Kaine's advocacy for workers in this space and her ongoing efforts in this area, and those of our colleagues in the Transport Workers' Union. It is a sad reality that, since notice was given for this motion on 17 October, there has been a further death of a presumed delivery driver on our roads. Some of the details around that, as I understand, are under investigation. But an accident occurred on 10 November that involved an Uber car share and a delivery rider that ultimately resulted in the rider's death. That is the third case in the space of just four months. Delivery drivers Akshay Deepak Doultani and Adil Abbas died in July and August respectively this year. Then there was another death in November of this year, the circumstances of which are currently under investigation.

Delivery drivers work in an environment where there are demands on their time. I note that a Senate inquiry is underway looking into some of these details and into the conditions for these workers. There can be no cost put on a human life. It is unacceptable that we still have gig workers and platform delivery riders working without appropriate personal protective equipment. I know this because I have seen them on Macquarie Street. They do not have proper high-vis wear. They are not driving with adequate protection, which is part of the standard personal protective equipment they should have. It is a sad reality that we have to discuss this motion today, but I take the opportunity to recognise Minister Cotsis, my colleague in the other place, for her work on the reform of SafeWork NSW. I also acknowledge SafeWork NSW inspectors for the work they do in ensuring that all workers get home safely at the end of the day.

The Hon. ANTHONY D'ADAM (21:11): Some years ago, Jacob S. Hacker wrote a book entitled *The Great Risk Shift: The New Economic Insecurity and the Decline of the American Dream*, which described the

phenomena of how capital has a tendency to try to shift risk away from itself. Increasingly, we are seeing this phenomena in various forms in our society: risk is shifted away from corporate entities to individuals, individual employees and individual workers. Platforms like Uber are just the latest iteration of the phenomena. The platform capitalist phenomena defines the gig economy. Since the beginning of capitalism, employers have been trying to run away from their obligations and shift those risks to their employees, and what is happening in the gig economy is another example.

Case law has consistently reinforced the principal liberal doctrine of freedom of contract. The sanctity of contract is where the case law is continuing to move. We need to make sure that the legislative framework rolls that back and ensures that those risks are not borne by individual employees but by their employers or those who, effectively, control the work, such as in the case of gig employees. The agenda that the Commonwealth Government is bringing forward is part of the process of ensuring that employers do not shirk their responsibilities to those they are engaging to do their work and making sure that those who are exposed to hazards in the workplace are protected. That obligation should rest rightly with the employer, or those who control the work, and not be shifted onto employees.

The Hon. CAMERON MURPHY (21:13): I thank the Hon. Dr Sarah Kaine for bringing this motion to the House.

The Hon. Mark Latham: It's like a branch meeting, isn't it?

The Hon. CAMERON MURPHY: In many respects it is like a branch meeting, but that is because this is such an important issue. The pattern seems to be that you get a disruptor—not an agitator, as I described myself in my first speech in this place—which is some gig company with a platform that decides it does not have to obey the laws of this State. It can come in and do as it pleases. It thinks, "Who cares about the safety of workers? Who cares about road rules? Who cares about anything else? We'll just build a business off the back of breaking the law and then, ultimately, we'll change the law so that our business practice is allowed. We'll take money from it and we won't give anything back to our workforce or to the community."

Unfortunately, while some companies have offered wonderful innovative services, they have done so by screwing workers and screwing the Australian community. Most of them do not pay tax or abide by work health and safety laws, and all of the money that they make is invested somewhere else, where they run their systems from. It is great that the Commonwealth Government is taking action to close loopholes. It is an important initiative to force these companies to abide by the law. Equally, I congratulate Minister Cotsis. Through reforms in work health and safety and the work of this Labor Government, we will make sure that gig workers are looked after and ultimately covered by the same conditions as those working in a normal job because, as time goes on, gig economy jobs will become the norm sort of work.

We saw it start with companies like Airbnb, Uber, and Deliveroo and other delivery drivers, but we now see this sort of work pervading its way into nursing homes, the healthcare system and all sorts of other areas. I do not have a problem with that. What I do have a problem with is these companies deciding that they do not have to follow the law, they can come up with complex contracts and put all the responsibility onto the worker, while other businesses and people in the community have to abide by the law and pay the cost of employing workers properly. I support the motion.

The Hon. Dr SARAH KAINE (21:16): In reply: I thank all of my colleagues who contributed to the debate: the Hon. Chris Rath, Ms Abigail Boyd, the Hon. Mark Buttigieg, the Hon. Emily Suvaal, the Hon. Anthony D'Adam and the Hon. Cameron Murphy. I address, first of all, the Hon. Chris Rath's contribution. I am a bit worried that technological innovation gets conflated with exploitative business practices. The Hon. Chris Rath is right when he says we need to make sure that we do not lose the innovation and the convenience that we get from some of these ways of doing things, but we need to make sure that we do not trade that off against, in this case, the lives of workers.

If we are talking about safety "and other things", a vast trove of research links rates of pay and safety outcomes, particularly in the transport sector. So if we are talking about "safety and", let us talk about safety and fair rates of pay. The evidence has been in for decades that making sure that workers, particularly on our roads, are paid a fair rate of pay means that they are not under as much pressure to work dangerously and to engage in risky action to try to put bread on their table. Let us make sure that we reference the evidence. Sure, when we look at what we will connect safety with, let us look at safety and growth. But safety and fair wages and decent conditions for workers is the best way to ensure they get home from work safely.

The Hon. Emily Suvaal reminded us of the fact that these statistics keep growing, we are seeing more and more deaths and there is an urgent need to take action. The Hon. Anthony D'Adam pointed out the blame shifting. He said that we should not lose sight of the fact that, while we want innovation, we do not want it at the cost of

good jobs and people's lives. I finish with a summary of the Hon. Cameron Murphy's contribution: We should not treat disruption as a deity. Disruption for disruption's sake is not a goal. It needs to point us towards better outcomes—better social outcomes and better outcomes for workers—and that is what should drive all of the things we do to keep workers safe in the gig economy. I commend the motion, unamended, to the House.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Dr Sarah Kaine has moved a motion, to which the Hon. Chris Rath has moved an amendment. The question is that the amendment be agreed to.

Amendment negatived.

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

Motion agreed to.

TRANSPORT FOR NSW EMPLOYEE WORKPLACE SAFETY

The Hon. MARK LATHAM (21:20): I move:

- (1) That this House condemns Transport for NSW and the Minns Government for not immediately sacking an Indigenous consultant on the Coffs Harbour bypass project, Ian Brown, after he:
 - (a) threatened to kill a senior female executive;
 - (b) threatened to "smash that woman's face in"; and
 - (c) called the Transport for NSW executive a "white —".
- (2) That this House rejects the reason for Ian Brown's retention on the project, that, "he is Aboriginal and a cultural knowledge holder".
- (3) That this House calls on the Government to implement its rhetoric about female workplace safety, regardless of the skin colour and ethnic background of the person threatening physical violence against women.

The facts of this matter now, quite shamefully, are well known. One of the major projects at Coffs Harbour is the multibillion-dollar bypass for which a senior Transport for NSW executive, Rochelle Hicks, has been an important manager. The project commissioned Indigenous advice from one Ian Brown on heritage and cultural matters to do with the site. Through this process, which is clearly documented—and not denied by anyone, least of all Brown—at various stages he threatened to kill the senior female executive. He threatened to "smash that woman's face in" and he called her "a white ..."—an unspeakable word that was mentioned earlier in proceedings. Transport for NSW received complaints, naturally enough, from Rochelle Hicks and told her that he would not be sacked; he would be retained because he, Brown, is an Aboriginal and cultural knowledge holder.

It is completely unacceptable that Transport for NSW made this judgement at a time when the issue of female safety is on the lips of most members of Parliament and there are very public awareness campaigns about it. How can it be that a senior executive at Transport for NSW, who was working on a very important and expensive project, has received a serious death threat that Brown confirmed? He said it was not just an allegation or a threat; it was a fact that he wanted to do this. He said that in front of witnesses. He threatened to smash her face in and called her unspeakable names. Transport for NSW would do nothing. *The Australian* newspaper, to its credit, got onto this and published an article on the weekend of 11 November. *The Australian* asked Minister Aitchison in advance for her comment. All she did was seek a report. For many, many days, Brown was still working on the project, although I am told by the local member in the other place that he is off it now. It took the intervention of the Premier, Chris Minns, to say that Ian Brown, given his dangerous and despicable behaviour, would not be involved in any future New South Wales government projects. I hope that is the case.

But the House needs to understand that the great tragedy here—something that I hope the Government will soon apologise for—is that the victim has paid the heaviest price because Rochelle Hicks, who is a relatively young woman with a young family and who has lived for decades in Coffs Harbour, fears for her safety if she bumps into this guy in the street or sees him in the shopping centre in Coffs Harbour, and she has moved out. She has had to relocate her family and change schools, and she has lost her job. She has paid the heaviest price for this grievous threat to her personal safety. Now, how can this be? Why has it not been raised universally around the Chamber by The Greens, the Labor Party women who talk about female safety, and rightly so, and by the Liberals who are interested in the Ultimate Fighting Championship? This is the real stuff of the threats and danger to a young woman who has lost her career, lost her job, and lost the pride and happiness she had in living in Coffs Harbour. She had to relocate.

It is just not good enough, and it shows the divisive and destructive nature of identity politics. Because he was Indigenous it was thought he was a protected species, that he could not be touched or the project would be in danger politically. It was said by Transport for NSW that he could not be sacked because the project itself would come into political peril. It is just not good enough. Rochelle Hicks told *The Australian* newspaper that when she

was "told by the managers above me that I was not permitted to terminate Ian Brown's contract or remove him because he was Aboriginal and a cultural knowledge holder and it may be a political risk, I thought it was absolutely ridiculous and I couldn't believe what I was hearing." Quite frankly, when I read this article, I could not believe what I was reading. I do not think any normal, rational person could believe this particular story happened in New South Wales in 2023. Ms Hicks went on to say, "Their response is completely inadequate. My ability to lead, my safety and that of my staff is being compromised. If it was any other contract, it would be immediate dismissal with no questions asked. Mr Brown had been the subject of apprehended violence orders in 2020 made for the protection of two individuals."

Ms Hicks went on to say, "I am frightened. I am hypervigilant. I feel anxious when I'm out in public places." She feels anxious walking around her hometown—what a terrible circumstance. Ms Hicks went on to say, "I'm constantly looking sideways to see if Ian Brown is there looking at me." When the decision was relayed to the land council at the meeting on 21 June, Mr Brown made his threat to kill Hicks if he saw her. When a departmental staffer told Mr Brown he could not make such threats, he responded, "It's not a threat. It's a fact." The brazen arrogance of this guy, to say, "It's not a threat. It's a fact", that he wanted to kill her! She has had to leave Coffs Harbour. The motion must be supported. The Government must ensure this never happens again. The House itself should be apologising to Ms Hicks.

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) (21:25): I move:

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

this House condemns violence against women and confirms that:

- (a) everyone deserves to feel safe at work; and
 - (b) threatening behaviour in any workplace is unacceptable, regardless of whether it is perpetrated by another employee, a stakeholder or a customer.
- (2) That this House:
- (a) notes allegations concerning behaviour at the Coffs Harbour Bypass worksite which have been made public;
 - (b) acknowledges the utmost seriousness of the matter;
 - (c) notes that action has been taken by Transport for NSW, including ordering Ian Brown off the Coffs Harbour Bypass worksite, and that a full investigation is underway; and
 - (d) notes that the matter has been reported to NSW Police.

That is the Government's amendment. I absolutely emphasise those statements about what is the acceptable standard. I am advised that Ian Brown has been ordered off the Coffs Harbour bypass project site and all Transport projects and will not receive permission to return. I want to address the views that the Hon. Mark Latham expressed about Minister Aitchison's involvement. She has spoken publicly about this. She not only sought a report initially but also ensured that the matter has been fully investigated.

I place some of my concerns on the record. I was disturbed when I read this report. I thought it was a very disturbing report. I still have concerns about why a formal report was not made immediately after the threat in June 2023. I am concerned about a possible delay between when this incident occurred and when Mr Brown was told his services would not be required. I do not believe that happened in recent weeks, as the Hon. Mark Latham suggested. I am advised it was actually back in July. I am concerned, though, about a potential delay in reporting this matter to police. Of course, I think all members would be very concerned about the impact this has had on Rochelle Hicks relocating. I am advised she remains an employee of Transport for NSW. I place that on the record, given the statement of the Hon. Mark Latham. I do not want to go further than that. These individuals have some right to privacy, but it is important to place some of those facts on the record, given the real concerns that I think anyone would have, having seen this report. I will leave the matter there by way of putting some facts on the table on behalf of the Government.

The Hon. SAM FARRAWAY (21:29): I support the Hon. Mark Latham's motion. As one of two former transport Ministers here, I am nothing short of disappointed to have to support this motion. It is truly disappointing. I worked with many good people in Transport for NSW. Quite frankly, they have really dropped the ball. I worked with Rochelle Hicks on the Coffs Harbour bypass project on a number of occasions and site visits. To be honest, we dealt with a lot of tricky components of building that project with different and challenging concerns on the ground. We were able to work through it because she was nothing short of professional as a Transport staff member. She did a fantastic job as part of the team.

I will talk about Minister Aitchison, the Minister for Regional Transport and Roads, who oversees the Coffs Harbour bypass project. Minister Graham has stood in this Chamber and put details on the record. He has done much more than Minister Aitchison has done. Quite frankly, I do not buy Minister Aitchison's story.

Transport for NSW found out on Thursday. The Minister said that she was not told until Friday, and no-one did anything until Monday morning, when 2GB and Ray Hadley picked it up. None of this makes any sense whatsoever. Even Minister Graham has just admitted that he has concerns about when and how it was reported to authorities. I think that Minister Graham may have said that Ian Brown was off the project in its entirety from 20 July. But on 25 July the land council was told what parts of the project he was allowed to work on.

There is too much muddy water with this. The reality is that a young professional based in Coffs Harbour, dedicated to the people of New South Wales to build the legacy infrastructure projects this State needs, in particular around that Coffs Harbour bypass project, was not protected. She was not afforded her employer's and her superiors' protection to ensure that she had a safe workplace. I have never met Mr Brown, but I believe, based on his conduct, that he should have been removed from that site immediately. When the Minister responsible in overseeing that project was hitting the media, she should have been clear about what the Government's actions were and are, but she was not. She was almost incompetent with this. I acknowledge that Minister Graham has given us much more tonight than Minister Aitchison has given. I think the Minister for regional roads still has a lot of questions to answer.

The Hon. NATALIE WARD (21:32): I support the Hon. Mark Latham's motion and thank him for bringing it to this House. As a former roads Minister, having dealt with Transport for NSW, but also formerly the Minister for Women's Safety and the Prevention of Domestic and Sexual Violence, this is abhorrent to me. The Hon. Mark Latham is quite right to call out that it is outrageous that no-one else has brought this motion before the House. It is to his credit that he has done so. He is right to criticise all of us for not prioritising this today.

The victim-survivor has paid the highest price in this. She has had to overhaul her life and move. She is the one who has had to take care of this situation. That is unacceptable. For a government that professes to have a Minister dedicated to this, it is unacceptable for Minister Aitchison to not act on this. For the amount of money that is spent by governments on the prevention of domestic violence and the resourcing of women's safety, to have this in a workplace in a government department in 2023 is entirely unacceptable. We have heard that Minister Aitchison heard about this not only on the Thursday but then apparently on the Friday, then took the weekend off to go and contemplate or do whatever it was. We do not know because we have not had an explanation. But she did nothing about it until media reports on the Monday.

The victim-survivor, Ms Hicks, did not have a weekend or 72 hours to decide what she would do about it. This is her life. There was criminal behaviour, a threat to her life, repeatedly and in front of witnesses. There is an obligation to report this criminal behaviour, to take active steps, not to contemplate it over the weekend, not to think about it and certainly not to say to her, "There's not much we can do." It behoves all of us, but particularly the Minister, to do better on this. Her obligation is to take steps immediately and to find out exactly what went on. This is not a cough or cold. This is a threat to a person's life, in front of witnesses. It was not alleged; it was backed up by witnesses. It is entirely unacceptable, in this day and age, that we would even have to talk about this and that steps were not taken immediately by the Minister, by the Government, by others in Transport for NSW, certainly by the witnesses, to say, "We are absolutely doing something about this", before Ms Hicks should have to even raise it.

So I commend the motion. I am not sure that I support the amendments. I think that the motion as it stands is comprehensive and diligent, and I absolutely, wholeheartedly support it. This is not something that you deal with on a Monday. This is something you deal with immediately. They can do better. I commend Minister Graham's commitment to give us information, which has been lacking in this, sadly. I support the motion.

The Hon. BRONNIE TAYLOR (21:35): I commend the Hon. Mark Latham for bringing the motion, and I support it in its entirety. This is the second time today I have got up to say the same thing. Again people espouse values, profess to be supporters of women, demonstrate fair-enough records. When the New South Wales Labor Government talks about having 50 per cent women around the Cabinet table, I commend it, but what does it mean when things like this happen? It means nothing. We are continuously hearing from the Labor Government about how it stands up for those values of keeping women safe, of supporting women to achieve the highest positions in workplaces, of supporting women to be the best they can be, of supporting gender parity and pay equity. And yet we have this situation.

It should not matter whether a Minister is female or male, but let us look at this for a moment. Minister Aitchison has spoken many times to many of us here about having safe workplaces and about supporting women in the workplace. And yet here we have the most blatant disregard for it. The Labor Party is known for promoting safe workplaces. That is its DNA. It is who it is. Many of its members here represent unions, whose very foundation is protecting the workers. Yet they have allowed this situation to happen to a worker, someone who has worked hard. I cannot believe this. This hypocrisy is wrong, disgraceful and should be condemned. I feel terrible for this person. I do not know her, but I feel terrible for her. I ask every single member to remember who

they are and why they came here and the values they said they would espouse to support the people they said they would, because they are letting them down. I commend the motion.

The Hon. MARK LATHAM (21:37): In reply: I thank those who have contributed to the debate. I thank Minister John Graham for the intent of what he has said and the further information he has provided, going further than earlier information from the State Government. I thank the Hon. Natalie Ward, the Hon. Sam Faraway and the Hon. Bronnie Taylor for their contributions. I do not feel that the amendment should be supported by the House, because it waters down my motion. This is not a time for watering down, given the seriousness of this particular matter. The reality is that one can only assume that Transport for NSW swallowed the hemlock of identity politics in thinking it is just impossible to get rid of, terminate, sack an Indigenous person by virtue of the fact that he is Indigenous. The test here, of course, is to contemplate what would have happened if a white man had said to Rochelle Hicks, "I want to kill you. I want to smash in your face" and called her that particular name. He would have been out of the door in a nanosecond.

If we are going to take seriously the rhetoric, the reality and the Government programs about female safety in New South Wales, skin colour should not matter. The corrosive and divisive nature of identity politics seems to be seeping into the minds and culture of Transport for NSW. There is some sort of hierarchy of who is protected and who is not in such circumstances. It seems to be a hierarchy where Indigenous is at the top, LGBT alphabet is next in line, then disability, refugees, females and other migrants, with white men, of course, stone, motherless last. They would always be out the door in such circumstances.

If an issue like female safety and the identity of women in our society is to be taken seriously, then we cannot have other identities coming over the top and overruling common sense and common practice. No woman in any place in New South Wales should be threatened with death and the sort of violence that Ian Brown threatened. I hope the New South Wales Government learns something from this. I hope those who support identity politics take stock of the danger, in this circumstance, of what happens. Most of all I again express to Rochelle Hicks the sympathy that I feel, and I hope every member of the House would apologise for what has happened to her. The victim has paid the heaviest price, and that is plain wrong. It is alleged that Transport still has not reported the matter to the police. I would like to find out some more information about that. I would like the House to support the motion as it stands rather than the watered-down version presented in the amendment.

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

The House divided.

Ayes 18
Noes 16
Majority..... 2

AYES

Boyd
Buttigieg
Cohn
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Hurst
Jackson
Kaine (teller)
Lawrence

Mookhey
Moriarty
Murphy (teller)
Primrose
Sharpe
Suvaal

NOES

Buckingham
Carter
Fang (teller)
Farlow
Faraway
Latham

Maclaren-Jones
Martin
Merton
Munro
Rath (teller)

Roberts
Ruddick
Taylor
Tudehope
Ward

PAIRS

Houssos
Nanva

Mitchell
MacDonald

Amendment agreed to.

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

Motion as amended agreed to.

PALLIATIVE CARE FUNDING

The Hon. DAMIEN TUDEHOPE (21:50): I move:

- (1) That this House notes that:
 - (a) in the 2022-23 budget the Liberal-Nationals Government committed an additional \$743 million over five years to expand palliative care services across New South Wales;
 - (b) the then Opposition leader, Mr Chris Minns, praised this funding in his budget reply speech as "...a welcome and important budget announcement. For too long end of life care has been a low priority of governments of both political persuasions. No one should have to suffer in silence but for too long we have allowed that to happen. Change needed to come, and I congratulate the Premier on that initiative."; and
 - (c) local health districts had begun preparation of business cases to ensure the efficient allocation of these resources.
- (2) That this House notes with regret that:
 - (a) this Government has reduced that funding by 20 per cent, cutting it by \$150 million; and
 - (b) this funding cut will have real impacts on the ability of local health districts to deliver palliative care services to people in New South Wales at the most vulnerable time in their lives, leaving some to suffer unnecessarily.
- (3) That this House calls on the Government to:
 - (a) apologise to the people of New South Wales and to our hardworking and dedicated palliative care practitioners for this thoughtless cut in funding; and
 - (b) fully restore the \$150 million in additional funding to palliative care to help ensure that, wherever they live, all people in New South Wales can receive excellent palliative care when they need it.

When the Minns Labor Government announced its comprehensive expenditure review, there was every reason to expect that the \$743 million in additional funding for palliative care that had been allocated in the 2022-23 budget would be safe from the cuts. The now Premier and then Opposition leader, Mr Chris Minns, singled out that \$743 million allocation as one provision in the 2022-23 budget to be warmly welcomed and praised. Who knew of the depths of cold-hearted hypocrisy with which the now Premier said:

No-one should have to suffer in silence but for too long we have allowed that to happen. Change needed to come, and I congratulate the Premier on that initiative.

At the very first opportunity, the Minns Labor Government slashed \$743 million by a savage 20 per cent. The Premier has clumsily attempted to justify that cut by claiming that the palliative care sector would not be able to effectively spend the \$150 million in funding that he had stripped from it. Does anyone seriously believe that the hardworking and dedicated palliative care specialists in New South Wales could not find an effective way to spend that \$150 million over the next four years? Let there be no doubt that, as a result of the Premier's heartless backflip, some people in New South Wales who could have been provided with needed palliative care will now need to suffer in silence.

No doubt many members have heard from palliative care practitioners who had already begun developing detailed plans for how to most effectively use the additional funding allocated to their local health district to meet gaps in palliative care availability and who have now been told to abandon those plans as the funding has been cancelled. They are understandably distraught because they know that every extra dollar for palliative care goes towards providing needed relief from pain or other distressing symptoms at the most vulnerable time in a person's life. For some palliative care teams, the heartless Minns cuts have equated to a massive 80 per cent of their budgets, severely limiting their ability to deliver needed care.

That \$150 million cut to palliative care funding was clearly a mistake. The first step to remedying a mistake is to admit it. That is why the motion calls on the Government to apologise to the people of New South Wales and to our hardworking and dedicated palliative care practitioners for that thoughtless cut in funding. I invite the Government to make that apology in response to this motion, which calls for the Government to fully reinstate the \$150 million in funding. I urge the Government to do so without delay. That would allow palliative care teams to pick up plans that have had to be shelved in order to roll out new services. It would enable those teams to reach more people with life-limiting illnesses who need access to palliative care and to provide the care that they need and deserve. This is a chance for the Government to do the right thing by reinstating the funding for palliative care.

Debate adjourned.

*Adjournment Debate***ADJOURNMENT**

The Hon. ROSE JACKSON: I move:

That this House do now adjourn.

HOUSING SUPPLY AND PLANNING

The Hon. MARK LATHAM (21:55): I have a train to catch. My adjournment debate contribution is about transport, planning and housing issues in Sydney, so being a late-night commuter is entirely relevant. Over the years we have had some terrible planning decisions in Sydney, which I was reminded of this morning when I was on Narellan Road heading east. I did not have to join the queue, but it is amazing to think that on the outskirts of Sydney at Mount Annan we can have a three-kilometre traffic jam heading east onto the M5. I urge the Minister for Roads, the Hon. John Graham—wherever he is—to address that issue as quickly as possible. That long-running sore is in the electorate of Camden. It demonstrates the paucity of road links between the Campbelltown and Camden population corridors.

My theme is about planning and the housing crisis. There is a lot of talk about increasing housing supply. It is often said that the Minns Government has hit the ground reviewing. It has not had many firm policies or definitive plans, but at least in its rhetoric its talk about increasing housing supply is to be welcomed. But we must realise that increasing housing supply—when we look at the pipeline, from rezonings to development applications and from construction to occupation—will take many years. The fastest, most immediate and important way to improve housing affordability in New South Wales is to get rid of green tape on housing costs. Some experts say it is \$50,000 for a detached dwelling and others say it is nearly \$100,000, depending on how the green tape is calculated. It is certainly around \$20,000 to \$30,000 for an apartment.

There is an immediate benefit to getting rid of the delusion that provincial politicians in this State can save the planet by redesigning and recalibrating the way in which homes are built. Let people decide that. As Menzies and others said back in the day, you can build your own home and have the security of knowing it is yours, and the peace of mind of doing it according to your design and your priorities. Getting rid of green tape should be the number one policy, followed by what the Government is trying to do. I welcome the fact that the plan for Sydney is to go up rather than out, as outlined in the announcements of the Premier, the Minister for Planning and Public Spaces and the Minister for Housing, who is in the Chamber. The costs of urban sprawl are horrendously inefficient. Councils of the North Shore and the eastern suburbs have not carried the burden of population and housing supply and have actively added to the affordability housing crisis. Shame on them.

It is also a shame on the former Government, which did nothing about it. What is the point of having a housing target unless it is enforced? We must say to councils that there will be sanctions if they do not meet those targets and that they may lose their planning powers. That is the ultimate sanction. I am sure everyone would like to live within the council region of the North Shore. It is green and leafy. We look at it from Western Sydney and think, "They've done all right. Good on them." But in terms of the collective interest in housing supply and affordability in Sydney, they need to do more on the North Shore and in the eastern suburbs. The Ministers have talked about that strongly. They must back it up. The housing Minister must back up the rhetoric with those sanctions in order to force the councils into doing the right thing.

Beyond that, there are serious planning issues for this new Government to address. The so-called Bradfield City near the airport is a joke. I urge members to go and have a look at it. There is one crane in the sky. If Stuart Ayres could have fulfilled and piled up his press releases about Bradfield City, they would have been higher than the one crane. The pile of Ayres press releases would have been the most substantial structure at Bradfield. Otherwise, it is unchanged. If you drive through Kelvin Park and all the suburbs there, nothing is happening about Bradfield. Minister Scully did the right thing in collapsing all the bureaucrats—I think they had about 60 or 70 bureaucrats looking at the press releases, looking at the one crane, and essentially nothing else happening. He has collapsed them back into the department to get housing supply moving. That is welcomed.

So too should there be a mechanism for putting on a cap or abandoning or knocking on the head the disgraceful Sydney Science Park at Luddenham, which was never a go. It is Celestino. I am still trying to get to the bottom of it. There is something wicked and something sinister in Celestino, I can tell you. I need a Shakespearean sonnet to work it out. Something has gone wrong there and the truth is that the Government is stuck with the wretched metro line running from Badgerys Creek to St Marys, running through cow paddocks. Cows and horses do not catch trains, and they are the only ones eligible.

The Sydney Science Park is a joke. The Federal Government did the right thing by their interest to keep all the industrial land north of the airport site. That is where the manufacturing, the freight and the logistics will go, not in the Bradfield City and not in the Sydney Science Park. The Minister needs to accept that reality and get

on with better planning in outer Western Sydney as well as the housing supply issues that have been rhetorically spoken of.

IMMIGRATION POLICY AND HOUSING AFFORDABILITY

The Hon. SCOTT FARLOW (22:00): The housing crisis facing our State requires policies which address the need to free up the supply of housing in the short term and in the long term. A year ago Federal Treasury estimated that net overseas migration would be 235,000 for the current 2023-24 financial year. The reality is that, in the year to March 2023, net overseas migration was 450,000 with projections stating it would pass 500,000 in the year to September. Australia has the highest net overseas migration rate in the OECD, with our intake more than double the level per capita of both the United States and the United Kingdom.

Sustainable migration levels are needed to help relieve the strain on housing supply and other essential services. We are passionate advocates for the vast societal benefits of migration to Australia. Australia's greatest strength is the rich, vibrant, multicultural fabric of its society. Immigration has enriched our society and strengthened economic growth, but our current record pace is vastly outstripping our ability to keep up with housing supply, which is leading to record rents and record unaffordability for home buyers.

As I have said before, the housing crisis is not an issue only in New South Wales. It is a test of governments across the world. Canada, another nation with a rich multicultural fabric and a proud history of migration, announced last month that planning for housing and other essentials would be worked into its immigration strategy. This is a wise move that Australia should seek to replicate. With migration being supercharged and the need for housing in the midst of the housing crisis only growing, we need to strike the right balance between welcoming migrants to Australia and ensuring the number is appropriate whilst we accelerate the building of new homes. The Coalition has called on the Minns Government to work with us in a bipartisan way to advocate for slower and better targeted migration policies to allow our market in New South Wales to catch up on housing affordability and supply.

We want to work together on a plan to take to the Albanese Labor Government to slow down current record immigration levels as part of any effort to deliver bipartisan housing reform. As such, we are calling for a return of migration levels to pre-COVID levels. The short-term slowing of migration levels to what served Australia well pre-pandemic will have a beneficial impact on the availability of new homes—especially rentals. Median rents increased in Sydney by 26 per cent for apartments and 20 per cent for homes in the 2022-23 financial year. This is completely unsustainable, and people are feeling it. By easing the demand on new housing, we can have the supply catch up.

The Federal Government controls the number of people who enter Australia and then leaves the job of delivering housing, schools, hospitals and other essential services that every resident requires to the State Government. Of course, this week we have seen that there are further cuts when it comes to infrastructure that the Federal Government should be supplying for the people of New South Wales. The dialogue between the Commonwealth and States on migration is broken and it needs to be re-established.

The Coalition supports migration. At the same time, we want every migrant to have the best experience as they move to Australia, and we need to look after everyone who is here today. We need to have a migration program which will support those who come to Australia to make the absolute most of every advantage that Australia has to offer. New South Wales has a housing target of 377,000 new homes over the next five years. The introduction of new housing to the market is projected or, perhaps more accurately, hoped to pick up in the second-half of that five-year period. These were targets that the Premier signed New South Wales up to with no advice from the Department of Planning in a Government that seems to just take whatever Canberra dishes out. The ambitious increase in housing supply will not happen overnight. New housing supply will see keys in doors in, at the earliest, two years' time, with the Government revealing in budget estimates that it anticipates that most target construction will pick up between 2026 and 2029. The New South Wales Government's 2022-23 budget clearly stated:

Demand for housing, meanwhile, has intensified due to the sharp increase in net overseas migration. This has helped drive rental vacancy rates down to around their historical low levels

And:

The pandemic return of migration and changes to housing preferences has left the State's housing supply struggling to catch up to demand ...

That begs the question: What do we do in the interim? How do we improve affordability and ownership in the interim? We can take action on the amount of demand as we address the amount of supply in the market. Immigration is important for Australia's future, but we need to ensure it is at sustainable levels and that everyone has an affordable place to live. We need to be dynamic in addressing affordability pressures of today while

delivering future supply for tomorrow. We are available to meet with the Premier and the planning Minister at their convenience and invite the Government to work together, on a bipartisan basis, to advocate the Commonwealth for a migration program which supports the multicultural fabric of our society, addresses the skill shortages in our State and allows for the increase in the supply of housing.

SOCIAL COHESION

The Hon. PETER PRIMROSE (22:05): The Scanlon Foundation Research Institute recently released its annual report entitled *Mapping Social Cohesion 2023* by Dr James O'Donnell. The survey has been conducted since 2007. This year almost 7,500 Australians participated in the latest survey. Some 251 targeted surveys were conducted with people from non-English speaking backgrounds, and a further 55 in-depth qualitative interviews were done with people who had relatively recently migrated to Australia.

The survey asks multiple questions about immigration, trust in others and in government, multiculturalism and perceptions of financial security and happiness. The 2022 report had shown that social cohesion had been declining after a COVID-related spike in 2020. It identified declines in our sense of national pride and belonging, increasing financial strain, and a weakening sense of social inclusion and justice. The latest 2023 report reinforces these concerns, and the index of social cohesion is now the lowest since the annual surveys commenced.

In summary, there were several key findings. The economy is the number one concern for most people, but climate change and global conflict still weigh heavily on the minds of Australians. After economic issues, the next most commonly cited problem was housing affordability and shortages. Around two-thirds of people are at least quite concerned about climate change, while two in five are very concerned. Financial pressures are weighing heavily on social cohesion. Between 2020 and 2023 the proportion of people satisfied or very satisfied with their finances declined from 73 to 61 per cent. In 2023, 12 per cent of people said they often or sometimes went without meals because they did not have enough money for food. Some 22 per cent said they often or sometimes could not pay for medicines or health care.

The rising cost of living has also led to a substantial decline in our sense of social inclusion and justice, and the concept of a fair go is now under serious strain. The index of social inclusion and justice is lower now than at any time since the surveys began in 2007. The decline is being driven by growing concern about economic inequality and fairness. Overall, agreement that Australia is a land of economic opportunity is still a belief held by a majority of people, but there has been a substantial decline in recent years.

After increasing during the pandemic, since that threat has declined, trust in government and political systems has returned to pre-pandemic levels. Thirty per cent of people believe that government leaders abuse their power most or all of the time, while 83 per cent believe powers are abused at least some of the time. Trust in government and public institutions is at the heart of social cohesion, intersecting with multiple aspects of Australian society and culture, and this level of trust has declined significantly, contributing to a declining sense of national pride and belonging.

However, there is also high and growing support for multiculturalism and diversity as a great asset to Australia and our sense of harmony and cohesion. In 2023, 78 per cent of people agreed that accepting immigrants from many different countries has been good for Australia. Australians continue to recognise, support and celebrate our ethnic and cultural diversity and the positive impact it has had on Australia's society, culture and economy. Neighbourhood and community belonging and connections also remain strong, with 80 per cent agreeing or strongly agreeing that they belong in their neighbourhood and 64 per cent saying that their neighbourhood has a strong sense of community.

The report concludes that community and government efforts to strengthen our personal, social and material wellbeing and our connections with each other can go a long way to managing our current challenges and ensuring a cohesive, resilient and vibrant Australian society in the years to come. I urge all honourable members to obtain a copy of the report and look at it. It is not based upon ideology but upon people's perceptions, assessed in a very rigid and scientific way to show what is actually occurring in our population. It is not something to base political rhetoric on but is certainly something to base our policies on.

ANIMAL AGRIBUSINESS INDUSTRY

The Hon. EMMA HURST (22:10): Tonight I detail what happens in the animal agribusiness industry because we need to hear and think about the practices that are unseen. Imagine if your neighbour put a budgie in a blender and then turned it on. They would be prosecuted by authorities and loathed by the media and the community—and rightly so—yet the Australian egg industry does the same thing to roughly 12 million newborn male chicks every year because they are deemed useless. Here is the hard truth: The live maceration of day-old chicks happens in cage, free-range and organic systems. There is no such thing as a humane egg.

A duck is semi-aquatic, but she will be deprived of water for her whole life. One of the saddest things I have ever heard is that a duck rescued from agribusiness will not leave the water once given access to it. She will try to stay in the water to the point that it could make her sick. Such is her desperation for it that she will cling to it like it may never come back. The expression "like a duck out of water" means someone out of their natural or normal environment, yet that is the commonplace in intensive agribusiness.

Inside the factory farm, she will never be able to bathe, swim or even dip her head into water to clean her eyes. She may go blind. She will likely try to preen without water and ingest the faeces that are stuck to her feathers. Her weak leg and thigh joints are designed for a life on water, so sometimes she will find it hard to stand and will be forced to sit in the weeks of faeces that have built up in the shed. They will burn through her feathers and then through her skin. Her only access to water will be through nipple drinkers that are designed for chickens, not ducks.

Then there is the dairy industry. Its darkest secret is this: A newborn male calf will be killed in his first week of life so that his mother's milk, which she is naturally producing for her baby, can be taken, bottled and consumed by humans. His life is the true cost of dairy. She will cry out all night for her baby until her voice gives out. He is alone at a slaughterhouse, desperate for feeding. When I first went vegan, I wanted to know if wool was cruel. This is why I will not wear wool: A quarter of all lambs born into the animal agribusiness industry will not survive their first 48 hours. Up to 15 million lambs in Australia's meat and wool industry will freeze to death soon after birth. Born too small and weak to a mother bred to give birth to an unnatural number of lambs, many of those newborns do not stand a chance. Their mother will do all she can to protect them from wind, rain and cold. But, with no industry standards to even require full shelter, her efforts to save her baby will be useless.

For those who do survive, their future is bleak. They are forced to endure cruel industry practices including mulesing, castration and tail docking—all without pain relief. At just six months old, they are then crammed onto a truck for up to 48 hours with no food or water and sent to a slaughterhouse to be killed. We can all make kinder choices. A lamb does not need to freeze to death to keep me warm. Then there are the death ships in the live animal export industry. To every single animal forced into the brutal live export trade: We see you, we hear you and we will continue to fight for you. It is not about if we will end live exports, but when.

CUMNOCK VILLAGE PRESCHOOL

STAND TALL

The Hon. SARAH MITCHELL (22:14): Last week while I was in the Central West I had the opportunity to visit Cumnock Village Preschool with my friend and colleague the Hon. Sam Faraway. For those who do not know, Cumnock is located in the Cabonne shire. It is about 15 minutes' drive from Molong and has a vibrant and thriving preschool, which I enjoyed visiting in my capacity as shadow early learning Minister. Sam and I visited on the preschool's open day, and it was really exciting to hear from the staff that there was a lot of support and interest from prospective families for the service. They had lots of parents and children coming to find out what the preschool was all about. They expect to see that flow on to their enrolments next year, which is incredibly exciting.

I also thank the children who attended the service. They were lots of fun to hang out with. They have an amazing outdoor play space and, even though it was quite a warm day, it was very shady. I have to say I tended to focus on the mermaid Barbies with the girls, but Sam's Akubra stole the show with some of the boys who were there. They very kindly swapped their green Cumnock Village Preschool hats for Sam's Akubra, and it was a bit of a challenge to get it back when it was time to go. Sorry to all of the parents from Cumnock when Akubras find their way onto the Christmas lists this year. Make sure you send the Hon. Sam Faraway the invoice for that. I also acknowledge and thank the service director, Jessie, and her team of really dedicated staff for their incredibly warm welcome. I congratulate them for the work that they do, day in and day out, to support the littlest learners in Cumnock and surrounds. It is a small village but it has a big heart, and we certainly saw that on show when we visited the preschool that day.

While we were in town we also took the opportunity to call into the Cumnock general store, which is now officially open for business. The community there has rallied together to take over the running of the existing store. It is well stocked with essentials, including groceries and a bottle shop. They also have the post office and a cafe for the community. They have really big plans for their expansion and future events. I congratulate everyone involved in that fabulous local initiative.

I give a special shout-out to Sarah Haynes, who gave us a tour. She also happens to work part-time at the preschool, which is part of why I love small communities. I know they will achieve incredible things. I suggest that all members call in and grab a toasted sandwich and a coffee next time they are in the area. They also conveniently have a great selection of mixed lolly bags—very old school—which also come in handy for mums

like me who might have been working away for a couple of days and can take a few packets home to their kids. I was certainly a hit with my girls when I got home that night.

Last Friday I also had the pleasure of attending the Stand Tall event in Tamworth as the shadow education Minister. Some members would be aware of Stand Tall, which has run numerous events across the country focused on secondary students. The inspirational events bring a range of speakers together to arm students with the essential skills of resilience, motivation and the power of perspective, and to make sure that they make good and wise decisions. I joined them for the morning session of the event last Friday in Tamworth, and we heard from some great speakers.

One was Daniel "D Minor" Harvey, who is an award-winning artist from Sydney. I am sure the Treasurer knows who he is because he is a rapper, but he had quite a turbulent life in his early years. He told the story of how he took "D Minor" as his rap name because his name is Daniel—hence the "D"—and he was a minor when he started to get into a little bit of trouble. D minor is apparently also the saddest note that one can play in music—I will take the word of those who have more expertise—but he tried to turn that into a positive message. What he has been able to achieve is quite remarkable. He is an ambassador for Stand Tall and his message was very strong on the day.

We also heard from Bailey Seamer, who is a mental health advocate who walked the entire east coast of Australia to raise awareness of mental health issues. She was phenomenal. We also heard from Tony Hoang, who told his story about growing up in Cabramatta, having serious issues with the law as a drug dealer and losing many people close to him because of drugs. He has set up a new foundation to turn around the lives of people who have been in his shoes. Another highlight was Timomatic; the kids loved him. He made everyone dance—even the adults, including me—and I hope that there are no videos of that. He was also very well received by the students who were there.

I give a shout-out to Angie Farr-Jones and her husband, Nick, who are the driving forces behind Stand Tall. I thank Tamworth Regional Council for its support. Most importantly, I know that the students had a really enjoyable day. My niece Scarlett Donahue happened to be in attendance, and she was telling me how her friends really got a lot out of it. It is sometimes hard to make 13- or 14-year-olds feel inspired and resilient for their future, so I congratulate everyone involved in Stand Tall Tamworth.

STUDENT WORK PLACEMENT COMPENSATION

The Hon. ANTHONY D'ADAM (22:19): Many university students are required to undertake placements or internships as part of their degree. They can run from a few days to several months in length. Under the Fair Work Act, students completing vocational placements are not considered employees and therefore are not entitled to the minimum wage or other benefits. Working without pay is simply not feasible for many, especially those who come from a low socio-economic background. It also disproportionately impacts mature-aged students with families and children. Work placements often mean students have to travel, pay for parking or public transport and wear professional clothing. That immediately leaves them out of pocket. Nursing degrees require at least 800 hours of placement. For social work and occupational therapy programs, it is 1,000 hours. Being required to complete as many as 1,000 hours of labour without compensation not only is financially disadvantageous for students, but also contributes to early burnout and poorer mental health outcomes. Some students are forced to work a full seven days during their placements, with paid work on weekends necessary to make ends meet.

In 2022 the head of social work at Charles Darwin University, Professor Lisa Hodge, led a joint study of five universities which found students' lived experiences of poverty during placements affected relationships, caregiving duties and nutrition. She said, "This in turn reduces the likelihood of their workforce participation when they graduate." Her team also found that students who experience financial hardship, such as loss of pay, employment and stable accommodation, as a result of lengthy and unpaid placements are likely to experience negative mental health and wellbeing. The industries in which placements are more often than not unpaid are female-dominated, such as degrees in nursing, teaching, counselling and psychology. The work that those students undertake is essential for our communities. Whilst many students have a passion for helping others and do so out of the goodness of their heart, that should not have to be the case. We need more well-educated, qualified and energetic workers in those industries, and their hard work should be rewarded with fair pay.

One of the key election promises of the Minns Labor Government was safe staffing levels. To deliver on that promise, it will be necessary to train up and employ more healthcare workers. We also need to focus on retention. The current target is one nurse for every three patients in emergency rooms and one nurse per four patients in wards. According to a March report from the Bureau of Health Information, from October to December 2022, more than 18,000 patients who received treatment in emergency departments and were subsequently admitted to hospital spent approximately 20 hours in an emergency department. It is clear that we desperately need more staff. More than 20,000 student teachers and nurses across New South Wales fill our schools and

hospitals on unpaid placements each year. We should be doing absolutely everything we can to support students in those vital sectors to complete their degrees.

Experts say that lengthy, unpaid requirements are forcing students to drop out or move to part-time study. Early childhood education has the highest first-year dropout rate of any degree. Just 44 per cent of students complete bachelor's degrees within six years, and 18 per cent leave within the year. In social work, 14.5 per cent do not return after their first year of studies. Psychology also falls below the average, with a 56 per cent completion rate and a 10 per cent dropout rate. In nursing, 66 per cent of students complete bachelor's degrees in six years, and 10 per cent drop out after one year.

Academics are calling for students to be compensated for compulsory internships to reduce high dropout rates amid the cost-of-living crisis. Without financial assistance, people are struggling. To do unpaid work can mean having to choose between putting petrol in the car to get to a placement or having enough food for the week. If police recruits receive free accommodation, free food and \$3,000 for completing their training, we should be able to better support our teaching and nursing students. Amid the cost-of-living crisis, rising university fees and HECS debt increases, we can no longer expect students to do that work for free. Students undertaking mandatory vocational placements should receive a living allowance through State or Commonwealth Government grants.

In 2013-14 in the New South Wales Parliament, the joint Committee on Children and Young People examined the issue in its inquiry into volunteering and unpaid work placements among children and young people. The Government response was underwhelming and did not lead to any substantial change. We need to stop assuming all university students can depend on their parents to fund their studies and lives. We need to rethink the current model to increase flexibility, and we need to stop pretending that free labour is the best way for students to learn.

SAFework INSPECTORS

The Hon. MARK BUTTIGIEG (22:24): Last week, along with the Minister for Work Health and Safety, I was pleased to present awards to several graduating inspectors at SafeWork. A Diploma of Government (Workplace Inspection) was given to 35 inspectors and an Advanced Diploma of Government (Workplace Inspection) was given to six inspectors. That was important, because those inspectors, who go into the field and inspect our workplaces to make sure they remain safe, provide a proactive regime. The reality is, if we do not have those workplace inspections, people think they can get away with unsafe work practices. When they know someone is coming out to inspect their workplace, it keeps people on their toes.

I remember, when I was an apprentice, we used to have electrical inspectors who came and inspected the premises. The sparkies would be on their toes and making sure they did the right thing, because they knew they could get pinged. We then went through a deregulatory period where there was a self-inspection regime. I congratulate those who graduated last week on their awards, and I let them know that the Government is very keen on a proactive regime and hopefully instituting more inspectors into the future, because it is a critical input into our safe environment.

The PRESIDENT: The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:25 until Thursday 23 November 2023 at 10:00.