



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Eighth Parliament
First Session**

Wednesday 29 November 2023

Authorised by the Parliament of New South Wales

TABLE OF CONTENTS

Announcements	1
Legislative Council Bicentenary Concert Series	1
Motions	1
Sydney Chocolate Ball	1
Documents	1
Local and Community Grants.....	1
Tabling of Report of Independent Legal Arbiter	1
Motions	2
Mrs Donna Riles	2
Upstairs Startup Hub.....	2
Australian National Field Days	2
National Radio News	3
2MCE Radio Station.....	3
Rotary Club of Bathurst.....	3
NSW Rural Women's Gathering.....	3
Cumnock Village Markets	4
Plumbing Industry Apprenticeship Awards.....	4
Republic of Türkiye Centenary Reception	5
South Asian Film, Arts and Literature Festival	5
Rural Women's Gathering.....	6
Animal Shelters	6
Documents	7
Tabling of Papers.....	7
Local and Community Grants.....	7
Report of Independent Legal Arbiter.....	7
Auditor-General.....	7
Reports.....	7
Bills.....	7
Drug Misuse and Trafficking Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 ..	7
First Reading.....	7
Second Reading Speech.....	7
Documents	10
Tabling of Papers.....	10
Bills.....	10
Pill Testing Trial Bill 2023	10
First Reading.....	10
Second Reading Speech.....	11
Visitors.....	11
Visitors.....	11
Questions Without Notice.....	11

TABLE OF CONTENTS—*continuing*

Local Small Commitments Allocation	11
Disaster Recovery Funding.....	12
Narrabri Inland Port Project.....	13
Argentina Economic Policy	14
Energy Supply	14
Tamworth Meat Industry Share Houses	15
Rozelle Interchange	16
Disaster Readiness	17
Water Buybacks	18
Solar Farms and Public Liability Insurance.....	19
Emergency Services Levy	20
Menindee Lakes and Floodplain Harvesting	20
Sydney Theatre Company.....	21
Supplementary Questions for Written Answers	22
Local Small Commitments Allocation	22
Questions Without Notice: Take Note.....	22
Take Note of Answers to Questions	22
Narrabri Inland Port Project.....	22
Water Buybacks.....	22
Water Buybacks.....	23
Water Buybacks.....	23
Energy Supply	24
Solar Farms and Public Liability Insurance.....	24
Argentina Economic Policy	24
Sydney Theatre Company.....	25
Rozelle Interchange	25
Argentina Economic Policy	25
Sydney Theatre Company.....	25
Rozelle Interchange	25
Sydney Theatre Company.....	26
Emergency Services Levy	26
Narrabri Inland Port Project.....	26
Take Note of Answers to Questions	27
Private Members' Statements.....	28
Parliamentary Clothing Drive.....	28
Zimbabwe Association In Australia	28
Living Wonders Climate Cases	29
Housing Supply	29
Higher School Certificate Examinations	30
Native Forest Logging	30
The Hon. Tania Mihailuk Comments	31
Animal Cruelty Laws.....	31

TABLE OF CONTENTS—*continuing*

Tribute to John Desmond Ward, OAM	32
Bills	32
Thoroughbred Racing Amendment Bill 2023	32
First Reading.....	32
Customer Service Legislation Amendment Bill 2023	33
First Reading.....	33
High Risk Offenders Legislation Amendment Bill 2023	33
First Reading.....	33
Business of the House.....	33
Suspension of Standing and Sessional Orders: Order of Business	33
Senate.....	33
Senate Vacancy.....	33
Bills	34
Pill Testing Trial Bill 2023	34
Second Reading Speech.....	34
Constitution Amendment (Rights and Freedoms) Bill 2023	37
Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023	37
First Reading.....	37
Second Reading Speech.....	37
Industrial Relations Amendment Bill 2023	39
First Reading.....	39
Motions	42
Art Gallery of New South Wales.....	42
Committees	45
Procedure Committee	45
Reference	45
Documents	50
Transport for NSW Employee Workplace Safety	50
Production of Documents: Order.....	50
Motions	55
Perinatal Mental Health Week.....	55
Documents	59
Kosciuszko National Park Wild Horse Heritage Management Plan	59
Production of Documents: Order.....	59
Palliative Care Funding	61
Production of Documents: Order.....	61
Motions	65
First Nations Treaty	65
Documents	70
Minister for Transport Office Staffing.....	70
Personal Information Redacted.....	70
Tabling of Redacted Documents.....	70

TABLE OF CONTENTS—*continuing*

Murray-Darling Basin Plan.....	70
Production of Documents: Order.....	70
Motions	73
Lab-Grown Meat	73
Rulings	81
Offensive Language.....	81
Motions	82
Innovation Funding.....	82
Bills.....	85
Biosecurity Amendment (Independent Biosecurity Commissioner) Bill 2023	85
Returned.....	85
Electoral Funding Amendment Bill 2023	85
Returned.....	85
Road Transport Legislation Amendment (Automated Seatbelt Enforcement) Bill 2023	85
Messages.....	85
Motions	85
SafeWork NSW and Theo Seremetidis	85
Adjournment Debate.....	88
Adjournment.....	88
Criminal Justice System	88
Veterans and Firearms Licensing	89
Member Conduct	90
WestConnex.....	91
International Day of Solidarity with the Palestinian People.....	91
Fred Caterson Reserve	92

LEGISLATIVE COUNCIL

Wednesday 29 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.

Announcements

LEGISLATIVE COUNCIL BICENTENARY CONCERT SERIES

The PRESIDENT (10:01): I remind honourable members that from 12.45 p.m. to 1.30 p.m. today, the Fountain Court will feature a trombone quartet from the Sydney Conservatorium of Music. It is the last performance in the Bicentenary Concert Series for 2023. We are encouraging everyone at New South Wales Parliament to reflect on our past, celebrate our progress and imagine our future. Today's trombone quartet will perform festive favourites such as *Have Yourself a Merry Little Christmas* and *Rudolph, the Red-Nosed Reindeer* together with other crowd-pleasing pieces, including John Lennon's *Imagine* and George Gershwin's *Summertime*. Come and join us for what will be an especially festive performance as we imagine a joyful holiday break and a prosperous new year for everyone across New South Wales.

Motions

SYDNEY CHOCOLATE BALL

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

- (1) That this House acknowledges that the twelfth annual Sydney Chocolate Ball, organised by the FSHD Global Research Foundation, was held on 21 October 2023 at The Star Sydney.
- (2) That this House recognises that:
 - (a) the FSHD Global Research Foundation was established in 2007 with a core mission to fund treatments and an ultimate cure for facioscapulohumeral muscular dystrophy [FSHD];
 - (b) the foundation has committed over \$11 million to fund 56 ongoing medical research grants in 11 countries, including Australia; and
 - (c) the global research into muscle wellness, muscle technology and drug discovery to advance clinical trials for FSHD and other muscular dystrophy conditions has been significantly advanced through the coordination and fundraising work of the foundation.
- (3) That this House notes the attendance at the Sydney Chocolate Ball 2023 of:
 - (a) Mr Bill Moss, AO, founder and patron of the FSHD Global Research Foundation;
 - (b) Dr Fiona Martin, Head of Science and board director, FSHD Global Research Foundation;
 - (c) Senator Andrew Bragg;
 - (d) Mr Jordan Lane, MP, member for Ryde; and
 - (e) the Hon. Jacqui Munro, MLC.

Motion agreed to.

Documents

LOCAL AND COMMUNITY GRANTS

Tabling of Report of Independent Legal Arbiter

The Hon. DAMIEN TUDEHOPE: I move:

- (1) That the report of the Independent Legal Arbiter, the Hon. Keith Mason, AC, KC, dated 27 November 2023, on the disputed claim of privilege regarding local and community grants decisions, be laid upon the table by the Clerk.
- (2) That, on tabling, the report is authorised to be published.

Motion agreed to.

*Motions***MRS DONNA RILES**

The Hon. WES FANG (10:03): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) on 27 October 2023 Orange Regional Conservatorium Director, Mrs Donna Riles, announced her retirement, marking the end of a distinguished 40-year career in music education; and
 - (b) Mrs Donna Riles was the director of the Orange Regional Conservatorium for more than 11 years.
- (2) That this House acknowledges:
 - (a) Mrs Riles' 40 years of service to music education, supporting so many people with the opportunity to achieve their musical dreams; and
 - (b) that Mrs Riles has been instrumental in supporting a state-of-the-art new facility for Orange Regional Conservatorium and overseeing a period of steady growth and outstanding performance.
- (3) That this House congratulates Mrs Donna Riles on her achievements as director of the Orange Regional Conservatorium and for her 40 years of service to the music education system.

Motion agreed to.

UPSTAIRS STARTUP HUB

The Hon. WES FANG (10:04): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) the Upstairs Startup Hub is a co-working space for both small business and new and innovative startup businesses based in Bathurst, New South Wales;
 - (b) the Accelerate@Upstairs Launch Program commenced on 23 October 2023 and is about fostering innovation, growth and collaboration in the Central West region, bringing together businesses and entrepreneurs from all sectors; and
 - (c) Upstairs Bathurst has more than 32 dedicated workstations, hot desks, breakout spaces, mentors and tailored programs to help local business and community leaders achieve their goals.
- (2) That this House acknowledges that:
 - (a) Upstairs Bathurst opened in April 2018 and was the first regional startup hub in the Central West New South Wales; and
 - (b) Upstairs Startup Hub has now helped over 50 entrepreneurs, hosted a number of events and developed a range of new programs and initiatives that support, mentor, network and provide new opportunities for the Bathurst business community.

Motion agreed to.

AUSTRALIAN NATIONAL FIELD DAYS

The Hon. WES FANG (10:04): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) the seventieth Australian National Field Days took place from 26 October 2023 to 28 October 2023 at Borenore; and
 - (b) the Australian National Field Days is an annual field day exhibition that provides a unique opportunity for retailers, primary producers, the public and government organisations to come together to share information in a hands-on forum.
- (2) That this House acknowledges that:
 - (a) the Australian National Field Days was established in 1952 and is the oldest annual agricultural exhibition in the country;
 - (b) the Australian National Field Days showcases quality exhibitors and continues the long-held commitment to advancing Australian agriculture; and
 - (c) for 64 years the Australian National Field Days have been organised by a voluntary committee of local farmers, graziers, orchardists, machinery agents and government officers and a dedicated team of staff, who are committed to showcasing the very best of agriculture.
- (3) That this House congratulates the Australian National Field Days chairman, Mr Sam Connell, manager, Jayne West, and the entire organising committee for a successful 2023 Australian National Field Days.

Motion agreed to.

NATIONAL RADIO NEWS

The Hon. WES FANG (10:04): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) National Radio News is the national news service for the community broadcasting sector and is produced by the Community Broadcasting Association of Australia in partnership with Charles Sturt University;
 - (b) National Radio News bulletins are produced from a newsroom located on the Bathurst campus of Charles Sturt University; and
 - (c) National Radio News bulletins are overseen by News Director Frank Bonaccorso, journalists, student journalists and cadets drawn from the Bachelor of Communications (Journalism) course, who work together to deliver news bulletins broadcast to over two million listeners a week across Australia.
- (2) That this House acknowledges that:
 - (a) community broadcasting is a vital part of the Australian media landscape; and
 - (b) the over 450 community radio services broadcasting across Australia play an important role in providing a voice for communities that are not adequately serviced by other broadcasting sectors.
- (3) That this House congratulates the National Radio News broadcasting team, who are based in the 2MCE studios at Charles Sturt University, for their dedication to the delivery of news across community radio stations throughout Australia.

Motion agreed to.

2MCE RADIO STATION

The Hon. WES FANG (10:05): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) 2MCE is Charles Sturt University's community radio station, broadcasting a diverse range of programs to Bathurst, Orange and the Central West region on 92.3 FM and 94.7 FM; and
 - (b) 2MCE is both a community service of Charles Sturt University and a major teaching and practical training resource for the School of Information and Communication Studies.
- (2) That this House acknowledges:
 - (a) that the hands-on experience with 2MCE enables students to operate in the radio industry, gaining professional and practical knowledge, and allows space for them to create and produce stories, segments, specials and regular programs for broadcast;
 - (b) these skills result in highly regarded graduates who are ready to undertake specialised roles in the communications industry; and
 - (c) a number of the current station volunteers were also involved in the first broadcasts in 1976, highlighting the important role community-access radio plays in the lives of many people.
- (3) That this House congratulates the 2MCE station volunteers, who together present a diverse range of programs focusing on the social, cultural and educational interests of the communities of Bathurst and Orange and Charles Sturt University.

Motion agreed to.

ROTARY CLUB OF BATHURST

The Hon. WES FANG (10:05): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
 - (a) the seventh annual Rotary Club of Bathurst Great Corporate Duck Race took place on the Macquarie River in Bathurst on Sunday 26 November 2023; and
 - (b) the Great Corporate Duck Race is an annual fundraising event run by the Rotary Club of Bathurst to support local charities, community groups and disadvantaged or vulnerable members of the local community.
- (2) That this House acknowledges the amazing work the Rotary Club of Bathurst undertakes in the local community, which includes supporting youth chill-out spaces at Veritas House, driver safety workshops, youth driver awareness courses, new medical equipment for at-risk youth and renovating the backyard of the Bathurst Neighbourhood Centre.
- (3) That this House congratulates the Rotary Club of Bathurst president, Mr Iain McKean, duck race coordinator, Mr Steve Semmens, and the entire organising committee for a successful 2023 Great Corporate Duck Race.

Motion agreed to.

NSW RURAL WOMEN'S GATHERING

The Hon. WES FANG (10:06): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:

- (a) the NSW Rural Women's Gathering was held at Borenore on the outskirts of Orange on 25 November 2023 and 26 November 2023;
 - (b) 2023 is the thirtieth anniversary of the NSW Rural Women's Gathering;
 - (c) the gathering was well attended with over 120 women from across regional and rural New South Wales participating in the event over the weekend; and
 - (d) the Hon. Jodie Harrison, MP, the Hon. Sam Farraway, MLC, and the Hon. Aileen Macdonald, MLC, attended and supported the gathering.
- (2) That this House acknowledges that:
- (a) for 30 years, the NSW Rural Women's Gathering has played a crucial role, empowering and connecting rural women and providing a platform for networking, learning and sharing experiences;
 - (b) the co-chairs of the 2023 organising committee are Mrs Jayne West and Mr Reg Kidd, and the committee members are Lynda Smart, Rebecca Blandford, Bree McMinn, Margot Connors, Lucy McEvoy, Liz Davis, Trudy Glasgow, Kate Lorimer-Ward and Michelle Goss; and
 - (c) the members of the 1993 and 2023 Orange gathering committees were Audrey Hardman, OAM, Reg Kidd, Jayne West, Marg Carroll, OAM, and Ronnie Hazelton.
- (3) That this House congratulates the organising committee for the successful running of the 2023 NSW Rural Women's Gathering.

Motion agreed to.

CUMNOCK VILLAGE MARKETS

The Hon. WES FANG (10:06): On behalf of the Hon. Sam Farraway: I move:

- (1) That this House notes that:
- (a) the Cumnock Village Markets Family Fun Day was held on Saturday 21 October 2023; and
 - (b) the Cumnock Village Markets Family Fun Day had over 60 local store holders from across the Central West showcasing local produce, products, live music, crafts, food and community spirit.
- (2) That this House acknowledges:
- (a) the efforts of Cabonne Shire Council in supporting the Cumnock community with this event and providing council resources to ensure the event was a success; and
 - (b) all the sponsors who supported the event.
- (3) That this House congratulates the Cumnock Village Markets Family Fun Day organisers, Mrs Rhonda Watts, Mrs Cassandra Roberts and the entire organising committee, for a successful 2023 Cumnock Village Markets Family Fun Day.

Motion agreed to.

PLUMBING INDUSTRY APPRENTICESHIP AWARDS

The Hon. MARK BUTTIGIEG (10:07): I move:

- (1) That this House notes that:
- (a) on 4 November 2023, the Plumbing Industry Climate Action Centre [PICAC], Plumbing and Pipe Trades Employees Union [PPTEU], Fire Industry Training [FiT] and Service Trade College Australia held their apprenticeship awards and graduation dinner;
 - (b) the Hon. Mark Buttigieg, MLC, was honoured to attend the event and make a speech at the invitation of PICAC as well as represent the Premier, the Hon. Chris Minns, MP, and the Minister for Better Regulation and Fair Trading, the Hon. Anoulack Chanthivong, MP; and
 - (c) the following guests attended:
 - (i) the Hon. Sophie Cotsis, MP;
 - (ii) the Hon. Courtney Houssos, MLC;
 - (iii) Mr Shayne La Comb, PICAC CEO;
 - (iv) Mr Theo Samartzopoulos, PPTEU NSW State Secretary; and
 - (v) Mr Bill Guthrie, PICAC NSW Operations Manager.
- (2) That this House further notes that:
- (a) the event celebrated and recognised the achievements of plumber and sprinkler fitter apprentices, with more than 60 apprentices graduating;
 - (b) a number of awards were given out at the ceremony to apprentices who achieved academic attainment, showed excellence in their coursework and always maintained a good attitude;
 - (c) the winners of the Fire Industry Training Awards were:

- (i) First Year, Leigh Fensom;
- (ii) Second Year, Brendon Handley; and
- (iii) Third Year, James Rigas.
- (d) the winners of the Plumbing Service Trades College Awards were:
 - (i) First Year, Adam Bou-Nehme;
 - (ii) Second Year, Jasmin Camilleri; and
 - (iii) Third Year, Iliaseri Ravetali.
- (e) the winner of the Indigenous Apprentice of the Year Award was Kyle King; and
- (f) ex-student and retired footballer Trent Hodgkinson addressed the event.
- (3) That this House congratulates the plumber and sprinkler fitter apprentices who graduated at the ceremony as well as the very deserving award winners.

Motion agreed to.

REPUBLIC OF TÜRKİYE CENTENARY RECEPTION

The Hon. MARK BUTTIGIEG (10:07): I move:

- (1) That this House notes that:
 - (a) on 30 October 2023, the Consul-General of the Republic of Türkiye, Mr Ali Sevim, held a centenary reception;
 - (b) the Hon. Mark Buttigieg, MLC, was honoured to attend and make a speech representing the Minister for Multiculturalism, the Hon. Stephen Kamper, MP; and
 - (c) many guests attended the reception, including:
 - (i) Her Excellency the Hon. Margaret Beazley, AC, KC, Governor of New South Wales;
 - (ii) the Hon. Ben Franklin, MLC, President of the Legislative Council;
 - (iii) the Hon. Ron Hoenig, MP;
 - (iv) Ms Lynda Voltz, MP;
 - (v) Colonel Michael Miller, LVO, RFD, Official Secretary to the Governor of New South Wales and Clerk to the Executive Council;
 - (vi) Councillor Lisa Lake, Mayor of Cumberland City Council;
 - (vii) Mr Hakan Harman, Chief Operating Officer of the Art Gallery of NSW;
 - (viii) Mr John Robertson, President of Gallipoli Memorial Club; and
 - (ix) Consuls-General and members of the Consular Corps representing 20 countries.
- (2) That this House further notes that:
 - (a) the event honoured the 100th anniversary of the Proclamation of the Republic of Türkiye;
 - (b) Türkiye and Australia have a longstanding friendship, building deep bonds of respect during World War I; and
 - (c) Turkish diaspora in Australia have made considerable contributions in a range of fields, including arts, sciences, business, education and culture.
- (3) That this House congratulates Consul-General of the Republic of Türkiye Mr Ali Sevim for holding such a significant event.

Motion agreed to.

SOUTH ASIAN FILM, ARTS AND LITERATURE FESTIVAL

The Hon. MARK BUTTIGIEG (10:07): I move:

- (1) That this House notes that:
 - (a) on 30 September 2023, Australian South Asia Forum Inc. [ASAF] held the South Asian Film, Arts and Literature Festival [SAFAL Fest] Gala Dinner Awards Night;
 - (b) the Hon. Mark Buttigieg, MLC, was honoured to attend and present awards representing the Minister for Multiculturalism, the Hon. Stephen Kamper, MP;
 - (c) the gala dinner followed the SAFAL Fest talent competition on 23 September 2023 and involved a presentation of awards for excellence in film, arts and literature, as well as fantastic performances;
 - (d) SAFAL Fest is a not-for-profit organisation and run by volunteers; and
 - (e) the following guests attended the SAFAL Fest Gala Dinner Awards Night:
 - (i) Ms Charishma Kaliyanda, MP;

- (ii) Mr Mark Hodges, MP;
 - (iii) Dr Peter Gangemi, Mayor of The Hills Shire Council;
 - (iv) Councillor Sarkis Yedelian, OAM, Mayor of the City of Ryde;
 - (v) Mr Bal Krishan Anand, Consul of India for NSW;
 - (vi) Councillor Sameer Pandey, City of Parramatta Council;
 - (vii) Dr Sabrin Farooqui, councillor, Cumberland City Council;
 - (viii) Councillor Sreeni Pillamarri, Hornsby Shire Council;
 - (ix) Councillor Barbara Ward, Ku-ring-gai Council;
 - (x) Councillor Usha Dommaraju, Camden Council; and
 - (xi) Councillor Masood Chowdhury, Campbelltown City Council.
- (2) That this House congratulates the ASAF and SAFAL Fest team, including the founder and president of ASAF and SAFAL Fest, Ash Gholkar; co-founder of ASAF and chairperson of SAFAL Fest, Kedarnath Pagaddinnimath; and SAFAL festival director Saliya Tennekoon, for conducting such a fantastic event celebrating the many great achievements in film, art and literature within Australia's South Asian communities, including Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Sri Lanka and Pakistan, and, in turn, bringing people closer together.

Motion agreed to.

RURAL WOMEN'S GATHERING

The Hon. AILEEN MacDONALD (10:08): I move:

- (1) That this House notes that:
 - (a) on the weekend of 25 and 26 November 2023, Orange hosted the thirtieth Rural Women's Gathering;
 - (b) the first Rural Women's Gathering was held in Orange in 1993; and
 - (c) for over 30 years the Rural Women's Gathering has played a crucial role in empowering and connecting rural women.
- (2) That this House further notes that:
 - (a) the weekend was an opportunity to reflect on the strides taken towards equality, representation and support for rural women;
 - (b) guest speakers included:
 - (i) Dr Hannah Tonkin, the Women's Safety Commissioner; and
 - (ii) the original organisers of the inaugural gathering, who were Audrey Hardman, OAM, Marg Carroll, OAM, Ronnie Hazelton and Reg Kidd.
 - (c) guest attendees included:
 - (i) the Hon. Jodie Harrison, MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault;
 - (ii) the Hon. Sam Faraway, MLC, shadow Minister for Regional Transport and Roads; and
 - (iii) the Hon. Aileen MacDonald, MLC, shadow Minister for Youth Justice.
- (3) That this House notes that after a weekend of inspiration and feeling refreshed the Hon. Aileen MacDonald, MLC, calls on the Government to continue to support this initiative to ensure rural, regional and remote women's voices are heard.

Motion agreed to.

ANIMAL SHELTERS

The Hon. EMMA HURST (10:08): I move:

- (1) That this House notes that:
 - (a) the demand for puppies and kittens spikes around Christmas each year, with many families making impulse decisions to purchase an animal as a gift;
 - (b) anyone who is looking to bring a companion animal into their lives should be aware that while animals can bring joy, caring for an animal is a lifetime commitment that must be taken seriously;
 - (c) there are a significant number of animals surrendered at pounds and shelters just after Christmas as unwanted presents; and
 - (d) pounds and shelters across New South Wales are already overflowing and at breaking point, and simply do not have the room or resources to take more surrendered animals, which means that any animal surrendered after Christmas risks ending up on death row at a pound.

- (2) That this House reminds everyone that animals are not toys, that their lives are not disposable and that an animal is for life, not just for Christmas.

Motion agreed to.

Documents

TABLING OF PAPERS

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

- (1) Government Sector Finance Act 2018—Report of NSW Health Foundation for the year ended 30 June 2023.
- (2) Health Practitioner Regulation National Law—Reports for year ended 30 June 2023:
Combined New South Wales Health Professional Councils, volumes one and two; and
National Health Practitioner Ombudsman and Privacy Commissioner.

LOCAL AND COMMUNITY GRANTS

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 27 November 2023, on the disputed claim of privilege on documents relating to local and community grants decisions.

AUDITOR-GENERAL

Reports

The CLERK: According to the Government Sector Audit Act 1983, I announce receipt of the following reports of the Auditor-General.

- (1) Financial Audit Report of the Auditor-General entitled *Premier and Cabinet 2023*, dated 29 November 2023, received out of session and published this day.
- (2) Financial Audit Report of the Auditor-General entitled *Regional NSW 2023*, dated 29 November 2023, received out of session and published this day.

Bills

DRUG MISUSE AND TRAFFICKING AMENDMENT (REGULATION OF PERSONAL ADULT USE OF CANNABIS) BILL 2023

First Reading

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

Second Reading Speech

The Hon. JEREMY BUCKINGHAM (10:31): I move:

That this bill be now read a second time.

It is my honour to be in this august Chamber introducing the Drug Misuse and Trafficking Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023. It is the culmination of a lifetime of activism by reasonable Australians looking for responsible drug law reform when it comes to cannabis. This is the first time that a bill to legalise cannabis has been developed, introduced and debated in this Chamber. It shows the benefit of having small parties in this Parliament pushing particular issues, because they have a focus on getting things done. One only has to look at the progressive reforms around marriage equality and voluntary assisted dying to see the value of small parties bringing particular issues to a Chamber and pushing for progressive reform. The time has come for us to be bold.

To paraphrase a few poets and philosophers, Bertrand Russell said that the stupid are cocksure and the intelligent are timid. In that vein, the other great philosopher-poet that I often refer to, Bob Marley, said, "Get up, stand up. Stand up for your right." That is what the Legalise Cannabis Party is doing right now. It is standing up for the rights of millions of Australians to reasonably and responsibly grow and use cannabis for their own enjoyment and for medicinal purposes. The purpose of the bill is to allow the cultivation, possession, use and gifting of cannabis by adults at private residences and for other purposes. The changes laid out in the bill are both modest and unthreatening. In essence, the bill enables an adult to cultivate not more than six cannabis plants for personal use and to allow them to share the harvest with friends. Payment for cannabis would remain illegal. That is a key aspect of the bill. We are not looking at going to a commercial model. This is about the Government

giving people the freedom to grow their own cannabis, use it responsibly as adults and share it with friends, but to avoid a rush into a commercial model as other jurisdictions are doing.

The bill restricts personal possession to 50 grams of dry cannabis and also restricts the gifting of dry cannabis to 50 grams. Carers would be allowed to cultivate cannabis on behalf of those they are caring for, either at the carer's residence or the patient's home. This provision will enable people who are too unwell or are disabled to access cannabis legally. There will be very little, if any, detectable change for the two-thirds of Australians who have never used cannabis. All the bill does is legalise what is already happening in our society. But for the 37 per cent who have used cannabis at least once—and especially for the 200,000 people in New South Wales who use medicinal cannabis to treat their condition—this bill will be a powerful force for good.

Cannabis prohibition is a failed policy and has its roots in the racist attitudes of the United States in the 1930s. After alcohol prohibition was lifted, those who had supported teetotaling began to target marijuana, which was and remains widely consumed in African American, Asian and Mexican communities in the United States. It was a deliberate and cynical use of cannabis prohibition laws to target minorities and sow division. As I will soon describe, the innate racism of this law continues in Australia today. Australia banned the import and export of cannabis in 1926, but it was not until 1967 that the Narcotic Drugs Act outlawed cannabis throughout the Commonwealth.

The benefits of a careful and responsible relaxation on the responsible adult use of cannabis are profound and important. The first will be a drastic reduction in costs to law enforcement and the justice system. Since 2010-11, there have been 702,866 cannabis-related arrests in Australia, more than 90 per cent of which were for personal use or possession. In 2019-20, nearly half of all drug-related arrests were for cannabis. Whilst we invest taxpayers' dollars on a prohibition model, more than \$1.7 billion was spent on cannabis-related law enforcement in 2015-16. This bill is about taking profits away from criminals. It will make a significant dent in the massive profits made by organised crime as a result of cannabis prohibition. Using data supplied by the Australian Criminal Intelligence Commission in its National Wastewater Drug Monitoring Program, the annual value of the illicit cannabis market in New South Wales has been put in the range of \$4.5 billion. That money is flowing directly into the hands of organised crime and then used to fund all manner of appalling criminal enterprises.

This bill is also about social justice. It should come as no surprise that, as with the levels of incarceration and interactions with police, First Nations people are heavily over-represented in the enforcement of unjust cannabis laws. The Minister for Police and Counter-terrorism tells me that in the three years between 2020 and 2022, there were 19,000 involvements between First Nations people and police for cannabis, or an average of 6,410 involvements per year. That over-representation means that 35 per cent of cannabis interactions with police involve First Nations people, yet they only make up 3.5 per cent of the population. It shows that cannabis laws are being used to target First Nations people. Often, a prosecution or a charge for cannabis is the first step a First Nations person takes into the criminal justice system. It has an enormously deleterious impact on their lives.

The Legalise Cannabis Party wants to deal with this issue rationally, reasonably, based on evidence and through a health lens. I move to the area of health. This bill will also address the inequity in health provision, where low-income patients who are suffering from neurological pain, epilepsy, PTSD, anxiety and a wide range of other conditions cannot afford the hundreds of dollars needed for a medicinal cannabis prescription. The majority of them are women. It is about equity and compassion. People have called me threatening suicide because they can bear their pain no longer and simply cannot afford the only treatment that works for them. It is literally saving lives. It is cold comfort for them to hear that they need to wait until we persuade this Parliament to act. While my strong preference would be for medicinal cannabis to be added to the Pharmaceutical Benefits Scheme, the ability for pensioners and others to grow their own plants would be a giant step in the right direction.

Why is now the right time to relax the prohibition on the responsible adult use of cannabis? In part, it is simply because the time has come. The 2020 National Drug Strategy household survey found that three-quarters of the population think that possession of cannabis should not be a criminal offence. A survey published by Essential Research in August found that 51 per cent of respondents in New South Wales agreed. The majority of people in New South Wales do not believe that cannabis should be illegal. What is to be afraid of? I have here a bit of cannabis. This is my medicinal cannabis. Do not be afraid. This is a herb, a medicine and a recreation, and it should be legal in this country.

So many jurisdictions in this country have moved to legalise cannabis. It is good for you. It will be good for the economy, and it will save taxpayer dollars. If I gave this cannabis to you now, Mr President, you would suffer a penalty of \$10,000 and 10 years' jail, and so would I. If this was not my medicinal cannabis, I would lose my place in Parliament and I could go to jail for 10 years. Thank you very much, Mr President, for allowing that prop and not calling me to order. I did get advice about tabling the cannabis, but I would not like to see the Clerk arrested and sent to Long Bay for my bud.

The PRESIDENT: You have done well so far, Mr Buckingham. Let's keep moving.

The Hon. JEREMY BUCKINGHAM: Thank you, Mr President. I will come and see you later. Perhaps a better question is this: Why was cannabis ever made illegal in the first place? Critics of the bill will point to a number of areas of concern. They will talk about the risk to children. They will talk about concerns that it will increase the road toll. They will talk about fears of increased drug use. They will talk about mental health concerns. Those are all perfectly reasonable concerns and issues that I will deal with in greater detail in my reply, if necessary. I briefly address those concerns by saying that our bill creates a regulated and safe cannabis market that takes the drug trade off the streets.

All aspects of the bill will restrict cultivation, possession and use to adults. Appropriate protections for children will be maintained by retaining all existing penalties for supply of cannabis to children or possession of cannabis by children. Concerns about the road toll are not justified by the evidence. While the most recent and authoritative meta-analyses do suggest a slight increase in risk from cannabis-positive drivers, it is important to note that the evidence is mixed. Researchers from the Lambert Initiative at the University of Sydney have concluded:

The overall increase in risk is considerably less than that seen with other prescription drugs for which driving is legal in patients ... Research conducted by Dr Thomas Arkell at Swinburne University of Technology in Victoria concluded:

The effects of THC on driving are generally modest and appear similar to the effects of low-dose alcohol.

It should also be noted that studies which show increases in road accidents following legalisation are studying jurisdictions where the commercial sale of cannabis has been legalised. We are not advocating for that. The bill also addresses the fear of increased use of cannabis and other drugs. Leaving aside the questionable hypothesis that cannabis is a gateway drug, the only mechanism by which that might be plausible is if users are forced to source their cannabis from the black market. Our bill regulates cannabis. It enables people to talk about their cannabis use, to develop a model for what responsible use is and to get help and talk to health professionals in the knowledge that they will not be criminalised and face 10 years in jail for simply possessing or cultivating cannabis. We have to look at the Australian Capital Territory. Our model is, in part, in place there. Alcohol, Tobacco and Other Drug Association ACT chief executive, Devin Bowles, was quoted as saying that "no news was good news". He said:

Overall, we found cannabis use hasn't changed and, in some ways, that's the big story, because there were really dire predictions at the outset.

People who want to use cannabis in this State and in this country do use cannabis. They do so at risk of outdated and outrageous criminal sanctions, but we need to remove that risk. Devin Bowles also said:

The sky hasn't fallen and people who need to access treatment are better able to do so while the taxpayer is saving money. It's a win-win.

Not surprisingly, ACT Health reported no increase in hospital presentations in the 12 months following the changed law, because no-one dies from cannabis. The opiate drug epidemic in this State and this country is killing more people than the road toll. Legal opiates are killing people through accidental overdoses, but no-one ever overdosed or died from cannabis. It is a reasonable and effective alternative to opiates, which can make people sick, affect their mental health and kill them.

The final concern that is often quoted around cannabis use concerns mental health. The first point that I make, again, is that our proposal is simply about growing plants for personal use. It is not about commercialisation. It is not about shopfronts. It is not about marketing cannabis to anybody. It is simply about freedom of choice. It is simply about growing your own supply and sharing it responsibly with adult friends. Research by Dr Peter Gates of the National Drug and Alcohol Research Centre at the University of New South Wales shows that the two factors critical to any mental health harm involving cannabis are use before the age of 18 and patterns of use. Dr Gates found:

The proportions of individuals with psychosis among the population and among cannabis users are low.

He quotes research that has found that the incidence rate is low—about 14 in 1,000 cannabis users—and that the greatest risk factors, by far, are early and frequent use. Yet again, that underlines the imperatives addressed in the bill, of both protecting children and opening up health and educational interventions with at-risk consumers. Those possibilities are dramatically curtailed while we continue with the prohibition model. The bill is not risky. It proposes similar measures to those already operating smoothly in the Australian Capital Territory and is a long way from full legalisation or commercialisation. It is quite the reverse. This is a bill that protects and supports medical cannabis patients, that attacks the economic model of gangsters and criminals, and that will have no discernible effect on those who choose not to consume cannabis. It is a bill that will save New South Wales the

significant costs of law enforcement. It is a bill that takes a significant part of our population outside of criminal activity.

More than that, this is a bill whose time has come. Jurisdictions all over the world recognise that the war on drugs has failed. There is a massive opportunity for us to reduce harm and end prohibition. It is now a decade since Uruguay became the first country to legalise cannabis. Just recently the bellwether Midwest Bible Belt State of Ohio voted 60 to 40 to legalise the adult use of cannabis. That is how they framed it, and that Republican State, which votes for Donald Trump, voted to legalise cannabis. It joined Democrat States like New York, California, Washington and Oregon. Scores of American States are moving to the responsible adult use of cannabis, because they realise it can reduce harm, reduce cost to society and taxpayers and that it is the model they should adopt. It is time for New South Wales to finally abandon that pointless and damaging battle and join the lengthening list of global jurisdictions that have realised that criminalising its citizens makes no sense.

At this point I would like to thank a few people who have worked for so long to bring me into the Parliament, through the Hemp Party and then the Legalise Cannabis Party NSW and Legalise Cannabis Australia, and to develop a model that we believe should get the support of many people in the community and in this place. In my discussions with members from across the political divide, I have not yet met one—not one—who has said that prohibition is a good model that is working. Members of the Liberal Party in private tell me that, because of their libertarian philosophy, they believe it is up to personal choice. Members of the Labor Party recognise—and have publicly advocated for ending prohibition because of the cost on society—that we are better dealing with these things through a health lens. Members of the National Party recognise that many regional people avail themselves of cannabis because it is a working-class drug. It really is. Tradies, regional people, avail themselves of it. It is a recreation and, for a large part of those communities, part of the economy. But we are not talking about that model; we are talking about a home-grown model, growing six plants, possessing 50 grams and being able to share it.

There are too many people to thank, but there are thousands of people across the country who want to see this reform. I note the contribution from Gino Vumbaca from Harm Reduction Australia, who said at a forum earlier today that 900,000 Australians regularly consume cannabis. If those people came out and said to the police, "I do it, charge me, convict me to the full extent of the law", imagine the impact on society. A million adult Australians regularly use cannabis responsibly and reasonably, the vast majority without impact on their mental health or physical health. Imagine if we charged those people and convicted them to 10 years' jail or issued a \$10,000 fine for simply growing and possessing cannabis.

It is an outdated law. It is a failed model. We all know that. I recognise the Government is continuing towards its drug summit, which I welcome, and I welcome the commitment of the Premier at budget estimates to consider this reform in that context. I will be using this bill as a model in that forum. I will also be seeking the support of the House to further investigate our model through the inquiry process in due course. It is time to legalise cannabis. It is time to be bold and to accept that the community understands the evidence. The evidence is clear. Prohibition has failed. Legalisation is the future.

There are a few people to thank. I thank Craig Ellis, Michael Balderstone, Gail Hester, Fiona Patten, Sue Raye, Nada Sale, Gino, Will Tregoning and Sam Kidd. I also thank William Verity and Louise Callaway, my staff, who worked on this bill and the event, and have been interacting with so many patients and advocates around the State, and all the great people in the Legalise Cannabis fraternity who are here. I thank those advocates, and I finish by thanking my darling wife, Crystal, and my family. I commend the bill to the House.

Debate adjourned.

Documents

TABLING OF PAPERS

The Hon. JOHN GRAHAM: I table the following paper:

- (1) National Health Reform Act 2011—Report of the Administrator of the National Health Funding Pool for year ended 30 June 2023.

Bills

PILL TESTING TRIAL BILL 2023

First Reading

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

Second Reading Speech

Ms CATE FAEHRMANN (10:55): I move:

That this bill be now read a second time.

I am very proud to introduce The Greens' Pill Testing Trial Bill 2023 as The Greens' drug law reform and harm reduction spokesperson. Four years ago now, six young people died after attending music festivals in New South Wales. Nathan Tran, Diana Nguyen, Joseph Pham, Callum Brosnan, Joshua Tam and Alex Ross-King died from drug overdoses, specifically MDMA toxicity, over a 13-month period from December 2017 to January 2019. A coronial inquest was established into the six deaths. The inquest took extensive evidence over 16 days, receiving extensive documentary material in 24 volumes. In addition, eight volumes of research were tendered. In her final report, Deputy State Coroner Harriet Grahame stated:

The evidence arising from this inquest clearly indicates that there is much that can be done to prevent MDMA deaths. There are practical solutions to some of the issues identified. However, the evidence draws into clear focus the need for the NSW Government to look with fresh eyes at the potential dangers associated with drug use at music festivals. There is a need to reframe our main priority from reducing drug use to reducing drug death.

She also stated:

It is difficult to properly explain the potential risks to young people if our only permissible message is "just say no".

The deputy coroner made recommendations relating to drug checking and drug law enforcement, many of which are still yet to be implemented. Notably, she recommended:

1. That the Department of Premier and Cabinet permits and facilitates Pill Testing Australia, The Loop Australia, or another similarly qualified organisation to run front of house medically supervised pill testing/drug checking at music festivals in NSW with a pilot date starting the summer of 2019-20.
2. That the Department of Premier and Cabinet, working with NSW Health and NSW Police, fund the establishment of a permanent drug checking facility, similar to the Dutch model known as the Drug Information Monitoring System (DIMS).
3. That the Department of Premier and Cabinet, working with NSW Health, research and support the development of technology to allow for the most sophisticated and detailed drug analysis to be made available on site at music festivals.

The following year, the then New South Wales Premier commissioned another extensive groundbreaking inquiry into how to reduce drug-related harm: the Special Commission of Inquiry into the Drug "Ice". This inquiry was established to investigate and advise on how to best tackle the growing issue of ice and other amphetamine-type stimulants. Commissioner Dan Howard found that there is strong and compelling evidence to support substance testing as an effective harm-reduction measure used in conjunction with other harm-reduction strategies.

The inquiry made 109 recommendations about issues across government, including that the New South Wales Government establish a statewide, clinically supervised substance testing information and education service with branches at fixed-site locations, and that it trial an onsite substance testing service at a music festival, to be independently evaluated. At the time, implementation of a pill testing service had strong public support. The Australian Institute of Health and Welfare's National Drug Strategy Household Survey found that 57 per cent of respondents supported a proposal allowing potential drug users to test their pills/drugs at designated sites. That is three in five Australians.

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

Visitors

VISITORS

The PRESIDENT: I welcome to the public gallery Moya Keating from Inner Sydney High School and her father, Ben Keating. Moya is currently undertaking work experience in the office of the Hon. Jeremy Buckingham. You are both very welcome.

Questions Without Notice

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. DAMIEN TUDEHOPE (11:00): My question is directed to the Special Minister of State. On 17 March 2023 a Labor election advertisement authorised by the Hon. Bob Nanva promised that Labor would build a new cultural centre in Eastwood.

The Hon. Penny Sharpe: This is tedious repetition.

The Hon. DAMIEN TUDEHOPE: Not today. It urged people to vote 1 Labor for a new cultural centre in Eastwood. On 20 November 2023 Ryde council was informed by the Premier's Department that it will not be receiving any funding under the Local Small Commitments Allocation for the investigation and construction of

the promised new cultural centre. How and when will Labor honour its election commitment to the people of Ryde, and especially the Korean community, to build a new cultural centre in Eastwood?

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) (11:01): I thank the Leader of the Opposition for his question and his continued interest in this project, one that I was asked about at estimates and one that he has inquired about in the House previously and again today. He has had a close interest in that part of the world for a considerable time, although I was happy to welcome him as a member of this place rather than the lower House. When I was last asked this question on those two previous occasions, I had not been briefed on this project by the Premier's Department. I had not had the benefit of that independent assessment with its probity checks and the processes set out in the guidelines, which have been tabled in this House. So I was unable to provide specific details about the project on those previous occasions.

My recollection is that I still have not been briefed on the project. I am careful in giving that assurance to the House because there are quite a few projects. I have not received any briefing or information on that project, so I cannot update the member further about it. I will, of course, check whether I have been briefed on the project, and I will take that part of the question on notice and return to the House.

The Hon. DAMIEN TUDEHOPE (11:02): I ask a supplementary question. I thank the Minister for agreeing to provide information. However, last Thursday the Minister told the House, "The Premier has been crystal clear that this Government will carry out its election commitments." Will the Minister elucidate his answer in relation to whether the cultural centre in Ryde, promised to the Korean community, is covered by the Premier's crystal clear promise, or is there a carve out for the Korean community in Ryde from that promise?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism) (11:03): Firstly, I thank the Korean community in Ryde for its fantastic work. I can see why it is a valuable community project, given the vibrant Korean community there. I have been to some of those areas and talked to the Korean community, as we work with the business community to promote its distinctive Korean neighbourhoods. I thank them for all their work. They are a crucial part of Sydney and the State.

On the specifics of the project that the member has asked about, as much as I appreciate the Leader of the Opposition's interest in the project, it is a little bit unfair to expect me as the Minister, and the decision-maker, to speculate about a project I have not been briefed on. The briefing note has not come.

[Opposition members interjected.]

I hear interjections from the other side of the Chamber. Members opposite might be ignoring that I am the formal decision-maker for the program. I take that responsibility seriously. It would be inappropriate for me to go further than I have in the House. I have indicated the specific information I will update the House with. The member is more than entitled to ask, but it would be unfair of the Leader of the Opposition to insist that I provide details or speculate about information that I have not been briefed on as the decision-maker for the program. As I have indicated, I will seek more information. As members know, I have tabled quite a bit of information. I am very happy to update the House, but I can only do that on information that has been presented to me.

DISASTER RECOVERY FUNDING

The Hon. BOB NANVA (11:05): My question without notice is addressed to the Special Minister of State.

The PRESIDENT: Order! The Hon. Bob Nanva will be heard in silence. The member will restart his question.

The Hon. BOB NANVA: My question without notice is addressed to the Special Minister of State. Will the Minister inform the House how the Minns Labor Government is helping communities during disasters and ensuring integrity in the disaster grants process?

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) (11:07): I thank the member for his question. The member for Lismore nominated the Friends of Tenterfield Aerodrome, who manage the Tenterfield Shire Council owned aerodrome, to receive a \$50,000 grant from the Local Small Commitments Allocation program.

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

The Hon. JOHN GRAHAM: The grant has been approved to cover the costs of a large firefighting water tank and pipe work, and to construct a pump and machinery shed to allow rapid replenishment of the water

bombers that operate from the aerodrome to fight bushfires in the area. That water tank is already up and running. Fortunately, in this case, it was just in time for the terrible recent bushfires in that region, and our thoughts are with the people impacted by those bushfires. The Friends of Tenterfield Aerodrome say that a Bomber 252 and an Air Tractor have been able to take on 3,000 litres of water in three minutes, dump it on nearby fires and return a mere 10 minutes later. Compare that with 2019, when those aircrafts needed to fly from Tenterfield to Casino or Glen Innes to get water. It saves \$60,000 per day of unnecessary flying time, as well as getting five or six times the volume of water onto a fire. In a hot, emergency situation, that can make all the difference.

We are also returning integrity and public trust to the emergency grants system. The public was concerned by the rorting of bushfire recovery grants under the previous Government. In one instance, 96 per cent of funding went to Coalition electorates. People who lived in bushfire-affected areas in the Blue Mountains or the Central Coast missed out after the former Deputy Premier intervened to make sure that was the case.

During the election campaign Labor made a commitment for the regular auditing of emergency relief grants. I inform the House that I have written to the Auditor-General requesting a recurring performance audit of emergency relief grants under section 27B (3) (c) of the Government Sector Audit Act 1983. It will commence in 2024 and will happen thereafter on an ongoing basis. These are important protections that have arisen out of real problems with grant administration. The Government is acting not just to get money out to these communities but also to raise the standards for, particularly, emergency grant funding. It is appropriate that the Auditor-General has a role in that. *[Time expired.]*

NARRABRI INLAND PORT PROJECT

The Hon. SARAH MITCHELL (11:10): My question is directed to the Minister for Agriculture. With the Commonwealth Labor Government cutting \$7.8 million in funding for the northern New South Wales inland port in Narrabri, what steps is the Minister taking to ensure that farmers of the northern inland region will have access to efficient freight transport for their products so that they can remain competitive in international markets?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:10): I thank the Hon. Sarah Mitchell for her question. This is something I have engaged with in this House in recent times, as has the Government, in the public domain. I am disappointed at the decision that has been made by the Federal Government. I said it last week and I am saying it again now: It is a very disappointing decision.

The Hon. Daniel Mookhey: With a capital D.

The Hon. TARA MORIARTY: A capital D, indeed. I acknowledge that interjection. Last week, on the public record, the New South Wales Government encouraged and asked the Federal Government to reconsider the decisions it made in terms of the infrastructure funding announcements made last week, and I continue to do that. In the recent State budget, the Government committed to continuing with the Special Activation Precinct in the Moree region.

The Hon. Sarah Mitchell: This is Narrabri.

The Hon. TARA MORIARTY: I know. The Government committed to it because it is an important project that will benefit the community in that part of the State. We have made some other decisions in relation to Narrabri based on decisions that have not been made about other projects. That has been well ventilated. The Government will consider future investment there when those decisions are made, but farmers need to have the ability to get their products to market and I support them doing that. I reiterate my disappointment in the decision made by the Federal Government. I urge the Federal Government to reconsider.

The Hon. SARAH MITCHELL (11:12): I ask a supplementary question. I thank the Minister for her answer. Could the Minister please elucidate that part of her answer where she said that last week she had said on the record in the House that she was concerned about this matter and had been asking the Federal Government to reconsider? Since last week, has the Minister made any specific representations to anybody in Canberra in relation to the inland port project in Narrabri and the difference that it would make for farmers in that region?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:12): I thank the member for the supplementary question. I maintain my answer. I am expressing the view publicly. I continue to express the view publicly. Many members of the Government have done that and we have been engaging with the matter. This project does not only impact farmers. I acknowledge that farmers are entitled to have the best possible facilities they can have to get their products to market. This is a matter the Government has raised as a government, and that individual Ministers also have raised, in relation to our disappointment that projects have been cut.

The Hon. Sarah Mitchell: Point of order: I asked the Minister a very specific supplementary question about whether she had made representations—not the Government, and not Ministers in general. On behalf of the farmers in Narrabri and the north-west region, I am keen to know if the Minister has made any specific representations to the Federal Government over this issue. It was quite a specific supplementary question.

The PRESIDENT: I have sympathy with the point of order of the Deputy Leader of the Opposition. However, I feel that the Minister was just being directly relevant. I encourage the Minister to think about the scope of the question for the final one minute and 18 seconds of her answer.

The Hon. TARA MORIARTY: Thank you, Mr President. I acknowledge that. I am doing it right now and I will continue to do it in public. The Opposition seems to want angry letters sent between here and Canberra by snail mail. I guess if I had written a letter last week, maybe they would get it at some point next week, but I am saying it right now, in public, in this Chamber.

The PRESIDENT: Order! Opposition members will cease interjecting.

The Hon. TARA MORIARTY: I urge the Federal Government to reconsider.

ARGENTINA ECONOMIC POLICY

The Hon. JOHN RUDDICK (11:14): My question without notice is directed to the Treasurer. As a keen observer of economic and geopolitical trends, the Treasurer will have seen reports that Argentina has elected the first anarcho-capitalist leader in world history. Javier Milei campaigned on investing faith in the power of citizens, and not central planners, to improve economic conditions. Will the Treasurer inform the House whether he and his team will be monitoring and perhaps learning from the policy outcomes of this unprecedented economic experiment?

The PRESIDENT: Order! I think we all want to hear this answer.

The Hon. DANIEL MOOKHEY (Treasurer) (11:15): I thank the Hon. John Ruddick for his excellent question. I will take all questions at this point, even questions about anarcho-capitalists who win Argentinian elections. Firstly, I am monitoring the excellent dress sense of the new Argentinian President, who was sartorially splendid in white. Last week I could not help but notice that perhaps the Hon. John Ruddick was paying tribute to him when the member arrived in the Chamber wearing—

The Hon. Sarah Mitchell: It was more of a cream.

The Hon. DANIEL MOOKHEY: I accept the interjection: It was more of a cream. Secondly, I will say that I am, believe it or not, quite the student of the Argentinian economy and have been for a while. Members would recall that until about the 1940s, Argentina and Australia had roughly the same GDP per capita as each other. That is because of two factors. The first is that both countries were generally mine-producing or resource-producing economies. The second aspect we had in common with Argentina in the forties was that Australia was also exporting meat—cattle—and wool. But what is interesting about the divergence between the Australian economy and the Argentinian economy from the 1940s—

The Hon. John Graham: Chifley and Curtin.

The Hon. DANIEL MOOKHEY: —is Chifley and Curtin, and the construction of a social democratic state that resulted in the creation of a middle class in Australia and created the conditions of political stability which, believe it or not, set up the Menzies Government to be able to manage the dynamics of post-war reconstruction. At the same time we started to see in Argentina a deviation and an embrace of the extreme politics of polarisation, which, to be fair, was pioneered in Argentina and exported throughout South America. That is an issue that is always to do with resource-constrained economies. The absence of an Argentinian middle class has really created a great degree of political instability.

With that context in mind, am I paying attention to the policies of the new Argentinian Government? Yes, actually, I am. Am I asking the Treasury to study it every day? No, I am not. I have to say that I am reading the *Financial Times* about this. It is publishing some excellent work on the platform of the new Argentinian President. Of course, we hope for the success of every country, but I point out that if the new regime in Argentina simply repeats the politics of the past, which results in a very small number of people doing very well and the broad middle class going without, I do not think it will succeed.

ENERGY SUPPLY

The Hon. Dr SARAH KAINE (11:18): My question without notice is addressed to the Minister for Climate Change, and Minister for Energy. What is being done to prepare the energy system for summer?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:18): I thank the Hon. Dr Sarah Kaine for this very important question.

The Hon. Mark Banasiak: Talk about what happened in Perth.

The Hon. PENNY SHARPE: Yes. I was in Perth last week, and I was at dinner with the energy Minister when they had a peak demand 200 megawatts higher than Perth had ever had before. It was a white-knuckle ride off the back of four days of 40-degree heat. We are heading into a very difficult summer all across Australia. The New South Wales Government is preparing the State for a hot, dry summer that will put a strain on our electricity system. Everyone would be aware that the Bureau of Meteorology is predicting an El Niño summer. That means that parts of Australia, including New South Wales, can expect warmer and drier conditions, with minimal rainfall. It also means increased risk of heatwaves and fires.

Summer, like winter, results in an increase in demand for electricity, as we switch on our air conditioners to try to keep cool. Our energy system can be affected by heat and natural disasters. I advise the House the Australian Energy Market Operator [AEMO] has been planning ahead to ensure that our that energy system is ready. AEMO is responsible for operating the systems that allow electricity and gas to be generated and transmitted around the national energy market. This includes monitoring supply and demand, and managing planned and unplanned outages. The Premier and I recently visited AEMO's headquarters and were given an overview of its operations. We saw the important work taking place at its control centre—the beating heart of the energy network along Australia's east coast. We met many of the people who will coordinate the energy system's response to any hazards or emergencies over the summer. I am grateful to them for their diligence and hard work in what can be a stressful job.

The Premier and I were given a briefing on AEMO's outlook for summer and the steps it already takes for a range of eventualities. It is constantly assessing the climate and severe weather forecast, demand and supply, network risks and the energy system's capability to respond. The prediction of hot and dry summer conditions means that we know summer will be tough. The New South Wales Government is working closely with AEMO to ensure that the energy network is best placed to handle these challenges. The Government also has been undertaking its own preparation in spring. The Office of the Chief Scientist and Engineer has recently completed its review of our State's summer preparedness. I am pleased to inform the House it found that the New South Wales energy market is well prepared. We have plans in place to respond to natural disasters, including storms, floods and bushfires. The experts in my agencies have undergone training so that they know what steps to take in case of an emergency or an extreme weather event that threatens our power supply.

We work with AEMO to have arrangements in place with large industrial players who use a lot of electricity, to reduce their demand when the system is under pressure. Agencies across the Government play a role, voluntarily reducing their electricity use if required in very tight supply periods. If we take a step back and look at the bigger picture, we see that the New South Wales Government is preparing for this summer and summers to come by getting more renewable energy into the grid. We are taking strong action through investment. We are well prepared for a difficult summer.

TAMWORTH MEAT INDUSTRY SHARE HOUSES

The Hon. MARK BANASIAK (11:21): My question is directed to the Minister for Agriculture, representing the Minister for Local Government. In 2017 the Australasian Meat Industry Employees Union released a report outlining shady practices, including but not limited to sexual exploitation of foreign workers within Tamworth's meat industry. The report made serious allegations of illegal share houses being run with ties to not only the industry but also former and current mayors and the council's general manager. As recently as yesterday, we were aware of complaints forwarded to the council, regarding these share houses, indicating the issue has not subsided but, in fact, proliferated. Will the Minister inform the House of any investigations undertaken by the department of the Minister for Local Government into the council, which is either overlooking or seemingly supporting such activities?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:22): I thank the member for his question, which contains some serious allegations. I urge the member and anyone else who has any information in relation to those allegations to report them to the police if they have not already. If there are concerns in relation to Tamworth Regional Council, they too should be raised with police and the Independent Commission Against Corruption, given the serious nature of the allegations that have been put in this question. I have been asked the question in my capacity representing the Minister for Local Government, so I will seek an answer from him about any work he may be doing in relation to this, and I will come back to the House with the response.

ROZELLE INTERCHANGE

The Hon. NATALIE WARD (11:22): My question is directed to the Minister for Roads. Given that the Minister knew that there could be some confusion among motorists as the new Rozelle interchange opened on Sunday, why did he fail to stop the display of a sign that clearly led motorists to believe that he had imposed a toll on the Iron Cove Link?

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) (11:23): I am delighted to update the House about this important addition to the motorway network—a network that I have opened, but I have freely given credit to the shadow Minister and to the prior Government for its operation. I will provide some information about where we are up to. Of course, members might understand that, after 12 years of toll mania, it has taken us some time to persuade motorists to enter this toll-free tunnel, skipping seven traffic lights as they move smoothly into the CBD. But we have been working on exactly that. At 5.03 a.m. on Sunday—

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

The Hon. JOHN GRAHAM: —15 excited motorists proceeded through these tunnels for the first time. They had queued there. It will be up to the shadow Minister to confirm whether she was one of those 15—whether she was there early.

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

The Hon. JOHN GRAHAM: I certainly could not comment on that. I will wait for her update to the House. There have been issues, and I will give the House some information. The advice this morning is that again traffic was heavy on the wider road network. Motorists continued to use the Iron Cove Link tunnel, with queues starting to form on Victoria Road from the Iron Cove Bridge to the Anzac Bridge, including queuing in the Iron Cove Link tunnel up to the merge with the M4, observed before 8.00 a.m. At 8.00 a.m. Transport for NSW observed the queues inside the Iron Cove Link tunnel clearing relatively quickly.

The Hon. Natalie Ward: Point of order: I thank the Minister for his diligent rundown of what happened on the day. My question was very specific. It was about the sign that caused the confusion on the motorway. My specific question was why he failed to stop that confusion. I ask that he be drawn back to that part of the question, because it was very specific. A number of people would like that information. All the day's events might be very interesting, but we are keen to specifically understand what happened with the sign.

The PRESIDENT: I uphold the point of order. The scope of the question was quite narrow. The Minister will return to the leave of the question.

The Hon. JOHN GRAHAM: I do not accept that the sign was the only thing causing confusion. Some 12 years of toll mania and of charging motorists through the nose was part of the confusion.

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

The Hon. JOHN GRAHAM: Of course, I acknowledge that the sign was not helping, and that is why Transport worked overnight, as soon as attention was drawn to it.

The PRESIDENT: I have asked the Hon. Bronnie Taylor and the Hon. Wes Fang to cease interjecting three times. If they do not cease interjecting, I will call them to order. The Minister has the call.

The Hon. JOHN GRAHAM: Motorists travelling along this route into the city will have observed, from that second day on the network, quite a number of variable messaging signs indicating that this link is toll free, encouraging people into it. I have had strong feedback from motorists. Road markings on the laneways were updated on the first night by Transport for NSW. I thank it for its work in doing that to give motorists a clear indication.

The Hon. NATALIE WARD (11:27): I ask a supplementary question. I thank the Minister for his answer, for the details about the other signs, and I would ask him to—

The Hon. John Graham: Were you in the 15?

The Hon. NATALIE WARD: I was not invited. I am very happy to come along and see the great work we built. The motorists are very happy.

The PRESIDENT: Does the Hon. Natalie Ward have a question?

The Hon. NATALIE WARD: Yes. I am sorry. I thank the Minister for eventually speaking about the signage and the variable signs at the location. Did he or his office see and approve the signs and the toll sign specifically before the opening of the Rozelle Interchange?

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) (11:28): I thank the member for her question. As I indicated, those lane markings were changed. Those signs actually on the roads were changed overnight to give motorists additional guidance. The member asked about whether I or my office was updated and whether we had actually seen the sign. Of course, I would have to take that on notice to check with my office. I am happy to do so. The focus of the Government has been on rapidly responding to this emerging situation. It is not unusual as a motorway opens to have to change guidance signs. That is exactly what has happened, very rapidly. I thank Transport for NSW for how it responded, but there is more to do. I am clear about that. This morning we briefed the local member about the local traffic impacts. I spoke to her in some detail, along with the Transport for NSW team.

The Hon. Natalie Ward: Point of order: I am keen to draw the Minister back to the substance of the question. I am pleased that the local member has been informed. That is important. My question was specifically about the sign on the Rozelle Interchange and not about his team or anybody else who was involved. I accept that he has taken that part on notice. But what was his awareness? I ask you to draw him back to the part of the question about the sign.

The PRESIDENT: I do not uphold the point of order. The Minister is being directly relevant and has the call.

The Hon. JOHN GRAHAM: I can update the House to say I first became aware of the sign when it was reported in the media on the morning that it became an issue. We worked immediately with Transport for NSW to change it. I have taken on notice the question that the member asked and I will get more detail on that. The sign will change. We are really encouraging people to use the tunnel. That is part of the message that we need to get out to the public. It is a toll-free connection from Drummoyne right through to the CBD. Drivers can skip seven traffic lights if they use that connection. The more people use that tunnel, the easier the surface traffic will get. That is good for the drivers on the surface and good for the people in the tunnel. We need help to get that message out, and I thank all media that have been involved in doing that.

DISASTER READINESS

The Hon. EMILY SUVAAL (11:31): Mr President—

The PRESIDENT: The member will wait until Opposition members have finished chatting.

The Hon. EMILY SUVAAL: My question without notice is addressed to the Minister for Natural Resources. Will the Minister update the House on the Minns Labor Government's commitment to disaster preparation this summer, including in our mining sector?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:31): I thank the honourable member for her question, especially as a resident of the Hunter Valley region and one who understands the importance of the mining sector to our State's economy and to her local community. As summer begins, New South Wales faces a significant threat of bushfires and flooding. Preparing for those events is paramount to ensure that we protect families, homes and businesses across New South Wales. I acknowledge the dedication of and the work already done by my ministerial colleague the Minister for Emergency Services in preparing New South Wales for the bushfire season. We all know that natural disasters are becoming more frequent and severe as we deal with the impacts of climate change. Since 2019 New South Wales has experienced more than 60 declared disasters, which have cost the State \$5 billion and caused damage to a devastating 20,000 homes just last year alone.

Since the election our Government has made significant commitments to boost our State's resilience and our capacity to respond to disasters and, importantly, to provide support to communities in the aftermath. In the September budget the Government funded a \$10 million program for a statewide taskforce that will complete hazard reduction burns. It has hired an additional 100 crew members to carry out vital back-burning in high-risk areas and has passed crucial amendments to the emergency services legislation, which has made it easier for the NSW Rural Fire Service to respond quickly and effectively in an emergency. In total, the Government has boosted funding to emergency services by \$295 million. As part of the budget it was forced to allocate more than \$2 billion to pay outstanding bills for repairs to essential infrastructure, including roads and other important community infrastructure across New South Wales—bills that had been racked up and not paid by the previous Government.

Mines in New South Wales also have unique challenges during bushfire season. For some, it is their proximity to local communities and, for others, their remoteness, as well as limited road access, rugged terrain and the presence of complex plant and infrastructure on site. Each of our 50 coal and metals mines in New South Wales are required to formulate a bespoke, comprehensive emergency management plan to ensure the safety of the workers on site as well as households and businesses in the surrounding areas. Mine operators also undertake

the creation of their own firebreaks and collaborate with local fire agencies for controlled burns. Our Government is committed to preparedness through building community resilience and boosting communications capacity as well as addressing climate change to mitigate future disasters.

WATER BUYBACKS

The Hon. ROBERT BORSAK (11:34): My question is directed to the Minister for Water. In April this year water buybacks were blamed for 3,261 full-time equivalent job losses already across the economies of 40 southern Murray-Darling Basin communities, according to Murray-Darling Basin Authority modelling. Will the Minister outline how many jobs will be lost in the southern Murray-Darling Basin as a result of the ecological water buybacks announced recently by the Federal Government?

The Hon. Emily Suvaal: Point of order: The point of order relates to anticipation. Two items of business on the *Notice Paper* for today relate to the question.

The PRESIDENT: The member is right in saying that anticipation needs to be considered—particularly on private members' day. I have ruled that way in the past. However, as I have also ruled, the fact that the topic of a question is also a topic to be debated later in the day does not necessarily imply anticipation. The topic of the question must specifically relate to the issue to be discussed. Neither of the motions on the *Notice Paper* for today specifically go to the issue of job losses. For that reason, I declare the question in order and ask the Minister to address the question.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:37): It is impossible for me to answer the question without referring to the Water Amendment (Restoring Our Rivers) Bill 2023 that is currently before the Commonwealth Parliament and being debated in the Senate today. The member is right to identify the concern that the New South Wales Government has about the potential impacts of water buybacks in our State. He is quite right to identify that as something that has significantly concerned the Government. Government members have stated clearly and on the public record that some of the negative impacts that he has described—job losses, loss of economic capacity, loss of productive capacity, loss of food production, increased food prices—at a time when cost of living and grocery bills are already difficult are all potential consequences of thoughtless and non-strategic buybacks of water licences by the Commonwealth Government. We do not support that.

We have been really clear that we want the Commonwealth to engage with us on the many other viable options that we think should be on the table to ensure that we are managing our precious water resources well. We have taken that proactive stance. We have made it really clear to the Commonwealth that all of those negative impacts are unacceptable to the New South Wales Government. The Hon. Robert Borsak will be pleased to know, as I am, that at the very least the Commonwealth legislation that is going through the Senate today requires the Federal Minister to assess the socio-economic impact and release and consider the results of that before the Commonwealth engages in any water buybacks. That is good. I would hope that that assessment would happen and that information would be available. If those assessments indicate that there will be job losses and negative economic impacts, as I fear, the Commonwealth should not engage in that activity. That would be my expectation.

If the Commonwealth assessment demonstrates a negative economic impact on New South Wales then it should cease and desist from doing that to our State, particularly when there are many other ways that we can ensure that our water resources are well managed. We are in the process of engaging with stakeholders to put together a comprehensive suite of alternatives to buybacks, and there are many. We will proactively present that to Commonwealth Government members and show them that it is not just talk. We have put together the plan, and they should pick it up, run with it and fund it. We have done their homework for them; we have shown them the work that they can do to ensure that water is well managed and there is enough available for agriculture, for our towns and for the environment. But I reiterate the New South Wales Government's opposition to thoughtless, mindless and non-strategic buybacks that potentially have a negative impact.

The Hon. ROBERT BORSAK (11:40): I ask a supplementary question. What does the Government plan do to provide other employment options in those rural and regional areas to offset the losses, especially in light of the Minister's detailed answer? Will she make a submission to the Federal Government's socio-economic review?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:41): The first thing that Government members will try to do is stop them happening in the first place. We do not want the Commonwealth to engage in water licence buybacks that will have a negative impact on our regional communities. We have clearly articulated our opposition to that, and we are presenting the Commonwealth with an alternative plan that will avoid that. Absolutely, we will be engaging with all of the socio-economic assessments that the

Commonwealth is doing, to give it every piece of information that we have at our disposal as to why we believe our concerns are well founded. All of that proactive engagement will occur. In the event that the Commonwealth chooses to engage in activity that does have that negative economic impact, I expect that support will be made available for our regional towns to ensure that they are able to diversify their economies. As I said, I expect that not to happen in the first place. I expect the Commonwealth to engage with us and do the assessments.

If there is indeed a negative impact, I expect our Commonwealth colleagues not to go down that path. But if they do that—and it would be very disappointing if they did—then it is my strong expectation that financial resources will be made available specifically to support jobs and other economic activities in those towns. I will very forthrightly make the case to the Commonwealth that we are not taking a backward step in advocating for all of the support that our regional towns need not just to continue as they are but to grow and thrive. We want more economic activity, employment and population growth in regional New South Wales, and our expectation is that the Commonwealth will not do anything that inhibits that and that support will be provided if there is any negative economic impact from action that it takes.

The Hon. Jeremy Buckingham: I ask a second supplementary question.

The Hon. Sarah Mitchell: I ask a second supplementary question.

The Hon. Bronnie Taylor: Jeremy, you got those quads going and you jumped in.

The Hon. Sarah Mitchell: I was equal with him.

The Hon. Jeremy Buckingham: You have to get on the edge of your seat.

The PRESIDENT: There was a hundredth of a second in it, to be fair.

The Hon. Jeremy Buckingham: I know, but that is all it takes. You snooze, you lose.

The PRESIDENT: The Hon. Jeremy Buckingham has the call.

The Hon. JEREMY BUCKINGHAM (11:43): Regarding the alternative plans that the Minister made reference to, will she elucidate her answer by informing the House whether fast-tracking the sustainable diversion limit adjustment mechanism [SDLAM] project is one of the elements that the Government is considering?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:43): Yes is the answer. As the Hon. Jeremy Buckingham would be well aware, unfortunately, we are now doing not only the Commonwealth's homework but also the homework of the previous New South Wales Government, which really dragged the chain on sustainable diversion limit adjustment mechanism projects. Unfortunately, there is a lot of work to do. Accelerating those projects is absolutely part of the plan. There are other parts of the plan, such as new projects. Some of the projects that have been submitted by the Government as part of its SDLAM package will never be accredited by the Commonwealth, and we are wasting everyone's time continuing to advocate for them. One thing that the Commonwealth has done—which I give it credit for—is give us the opportunity to re-scope some of those projects. Yes, it is acceleration, but new projects and re-scoped projects also have the potential to deliver water recovery and other environmental benefits.

We are working with many of our stakeholders and most of them, alongside me, oppose what the Commonwealth is doing and have been really good at engaging in opportunities to provide alternatives. The farmers, the New South Wales irrigators and all of the irrigation infrastructure operators [IIOs] are part of work that we are doing to look at alternative projects that can deliver positive water efficiency, better use of water on farms and upgrades to our water delivery infrastructure. That is a big part of what the IIOs are doing. They want to stop all of the leakage that they see. We are doing a range of things. In answer to the Hon. Jeremy Buckingham's question, yes, accelerating our SDLAM projects is part of that. That is very important because we have a significant shortfall in SDLAM. The Commonwealth expects us to lift our game, and I take on that big task. It is part of our engagement with the Commonwealth, and we are working very hard on that.

SOLAR FARMS AND PUBLIC LIABILITY INSURANCE

The Hon. SAM FARRAWAY (11:45): My question is directed to the Minister for Energy. Farmers with properties adjacent to solar farms, including those in Glanmire on the outskirts of Bathurst, have been refused public liability insurance due to the potential damages arising from a crop fire that spread to the neighbouring solar farm. What steps has the Minister taken to address that issue?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:46): I thank the Hon. Sam Faraway for his question, and I understand that it was also asked in the other place of my colleague the Hon. Anoulack Chanthivong.

The Hon. Damien Tudehope: It is a big issue.

The Hon. PENNY SHARPE: If members opposite will let me answer it, I will do that. I thank the Leader of the Opposition for his help. I really appreciate his input, but I do not need it.

The PRESIDENT: Order! Let us try to get direct relevance, 25 seconds in.

The Hon. PENNY SHARPE: The need for public liability insurance is very important. The issue has not come across my desk to date but is obviously one that I am concerned about. I understand that the fire risk for renewable energy projects is very low. There are fire risks around transmission lines. The biggest fire risks are extreme weather events, lightning strikes and, unfortunately, too many issues around arson. But I will get some more information from my department; I would be surprised if the staff are not across it. I will find out what action they have taken and come back to the member with an answer.

EMERGENCY SERVICES LEVY

The Hon. MARK BUTTIGIEG (11:47): My question without notice is addressed to the Treasurer. How does the current emergency services levy, inherited by this Government, distort insurance markets and leave households less prepared for future natural disasters?

The Hon. DANIEL MOOKHEY (Treasurer) (11:48): I thank the Hon. Mark Buttigieg for his question, which is pertinent at this time as we are getting ready for what we anticipate will be quite a difficult summer. In response to his question, I inform him that New South Wales indeed has the lowest rate of insurance in the country. Some 17.6 per cent of households are uninsured, and those that are insured have to pay \$800 more than a comparable household in Victoria. The average premium in New South Wales can be up to \$2,400; in Victoria it is about \$1,600. It is creating an effect where, as fewer people take out insurance policies, the emergency services tax burden that they are carrying goes up. In addition to that, we are the only State that continues to fund emergency services by taxing insurance.

To put that in stark numbers, the funding requirements of the emergency services agencies are 19 per cent higher in 2022-23 and 75 per cent higher than in 2016-17. I report some quite disturbing news to the House. NSW Treasury projects that the cost of natural disasters will increase from \$5.1 billion in 2020-21 to between \$15.8 billion to \$17.2 billion in real dollars, in current dollar terms—in fact, in 2019-20 dollar terms—by 2061. It is quite a sharp acceleration. If we do nothing, what will happen is that all of that cost will be internalised on a smaller group of households, which will only see insurance premiums go up and up.

The question was to do with households. It is fair to say that this affects households, but we should not ignore small businesses. Businesses are affected alike. Right now small businesses are equally nominating insurance premiums as the cost that they are most worried about, including in the Business NSW survey recently released around business conditions. That is the cost they are most worried about, which is why the Government is embarking upon a reform process. I acknowledge that the Opposition Whip has been consistent in his position in the Parliament.

The PRESIDENT: Order! The Hon. Chris Rath will come to order.

The Hon. DANIEL MOOKHEY: He is a person I want to pay tribute to. Before he was in this place, he spent quite a lot of time working in the insurance industry and trying to persuade people for the case for change. Of course, the previous model did not work, and the Government is open to good conversations on a bipartisan basis about what the right model is going forward. But that has to start from the assumption that right now too many people are having to pay too much and others are not paying at all.

MENINDEE LAKES AND FLOODPLAIN HARVESTING

Ms CATE FAEHRMANN (11:51): My question is directed to the Minister for Water. The Minister said that one of the actions she would take in response to the Chief Scientist's report into the fish kills in the Darling-Baaka River would be:

Considering Section 324 temporary water restrictions to restrict low priority licences as drier conditions escalate.

It is November. There is a water quality alert and the Murray-Darling Basin Authority has predicted an almost certain threat of blue-green algae in the lower Darling and Menindee Lakes. With rainfall occurring over the past week and predicted over the next few days, there is a brief opportunity to place an embargo now: an opportunity that exists for a few days, not weeks. Will the Minister urgently place an embargo on floodplain harvesting to ensure that much-needed water reaches the Darling-Baaka?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:52): I thank the member for her question. She is absolutely right. I reiterate my public commitment to considering the use of

section 324 orders to ensure that the Menindee Lakes are replenished and that the water quality and quantity there is maintained. It is premature for me to commit to any kind of embargo in the current circumstances. Whilst there has been some rainfall across the northern basin, there has not been any significant rainfall at this stage over the northern tributaries that would lead into Menindee. The member is correct that that may happen over the next few days. We will monitor that. If a rainfall event does occur, we will monitor at what volume that occurs.

Again, we do not know how much rain may fall in those areas. It may not be enough, for example, for some kind of pulse event, which is really what we would be looking for, particularly in terms of water quality—like a flushing event. It may not be enough for that. However, I give the member a commitment that, as I have publicly said, we are monitoring that. If there is a rainfall event and if it is of significant quantity, we will consider that. We remain very concerned about the quality and quantity of water in the Menindee Lakes. I was there recently. I was on the Darling River. Despite all of the water that has been flowing through the system, there is still the ongoing risk of stratification and deoxygenation in the lakes. We have been pulsing water out of Lake Pamamaroo to try to keep the fish alive. We are actively managing the circumstance. That does require replenishment when the opportunity presents itself.

I draw the member's attention to the fact that, because the lakes are still under the management of the Murray-Darling Basin Authority and it is calling water out for use by irrigators in the southern basin, there is an equity argument. If I am going to restrict access in the northern basin whilst the Murray-Darling Basin Authority is calling water through to the southern basin for use in irrigation, there is an equity issue that needs to be considered. Section 324 orders, as the member would know, can only be used in special circumstances and in the public interest. I do have to consider those equity arguments when making those orders.

The last thing that I will say is that I find the current framework for section 324 orders unsatisfactory. It is weak, and there is not a strong framework around it. I do not prefer that kind of very unclear discretionary ministerial order. The member knows that those orders have not worked in the past. I reiterate my commitment to using the independent expert connectivity panel that is currently reviewing that to provide a more robust framework for the use of those orders going forward, so that it is not just the Minister relying on vague advice to make those orders, but so that everyone knows what the rules are and so the rules are implemented clearly and consistently.

Ms CATE FAEHRMANN (11:55): I ask a supplementary question. Will the Minister elucidate the part of her answer where she said that the action is dependent on the amount of rainfall? How much rain would it take? I am sure the Minister is aware that the Commonwealth Environmental Water Holder has said that after a wet period going into a drought, environmental watering is important to build resilience. How much water is enough water, considering this might be the last amount of generous rainfall we get before a long, hot summer?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (11:55): The member has asked a very good question. It really goes back to the issue that I raised at the end of my first answer, which is that we do not have a good framework for making that assessment. I cannot give the member a volume for the amount of water because the current framework does not allow for those kinds of decisions to be made within that. Assessments are made on a very weak framework. But I will say this: The volume would need to be such that, if an embargo was placed on opportunistic water take—primarily floodplain harvesting or potentially supplementary water—the impact of the embargo would meet the goal of putting it in place in the first place, which is to replenish the lakes and improve water quality there. That is the challenge. If the volume of the rainfall event is too low, and is not particularly in the right place, the impact of any embargo is going to be very limited because the water will not reach the lakes due to evaporative losses and other losses.

As the member knows, it is not as direct as putting on an embargo and then the water just flowing into the lakes. There are many reasons—environmental watering and water losses and other things—that mean that an embargo can be placed on some areas and not a drop of that water, or a very small trickle of that, actually reaches the lake that is its intended goal. The rainfall would need to be of a volume to give me confidence that taking the action to place the embargo—despite the equity issues with restricting irrigation in some areas when the Murray-Darling Basin Authority is calling on water to allow it in others—would ensure that the water that was not used for floodplain harvesting would reach the lakes and have an impact on quality and quantity there. I am just not sure of that at the moment. We will need to see what happens over the coming days.

SYDNEY THEATRE COMPANY

The Hon. JACQUI MUNRO (11:57): My question is directed to the Minister for the Arts. Noting that the New South Wales Government is a key sponsor of the Sydney Theatre Company, what steps has the Minister taken in response to the onstage pro-Palestine protest at the opening night of Chekhov's *The Seagull*, and the widespread concern that has caused among the New South Wales Jewish community?

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) (11:58): I thank the member for her question. I see that as a matter for the Sydney Theatre Company. I have not taken steps to deal with it. The company has made some public statements that I will not quote here, but members would be well aware of what has been said, including the company taking a step back—perhaps that is the best way to put it—in broad terms from what occurred.

I stress a couple of things. The role of the State Government at this moment is to ensure community cohesion. That is incredibly important. It is an obligation that the Government is taking seriously, including by cracking down on hate speech, antisemitism and vilification wherever it finds it. That is the Government's focus. I encourage everyone to be mindful of how the communities in Sydney are feeling. It is true for the Jewish community, which is feeling under pressure and under attack after the events of 7 October. There are echoes of what happened across Europe in the middle of the last millennium and what happened 2,000 years ago, when the Jewish community came under attack in the middle of their own city. That is why that community feels under pressure.

That is equally true for the Palestinian community, which is looking at what is happening in the Middle East, with friends and family involved. I encourage everyone to be mindful of the pressure that those communities are under. That is my public urging today. The Government's focus is on community cohesion. We have a beautiful State and an incredible country. It is a multicultural State, but we have to work hard to make sure that those communities are able to work together. Instances of hate, vilification, antisemitism and Islamophobia make things worse, which is why the Government will take a tough stance on any of those things. I hope, expect and believe that is the view of all members of this House.

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

Supplementary Questions for Written Answers

LOCAL SMALL COMMITMENTS ALLOCATION

The Hon. DAMIEN TUDEHOPE (12:01): My supplementary question for written answer is directed to the Special Minister of State. Was the Minister consulted before the Local Small Commitments Allocation program office wrote to City of Ryde council on 20 November 2023 denying the council \$400,000 for the project nominated by the failed Labor candidate for Ryde under the Local Small Commitments Allocation program? If not, who approved this?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. SARAH MITCHELL: I move:

That the House take note of answers to questions.

NARRABRI INLAND PORT PROJECT

WATER BUYBACKS

The Hon. SARAH MITCHELL (12:02): I respond to two answers that were given by Ministers in the course of question time today. The first is the response to my question to the Minister for Agriculture about the cancellation of funding for the Northern NSW Inland Port project in Narrabri. It is concerning to see the Federal Government walking away from the project. Members would, or should, be aware that Inland Rail is currently being constructed and is due to go through that part of north-west New South Wales. It is the most significant piece of infrastructure in a century. It will ensure that farmers can get their products to market and remain competitive in international markets, which is critical. Cancelling funding for the inland port project sends a poor message to those communities and the farmers who were particularly counting on projects like this to support them and their businesses.

I think it was the third or fourth time that the Minister has been asked about issues relating to infrastructure decisions by the Federal Government. It is all well and good for the Minister, or any Minister, to come in here and say, "We're disappointed with a capital D," but she has to actually do something. Ministers cannot sit there and think that Catherine King, wherever she is in the country, is tuning in to watch Minister Moriarty say that she is disappointed. It is a bit like your parents saying, "I'm not angry; I'm just disappointed." The Minister should be making formal representations. Farmers do not want to hear throwaway remarks like, "Maybe if I send a snail mail letter, they will get it next week." She is the Minister for Agriculture. She is the Minister for Regional New South Wales. Formal representations should be made. They will elicit formal responses from the Federal

Government and put the issue on the radar. It is incredibly disappointing to hear what I think was a flippant answer by the Minister about a serious issue.

I also briefly comment on the answers given by the Hon. Rose Jackson about water buybacks. Again, that issue is extremely concerning to many people across regional New South Wales. The fact of the matter is that the Minister can have as much goodwill as she wants and say, "We want to talk to the Federal Government about potential options so that we do not have to see water buybacks occur." But the reality is that this State Government will have absolutely no power should the Federal Government decide to proceed with water buybacks. It is all well and good for the Minister to say, "If that happens, we will provide economic support," but it is really hard to see those communities not grow or thrive but merely survive without water. I fear that we will end up in another situation where another Minister will come in here saying, "I'm capital D disappointed with Canberra," when there are communities all through the Murray-Darling Basin having their water stripped away because of a decision made in Canberra that this State Government is absolutely powerless to stop.

WATER BUYBACKS

The Hon. MARK BANASIAK (12:05): I take note of answers given by the Hon. Rose Jackson to my colleague's questions. I congratulate her on a confident and competent answer but, sadly, I do not share her confidence in her department doing the work. In 2021 I raised in estimates, in my role as chair of the committee, the issue of the sustainable diversion limit adjustment mechanism [SDLAM] projects and how they were so far behind that they were never going to be completed. It was well noted at that time that we were heading down this path, but the department did not do the work to put those projects in place. I have very little confidence that any of the new options, or the revisitation of the SDLAM projects, will go anywhere, given that the department has failed to do that in the initial attempt.

It should be noted, for the interest of the House, that while I was asking those questions in estimates, a former member of our party, the member for Murray, wanted me to ask questions about John Barilaro's dead father. It is interesting that she is bleating on social media that she is concerned about water buybacks in her community when it was clearly not a priority in 2021, when it was very apparent that we were heading down this path. While I was working with the community to understand the risks associated with the failure of the SDLAM projects, she wanted to ask questions about Mr Barilaro's dead father. While I was working with the community on these issues, she was conspiring with Greens in this place and the other place to exclude irrigators in her electorate from the floodplain harvesting inquiry. It is the peak of hypocrisy that the Independent member for Murray is bleating on social media about how she cares about her community and the impact of these buybacks. She should have cared about her community back in 2021, when it was pretty bloody obvious that this was going to happen.

WATER BUYBACKS

The Hon. JEREMY BUCKINGHAM (12:07): I join with my colleague the Hon. Mark Banasiak in commending the Minister for Water for her answer regarding water issues in the Murray-Darling Basin. It is as refreshing as the rain that we are receiving to finally have a water Minister in this State who is across the brief and is putting the interests of the rivers and the wider public before those of a narrow band of vested interests in this State. It is also heartening to hear her inform the House that the State Government is concerned about water buybacks in the southern basin. I, too, am concerned about those buybacks and whether or not they serve the public interest. I met with the irrigation infrastructure operators from the southern basin this week and was alarmed to hear that the Federal Government was pushing ahead with a plan to purchase 450 gigalitres of water without considering the socioeconomic impact. Irrigation is absolutely fundamental to producing food and fibre, and it underpins the jobs in the southern basin. We need to make sure we balance those impacts with real ecological benefits.

Unencumbered by the ideology of The Greens, I have to say I have always been alarmed that one of the efforts of the Murray-Darling Basin Authority, often supported by Senator Sarah Hanson-Young of The Greens, was to keep Lake Alexandrina in South Australia fresh. The barrages in South Australia are a mistake. Why we are not returning that to a natural flow state where it is episodically salt is beyond me. If it is so a few people in South Australia can grow grapes or waterski in fresh water right on the coast, it is ridiculous. If that is the purpose of these flows, and I think it is, I am very alarmed. Looking at alternatives to those buybacks is essential. As the Hon. Mark Banasiak said, making sure we can get those inland projects up and delivering water for the ecology of the river is essential, unlike making sure that the water in Lake Alexandrina is unnaturally fresh. I commend the Minister for her work and for being across the brief. There is a lot of work to do to make sure that we protect irrigation in the southern basin.

ENERGY SUPPLY

The Hon. EMILY SUVAAL (12:10): I take note of answers provided today by the Minister for Energy, particularly where she discussed the importance of the security of our electricity network. I note with interest the impacts that are being felt in other States at the moment, particularly during the really high temperatures being encountered in Perth. It is important to highlight some of the good work that is going on regarding the security of our State electricity network. What comes to mind is the work that EnergyCo is doing around the Hunter Transmission Project, a key piece of infrastructure that is needed to ensure that the backbone of our electricity network is connected and that we have the ring required to get energy from the renewable energy zones to the load centre it is being generated from.

The ongoing need for security is particularly important as we enter another very hot and dry summer. Ensuring that we keep the lights on and the air conditioners running—if people can afford it—is important for the safety and security of our State, as is making sure that key businesses like the Tomago Aluminium plant have the electricity to keep operating throughout that period. As a State Government, one of the most important things we can do is ensure that the renewable energy zones are connected to a network and to the load centres. The only way to do that is by building overhead transmission lines in our regional areas. That was canvassed at length in the Standing Committee on State Development inquiry that I chaired, and the fact remains that the time has long passed for us to consider any other option. Not only that, but anything else would not be approved by the regulator. I commend the Minister, the departments and EnergyCo for their work.

SOLAR FARMS AND PUBLIC LIABILITY INSURANCE

The Hon. SAM FARRAWAY (12:13): I take note of an answer from the energy Minister to my question regarding farmers with properties adjacent to solar farm developments, including one at Glanmire on the outskirts of Bathurst, which I specifically referenced. I acknowledge that the Minister is going to take part of that question on notice and come back to me and the House. I appreciate that. However, I find it concerning that this was not raised with the Minister. I am not having a dig at the Minister; I am having a dig at the department, to be honest. This is a significant issue. We are hearing about it more and more. I have many examples.

I recently heard of instances where farmers have been quoted in excess of \$250,000 per annum for an insurance premium to cover themselves in the event of a crop fire that could spread to an adjacent solar farm or solar factory. That is a huge concern, because we will push people off neighbouring properties. We are going to push those who cannot afford those premiums off those landholdings, farms and sometimes very productive land. In the case of the Glanmire development, which is before the Independent Planning Commission, we are talking about some of the best grazing land, which is above productive land, based on the land's grading.

The Minister said that, to her understanding, the fire risks may be low. That may very well be the case, but the reality is that there are so few underwriters in the insurance world now that, if underwriters are not interested or if they see the indemnity or the risk as high, they will not touch it. It will not matter what insurance retailer, agent or broker people go to; if the underwriters themselves are not interested or see the risk as too high, it will not matter what the fire risk is. If the underwriters are not interested, people are not going to get insurance. This is obviously one instance.

I have heard of farmers that need external aerial spraying where there are transmission lines, but they will not do it due to the insurance premiums. More contractors and others associated with agriculture in and around renewable energy projects are coming up against these hurdles. This is not an argument about net zero. This is an argument about some of the possibly unintended consequences out in the real world. I think we need to do more and ensure that people are not pushed off their landholdings because they cannot afford premiums to indemnify themselves against a possible fire threat to an adjacent project. I look forward to the Minister's answer.

ARGENTINA ECONOMIC POLICY

The Hon. JOHN RUDDICK (12:17): I take note of the Treasurer's response to my question about whether the Government can learn from the impending anarcho-capitalist experiment in Argentina. I am pleased to hear the Treasurer has a long-term interest in Argentina, but I am compelled to correct the record on a key part of his response. The Treasurer correctly identified that Australia and Argentina had similar world-leading living standards in the 1940s. He also correctly identified that, in the eight decades since, Argentina has been mired in economic failure while Australia, on balance, has continued to be an economic powerhouse.

Where we emphatically disagree is on the Treasurer's extraordinary claim that Australia's success has been underpinned by social welfare programs. That is laughable. Argentina has had an avowedly democratic socialist running the country for most of the past eight decades. It is socialism that has inflicted poverty on one-third of Argentinian citizens.

The Hon. Anthony D'Adam: That's totally untrue.

The Hon. JOHN RUDDICK: Socialism in its various forms, Mr D'Adam, was an abject failure whenever it was attempted across the twentieth century. It killed 100 million people, while nations that embraced free market capitalism have thrived. What is set to unfold in Argentina is a fascinating real-time economic experiment. Today Argentina has three elements that have never been combined before. Argentina is a nation of abundant natural resources, Argentina is a former economic powerhouse that has descended into a socialist mess, and Argentina has a president-elect, Javier Milei, who is an unapologetic anarcho-capitalist. Will he succeed? I suspect it will take two to three years of tough economic medicine before we start to see the Argentinian revival.

When Margaret Thatcher introduced her very mild reforms, compared to Milei's, the British economy initially went into a sharp recession. Tough love is tough at first. At the time of that recession, Thatcher was quizzed about whether she would perform a policy U-turn, but no-one will even bother asking Milei that question. He is an unashamed ideologue, and his ideas are the best ideas. I am firmly of the view that Javier Milei's inspiring leadership will, over the long term, see Argentina revive from its slumber, truly make Argentina great again and provide a demonstration to the world of the greatness of the anarcho-capitalist approach to public policy. Don't cry for me Argentina is out; inspire me Argentina is in. I am a Milei-ist. Vamos, Milei.

SYDNEY THEATRE COMPANY

ROZELLE INTERCHANGE

ARGENTINA ECONOMIC POLICY

The Hon. ANTHONY D'ADAM (12:19): As tempting as it is to weigh into the debate on Argentina, I am not going to do that. I will respond to the question from the Hon. Jacqui Munro about the incident on the opening night of the Chekhov play. She asked what the approach of the Government should be. My strong invocation to the Minister and to the Government is to do nothing because the events that occurred at the Sydney Theatre Company performance should be allowed. They should be allowed because they meet basic criteria. When quite divisive circumstances exist in the community, in a democracy there must be an opportunity for legitimate, peaceful and proportionate expressions of solidarity. Those should be the criteria that we apply and, if an expression meets those criteria, we should allow it. That is the way we maintain social cohesion on this issue.

The Hon. Natalie Ward: What about Jewish members of the audience? It was sprung on them.

The Hon. ANTHONY D'ADAM: I am not going to respond to the interjections. It is totally inappropriate for the Government to try to intervene in the matter. It should be left alone. Individuals and communities should be able to express solidarity in peaceful ways, and that is appropriate. I also address the Minister's answer to the question about the Rozelle interchange opening. The Minister was asked if he was consulted about changes to signage. I would expect that a Minister, on a question of where to put road signage, would take the advice of the experts, would they not? They would not interfere; they would just take the advice of the experts.

The Hon. Natalie Ward: How would you know? You have never been one.

The Hon. ANTHONY D'ADAM: I would expect that the Minister, who probably has no expertise on the siting of road signage, should take the advice of their bureaucracy and of the experts, and leave it to the experts and not interfere. I have 55 seconds left, so I will talk about Argentina. I completely disagree with the assessment of why Argentina went wrong. In 1940 Argentina had already had two coups. Argentina and Australia went on divergent paths because Australia has exceptional institutions and Argentina does not. Argentina does not have an army that respects the separation between military authority and civilian authority. The beginning of the end for the Argentine economy was when the army intervened in domestic politics and started to mess with it in favour of one section of society over another.

SYDNEY THEATRE COMPANY

ROZELLE INTERCHANGE

The Hon. NATALIE WARD (12:22): In relation to the Hon. Anthony D'Adam's comments, peaceful protest in a free-speaking country is absolutely fine, but for a person who pays for a ticket to a Sydney Theatre Company production, whether they are a Jewish person or any other person who expects to spend the evening seeing a play for which they have paid money, to innocently turn up and have that protest thrust upon them without notice is traumatic. It is unfair. It is not peaceful; it is provocative. It is designed to be provocative, and to say otherwise with respect to a government-funded theatre is bollocks.

I turn to the answers of the Minister for Roads to questions about the Rozelle interchange sign and also address the Hon. Anthony D'Adam's comments on that front. It was pleasing that the Minister answered, but his answer referred to lots of other things, including consulting the local member, other things that had been done and

the timeline for the morning. The point is that this was the biggest stuff-up, in opening a major motorway, in the history of this very new Government. It was a very easy thing to do. We built and, in fact, planned these projects. We paid for these projects. We implemented these projects. We built these projects. All those opposite needed to do was open them. They literally had to turn up, cut the ribbon and open the thing. You would think that the Minister would just turn around and apologise, that he would just say, "You know what? I am sorry. We got it wrong. We stuffed up. Our appointment of Josh Murray was the wrong appointment to make. We should never have appointed a comms guy, because he can't even get the comms right." You would think the guy would see the sign. The fact is that Ministers do see the signs and receive the briefs. They are across all of those things.

The M4 and M8 extensions opened perfectly well. The signage was good and people knew where to go. There was no problem. NorthConnex opened fine and drivers got through with no problem. WestConnex opened with people coming all the way from Penrith. But the tiny little part that needed one sign could not be done right by these guys. They are far too busy appointing Labor mates to jobs. They are far too busy getting sidetracked by the unions and by things that do not matter to the people of New South Wales. The people of New South Wales want these things to work. That is why they voted for them so long ago when Mike Baird had a vision. We had a mandate to sell poles and wires and build this big infrastructure. This Government cannot even decide whether it wants to go ahead with the Metro West project. It is underway. The tunnel-boring machines are underground doing the work, and Government members are asking, "Should we continue with it or should we just cut it off? We're not too sure. Let's go and talk to Josh Murray about it and see what comms we can put out and see who else we can get a job for."

All the Government needs to do is open the projects. The people of New South Wales—the commuters in those areas—want and need the projects. They are just trying to get to work and to get home to their families, and they are happy to do so on the back of good infrastructure that successive Liberal-Nationals governments planned and implemented. All this Government has to do is open it, or just say sorry.

SYDNEY THEATRE COMPANY

EMERGENCY SERVICES LEVY

The Hon. MARK BUTTIGIEG (12:25): With respect to the Chekhov play, the Opposition would do well to get on a unity ticket with us, as the Minister for Music and the Night-time Economy said, and foster unity and harmony instead of bringing forward motions which attempt to highlight division. In a free and democratic society—and those opposite should understand that the antecedents of their party have a philosophical underpinning which backs this in—people should have the freedom to express their thoughts, whether on the Jewish side, the Palestinian side or on any other cause. It belies their real intention when members opposite try to put such matters in this Chamber. Taking note of the Minister's answer, what we need in New South Wales is harmony and unity based on our pluralism and our multiculturalism. They are our strengths, and we should be emphasising those instead of emphasising division and trying to shut down opinion. The member opposite should be ashamed of herself given that she comes from a party which advocates free speech and freedom of expression.

I also take note of the Treasurer's answers regarding the emergency services levy. The debate about that is very interesting. Again I would have thought those opposite would have backed in the Treasurer's proposal, which is to remove an inequity. The insurance market is distorted because the levy is included in the insurance premium. Some 18 per cent of New South Wales households do not carry insurance. Households that are not insured or are underinsured are not carrying the burden of the emergency services levy but are benefiting from the provision of those services—good luck to them—in an emergency situation such as a storm or fire. It makes sense to spread the burden across all taxpayers in New South Wales who are benefiting from the provision of emergency services.

As the Treasurer said, due to that levy, insurance policies are up by 18 per cent for households and by 30 percent for small business. We have set up a consultation process whereby we will consult with industry, households and businesses on a more equitable levy which is cost neutral. What members opposite should do, instead of sniping from the sidelines and saying that it is a forever tax, as the Leader of the Opposition persistently did, is constructively engage with their stakeholders and with Government members and tell us how we can do it so that everyone pays their fair share equitably and benefits from—

The Hon. Natalie Ward: We did that.

The Hon. MARK BUTTIGIEG: No, you didn't. You instituted a system that failed. That is the current system we have inherited.

NARRABRI INLAND PORT PROJECT

The Hon. RACHEL MERTON (12:28): I take note of the answer given by the Minister for Agriculture relating to the Federal Government cutting \$7.8 million from the Northern New South Wales inland port at

Narrabri. It goes further. The decision by the Albanese Government to strip funding from 17 projects in New South Wales is not only a great disappointment, but an abject betrayal of trust.

Nearly half of the massive \$7 billion Labor cuts have been at the expense of Western Sydney and our regions. The new roads, safety upgrades and car parks that would have been delivered are even more critical with a rapidly increasing population. This year alone we are on track for net migration of 520,000 under the Federal Labor Government—over half a million in one year—and a third will arrive in our State. With every significant increase in population, we need more infrastructure. It seems logical, but the clueless Albanese Government sits on its hands and denies the funding to New South Wales. The Federal Labor Government sets the policies in place that lead to the rapidly increasing population growth in New South Wales. This week I gave notice of a motion on that exact issue.

Western Sydney absorbs a large chunk of every population intake. The Western Sydney International Airport project, largely funded by the Federal Government, is one of the most transformative projects there is. It sets out to connect the airport and the new M12. The M7-M12 interchange is a project of national significance, and the decision of the Albanese Government to withdraw funding is a blow to Western Sydney. Western Sydney deserves projects that drive economic growth, employment and opportunity for generations to come. I cannot comprehend how that project does not demonstrate merit or lacks strategic rationale. Putting an axe through the project is unfathomable.

Other cuts in Western Sydney include car parks in Kingswood and St Marys, and Mulgoa Road upgrades. They are no longer. Remembrance Drive in Camden is no longer. Those are significant congestion-busting road developments. Beyond Western Sydney, the Great Western Highway is one of our most dangerous roads, and there are no upgrades. Labor's funding cut is unacceptable. The communities of the magnificent Central West do not matter. I recognise that State Labor has been caught off guard by their Labor mates in Canberra. It was concerning to hear Ministers the other day saying that they were only made aware through the media. I assume Airbus Albo was too busy planning another overseas trip to tell the Minns Government. That is not how New South Wales should be treated. I welcome the New South Wales Labor Government registering disappointment with a capital D and a bold underline, and going on to say the action, "if I had written a letter". I urge the Government to reconsider. We expressed it publicly. I am not seeing the anger I was hoping to see. *[Time expired.]*

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (12:31): As usual it was an interesting take-note debate, which traversed a range of issues. I make the following points about the way in which Ministers answered questions today. The first is that water, as we know, is one of the most important public goods we have. In fact, we simply cannot live without it. I am very pleased that we have a water Minister in the Hon. Rose Jackson who is not only across her brief but also in detailed and ongoing discussions with all stakeholders about water and how we manage the resource as it gets scarcer as we head into drought. Members raised the issue of the confidence in her department. She has her department working very hard. Water is about to come into the new department being established by this Government on 1 January next year. We are dealing with 12 years of neglect and inaction when it comes to managing water for all the stakeholders we need to deal with.

I was also very interested in some of the take-note discussion from the Hon. Natalie Ward. She said the quiet bit out loud—the full endorsement of privatisation. That privatisation of our road system led to us being the most tolled State in Australia. That privatisation made things like the electricity transition harder on every single measure—more expensive and more difficult. So I am glad that there is the continuing endorsement of privatisation from members opposite. At least the Hon. Natalie Ward is open about that. On the issue of insurance for farmers, insurance reform is exactly what the emergency services levy reform is about, as the Treasurer noted. The point raised by the Hon. Sam Faraway is a serious one. I appreciated the fact that he did not go for the obvious gotcha moment and took me at my word, which is that it is a serious matter and that we will provide some information and seek to work with them.

My final point is that I wish the Opposition would stop the gotcha moments when it comes to infrastructure funding and the work we need to do. There are times when we all need to be on team New South Wales and work closely together, not respond with glee. The unseemly glee that has been in this Chamber as a result of the challenges we are facing from decisions of the Federal Government is unhelpful, frankly. We should be working to ensure that New South Wales gets its fair share. The Premier has been very clear about that. The Minister for Regional New South Wales, and Minister for Agriculture has been very clear about that. We are all on the same side—New South Wales should get its fair share. We will continue to demand that the Federal Government do that. The unseemly glee in relation to the issue is beneath all members opposite.

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

Motion agreed to.

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

PARLIAMENTARY CLOTHING DRIVE

The Hon. NATASHA MACLAREN-JONES (14:00): I speak about the 2023 Parliamentary Clothing Drive, which is now in its seventh year. This initiative provides an opportunity for members, staff and employees here in Parliament House to support those in the community facing challenging times by donating work-appropriate clothing. This year's clothing drive has been just as successful as previous years. I place on the record my appreciation to all who have donated. Several years ago, when I commenced the clothing drive, donations were given to Fitted for Work and Dress for Success. Both organisations are not-for-profit and are dedicated to empowering women on their journey towards economic independence. This year, we are supporting Dress for Success again. I am delighted to say that we have expanded our reach to include Dress for Work, an organisation based in Bankstown, operating since 2010, supporting vulnerable men in the community who have faced trauma and disadvantage.

At first, I was sceptical about a male clothing drive as we all know that men tend to wear their clothes until they fall off. However, I must say I am very impressed with the level of donations that have come in, and I thank those who donated for their support. The clothing drive is still open until Friday. Both organisations offer styling advice that gives clients the confidence to attend job interviews. Volunteers will mentor them and provide advice to prepare them for their interviews. Dress for Success has over 1,000 volunteers who collectively have donated over 10,000 hours during the last 12 months. Its pre-employment career support program consists of life skills training, mentor support and job readiness activities, including resume review, and interview preparations and practice. Through its Success Works program, women with a criminal record are supported to build their confidence and resilience and to find employment. Dress for Success NSW & ACT is located in Sydney, Illawarra and Newcastle-Hunter. Every year it supports around 2,500 women into employment across the State. Its clients come from a variety of backgrounds and have diverse ages and educational qualifications, but they have two things in common: They are experiencing disadvantage and they want to work.

Some women might be leaving domestic violence situations or experiencing homelessness. They may be refugees, and they may have a disability, be recently widowed or divorced, or be temporarily unable to work. Many are single mothers wanting to support themselves and their children; others are carers for family members. Last year our donations were given to the Dress for Success shop in Newcastle. The team is extremely grateful. I wish to tell the story of Kateryna, who is now living in Newcastle. Kateryna fled war-torn Ukraine in 2022 with her six-year-old daughter, her mother, and a few belongings, leaving behind her husband and her home. Kateryna heard of Dress for Success through her local congregation and attended career coaching sessions and career hub workshops, which helped her to secure full-time employment. When describing Dress for Success, she said:

As a pillar of emotional support, Dress for Success has often helped me focus on my today and future rather than what is taking place in my hometown.

In addition to providing clothing and career support to men, Dress for Work also offers the Metro Assist program that offers financial support, mental health and wellbeing programs and family services. I thank everyone for their donations.

ZIMBABWE ASSOCIATION IN AUSTRALIA

The PRESIDENT: I welcome and acknowledge guests of the Hon Mark Buttigieg present in the gallery today from the Zimbabwe Association in Australia New South Wales [ZIMAA NSW] and LangDentity: Gladys Maseko, the ZIMAA chairperson; Beang Puluko Calvin Moyo, the ZIMAA secretary; LangDentity student Learose Nyoni and her family Fanekiso Nyoni, Zodwa Muhlwa and Iyanna Nyoni; Dr Sithembinkosi Dube, the LangDentity chief learning officer; Prosper Nyanga, the incoming ZIMAA vice-chairman; Dheliwe Zigori, the incoming ZIMAA secretary; and Tafadzwa Mwanza, the incoming ZIMAA vice-secretary. You are all most welcome.

The Hon. MARK BUTTIGIEG (14:04): Today I recognise the work of the Zimbabwe Association in Australia New South Wales [ZIMAA NSW]. I acknowledge and thank the delegation in the gallery for being here today. Thank you for coming. The Zimbabwe Association in Australia New South Wales does important work to support new migrants, facilitate networks and friendships within Australia's Zimbabwean community and the

broadest community, and organise social, cultural and educational activities. In August, I was honoured to attend ZIMAA's gala dinner in Liverpool, representing the Minister for Multiculturalism, the Hon. Steve Kamper, MP. Also in attendance was my colleague Nathan Hagarty, MP, the member for Leppington. At the gala dinner, I was very moved by a poem read by Learose Nyoni, a 10-year-old student of LangDentity, who is with us today in the gallery. LangDentity is a language school committed to evolving students' cultural identities. I promised Learose that I would read the introduction to her poem so that members could understand why she decided to write it. I quote Learose:

My name is Learose Nyoni. I am 10 years old. I am going to share with you a poem that I composed called *That's me*.

The reason I wrote this poem is because I have been bullied and made fun of because of my brown skin, so this poem is for all the kids and anyone who has been bullied for being different and has lost their sense of belonging.

I would like to thank LangDentity for helping me find my sense of belonging and be more comfortable in my skin. I can now confidently share my heritage to help those around me understand that we are all special just the way we are.

Here is the beautiful poem:

That's Me!
I love myself. Kinky hair, brown skin I am different and that's the way I am.
My hair is so soft and curly, so many ways I can style it. Up, down, Afro, tied, braid, cornrows. Anything I like
And That's Me!
I am black and beautiful. I will walk confidently through the halls because I know I am enough and I am beautiful the way I am.
And That's Me!
by Learose Nyoni.

We could scarcely imagine a more beautiful example of a young girl standing up for her identity and coming of age. It says a lot about our multicultural society how particularly struck I was by the warmth and the invitation, but especially by this poem. I wanted to recite it for the record of the House.

The PRESIDENT: Hear, hear!

LIVING WONDERS CLIMATE CASES

Ms CATE FAEHRMANN (14:07): Congratulations, Learose. That is a really beautiful poem. You should be very proud. Last month, the Federal Court of Australia dismissed the Living Wonders cases, in which the Environment Council of Central Queensland brought two landmark climate cases arguing that the Federal environment Minister has interpreted the law in a way that is stopping her from scrutinising the climate harm of new coal and gas projects. The two massive coalmines at the centre of the Living Wonders cases, Whitehaven's Narrabri expansion and MACH Energy Australia's Mount Pleasant Optimisation Project, will produce a combined total of 1.3 billion tonnes of lifetime emissions, which is equivalent to running an average coal power station for 194 years.

Right now 12 new coal expansion proposals are up for approval, with another two waiting in the wings here in New South Wales, which, combined, will emit more than two billion tonnes of greenhouse gas emissions over their lifetimes. The World Meteorological Organization warns the final months of 2023 and the beginning of 2024 are projected to mark Australia's hottest year on record. With an El Niño, the return of dry conditions will be intensified, testing the capacity of our communities, our natural areas and our wildlife to withstand increasingly severe and unpredictable fires this summer. These events are happening because of successive governments' ongoing approval of new coalmines and their refusal to reduce our greenhouse gas emissions in line with what the science says is needed to keep our climate safe. It was bad enough 15 years, even five years ago, but it is worse now, after New South Wales experienced the Black Summer bushfires; after we experienced those devastating floods; and as communities are still recovering, still traumatised, still awaiting government assistance to live a semblance of a normal life after those catastrophic events.

For governments to support new projects for coal and gas in 2023 is criminal. Following the approval of the Mount Pleasant expansion project last year, Mount Pleasant will become this State's largest open-cut coalmine. But residents of Denman, Aberdeen, Muswellbrook and Scone who live with the pollution from the coalmine continue their fight for justice, challenging in the Land and Environment Court the Independent Planning Commission's approval of it, due to its impacts on health, the climate and the environment. I thank them profoundly for doing this. The Hunter Valley Operations project is the largest coalmine expansion awaiting approval since the signing of the Paris agreement. Rejecting this massively polluting project would go some way to reassuring the community that this Government understands what climate action looks like. These two coal projects, if they are approved, will negate any target for net zero by 2050.

HOUSING SUPPLY

The Hon. JACQUI MUNRO (14:10): The New South Wales housing policy is built on a mirage of migration, targets and upzoning. The equation is fundamentally flawed, and the Premier and the Minister for

Planning and Public Spaces must own up to their failure to advocate for New South Wales and be up-front with the people of New South Wales about the impact of their policy decisions. It is delusional to expect that there will be enough homes in the next five years to house all the residents of New South Wales—let alone reducing prices for renters or home buyers. It raises the obvious questions: Did the Premier consult his planning Minister before agreeing to a nationally imposed target of 377,000 new dwellings in five years? He did not. Did the Premier question whether building, on average, 75,000 new homes per year was even possible? Did the Premier even know that the rate of dwelling completions in New South Wales has been just 47,000 dwellings on average per year since 2016? Given that the building equation does not add up, has the Premier asked the Prime Minister to pause the rate of migration?

Around 325,000 new residents will come to New South Wales between 2022 and 2024. With current residents in New South Wales already weighed down by serious rental stress and low housing mobility and facing exorbitant stamp duty, how is it possible for this situation to get better before it gets significantly worse? Lofty targets and swathes of upzoning will not get us the houses we need in the next 12 months. Houses and apartments take years to build. Developers do not care about government targets. The reality is that supply is largely determined by the price of construction because the capacity of most people to buy is dwindling. The Government is imposing on developers new costs, called the housing and productivity contribution, details of which the Productivity Commission specifically gave evidence against. Mid-construction housing estates already lie dormant across the State, and high-rise blocks of apartments stand empty. There is already a significant shortfall of dwellings in New South Wales and a massive, cumulative gap between approvals and completions of buildings.

While upzoning may relieve some cost for in-fill construction, it will not fundamentally change developers' ability to build more homes. Upzoning may change the composition and density of housing, but it will not increase supply to the extent required if New South Wales Labor cannot effectively push back against the Albanese Government's massive migration wave. If the State Government's idea of maintaining a good quality of life for the people of New South Wales includes tiny homes and spending \$1 million on modular housing, the next 39 months cannot go quickly enough. If the Government was serious about sustainable, equitable and market-driven housing reform, it would never have called the Coalition's optional land tax policy "a forever tax on the family home" and it will swiftly conduct the vacancy audit it agreed to in September.

HIGHER SCHOOL CERTIFICATE EXAMINATIONS

The Hon. BOB NANVA (14:13): Friday 3 November marked the end of HSC exams in New South Wales for this year. Year 12 students have been working so hard and for so long toward overcoming this challenge that it can come as a shock to finally see past it to the long summer ahead and the anxieties and hopes we all have been through. To students it may seem like the gap between exams and results is a purgatory, where their plans are so fragile that they ride on only a single number, but this is not the case. I guarantee the students of New South Wales that a wealth of opportunities will appear, regardless of their final results.

A piece of wisdom is often repeated at this time of year: that marks do not define a student and no pathway is ever set in stone. This rings true. Having received a poor universities admission index and numerous rejections of university applications, I navigated my way, with the help of some wonderful careers advisers, administrators and alternative pathways, to my chosen degrees of business administration and law. People change degrees, learning pathways and careers all the time, and it is becoming easier than ever to do so as our society and our ideas of success evolve. It may take a year, five years or 10 to settle on the pathway that is right for them. If their final path is the one they find most fulfilling, then they will have made the right choice, no matter the length of the journey.

If I could take a moment to address year 12 students, I would say, "If you have decided to attend TAFE or undertake an apprenticeship or another form of vocational and skills training, I wish you the best of luck in careers that form the backbone of our State and our nation. If you have decided that you want to attend university, then I wish you too the best of luck, and I will tell you now that this will not be the last monolithic exam block you must brave or the last results you nervously await. Please always remember that numbers are never a determinant of one's success. Your character, values and hunger are." The most valuable lessons are not always learnt in the classroom but through experience, and of that there is so much ahead of all year 12 students, come what may in the weeks ahead.

NATIVE FOREST LOGGING

Ms SUE HIGGINSON (14:16): In our final week of sitting for 2023 and despite all of the evidence and the cost to taxpayers and the continued and sustained, dynamic, selfless fight by the community movement to protect our native forests, the Minns Labor Government continues to log them, including the ones it promised to protect. Since taking office, the Labor Party has launched industrial-scale logging operations in forests that have been untouched since the 1980s. It has moved in with heavy machinery to forests of the highest conservation

values and First Nations' sacred lands and logged parts of the heart of the Great Koala National Park. Meanwhile, the community resistance has matched the escalation of logging operations and pushed back on this agenda of destruction.

When the machines moved in under intense police guard at Newry State Forest, the community put its bodies on the line, pooled all resources possible in court action and stopped the logging. When they moved into Tallaganda, the community engaged in citizen science showing the unlawful harm, and a stop-work order was issued; the same happened at Flat Rock. The community took the Minns Forestry Corporation to court over operations at Myrtle and Braemar forests, which halted logging for months. Traditional owners have prompted an Environment Protection Authority investigation at Ourimbah State Forest, and again in Moonpar members of the community have identified survey failures. Forest defenders across the State have worked tirelessly and meticulously all year to highlight the indefensible state of logging in New South Wales, as has happened in Victoria, where logging came to an end earlier this year.

We are losing so much from this harmful, archaic extractive industry. It causes millions of tonnes of carbon emissions, the pushing of precious forest-dependent native species like koalas, greater gliders, owls, phascogales and ancient songbirds closer and closer to extinction, ongoing conflicts in our forests across the State and millions and millions of taxpayer dollars to go down the drain to prop up these operations, while the Treasurer cuts funding from other essential areas of government. There is so much to be gained from ending native forest logging: slowing of the biodiversity crisis, protection of some of the world's most wondrous ancient wild creatures, a lifeline in the climate crisis, clean water. Most of the timber we use comes from plantations. It is past time to make it all come from plantations. Logging native forests is to the land what whaling was to the oceans. The time to end the destruction of our precious public forests and to regenerate and protect them, as they protect us, has come.

THE HON. TANIA MIHAILUK COMMENTS

The Hon. MARK LATHAM (14:19): I bring to the attention of the House a misrepresentation by the Hon. Tania Mihailuk in the adjournment debate last night, and also on Facebook. On her Facebook page she has written:

Sadly my amendments to remove the arbitrary Net Zero targets were not able to be voted on, because former One Nation MPs, Liberal Democrats or Shooters, Fishers and Farmers didn't have the guts to stand up to the draconian Net Zero agenda ...

I put it on record that I was not asked to be a second voice for the Hon. Tania Mihailuk's divisions on the net zero bill and, I understand, nor were the two Shooters, Fishers and Farmers members. It is ridiculous and delusional to call us gutless when we were not even asked to be a second voice in the calling of a division. If we are not asked, how can we participate? It is an attempt by the Hon. Tania Mihailuk to get out of jail for her negligence in missing the net zero second reading debate—the important debate—last week while she was off junketeering in London. She played catch-up while trying to make out that she had strong principles and moved important amendments, but the fact is she was absent last week for the net zero second reading debate, which, elsewhere, she claims is the most important issue for One Nation supporters around the State. If it was so important, why was she in London?

In the adjournment debate last night she claimed to be a lone voice in opposing the net zero targets. She was a lone voice in London while our voices were here last week speaking against and voting against the net zero bill. It is unacceptable for a member to make such a misrepresentation. I call on her to apologise to the two Shooters, Fishers and Farmers members. If a member is not asked to participate in a division, common sense, logic, rationality and sanity would tell them that it is not their responsibility if the division is not called. The Facebook post is untrue. Saying in her adjournment speech that she was a lone voice is untrue.

The fact is that earlier in the year the Hon. Tania Mihailuk's attitude was, "Well, not much will happen in the last fortnight of parliamentary sittings. I am going to London." Well, a lot happened. Net zero is an important issue. It is the biggest economic transformation that we will see in our lifetime in New South Wales, and for her not to be in this place for the second reading debate is a disgrace. It is even more disgraceful to be blaming other members for something that we were unaware of. She needs to have a good look in the mirror and blame herself.

ANIMAL CRUELTY LAWS

The Hon. EMMA HURST (14:21): Animal cruelty is a crime. Violence, neglect, torture and cruelty to animals accounts for some of the worst acts and, more often than not, it is connected to crimes against people, particularly those who may be vulnerable. Our animal cruelty laws have been set up to fail. We have an Act so out of date it was written in the seventies and animal protection legislation is still overseen by the agricultural Minister, who has an obvious conflict of interest having to represent the industries that cause the most cruelty to animals in the first place. It is no wonder then that there are wild exemptions to animal cruelty all through our so-called animal protection laws, which arbitrarily allow cruelty to occur depending on the species of animal. It would be illegal to keep a dog in a tiny cage for 18 months where she could never walk, yet it is legal to do that

to hens in the egg industry. The absurd contradictions within the law go on. A dog is a legally protected, beloved member of the family unless someone wants to race that dog or use that dog for experimentation—or that dog happens to be one of the only native animals in Australia that people can freely and lawfully poison, shoot and kill.

Ultimately, the law states that animals are just things. They are pieces of property like chairs or tables. Animals are not furniture. They are not household goods that can be returned if they have a defect. They are complete with complex lives. For too long we have designed laws that allow us to dominate their lives, control them, limit them and use them. We have twisted any concept of dominion and instead dominate in a cruel and senseless way. We think we are an evolved species but we have a long way to go. We need to be much wiser and have a more respectful approach. Animals are not here for us; they are alongside us. If a dog is not a chair, then a pig is not a chair either. They are not merely things, but beings. If they are beings and we recognise, as our laws do, that they experience pain, then institutionalised exploitation of them cannot be justified. If we recognise that, then veganism is the only answer. If we can live healthy lives without eating animals and without contributing to the enormous suffering that is linked to those dietary choices, then why wouldn't we? Veganism is not extreme and kindness is not radical. Respecting animals is basic humanity.

TRIBUTE TO JOHN DESMOND WARD, OAM

The Hon. GREG DONNELLY (14:24): Today I pay tribute to the late John Desmond Ward, OAM, who died on 22 May 2023 at the age of 84 after a two-year battle with cancer. John joined the Australian Labor Party in 1987. He was the president of the Narrabeen-Pittwater branch from 1997 and honorary treasurer from 1987 to 1996. John was 18 when he met his beloved wife of 59 years, Pam. They were married in 1964 and went on to have six wonderful children. In 1973 John and Pam moved to the northern beaches when he was appointed director of the National Fitness Centre in Narrabeen, now known as the Sydney Academy of Sport and Recreation.

John was a third-generation teacher. He taught at many schools including Bega High School, James Ruse Agricultural High School and St Mary's High School, just to name a few. At the end of 1977 John began working as the secretary of the Sydney University Sports Union. Following that role he became head teacher of economics and geography at Hornsby Girls High School and then at Cromer High School. In 1983 he was appointed deputy principal at Killarney Heights High School. In 1986, after three years in that role, John was appointed principal of Randwick Boys High School.

In the same year John commenced his master's degree in education administration, juggling his work as a principal, his studies, his family responsibilities, his voluntary community work and his activities within the Australian Labor Party. In 1990 John was appointed principal of Barrenjoey High School before "retiring" in 1999. However, John's passion for education continued to burn and he took up a teaching opportunity at Brookvale TAFE for the next 18 years. In recognition of his devotion and commitment to both his teaching work in schools and TAFE and participation in his union, he was awarded life membership of the NSW Teachers Federation.

Fittingly, in April this year John and Pam both received an Order of Australia medal for their continuous contributions and tireless work in volunteering for multiple sporting and community organisations. John's dedication to the Australian Labor Party was legendary. He was handing out Labor how-to-vote cards at the State election on 25 March from a chair, and on the Thursday before he died he was diligently typing up the minutes of the Narrabeen-Pittwater branch AGM. John will always be in our thoughts and prayers. We are enormously grateful for having had his friendship and support as well as for the impact he had on so many people in the Australian Labor Party on the northern beaches and across the State. John Desmond Ward, may your soul rest in eternal peace.

Bills

THOROUGHbred RACING AMENDMENT BILL 2023

First Reading

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

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

Statement of public interest tabled.

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

Declaration of urgency agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

CUSTOMER SERVICE LEGISLATION AMENDMENT BILL 2023

First Reading

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

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

Statement of public interest tabled.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

HIGH RISK OFFENDERS LEGISLATION AMENDMENT BILL 2023

First Reading

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

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

Statement of public interest tabled.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. PENNY SHARPE: I move:

That standing and sessional orders be suspended to allow Government business order of the day No. 4 to be called on forthwith.

Motion agreed to.

Senate

SENATE VACANCY

The Hon. PENNY SHARPE: I move:

That the House agrees to meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Marise Payne in the Legislative Council Chamber on Thursday 30 November 2023 at 5.00 p.m.

Motion agreed to.

The Hon. PENNY SHARPE: I move:

That a message be forwarded to the Legislative Assembly conveying the terms of the resolution agreed to by the House.

Motion agreed to.

*Bills***PILL TESTING TRIAL BILL 2023****Second Reading Speech****Debate resumed from an earlier hour.**

Ms CATE FAEHRMANN (14:32): I continue my second reading speech on the Pill Testing Trial Bill 2023. That same year, a Guardian Essential poll found that 63 per cent of people supported pill testing at music festivals. In September of this year, safe drug use advocacy group Unharm penned a letter to the Premier calling for the Government to set up pill testing services before the summer. The letter outlined the safety and harm-reduction offerings of pill testing services, the success of pill testing in other jurisdictions and the urgency to act before the upcoming hot season. The letter was co-signed by experts across the health sector, the legal sector and the alcohol and other drugs sector—including Uniting, the Royal Australian College of General Practitioners, the University of New South Wales Drug Policy Modelling Program, the Alcohol and Drug Foundation, the Australian Festival Association and the Pharmaceutical Society of Australia. Despite having a clear policy mandate, increasing public support and unanimous support from stakeholders, governments continue to sit back and do nothing.

This year in New South Wales, two young men have already died due to what were probably drug overdoses—though that has not been confirmed in the media or by their families—after attending music festivals over the October long weekend. That same long weekend a significant number of young people were also taken to hospital after overdosing at music festivals. Those deaths have once again raised calls for more to be done to reduce drug-related harm and for New South Wales to adopt a health approach to drug use to save lives. Like many other parts of the world, New South Wales has naively pedalled a zero-tolerance approach to drugs for decades, yet it is becoming increasingly clear to pretty much everyone that the "war on drugs" approach has been a dismal failure. In 2021 there were 2,231 drug-induced deaths in Australia. Of those, 75 per cent—or three in four—were unintentional. There were 71 per cent more unintentional deaths from drugs in 2021 than 20 years ago in 2001.

The bill offers an important step for New South Wales to choose to prioritise reducing the harm from drugs and saving lives over punishing people for choosing to use currently illegal drugs. The bill represents The Greens' commitment to making sure that the more than one million people in New South Wales who choose to use drugs this year are less likely to come to harm. It is important to understand that when we talk about pill testing as a means for harm reduction, we are not treading a new path. Some countries have been leading in the harm-reduction space for many years. The most well known is Portugal, which I have spoken about in this place a number of times. In that country, pill testing was implemented following decriminalisation of all drugs back in 2001. Switzerland's model not only provides substance test results but also offers guidance. Swiss authorities understand that knowledge without context is incomplete, so they ensure their citizens receive expert advice alongside their results.

The Netherlands now boasts over 20 pill or drug drop-off points, making pill testing an accessible and routine aspect of that country's public health services. Research from the Netherlands has shown no increase in the use of most party drugs or in poly-drug use because of pill testing and the provision of drug information. In fact, by accurately identifying drug content and purity or potency, the Netherlands Drugs Information and Monitoring System has informed national warning campaigns that have pushed dangerous, low-quality substances from the market. In the UK, fixed-site and mail-in testing services are available. The mail-in service in particular provides a public interest benefit. Results are posted on the website for anyone to see, alongside the first part of the postcode the sample was submitted from. That means that it is possible to see trends in the market in one's local area.

In Canada, gas and liquid chromatography are used to provide drug-checking services. Those sophisticated lab-based technologies offer detailed information about which drugs are found in each sample, along with some information about how much of each drug is present, to allow users to understand the potency of their samples. A recent review of drug-checking services highlighted the importance of those services in response to the introduction of very potent synthetic drugs into the North American drug supply. Across the Tasman, New Zealand's KnowYourStuffNZ initiative is not just about checking; it is about creating a safer consumption culture. New Zealand has witnessed a move towards safer drug-consumption habits. Here in Australia, the Australian Capital Territory has been a trailblazer. A pill testing trial was first undertaken at the Groovin the Moo festival in 2019 by Pill Testing Australia. It tested 171 samples from 234 patrons, finding seven samples containing the potentially lethal substance N-ethylpentylone. Information from the potentially deadly samples could then be used by authorities to notify patrons of the pill testing services at the festival as well as ACT Health.

After that, the Australian Capital Territory opened a fixed-site pill testing service in Canberra known as CanTEST, which I have had the pleasure of visiting. CanTEST did not just serve as a trial or an experiment. It successfully demonstrated the measurable impact pill testing can have on reducing drug harm. When people were informed about the risks of the substances they tested, they made the choice to change their drug-taking behaviour. According to a review of CanTEST, where an unexpected drug, an additional drug or an inconclusive result was returned, 32 per cent of patrons—that is, one in three—stated that they definitely would not use the drug. They were then able to discard the drug safely at those premises. Even when no adverse result was returned, 31 per cent of patrons stated that they were unsure if they would use the drug and 8 per cent said they would definitely not use the drug. That is proof that when given the right information and trusted to make informed decisions for themselves, people are likely to do so.

Just last weekend, pill testing services were provided at Canberra's Spilt Milk festival. I have heard from the organisers that once again that was a highly successful service. Queensland is now in the process of implementing two fixed drug-checking sites and mobile services for events such as music festivals and even sporting events. In fact, it is expected that before the end of this year Queensland will become the first Australian State to offer drug users multiple free services to test illegal substances such as ecstasy, heroin, cocaine and ketamine. When we discuss the future of New South Wales and this bill, members should know that we are not venturing into the unknown. We are catching up with the world leaders in drug harm reduction. New South Wales was such a leader in 1999. On that note, I was just at a forum held by Uniting at Parliament during the lunch break. The lessons from the incredibly groundbreaking drug summit in 1999 were discussed. This bill makes drug harm reduction a reality in New South Wales. If passed, it will make the State a leader in drug harm reduction once again.

I turn to the provisions of the bill, which outline how, where and when pill testing services may be undertaken in New South Wales as part of the trial. Part 1 clause 3 of the proposed Act states the objects of the Act. Namely, it seeks:

- (a) to reduce the number of avoidable deaths caused by using substances that are, or that contain, a prohibited drug, scheduled substance or another substance that would cause harm if ingested,

That is the ultimate goal of pill testing services. No matter one's personal politics on drug use, it is an objective truth that pill testing or drug checking saves lives. It is also the duty of the members in this place and the other place to keep the people of this State safe. The bill ensures that that duty underpins the proposed Act. The objects of the bill continue:

- (b) to provide for users and potential users of those substances to receive information about the composition of those substances for the purpose of reducing the potential harm caused by using those substances,
- (c) to provide for users and potential users of those substances to receive drug counselling services for the purpose of reducing the potential harm caused by using those substances.

At this point I also mention that while the bill uses the term "pill testing" throughout, drug checking services for any substance can be provided. The objects of the bill envisage that a pill testing service in New South Wales will provide patrons with tailored harm-reduction supports, guidance and referral to services such as supervised consumption and referral to primary health care.

Part 2 of the bill outlines the process by which pill testing licences are conferred. Under the framework established through the bill, applicants can seek a fixed premises pill testing licence or a mobile pill testing licence. Applications must be made in writing to the Secretary of NSW Health, accompanied by documents that verify the applicant as a fit and proper person to hold a pill testing licence under the bill. It provides the secretary with factors that must be considered in determining whether the applicant is a fit and proper person. The applicant must also provide details of where and when pill testing services will be provided. In the case of a mobile drug testing licence, the applicant must provide the details of the concert, festival, dance party or similar event at which the pill testing services will be provided.

Upon receiving an application for a pill testing licence, the secretary may issue a licence if satisfied that the applicant has met the requirements and that the proposed pill testing service is appropriate for the location and security arrangements available. The determination of an application is entirely at the discretion of the secretary and is not subject to review. The Greens believe that this strikes an appropriate balance in giving effect to a pill testing trial while ensuring that all the requisite checks and balances are in place before services can be provided. This includes ensuring that appropriately qualified organisations are selected to participate in the trial. The details of all pill testing licences conferred in New South Wales will be available on the NSW Health website, outlining where, when and how those services are available.

Part 2 also allows for stringent reporting conditions on pill testing licensees. The Minister may make regulations prescribing the reporting of certain test results. That could include a sample test result containing a

previously unseen contaminant or a dangerously potent sample of a particular drug. Where that occurs, the pill testing licensee must notify the NSW Chief Health Officer, the secretary and the Commissioner of Police within 24 hours of the test result. Separate to that, a pill testing licensee must keep all records of testing as required in a manner prescribed by the regulations. NSW Health will be required to publish information about testing on its website as determined by the Minister in the regulations. These record keeping and reporting requirements will ensure that information about dangerous and high-risk drugs will be quickly communicated to relevant authorities and made available to the public.

Part 3 ensures that a person who provides a sample to a staff member of a pill testing service is exempt from criminal liability under the Drug Misuse and Trafficking Act 1985 or the Medicines, Poisons and Therapeutic Goods Act 2022. An exemption from civil action is also provided to any action taken by a pill testing service employee, to the extent that the action was done in good faith as part of the employee's role at the service. Importantly, part 4 provides for a review of the proposed Act after a period of nine months following its commencement. The Minister will then have a further three months after the end of the nine-month period to table a report to Parliament. As this bill seeks only to implement a trial of pill testing services, the proposed Act will automatically repeal after a period of two years.

As I commend the bill to the House, I turn again to the tragic events over the October long weekend. Shortly after hearing of the deaths, the Minister for Health, despite acknowledging how tragic the deaths were, emphasised that pill testing is not a standalone solution. No-one has ever said it was. But as Jen Ross-King, whose daughter Alex Ross-King died after attending one of those music festivals four years ago, has poignantly pointed out, if pill testing was available, Alex would have used it. She would have received information about how to reduce the harm. She probably would not have taken all her drugs at once either, because the provision of pill testing services also requires the cooperation of the police. Alex took all of her drugs at once to avoid detection when she saw the drug dogs outside the festival.

Pill Testing Australia, one of the organisations behind the successful CanTEST drug checking service operating in Canberra, is calling for pill testing to be implemented immediately. The organisation is not only calling for it but also saying that it is ready to go in terms of providing a pill testing service—for free. It has informed the Government of that as well. Of course, we should not require any organisation that we engage to provide pill testing services to provide them for free. We know that pill testing works. We await the Government's drug summit, for which we still do not have a date. I almost expected Dr Michael Holland, who was representing the Minister for Health at the drug summit forum organised by Uniting that was held over the lunch break, to announce a date. Even at that forum, Government members kept talking about the drug summit and the proposed drug summit without actually saying when it will be held.

But as we await the drug summit, why are we not acting now to reduce the likelihood of further deaths at music festivals? Just two weeks ago NSW Health issued alerts about cocaine and ketamine being bought on the streets of Sydney that had been cut with potentially deadly substances like heroin and fentanyl. One person died as a result of taking that substance, and others were rushed to hospital after overdosing on what they thought was a line of coke or a bump of ketamine. But how is NSW Health getting messages about those deadly substances out there? Do we honestly think that young people going for a night out in Sydney or going to a musical festival are going to follow NSW Health on X, formerly known as Twitter, or Instagram to check those posts before they go out?

We must do more if we are to save lives. Despite the risks, we know that "Just say no" does not work. It never has; it never will. President and co-founder of Harm Reduction Australia, Gino Vumbaca, asked, "Once you accept the reality that your child has already purchased drugs to use in a music festival context, who is the last person you want them to talk to before they use the drug?" He said, "For me, it's people like Dr David Caldicott or Steph and Penny from DanceWize." He said that he would prefer they got their information from those health professionals, counsellors and other experts rather than "the person they just bought the drug off or someone they bumped into at the festival". I say, "hear, hear" to that. In the words of ice inquiry commissioner, Dan Howard:

Implementing the recommendations will require a substantial investment by government of financial and other resources. It will also require a determined and sustained effort, political leadership and courage.

That is what is missing in New South Wales at this point in time. Finally, I thank all of the drug law reform advocates with whom I have worked closely over the years and who have provided invaluable advice and support in their never-ending quest to get sensible drug laws in place in this State, including Alex Wodak, Gino Vumbaca, Marianne Jauncey, Mary Harrod, Will Tregoning and Jen Ross-King. I also thank my team for their incredible work on this bill, on this issue and on the wider drug law reform campaign: Ben Cronly, Seppy Pour and, before June, Jacob Miller. I finish by quoting Jen Ross-King, the mother of Alex Ross-King, her only child. She said:

I can't change what happened to Alex but I sure as hell can try and make a difference to another family and another child so they can get the right information and make an informed choice about what they're doing. No one is giving a green light. A green light is not needed. Kids are doing it. They have the caps or pills in their hands. So now it's not about zero tolerance and causing more harm by ignoring the fact they're doing it. It's about providing them with information so that they can protect themselves and we can reduce as much harm as possible. And that's the difference between zero tolerance and harm reduction. We may not reach every child, but at the moment we're not reaching anybody.

I commend the bill to the House.

Debate adjourned.

CONSTITUTION AMENDMENT (RIGHTS AND FREEDOMS) BILL 2023

CONSTITUTION AMENDMENT (RIGHTS AND FREEDOMS—REFERENDUM) BILL 2023

First Reading

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

Second Reading Speech

The Hon. JOHN RUDDICK (14:53): I move:

That these bills be now read a second time.

The Constitution Amendment (Rights and Freedoms) Bill 2023 and Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023 seek to constitutionally protect the right to free speech in New South Wales. The bills are concerned with preventing this or future New South Wales governments from enacting legislation that would curtail open expression. The second bill seeks to entrench this constitutional right so that it can only be overridden by a referendum of the citizens of New South Wales. The good people of this State would never vote in favour of the State suppressing opinion, so let us transfer that power now before the central planners expand their reach into what we can and cannot say. Free speech is the mother liberty. It is the cornerstone of our great civilisation. But great civilisations can decay, and backsliding on free speech is a sure sign of cultural regression. It is no coincidence that mankind's most cherished statement on civil liberties, the US Bill of Rights, ranks the protection of free speech atop that sublime list. Justice Benjamin Cardozo served on the Supreme Court of the United States almost a century ago. He said:

Freedom of expression is the matrix, the indispensable condition, of nearly every other form of freedom.

There are numerous philosophical justifications for constitutionally protecting free speech. First, an individual will have a more fulfilling life knowing that they are free to express themselves without fear of state sanction. US Supreme Court Justice Thurgood Marshall recognised the individual fulfillment justification in 1974, stating:

The First Amendment serves not only the needs of the polity but also those of the human spirit—a spirit that demands self-expression. Such expression is an integral part of the development of ideas and a sense of identity. To suppress expression is to reject the basic human desire for recognition and affront the individual's worth and dignity.

Second, freedom of speech is inextricably linked to freedom of thought. If we want to maximise creative genius, we need to maximise freedom of thought. Third, freedom of speech is an essential ingredient of democratic government. If citizens are to wisely choose lawmakers, they first need all contenders and their ideas to be heard without state-sponsored suppression. Fourth, if we want the State to ban certain ideas, that requires police violence, or the threat thereof, to suppress expression. But do we really want to live in that ugly world? That is often counterproductive, as many take more of an interest when something is banned. My inaugural speech in this Chamber was banned from YouTube for a few months, but I thank the management at YouTube because it only pumped the views on other sites to over one million. YouTube is a private company and welcome to platform or deplatform whoever it likes. But thanks to Federal Senator Alex Antic, we know the Federal Government was instructing social media companies to delete posts.

On 22 May this year, the then secretary of the Department of Home Affairs, Michael Pezzullo, confirmed that between January 2017 and December 2022, his department had referred 13,636 social media posts to the social media company's corporate HQ and effectively said, "The Government does not agree with what this humble Twitter account is saying. Delete it." Fifth, there is the "safety valve" justification. If an unstable person is pumped up about a hot button issue, it is better to let them blow off some steam by saying what they want. If someone is deprived of that opportunity, they may resort to violence. In a US Supreme Court judgement, Justice Louis Brandeis wrote:

Those who won our independence believed it is hazardous to discourage thought, hope and imagination ... that fear breeds repression; that repression breeds hate and that hate menaces stable government. The path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies.

Sixth, free speech fosters general tolerance. If our culture values free speech, and people accept that ideas they acutely disagree with are permitted to be heard, then other social courtesies will be more likely to be respected. And seventh, my favourite justification is that free speech creates a free marketplace of ideas. Yes, factually incorrect ideas will circulate, but the marketplace will reward better ideas over time. A laissez-faire approach to speech will foster creativity. John Stuart Mill warned of the "peculiar evil of silencing the expression of an opinion", explaining that "if the opinion is right, we are deprived of the opportunity of exchanging error for truth. If wrong, they lose what is almost as great a benefit—the clearer perception and livelier impression of truth produced by its collision with error." Nick Cater, a columnist at *The Australian*, recently wrote:

Seldom have Australians experienced US First Amendment envy as strongly as we are now. If only the right to free speech was embedded in our Constitution, as it is in the US, and not merely implied. A censorious spirit has gone mainstream in Western societies in recent years.

Well said, Mr Cater. Until recently I assumed the virtue of free speech had long been settled. I thought the key contrast between the free west and the Soviet Bloc was that we in the west were proud champions of robust free speech whereas those behind the Iron Curtain had Big Brother in full control of expression. But here we are in 2023 and all across the west, particularly in the English-speaking world, we are seeing an acceleration in the campaign for central planners to curtail open expression. They are not interested in banning the Flat Earth Society; that is not a threat to the ruling orthodoxy. The trend is in the direction of banning politically contentious ideas, which I will return to.

During the height of the COVID hysteria, then Prime Minister of New Zealand Jacinda Arden said, "Dismiss anything you're told about COVID, unless it's from the Government. We will continue to be your single source of truth. Unless you hear it from us, it is not the truth." She at least deserves credit for saying the quiet part out loud. The COVID sceptics have been vindicated with time, and the entire political class was wrong. They do not care about being wrong, but they do care about losing control of the narrative. Around 2 per cent of eligible Australians are still mindlessly obeying the State and have had their sixth shot of a vaccine that, at the very best, is not working. So we are all COVID sceptics now, and the State should be reflecting on its tyrannical actions during that dark period. But no, it craves new laws to suppress open expression.

Part of the motivation for the bill is the Federal Labor Government's vile, Orwellian combatting misinformation and disinformation bill. That Federal bill seeks to give the Commonwealth the power to heavily fine social media companies for platforming "disinformation". They want politicians and bureaucrats to define disinformation and to punish businesses that simply offer a forum for discussion. I urge the Federal Parliament to reject the disinformation bill. Regardless, the bill before the New South Wales Parliament is about pre-emptively erecting a constitutional protection to head off that trend coming to this State. This constitutional amendment unashamedly cuts and pastes from the United States First Amendment. For over two centuries the English speaking world's finest legal minds of the United States Supreme Court have wrestled with free speech edge cases. If the bill is enacted, our courts will be able to rely on those established principles around matters like defamation, copyright et cetera.

A Federal Coalition Government was elected 10 years ago. One of its campaign commitments was to abolish section 18C from the Racial Discrimination Act. On 24 March 2014, in the early days of the Abbott Government, Attorney General George Brandis told the Senate:

People do have a right to be bigots, you know. In a free country, people do have rights to say things that other people find offensive, insulting or bigoted.

Brandis made a sound point but his blunt language was howled down. The Coalition dropped its commitment to free speech and thus began that disappointing Government's decline. It is worth putting on record that the Federal disinformation bill began under Prime Minister Scott Morrison. One only believes in free speech if they tolerate others saying things they utterly detest. Whenever someone says, "Well, I support free speech, but ...", we can ignore every word that preceded the word "but".

I would like to give an example of something that my heart says the Government should perhaps ban but which my head says it should not. A book was published in Australia this year that taught the birds and the bees to young kids. Many people, including me, thought that book was bordering on obscenity. Conservatives and libertarians tend to largely agree around 70 per cent of the time, but we part company when it comes to banning books of this nature. I hope parents ban that book from their homes. I hope schools and libraries ban it from their shelves, and I hope booksellers do not stock it. More importantly, I do not want a busybody State that has the power to step in and stop free individuals from, rightly or wrongly, wanting to purchase a book. Those who think it should be banned would be better off diverting their efforts not towards changing laws but to running a compelling public awareness campaign explaining why they believe parents should not expose kids to that obscene content.

Publishers and authors are welcome to make their cases publicly and, over time, the free market of ideas would arrive at an optimal presentation of the birds and the bees for children. We will not find that sweet spot, however, if the State throws its weight around and distorts a free exchange of ideas. A government that can take a book out of your hand will only want to extend its reach. That is the nature of the State; it is almost biologically programmed to expand its grip. United States presidential candidate, Robert F. Kennedy Jr, recently said:

There is no time in history where the people censoring speech were the good guys.

He is correct. Today Socrates is remembered as the greatest of the great minds of Ancient Greece. However, in 399 BC Socrates was put on trial for the crime of saying things the political class did not like. In particular, Socrates was good at convincing the youth of Athens that the Athenians' gods were fictitious. No-one believes in those gods today, but insecure politicians considered mocking those non-gods a capital crime. At his trial Socrates' accusers outlined his wrong-think to 500 jurors. Despite facing possible death, Socrates continued to mock the gods and the political class for being fools. He told the jurors:

... my plainness of speech makes them hate me, and what is their hatred but a proof that I am speaking the truth?

On the condition that he ceased forever to ridicule the gods and politicians, they offered him a deal where his life would be saved, but Socrates said:

I would rather die having spoken after my manner, than speak in your manner and live.

He was dead within a day, but we are all indebted to Socrates for his genius and courage in being a free-speech martyr. Given that there is a concerted effort around the world to bring in laws to ban certain ideas, there must be something that really irritates the political class in 2023. What could that be? What policy keeps the central planners up so late at night that they lust for new laws to ban people talking openly about it? It is global boiling, of course. Jacinda Arden told the United Nations last year:

... even the most light-touch approaches to disinformation could be misinterpreted as being hostile to the values of free speech that we value so highly. But—

there is always a "but"—

... how do we tackle climate change if people do not believe it exists?

Climate change exists so much that Ms Arden wants to bring in laws to stop people doubting it. The Federal Government's disinformation bill's exposure draft openly tells us it is about restricting speech that does "harm to the environment". The transition to renewables is crushing the Australian economy, and many, including me, believe it is because of politically distorted junk science. Maybe we are wrong but given the political class is so eager to suppress dissent on this critical topic, that seems very unlikely. I encourage colleagues in our other State Parliaments and in the Commonwealth Parliament to propose similar bills to this one. I am unashamedly an admirer of Ayn Rand who said:

Once a country accepts censorship of the press and of speech, then nothing can be won without violence. Therefore, so long as you have free speech, protect it.

Rand was right. Let us lock in the constitutional right to free speech in New South Wales. I commend the bill to the House.

Debate adjourned.

INDUSTRIAL RELATIONS AMENDMENT BILL 2023

First Reading

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

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

Statement of public interest tabled.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:09): According to standing order, I declare the bill to be an urgent bill.

I believe there will be some discussion about the urgency of the bill, and I am sure other members will speak to that. The Government made a clear election commitment to introduce this industrial relations bill and have it debated and passed by the House this year. We have worked cooperatively across the House, and I thank members. This week has not been too bad—we have dealt with quite a few bills, but we still have a few more.

The Industrial Relations Amendment Bill 2023 is important to the Government and is important for the negotiations and the setting of awards as they come due. I urge members to support the declaration of urgency.

The Hon. DAMIEN TUDEHOPE (15:10): I spoke to whether this bill was in fact urgent during an earlier debate on the question of referring it to a committee for consideration. Notwithstanding that the Leader of the Government has expressed the view that it is a Government priority to have the bill enacted before the end of the year, she has said nothing to indicate why it is urgent, except to the extent that she indicated that there are enterprise agreements currently being negotiated which the Government wants negotiated pursuant to the scheme in the bill. No argument has been articulated in this House that those negotiations cannot continue. They are ongoing and can continue. The bill contains a structure that, once the bill is enacted, enables the transfer of existing matters in the process of negotiation or before the industrial commission, as currently structured, to the new commission. There is a process for transferring those proceedings. We did not hear any suggestion that the bill not passing would be an impediment to ongoing negotiations. There is no suggestion of an economic reason for it to occur immediately—

The Hon. Penny Sharpe: We're getting to that.

The Hon. DAMIEN TUDEHOPE: We may get to it, but it would have been good to hear those reasons. One can anticipate some economic reasons because this Government has been unable potentially to reach a negotiated outcome with one union that springs to mind, which is the Health Services Union [HSU]. There has been continuing difficulty in reaching an outcome with the HSU and the Government wants this bill in place so that it can wash its hands of any responsibility for reaching an outcome in those negotiations—"Give it to someone else to do rather than us."

Part of the problem with this regressive bill is that it is for the purpose of making sure that the Government does not have to make decisions and that a third party does. When the Treasurer delivers the budget and the wages component has blown out, I am sure he will say, "Not me, not me! It's that ugly industrial court, the industrial commission. It has given all these wage rises and I had no power to influence it. I'm sorry, we can't deliver all the infrastructure we need delivered because of the decisions made by that ugly industrial commission and industrial court which were outside of our care and control. Just like past Labor Governments, we delivered nothing except wage rises for public servants and our union mates."

Urgency should have been demonstrated by a direct example of those things which the Government says need to be addressed either this year or before the Parliament sits next year. There are transition provisions. There is ability in the bill for proceedings and negotiations to be transferred. In the absence of the ability to demonstrate why it is necessary that the bill be passed this week, and given the Government has had a long period to introduce it, as we indicated the other day, members should not be satisfied that the Leader of the Government has said anything to justify consideration of the bill as a matter of urgency.

I look forward to hearing the Treasurer's contribution. I am sure he will tell us all the things that make the bill urgent and why we need to get it through by the end of this week—debated and finalised tomorrow. There is no evidence before us, other than the Government saying, "We say it is urgent, we want it done and it is part of our priorities." That is not good enough. The Government must demonstrate that it needs to be done without the proper process—laying it on the table and allowing proper consideration by the House prior to a proper debate in this place. I anticipate that the Treasurer may seek to make some case but, having heard the contribution of the Leader of the Government regarding urgency, members of this House could not support a motion for urgency on the information that is currently before them.

The Hon. MARK LATHAM (15:16): As much as I like and admire the Leader of the Opposition, I have to say to him, using a very apt analogy for today's Liberal Party, when it comes to public sector wages and productivity the horse has well and truly bolted. With a new-found interest in racing, multiple meetings to work out the market and who is in front of whom, for the Liberal Party, public sector wages and productivity are like *Black Caviar* streaking down the straight, running away, never to be seen again. That is the analogy that fits. Quite frankly, the public sector wages cap is a horse that has bolted. We had umpteen debates in the last Parliament about this. There is nothing to be delayed in implementing the Government's election mandate in this regard. We all had a crack; all members spoke about the public sector wages cap. I said it was a crude and unnecessary mechanism and we should have workplace productivity-based bargaining.

The Hon. Jacqui Munro: Hear, hear!

The Hon. MARK LATHAM: Well, that is obviously a new Liberal Party member who was not here for 12 years when they diddly squat about public sector productivity. It was my attempt at humour, but there was an element of truth when I read out the long list of political Jim Betts-style programs that the Liberal Party allowed

to be fostered in the public sector and said, half in jest, that at 4.30 p.m. they got around to actually doing some work for the taxpayer.

The other productivity joke for the Liberal Party was when, during the COVID period, all the public servants worked from home and it was another press release-led recovery from Berejiklian and Perrottet saying, "We're bringing them back. We're ordering them to come back into the centre of Sydney." None of them came back. The Liberal Party did not even have the control or the authority to determine where the public servants worked. The public servants said, "Oh, Perrottet and Berejiklian, who are they? We're going to decide where we work. It's not too bad. We'll do a couple of hours work here, have a cup of coffee with friends and maybe play a bit of tennis later in the day." They did not come back.

Our hardworking Minister for the CBD, the Hon. John Graham, is up against it as he tries to revive the night-time economy because the public servants evacuated and the Liberal Party did not have the authority to decide where public servants would work. *Black Caviar* has done a couple of laps of the track by now. We will not see that horse again. It has bolted well and truly. The wage cap has been sorted out, and the Government has every right to get it done under an urgency motion. The Liberal Party has no authority whatsoever over public sector productivity, just as it had no authority over the public servants themselves.

The Labor Government is also trying to reformulate the Industrial Relations Commission. There are no private sector workers, so we can all relax. It is trying to even the balance out—no more Mrs Falinskis. It is trying to put in a few of its own people to even out the way that, over 12 years, the Liberal Party did a bit of a stack at the commission. These are not unfair, unreasonable or unexpected things for the Government to do. I do not support the Leader of the Opposition. The Government should, with the urgency motion, get this industrial relations thing through. It is about four-fifths of nothing in terms of impact. I am sure that at 4.30 p.m. public servants will all get around to doing a bit of work for the taxpayers, and the new Government will be as bad as the old Government in terms of productivity.

The Hon. DANIEL MOOKHEY (Treasurer) (15:20): By leave: I thank the House for its indulgence in granting me leave to speak, particularly the shadow Treasurer, who directed a few questions to me in his contribution to debate. It is nice that he has given me the opportunity to reply. The shadow Treasurer is right in saying the House had an opportunity to consider many similar matters yesterday when we discussed whether to refer the bill to a committee. The points we made then are the points we make again now as to why there is urgency. At least 75 different industrial instruments are due to expire in July next year. The new system envisages the capacity to immediately form consultative councils, which have real standing and real teeth, as a precursor to bargaining as we try to foster a mutual gains approach.

The theory behind mutual gains is that, by establishing cooperative structures in workplaces prior to bargaining, we can transmute those structures into bargaining with a view to recognising the hard work we have done. There is a sincere and urgent desire to commence that work, not just on the employee side of the equation, with their legitimate representation in the trade union movement, but equally in the agencies. We said at the election that we want to foster a system built on cooperation. The bill sets up the structures that translate that rhetoric into reality. We say that it is urgent to allow that system to commence straightaway. That is the first aspect.

The second aspect of urgency that the shadow Treasurer asked me to explain is the fact that, in parallel to what is happening with instruments at a State level, many parts of the public sector are bargaining in the Federal system. Those bargains effectively commence on 1 January. TAFE teachers and rail workers come to mind. There is a sincere desire for those unions to explore whether that bargaining should take place under the auspices of similar arrangements or these very arrangements. Members will remember that we had to deal with the difference between a cooperative-based approach and a non-cooperative-based approach, particularly with the rail disputes. The fact that the system being put in place in New South Wales has a more realistic capacity to reach a cooperative outcome may encourage people to see that this is quite an innovative Act, and it builds on an innovative Act. Those industrial counterparts who are due to commence bargaining from 1 January would very much like to know whether that option is available to them.

The other point that stresses the urgency of the matter is that we are eager to form an industrial court. There are compelling reasons to do so. One is dispute resolution. In dispute resolution right now, the formation of a court that is accessible, cheap and speedy matters a great deal. The shadow Treasurer is right to say that there are disputes underway. It does not follow that we will use the new provisions in those disputes. When it comes to industrial relations, access to speedy intervention by courts is a strong positive for both parties to those negotiations. Right now, the system provides for people to go on the Supreme Court list, and we recognise and respect the Supreme Court. But the Industrial Court proved itself to be a speedier form of jurisdiction. What is unique about the Industrial Court, as opposed to the Supreme Court, is its capacity to combine arbitral and judicial

powers, which is permissible under the New South Wales Constitution but not under the Commonwealth. That feature is unique to New South Wales, and we say it is urgent to have it back for dispute resolution.

When it comes to bargaining, people do not want to go from one system to another midstream. The shadow Treasurer made the point that the bill contains savings and transitional provisions. That is true, but it is a novel argument to say that we should have relied on them as a first resort rather than a last resort. It is much better to establish the ground rules from the beginning so that we do not confuse things along the way. That is part of the reason we say the bill is urgent. Equally, the bill contains an enhanced capacity for an industrial court to investigate work health and safety matters. As the Minister for Work Health and Safety knows, people are injured at work every day. Sadly, people perish at work almost every week. The ability for speedy access to justice is urgent.

It is not by passing the bill that we form the court. Once the bill is passed, we need to build the court and recruit the justices. None of that work can take place until Parliament passes the bill. If the House refuses urgency, then we cannot debate the legislation until February or March, which would delay the process of forming the court.

The Hon. Damien Tudehope: If you thought it was that urgent, why didn't you do it a month ago?

The Hon. DANIEL MOOKHEY: I hear the interjection from the shadow Treasurer. If the shadow Treasurer's point is that, because the Government took its time to get the legislation right, we should therefore wait until March for Parliament to debate the law, then that is quite a novel proposition.

The DEPUTY PRESIDENT (Ms Abigail Boyd): Order! I call the Hon. Wes Fang to order for the first time. The Treasurer's time has expired. The question is that the bill be considered an urgent bill.

Declaration of urgency agreed to.

The Hon. PENNY SHARPE: I move:

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

Motion agreed to.

Motions

ART GALLERY OF NEW SOUTH WALES

The Hon. SUSAN CARTER (15:29): I move:

- (1) That this House notes that:
 - (a) the 2022-2023 budget included \$71,069 million in funding distribution from the Department of Enterprise, Investment and Trade for the Art Gallery of New South Wales;
 - (b) the 2023-2024 budget includes only \$40,632 million in funding distribution from the Department of Enterprise, Investment and Trade for the Art Gallery of New South Wales; and
 - (c) this represents a 42 per cent reduction in funding distribution from the Department of Enterprise, Investment and Trade.
- (2) That this House notes that:
 - (a) the Sydney Modern Project of the Art Gallery of New South Wales opened on 3 December 2022;
 - (b) the Sydney Modern Project almost doubles the number of visitors expected to the Art Gallery of New South Wales from one million to two million each year; and
 - (c) the Sydney Modern wing of the art gallery is 17,000 square metres in size, which almost doubles the total space of the gallery to 40,000 square metres.
- (3) That this House calls on the Government to:
 - (a) explain why the funding for the Art Gallery of New South Wales has been reduced despite the gallery expanding in scope and size; and
 - (b) restore funding distribution to the gallery commensurate with its importance to the culture and people of New South Wales.

Arts are fuel for the soul. I know that I have said this before, but I am compelled to return to this refrain. The last time these words were spoken in this House, it was on my behalf by the Hon. Jacqui Munro when deploring the cuts this Government made, and happily then reversed, to the screen industry of New South Wales. I repeat this refrain today as I oppose the cuts in recurrent funding this Government has made to the Art Gallery of New South Wales, one of our great cultural institutions. The gallery began without a collection and without a building on 24 April 1871 when a group of 30 art-loving citizens established a society to support artists and promote knowledge and enjoyment of art in the wider community. By 1874 they had secured government support for their

project and in 1880 they had their own dedicated building—the first of its kind in Australia. This partnership between the government of the day and the private citizens of our State jointly supporting the gallery has continued to this day.

The Government cannot and should not be the sole supporter of the arts, and the partnership between public and private, which has sustained the gallery for over a century, is an admirable model. However, as in any partnership, both parties must pull their weight, but today it appears that this Government wants to lean quite heavily on its private partners for support for the arts. Last year we saw the completion of the Sydney Modern Project and the opening of the Sydney Modern wing at the gallery. This represents the biggest expansion in the gallery's more than 150-years history, and a significant investment in the arts landscape of our State. The wing is 17,000 square metres, almost doubling the size of the gallery. It is expected to contribute to nearly twice the number of visitors year on year. The Minister for the Arts at the time of the opening, who is now the President of this House, poetically addressed the new wing on its opening day, congratulating it on contributing over \$1 billion to the State's economy over the next 25 years.

The expansion of the gallery has been described as the most significant investment in the arts and cultural landscape of Sydney since the construction of the Opera House. One would think such a significant expansion would naturally require at least a small increase in the budget of the gallery. The Sydney Modern wing may have a six-star green rating, but we would expect to see a minor bump in recurrent funding to cover the cost of staffing it and turning on the lights seven days a week. Why, then, has this Government not increased the funding to the gallery but actually decreased the recurrent funding distribution from the department? In the Coalition's 2022-23 budget, \$71 million was distributed by the department to the gallery, yet in the current budget only \$41 million is allocated. Why has the funding distribution been halved when the gallery has nearly doubled?

This Government somehow expects the gallery to operate on a budget smaller than the budget of three years ago, not accounting for inflation and not accounting for the increase in the gallery's size. Budget pressures are constant and important for the government of the day to manage, yet this Labor Government has displayed a consistent pattern of cutting funding to the arts—and worse, cutting funding to profitable and economically sound arts projects, like the cuts to Screen NSW and this reduction in funding to the art gallery. It has targeted pipelines for emerging artists by abolishing the separate Creative Kids scheme and rolling it in to a generic activity voucher, which also has reduced funding.

The message that is being delivered to our children by this Government is that there is nothing special about the arts; artistic activity is not worth supporting. We need a different narrative for the arts and for our future artists. If we have cut Creative Kids, then we need to keep the inspiration available at the art gallery, and the children's trail and family events accessible. Parents need to be able to expose their under-12s to great artists like Kandinsky without crippling costs, especially with the current cost-of-living pressures, and we need security for the future of the arts. I call on this Government to reverse its cuts; to remember that the arts are fuel for the soul; to keep the lights on, and the gallery open for all, seven days a week; and to fund it properly.

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) (15:33): I thank the Hon. Susan Carter for moving the motion because I recognise that she takes a close interest in the arts and is a passionate supporter. It is very welcome to have one more member joining the other 41 of us who have such a strong focus on the arts. I cannot speak for amounts. I will not go into detailed reasons, but I will refer members to the budget estimates hearing when the member questioned the director of the gallery, who went into quite some detail of why the facts in the motion are not the case. I state for the record that funding to the art gallery has not been halved. The motion is an overstatement of what the case is. That was best put in an exchange in the budget estimates hearing where the Hon. Susan Carter said:

You would agree that the recurrent funding has been reduced from the previous year to a number comparable to running a gallery half the size of the current gallery?

The director responded:

I'd say that it hasn't been reduced.

There was a much longer exchange; I encourage members to look into the detail. There was much more detail and I do not want to run through all that, but I do make some statements for the record. Firstly, I am sympathetic with the issues with the gallery and I have been in discussions with the gallery. It is common sense that as a new wing opens, it will lead to operating expenses. Sadly, the business case projections from the 2017 business case have not been borne out. The business case that was ticked off by the former Government and the reality are very far apart. That is one of the challenges. However, there have been good discussions with the gallery. That is the way the Government would like to approach these issues, and I note the public comments from the Museum of Contemporary Art today.

The Government will deal with this in this order: We will assess, we will audit and we will assist where required. We will assess any of the funding issues that have arisen as a result of often longstanding funding issues. We will audit them closely. I am open to working with these institutions, but we will need to forensically go through the financial situation, including making sure that the Government is confident about the governance arrangements in place in order to see how the gallery has got itself in this situation. That audit process is important so that the Government can say to the public, "This is a legitimate issue; this is how the situation has arisen." However, as the arts Minister, I make it clear that I am open to assisting where these types of issues exist. Of course, that will be under the firm guidance of the Treasury and the competing priorities. But we will assist where that is required. The final point I make is that I am incredulous that, after 12 years of these issues arising, the Opposition's position is that this has come as a surprise, when it was the former Coalition Government's funding arrangements that led to it.

The Hon. CHRIS RATH (15:37): I speak in support the motion moved by the Hon. Susan Carter because the Art Gallery of New South Wales is one of the most beautiful and meaningful cultural institutions in Sydney. It is one of my personal favourites. For every lever that individuals and policymakers can pull to increase society's material prosperity, wealth cannot provide personal meaning. Personal meaning must be drawn from something deeper. It is found amidst the transcendent, the beautiful and the timeless, or, as the great philosopher Sir Roger Scruton said and as I quoted in my inaugural speech:

The beautiful work of art brings consolation in sorrow and affirmation in joy. It shows human life to be worthwhile.

There is a reason that each year over one million visitors enjoy the collections, exhibitions and public programs at the Art Gallery of New South Wales. I am convinced that what calls these millions of visitors to the gallery is the ability of art to reflect the transcendent, the beautiful and the timeless. Given the role of cultural institutions such as the gallery in speaking to the very elements of personal meaning, I am greatly disappointed to be participating in debate on such a motion. Without a doubt, the Art Gallery of New South Wales is the most important gallery in our State and is one of the largest galleries in Australia. Given its sizeable contribution to the culture of New South Wales, the people of our State deserve an explanation as to why funding for the gallery was cut by 42 per cent. I note that the Minister addressed some of that during his speech, but more information regarding why the budget papers show a 42 per cent reduction would be helpful. I did look at those papers.

This cut comes at a time when, as the motion notes, the gallery has significantly expanded in scope and size. Questions around the counterintuitive nature of this funding decrease definitely deserve answers. For instance, the art gallery's recent Sydney Modern extension project will soon double visitation numbers to approximately two million. The gallery has now also set out to raise \$40 million from its two gift shops, restaurants, private functions and box office—four times the revenue it raised in 2022-23—to help its bottom line over the current financial year. It is abundantly clear that the Minns Labor Government cares little about the Art Gallery of New South Wales if the funding has gone down by 42 per cent. I love the art gallery, and I will certainly be visiting it more regularly, to play my part in keeping one of our most critical public assets open.

Ms ABIGAIL BOYD (15:40): As The Greens' spokesperson for the arts and creative industries, I say from the outset that The Greens strongly believe that the arts are a fundamental aspect of social and democratic life in New South Wales. It is a very important area and something we are keen to see receive the right funding. The Greens do not support the motion. I note that there are what I understand to be errors in some parts of it, but it is more that there is something broader going on. The arts in New South Wales are so divided and separated, with different institutions doing different things. It is different to what we see in other parts of the world. There is a better way of funding and coordinating the various artistic and creative institutions in New South Wales, particularly in Sydney. We need to do a broad review, rather than calling for particular funding for particular art galleries.

I note that the Museum of Contemporary Art has said today that it is being forced to consider reintroducing paid tickets. The Greens do not want to see any of these institutions forced to make themselves less accessible to the public. We do not want to see them in a position where they must privatise their spaces to survive. So we have a lot of sympathy for greater funding going to these institutions. We would like to see first a clean-up of the board structures and the interactions between these institutions and the overall funding model, and some consistency and rationale for that. I hope that, by the next budget, that work is completed by this Government. Then we will take another look at the individual funding. I encourage the Government to look at the United Kingdom, for example, and other places where institutions have pooled funding to support each other through the ebbs and flows of patronage. We need to radically look at how we fund the arts in New South Wales, but The Greens will not be supporting this motion now.

The Hon. MARK LATHAM (15:43): On behalf of myself, as my own arts and cultural spokesperson, I too oppose the motion, because the transcendence that is most important was in the legacy of debt and deficit left to this Government. If these figures about a funding cut are right, they are justified to try to bring the

New South Wales budget back into some kind of structural balance. Where do you rank the arts in the priorities for public subsidisation? Overwhelmingly, the arts are used and those subsidies absorbed by middle- and high-income earners. If the arts are so popular and successful, why can't the high-income earners meet the cost? The Government would have funding free to allocate to low-income earners to deal with the current cost-of-living crisis. In terms of equity and priorities, if these numbers are right, you would have to say that the Government has done the right thing.

Budgets are about priorities. In a time of debt and deficit, they are about tough decisions. A number of decisions had to be made along those lines. Let's not shy away from the fiscal reality. If you were to go down and have a look at the Sydney Modern Project, you would have to say that it is a bit disappointing. I expected a lot more quality, more pizzazz, more artistic wow factor. I thought that it was pretty plain. For all the money that has been spent there, the building looks pretty spectacular, I suppose, but we need to stock it with something more valuable—*Blue Poles* generation X, that kind of investment. But Sydney Modern is not living up to the hype of the former Government and of Don Harwin in particular. Let's have some reality about this. The budget is not a bottomless pit. At the moment, the transcendence is in trying to be fiscally responsible. The galleries down there still have ample funding and need to use that wisely to improve the quality of the Sydney Modern and make sure that it lives up to its much-vaunted publicity from last year.

The Hon. SUSAN CARTER (15:45): In reply: I thank the Hon. John Graham, the Hon. Chris Rath, Ms Abigail Boyd and the Hon. Mark Latham for contributing to this debate. I note the Hon. John Graham's comments about my maths. I am no defender of my arithmetical abilities, but I note that \$41 million was given to the art gallery this year. The year before, it was \$71 million. There was some confusion about exactly how that was comprised. But, the year before that, it was \$43 million. Even if we take \$71 million out as an anomaly—and I am not sure that on the budget papers we can—we are still looking at a gallery that has gone from receiving \$43 million the year before last to \$41 million this year and has doubled in size and, hopefully, doubled in the service it offers to the people and families of New South Wales.

I acknowledge the comments of the Hon. Mark Latham and his suggestion that perhaps we should privatise all the arts. I know that the Medici family was very fond of that. The problem, when we have only the high-income and middle-income earners sponsoring the arts, is that we get only the arts they like. Some of the Renaissance works in Florence are wonderful, but I am fond of a broad approach to the arts so that we can have arts for all. It is great to know that the Government is planning to take a triple-A—assess, audit and assist—approach to its funding of the arts. But I hope that that triple-A gets turned into an active S—an active sponsorship of creativity and of accessible arts for all. Cutting funding to the New South Wales art gallery risks exactly that, accessible arts for all, which is part of our great heritage and what is really important about our society and part of something that we all want to be able to offer to our children. I call on this Government to fund our great cultural institution, established by our citizens, the Art Gallery of New South Wales.

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

Motion negatived.

Committees

PROCEDURE COMMITTEE

Reference

The Hon. MARK LATHAM (15:48): I move:

- (1) That the Procedure Committee inquire into and report on the giving of notices of motions under Standing Order 75, to expedite the process to save time in the Chamber.
- (2) That the committee report by 24 May 2024.

This motion is an attempt to bring the House out of the horse-and-buggy era into something more befitting of the information technology available to us. Speaking to some of the new members who came here at the last election, I have learnt that they have been surprised by the archaic provisions we have, one of them being that we can take 90 minutes for reading notices of motion on a Tuesday, not as long on a Wednesday but still lengthy, and then a full hour last Thursday, which meant that the Climate Change (Net Zero Future) Bill 2023 could not start and further amendments were lodged over the weekend.

Surely it would be easy for the Chamber to have electronic lodgement of notices of motions—because that happens anyway—and avail each member of 90 seconds on the morning to outline to their supporters and their Facebook page and whomsoever the things that they have lodged. The Greens would say, "I've lodged a motion to save the planet. I have lodged a motion on domestic violence and disability." Others would talk about jobs and opportunity and so forth. Every member would have a chance to talk to their supporters and their constituencies

about the motions that they have lodged that will possibly be debated on private members' day on Wednesday. That would streamline the process and it would take away the torture of listening to motions that are really designed as speeches. I understand back in the day David Clarke was world-class at turning a motion into an adjournment speech. He would go for—

The Hon. Daniel Mookhey: He was fast.

The Hon. MARK LATHAM: He was fast?

The Hon. Greg Donnelly: He was like a machine gun.

The Hon. MARK LATHAM: He was Fast Eddie. Unfortunately, we have slow ones that take forever to read out their motions that are actually speeches. That is an abuse of the current standing order and I think members know that. It is so easy to lodge them electronically and allow members to give a short speech to outline to their constituents what they have done and, most importantly, actually move the motion. The problem is that notices that are a quasi-speeches very rarely come forward for debate. There are so many of them that we cannot fit them in. They are used as a speech, presented elsewhere, and the members who move them are not fair dinkum in terms of developing them and applying them to the debating forum for some kind of resolution. There is support around the Chamber for a referral to the Procedure Committee so it can look at it. It is time. New members have been surprised at how archaic we are. It is torturous, sometimes, listening to notices of motions and it is time for that torture to end.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:51): The Government is willing to support the referral. Obviously, the Procedure Committee could look at a lot of issues. This side of the House has some other things that we might want it to look at next year. They need to be dealt with properly and considered fully. We are willing to refer the issue to the Procedure Committee for examination, which is the appropriate process.

The Hon. CHRIS RATH (15:51): The Opposition supports the motion to refer the issue to the Procedure Committee. Notices of motions are taking a long time at the moment. We were in the absurd position yesterday—and we are most Tuesdays—where formal business was still continuing well into the afternoon, as late as 4.00 p.m., after question time and the lunch break. It feels odd to be still doing notices of motions that late in the afternoon. It is a good idea for the Procedure Committee to take a look at it and report back to this House.

Ms ABIGAIL BOYD (15:52): On behalf of The Greens I contribute to debate on the motion. In principle we do not oppose the idea of it being referred to the Procedure Committee for inquiry. It is healthy for us to consider our standing orders, continue to perfect and add to them and have them evolve over time. But of all the things that we might look at, there are some quite pressing matters that we have not looked at. One is the very clear recommendation, members may recall, from the 2022 Broderick report—recommendation 3.5—that the Procedure Committee inquire into and report on updating the standing rules and orders to "require respectful behaviour in both Houses, particularly as they relate to sexism and racism."

The Hon. Mark Latham: Point of order: That is a very separate question about a separate referral to the Procedure Committee. If the honourable member moves an amendment then she can speak on it, but clearly she is not addressing the question of the notices of motions.

Ms ABIGAIL BOYD: To the point of order: I am about to move an amendment and that goes to my point—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The member will continue. There is an amendment.

Ms ABIGAIL BOYD: I move:

That the motion be amended by inserting paragraph (2):

- (2) That, in accordance with recommendation 3.5 of the *Independent Review of Bullying, Sexual Harassment and Sexual Misconduct in NSW Parliamentary Workplaces 2022*, the Procedure Committee inquire into and report on updating the standing rules and orders to require respectful behaviour in the Chamber, particularly as they relate to sexism and racism.

That has not happened in this Chamber yet. I cannot say why because I do not know. I would have hoped that a Government member would have raised it by now and I implore all members in this place to correct that mistake. We all agreed that the recommendations of the Broderick review would be implemented in full. This is a very clear one and now is our opportunity to do that. Let us get it in place so that we can then begin that inquiry next year. That may stop, for example, members of this House deciding to moan, complain and take points of order during many of the women's speeches and women's notices of motions, while allowing men—particularly men on the conservative side of the Chamber—to speak at length uninterrupted. We have a problem in this House with

sexism and I implore every member to agree to the amendment, which would see the recommendation finally implemented.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:55): I indicate that, at this point, the Government does not support the amendment. There are two reasons for that. The first is that we have only just received it from The Greens. I watched the reviews about bullying, sexual harassment and sexual misconduct in Parliament very closely. I am unaware as to why the recommendation did not go forward earlier, so before we make a decision to progress it through referral to the Procedure Committee, I would like to get more of an understanding from the President, the Presiding Officers and other members who are involved in its implementation. I am flagging to the member that we might contemplate it early next year but with the current timing it is different to what was put on notice in relation to notices of motions. I indicate that we do not support it at this point but we are open to discussing it early in the new year.

The Hon. MARK LATHAM (15:56): Apparently there is a second amendment that has now been circulated, so it is confusing. It has been sprung on the Chamber by The Greens without any consultation or prior notice. The original amendment was to omit all my words.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): That is the one I have in front of me—to omit paragraph (1).

The Hon. MARK LATHAM: That is the one you have—to omit paragraph (1) and insert instead something to do with the Broderick report that is completely unrelated to the original motion. Now a second amendment has been being circulated that adds a paragraph (2) with the business about the Broderick report and sexism and racism. That certainly needs to be clarified because confusion abounds.

Ms Abigail Boyd: Point of order: As I read out very clearly for the record, the amendment inserts a new paragraph (2). I gave the Chamber the benefit of having the first version but then it was amended. That is far more generous than what we often see on private members' day. We are all doing the best we can. I assume it is now clear for the House what the amendment is doing.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I advise members that the amendment that I was provided with omitted paragraph (1). I think it is a moot point. We should move on.

Ms Abigail Boyd: Further to the point of order: For a private members' day item there is no requirement to lodge an amendment, so it is what is read onto the record.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Please excuse my choice of words. The document I was provided with as guidance to me as the Chair was incorrect, hence the confusion that I and other members around the Chamber had. I think we have covered that adequately. That has been ventilated. We should move on and put the questions. Has the Hon. Mark Latham concluded his contribution?

The Hon. MARK LATHAM: No, I talk about new paragraph (2). There are already standing orders about sexism and racism because things that members find offensive need to be withdrawn. I am not too sure that "Wes Wang" was racist but the honourable member regarded it as such at budget estimates hearings. The Hon. Mark Buttigieg said something that mixed the names and initials together, which the member found offensive, so it was withdrawn.

In terms of members taking points of order being sexism, I take them against The Greens because they are either confused or out of order. I reckon my record would show I took many more against David Shoebridge when he was here. I know gender is fluid, but the Shoe looked like a bloke to me. It is shameful for The Greens to use gender as a shield against their own incompetence. Ms Abigail Boyd has said sexism is getting in the lift with people she does not like. Maybe she should use the stairs.

Ms Abigail Boyd: Point of order: Once again the Hon. Mark Latham is showing the very things that he is being accused of. I suggest that referring to me as incompetent in this place is offensive language under the standing orders and the member should be asked to withdraw.

The Hon. MARK LATHAM: To the point of order: Two amendments were circulated at the very last moment, causing confusion, and one had to be withdrawn.

Ms Abigail Boyd: No, just one.

The Hon. MARK LATHAM: I have two in my hands, and that is incompetence. Not everything you say in Parliament is out of order. Some things are true and can be a reflection on what has just happened in the Chamber, and competence and incompetence happen. It is an opinion of mine that incompetence was shown, but that is not offensive to anyone. The snowflake mentality that anyone who disagrees or says a single word or gets

in the lift or walks down the corridor is doing something wrong because she is a woman is just pathetic for a member of Parliament elected to represent the people of New South Wales. Have a little bit of common sense, strength and direction to handle a little bit of criticism. Goodness knows what sort of life you lead, where every criticism is sexism and racism and all those other phobias in your mind. It is not the way to conduct yourself as a member of Parliament, quite honestly.

Ms Abigail Boyd: You are a disgrace.

The Hon. MARK LATHAM: You need to grow up.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I will reserve my ruling on the point of order and consult further with the Clerk and the President. My personal reflection is that I do not believe being called incompetent is offensive. I think it is a reflection on the member's professionalism, not on their personality or their personal standing. But that is just an observation I make at the moment. I will reserve the decision, consult further and come back to the House with a ruling.

The Hon. ROBERT BORSAK (16:03): I make a brief contribution to support the motion that has been moved by the Hon. Mark Latham. Like him, I am somewhat dismayed by the interminable notices of motions coming out of The Greens since we came back after the election, wasting inordinate amounts of time reading every single notice in detail and putting on all sorts of time-wasting exercises. It never stops. I too would like to see a change in that process. I was not happy at all that the Government basically lost the whole of the first Government business day this week. We had to sit until midnight and listen to Opposition members complaining that there was not enough time to get things done et cetera, which they were probably justified in doing.

The reality is that we waste an awful lot of time in this place on notices of motions. In my view they do not need to be read out in detail all the time. There may be some that do; there may be some that do not. I do not exactly agree with the Hon. Mark Latham about how it should be dealt with, but I also agree that it should go to the Procedure Committee. The committee should look at it and make a majority decision about what should happen, not just do it by consensus. The time of this House is being wasted by people on The Greens bench saying all the time, "Look at me; look at me." We know what Kylie did when she said, "Look at me". That is what it is all about, and then the next thing you get is, "You're a sexist; you're a racist", every time they get criticised.

Ms Abigail Boyd: Maybe you want to look internally.

The Hon. ROBERT BORSAK: They never miss an opportunity to criticise the other crossbench members in this place. They should not just think of themselves all the time. Plenty of people on the crossbench also want to have a go. Just because there are four of them does not mean that they automatically get two, three or four times more time to waste everybody else's time in this House. That is the reality.

Ms Sue Higginson: Who should get clocked tomorrow? Better clock them, eh?

The Hon. ROBERT BORSAK: As far as Broderick is concerned, their attempt to somehow restrict what can be said in this place is an abrogation of democracy. It is as simple as that. If someone is a racist or a sexist in this place, let the people out there decide whether they should be elected or not. It is not up to The Greens to put a mask on and say, "You are not allowed to say that because I am accusing you of being a sexist; I am accusing you of being a racist."

Ms Abigail Boyd: I am demanding a safe workplace.

The Hon. ROBERT BORSAK: I am accusing you of being a Green control merchant, and that is exactly what you are trying to be. I fully support the motion of the Hon. Mark Latham, and I believe it should be passed by this House. If not, it should be referred by the Government anyway.

The Hon. MARK LATHAM (16:06): In reply: I thank all the speakers in this robust and interesting debate that has gone round and round. Essentially, The Greens' proposition only needs to be stated to be dismissed as absurd, because the position of Ms Abigail Boyd was that if a member interjects during someone's speech then they are engaging in horrendous sexism.

Ms Abigail Boyd: That is not what I said.

The Hon. MARK LATHAM: When the Hon. Robert Borsak was speaking just now, for three minutes there were constant interjections against him. It just demonstrates how people who use gender as a shield in this Chamber against their own incompetence and shortcomings really should not be here. As a parliamentarian, if you are not able to catch the lift with people you do not like, use the stairs. As a parliamentarian, if you think it is dangerous to walk down the corridor—when, quite frankly, the person you do not like would rather be anywhere else in the world than looking at you—then you have a real problem, haven't you? The problem is not for those of us who go about our work in a normal, safe, regular way.

The Hon. Anthony D'Adam: Point of order—

The Hon. MARK LATHAM: They catch a lift, they walk down the corridor and they engage in reasonable debate in the Chamber. The problem is with those who live a spoiled, snowflake life where they can do no wrong.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Mark Latham will resume his seat. The Hon. Anthony D'Adam wishes to take a point of order.

The Hon. Anthony D'Adam: Closing comments should deal with the substance of the debate, but all they are dealing with is commentary about crossbench members' behaviour in the course of the debate. The speaker needs to focus on the subject matter that we are debating, which is the motion. That is it. The other stuff is irrelevant and should not be considered.

The Hon. MARK LATHAM: To the point of order: The concluding speech is obviously a right of reply, and The Greens' only point was the snowflake argument that it is not safe because someone got the lift, someone interjected or someone took a point of order. They are ridiculous propositions that should be rebutted for the stability, sanity and functionality of this Parliament.

The Hon. Tania Mihailuk: Sanity?

The Hon. MARK LATHAM: Yes, the sanity of this Parliament, because clearly there is something irregular in the idea that interjections, points of order and lies are to be regarded as completely the end of the universe. Let us have a little bit of stability in how we deal with this Chamber. How would the great Neville Wran handle the idea that the word "incompetence" is out of order? Just about everything he ever said must have been out of order in the other place. What about Whitlam or Keating in the Federal Parliament? The Parliament is a contest of ideas, but it is also a contest of language and sometimes criticism. If members cannot handle criticism, they should not be here. But the whole point of the motion is to make a reference to the Procedure Committee so that we can deal with another Greens-generated problem of using notices of motions as long quasi-speeches, eating up the time and capacity of this House in a torturous way.

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

The House divided.

[In division]

The PRESIDENT: Members might have read some information about a potential gas-like smell. I have a further update. Firstly, the gas intake system is working as expected. That is to say that there is no failure of internal systems in the building. The fire brigade has reported that another building on Macquarie Street is also having a similar issue. The smell has started to dissipate in a number of areas around this building. Both of those facts point to an external gas source being brought in through our external air intake, but the fire brigade is on site with their detection gear to provide advice and to confirm that hypothesis. We have started a full-building flush of the air system to clear any remaining concentrations of gas.

Ayes5
Noes32
Majority.....27

AYES

Boyd (teller)
Cohn

Faehrmann
Higginson (teller)

Hurst

NOES

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

Latham
Lawrence
MacDonald
Maclaren-Jones
Martin
Merton
Mihailuk
Mitchell
Moriarty
Munro

Nanva (teller)
Primrose
Rath (teller)
Roberts
Ruddick
Sharpe
Suvaal
Taylor
Tudehope
Ward

Kaine

Murphy

NOES

Amendment negatived.

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

Motion agreed to.

Documents

TRANSPORT FOR NSW EMPLOYEE WORKPLACE SAFETY

Production of Documents: Order

The Hon. SAM FARRAWAY (16:17): 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 June 2023 in the possession, custody or control of the Premier, the Minister for Transport, the Minister for Regional Transport and Roads or Transport for NSW relating to alleged incidents on the Coffs Harbour bypass project:

- (a) all documents relating to alleged threats made by Ian Brown to Rochelle Hicks;
- (b) all documents relating to complaints submitted against Ian Brown;
- (c) all documents relating to support provided by Transport for NSW for Rochelle Hicks;
- (d) all documents relating to the alleged incidents involving Ian Brown and Rochelle Hicks; and
- (e) 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 an important call for papers under Standing Order 52 which all members should seriously consider supporting. I call on support from right across the Chamber. Members should be familiar with the incidents alleged to have occurred between Ian Brown and Rochelle Hicks on the Transport for NSW Coffs Harbour Bypass project. This call for papers is to get to the bottom of a really important issue that I believe everyone needs to know a little more about, including Rochelle Hicks. At the end of the day, this is about the handling of that situation. It is about making sure that whoever works for the New South Wales Government—in any agency, in any capacity, in any position—has a safe workplace.

This has been botched from the beginning. The Minister for Regional Transport and Roads, whether in Parliament or on 2GB, has made contributions on this matter. I believe that she probably knew before she said that she did. That is one issue in itself, but that is not my motivation as the shadow Minister in moving this Standing Order 52 motion. My motivation is that everyone, including Rochelle Hicks, should have a safe workplace and should be duly afforded fair and transparent processes from a New South Wales government agency when an alleged incident like this happens.

Let me say from the outset that as a former roads and transport Minister, I am incredibly disappointed. I have a lot of time and respect for many of the people within Transport for NSW. I must admit, from what I have been told and from the conversations that I have had with Rochelle Hicks and the people who have reached out to me from Transport for NSW, I am embarrassed for Transport for NSW because they have botched this process. It is not the Transport for NSW that I remember.

We need to get to the bottom of this matter. That is why the call for papers motion asks for "all documents relating to the alleged threats made by Ian Brown to Rochelle Hicks, all documents relating to complaints submitted against Mr Brown, all documents relating to the support provided by Transport for NSW to Rochelle Hicks, all documents relating to the alleged incidents involving Ian Brown and Rochelle Hicks, and 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". Those documents are to be returned within 21 days. I spoke to the Minister for Roads prior to moving this call for papers motion. I put on record that I have received information, despite what Minister Graham and Minister Aitchison have said in Parliament, and possibly in the media, that there is a high possibility that Transport for NSW still has not reported this incident to the NSW Police Force. That is what we want to get to the bottom of.

Is Transport for NSW being up-front with Ministers? Are Ministers being misinformed? What is happening? I have reliable information that suggests that Transport for NSW, up until recently, still had not lodged a formal complaint to the NSW Police Force on behalf of Ms Hicks as Ministers have said may have already happened. In the previous debate, Ms Abigail Boyd interjected that she wants a safe workplace. I did not interject; I respected the contribution that Ms Abigail Boyd made. At the end of the day, if Ms Abigail Boyd wants a safe

workplace, everyone—not just politicians and parliamentarians—should get a safe workplace. Rochelle Hicks wanted a safe workplace and she did not get one. Rochelle Hicks is uprooting her family. She is a well-respected Transport for NSW project engineer and project manager. She is building one of the largest road legacy infrastructure projects currently in the State of New South Wales. Where was the support for Rochelle Hicks? She wanted it, but it was not there. I say to The Greens and Ms Abigail Boyd that this is the test. If they want safe workplaces, they need to practise what they preach and back in this call for papers motion so that the New South Wales upper House can back Rochelle Hicks.

The Hon. MARK LATHAM (16:22): I thank the Hon. Sam Farraway for moving this motion. I report to the House that the member for Coffs Harbour, Gurmesh Singh, has brought comfort to the victim in this case. It was an horrific circumstance. We have just had a debate about danger in the workplace. Danger in the workplace is a death threat that is meant seriously. Danger in the workplace is the man involved threatening to "smash in the face" of the female project manager. Danger in the workplace is being called a "white C-U-N-T" in an aggressive way. Those are the real dangers that the victim had to deal with. As the Hon. Sam Farraway pointed out, it led to the victim, who is a relatively young woman, having to leave Coffs Harbour, where she has been for decades, put her children into a new school and not go back to Coffs Harbour for fear of walking down the street.

We have heard about walking down the corridor and getting in the lift. What about walking down the street and running into the character who made the death threat and the violent threat of smashing someone in the face? These are real dangers in the workplace that were not acted on properly and promptly in the initial instance. The call for papers is appropriate and puts into perspective and relief the debate that we had just 20 minutes ago. It is the good work of this Parliament, the shadow Minister and Gurmesh Singh to bring some comfort to Rochelle Hicks in the most horrendous of circumstances. For a long while, she felt that she was left isolated and unsupported, and was a victim who was paying the biggest price out of the incident. Let us support the motion, get to the bottom of what happened and give further comfort to a victim who should never have been treated this way.

The Hon. ANTHONY D'ADAM (16:24): I speak for the Government on the motion. The Government opposes the call for papers. Its position is that the Hon. Sam Farraway has moved beyond the responsible parameters and purpose of Standing Order 52 and it is being used for political purposes. He has already been successful on several Standing Order 52 motions, including with regard to receiving papers for Minister Aitchison's preparation of parliamentary questions, which involved the collection and collation of around 1,500 documents, as well as submitting over 2,200 budget estimates supplementary questions to the Minister.

While calls for papers are an important part of the democratic process, the Government is worried that the Hon. Sam Farraway is straying in his motion today. In this instance, while I can refer to last week's notice of motion on the matter, I remind the House that the following things are already underway: Transport for NSW is conducting an internal investigation into what is occurring, including seeking recommendations on how to improve internal processes. I note the comments around the referral of the matter to the police. I have received advice that the matter has been referred to the police, but the Government will take further advice and seek further details on that.

The Hon. Sam Farraway: But it hasn't been, Mr D'Adam.

The Hon. ANTHONY D'ADAM: That is the advice that we have at the moment. At this point in time, that is what the Government is prepared to undertake. The Transport for NSW staff member at the core of our concerns is engaged in a sensitive legal process at the moment, and any attempt to intervene while this is underway should cause people to question the motives of the Opposition. The Government's primary concern is the welfare of the Transport for NSW employee. I implore the House to respect the sensitive nature of the matter and not allow the Opposition to use the matter for a political purpose.

The Hon. NATALIE WARD (16:26): I wholeheartedly support the motion of my colleague the Hon. Sam Farraway and thank him for bringing it to the House. As a former Minister for women's safety, and former Minister for Metropolitan Roads, who has dealt with Transport for NSW, I am flabbergasted at the Government's approach. Are those opposite seriously opposing this motion regarding the safety of a woman who has clearly been threatened by a Transport for NSW employee on their watch? It beggars belief. This person's life was threatened. She has had to move. She raised her concerns, she was ignored repeatedly and she continues to be ignored. She merely wanted to turn up and do her job in a safe workplace. Once again, a couple of things have been missed by members opposite. The emphasis has been on the victim and what she has done. The Government's job—I was going to say "with respect", but I cannot bring myself to say that—is to ensure that she has a safe workplace. Those opposite talk about safe workplaces all the time. The emphasis should be on the department, on the Minister, on the Government and on what they have or have not done.

I would have thought that the most important aspect of this incident is that the Government would love the opportunity to learn from it. How did it possibly get this so wrong? How can those opposite improve their processes? How can they do better? The production of those documents will ensure that can be done and those lessons can be learned, but those opposite are burying it. They say that we are hiding behind the legal process. That is bollocks, for a start. They say that we are hiding behind political purposes, that too many documents have been requested and too many questions have been asked. How dare we, as a house of review, ask too many questions. Goodness me. It beggars belief that this Government says that it is inconvenient for the Minister to have to do this work.

Members opposite say that they have told us enough. They say, "Can you just go away and not worry your pretty heads about it?" We are worried. We are worried for Rochelle Hicks and the people in Transport for NSW who are watching how this is being dealt with. Other employees—women and men—are watching this and the way that it was mishandled by the Government. It could very easily fix this by saying, "We have a chance to get this right. We have a chance to learn from this. This is appalling on our watch." I would be doing everything I can to produce every document in my possession and control to make sure that we get it right. I am so sorry that Rochelle Hicks continues to be treated with arrogance by a Government that will not come clean and produce the simplest of documents to say what has happened. I would have thought the Government could do a whole lot better. Rochelle, I am sorry. We will never stop asking questions about this. I commend the motion.

The Hon. JEREMY BUCKINGHAM (16:29): I support the motion of the Hon. Sam Faraway. It may be the first of the Opposition's motions under Standing Order 52 I have supported in the past six months. I do so after having interrogated the issue. I live in the region, with the people of the community. I have spoken to the local member and the Hon. Sam Faraway about it, and it alarms me to the point that I think it is within the remit of this House, through a call for papers, to interrogate the issue to ensure the department acted appropriately. It appears to me, *prima facie*, that it has not.

It appears to me that a woman, going about her work as a public servant and serving the people of New South Wales, has been through an intolerable situation of being threatened in the workplace and threatened with murder. She then had to move out of the community because she felt unsafe and not protected by her employer, the Government. That sends a strong message to all women in the State that, if it is inconvenient or politically damaging, the Government will not reveal what is going on. It will close ranks. That alarms me. I note that the Hon. Sam Faraway has not been beating around the bushes and doing media on the issue. He is acting in good faith and putting the interests of the person first. For those reasons, I support the motion.

The Hon. BRONNIE TAYLOR (16:31): I am absolutely appalled at what is going on here. I commend the two blokes in this place, the Hon. Mark Latham and the Hon. Sam Faraway, who are defending a woman. As a senior female in this place, I am embarrassed that I did not move the motion. It is to be commended. To hear it said, in this place, that the matter could be beyond the power of a call for papers is absolutely wrong. I understand that members are given things to read out, and I have a lot of respect for people in this place, but it is fundamentally wrong on every level. That lady needs a voice, and it is our job in this place to give her a voice. When the motion came up last week and I was not aware of the matter, I stood up and spoke. I received an email from Rochelle. I have never met her. She said, "Thank you, Bronnie, for giving me a voice today." We must all give her a voice.

This is not about politics. Shame on anyone who tries to lower the tone of debate in this place by saying that it is about politics. It is about a woman who was treated appallingly. It is about a process that failed her. She is a senior woman working in Transport. Do you not reckon that she has had to put up with some things in a male-dominated workforce? Yet she has survived and thrived. And we can do better. There is an opportunity to do what is right. This is fundamentally a women's issue, but it is also an issue for all of society and all of our community. I honestly cannot think that there would be a person in this place who could vote against the motion. It is not politics. It is about using the power of a democracy where all of us have the privilege to serve. We have all been elected to do a job. What we say is under privilege in this place, and we can be a voice for Rochelle. We should be a voice for Rochelle. To those members who choose not to be, shame on you.

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) (16:34): I spoke in debate on this matter last week and made it clear to the House that I had real concerns about the case when I was first alerted to it. On behalf of the Government, I placed on record what I could to inform the operations of the House. It is a very concerning incident, and I did not hide that at all last time around. The Government is concerned about the bluntness of the call for papers tool, and that is why it has not supported the call for papers. There is an active investigation. I apologise that I was out of the Chamber at the time, but I understand the shadow Minister suggested that there is evidence the matter has not been referred to police. The advice to me is that it has, but I am very concerned that there is some suggestion that it has not.

The Hon. Mark Latham: There is a police email saying it hasn't.

The Hon. JOHN GRAHAM: Yes, and I will act immediately on that to ascertain the facts. I am quite concerned by that suggestion. The idea that we are calling for papers in the middle of an investigation is the reason the Government has taken the position it has. If there are other things we can do to assist, we will. There will certainly be very close scrutiny of the situation by Government Ministers.

The Hon. ROD ROBERTS (16:36): I too support the call for papers and will make a small contribution. It will not be as passionate as the Hon. Bronnie Taylor's was. I share her passion, which was clearly on display today. I cannot believe the Government is saying that Standing Order 52 is a blunt tool. My colleague the Hon. Mark Latham and I sat here for the past four years and supported Labor on every motion it brought under Standing Order 52, seeking to hold the then Government and government departments to account. The only time we did not support an SO 52 motion was when it was a personal attack on an individual member of Parliament.

Subsequently, when the current Opposition attacked the Hon. Courtney Houssos earlier this year, we did not support that. But this matter is fundamental to the operation of a government department. Further to that, the Labor Party is the party of the working person. It is the party that is here to support worker wages and conditions and having a safe workplace, and rightly so. We are going to hear that in the industrial relations debate later on. Where is the support for a safe workplace for Rochelle? I would like to move an amendment to the motion. It is not drastic. I move:

That the question be amended by inserting ", the Minister for Work Health and Safety or SafeWork NSW" after "Minister for Regional Transport and Roads or Transport for NSW".

We have heard allegations that Transport for NSW has done nothing. The matter has been ventilated for some time in the media. I want to know what SafeWork NSW has done about it. Has it self-initiated an investigation? I have a great deal of respect for Minister Cotsis, but I want to know if she has picked up the phone and said, "Listen. There is a blue going on in Coffs Harbour. Clearly there is an allegation of an unsafe workplace. What are we, as a department and as the Minister for Work Health and Safety, doing about it? Let's have a look at those documents as well."

I am not doing this for political purposes, because I will never be sitting on the Government benches. I am doing it because it is the right thing to do and because someone has been severely threatened in the workplace. Their life has been threatened and their work life has subsequently been ruined, to the best of my understanding. We need to get to the bottom of it. We need to nip it in the bud straightaway. We need to show we stand up against unsafe workplaces, because prevention is better than cure, and we do not want to see this happening in any other workplaces.

The Hon. SARAH MITCHELL (16:39): I speak in support of the motion moved by my colleague the Hon. Sam Faraway. I had not intended to speak because the issue has been covered very eloquently by my colleagues, especially by the Hon. Bronnie Taylor. I completely associate myself with her remarks because she is bang on the money when it comes to this issue and what is happening here.

The Government has every right to talk to the Hon. Sam Faraway, as the mover of this motion, and to say, "We are sympathetic about this." Both the Minister and the Hon. Anthony D'Adam have said they have concerns about what has happened. Clearly they do not have all the information about police involvement and what investigations may or may not be underway. If Government members are serious, nothing is preventing them from saying to the Hon. Sam Faraway, "We would like to be up-front, open and transparent about this. When we were elected, we said we would be a government of integrity that was open and transparent." They have not done that and are clearly not matching their actions with their words.

We hear those opposite spruiking the number of women in Parliament and what they are doing, and see them having photos with all the new female MPs. That is great, but in a situation where a woman, who is a department employee, has been threatened in the most serious way possible—a threat to her life—there is radio silence from those opposite. I tell my daughters, "Your actions have to match your words." That is not what is happening here. It is completely within the remit of this House, and of Standing Order 52, to seek information about the support—or lack thereof—that was provided to Rochelle Hicks. I do not know Rochelle Hicks, but I feel for her immensely. She has been dragged through the wringer on this, in the media and in this House. Members on this side of the Chamber are trying to stand up for her and say, "It isn't right that she has been treated this way. She should have been better supported." We want to get to the bottom of what has gone on.

As the Hon. Natalie Ward said, departments should want to learn from any mistakes they make. There is no reason why the information should not be made public, should not be transparent or should not be provided through a call for papers under Standing Order 52. Frankly, it will be a disgrace if members opposite vote against this motion given everything they say about supporting women. This is their moment. They should support a woman who has asked for help, and we will judge them on their actions, not their words.

Ms CATE FAEHRMANN (16:41): The Greens do not support the motion. We have huge concerns, like all members in this place, about what has occurred, what has been reported and the experience of Ms Hicks. But, honestly, as for the next steps towards getting justice and ensuring that people in Transport for NSW are potentially held to account, seeking to reveal all these documents under Standing Order 52 is not the way to achieve that. The Hon. Sarah Mitchell said that Ms Hicks has been dragged through the wringer by the media. That is exactly what the order sought in this motion will do. Imagine an entire day of budget estimates in February being spent on this issue. An Opposition member said the motion does not politicise the issue, but that is what it looks like to The Greens. It looks 100 per cent like an issue that the National Party has pounced on. Instead of, for example, moving a motion calling upon Transport for NSW to do more, again we have before us a blatantly political motion that will further traumatise anybody involved. That is not the way to do it. The Greens do not support the motion.

The Hon. WES FANG (16:43): Government members' contributions have indicated to the Opposition why this Standing Order 52 motion is so important. They said their understanding is that these matters have been referred to police and that that advice was given by the department. From the evidence the Opposition has seen, it is clear that has not occurred. The Opposition is seeking to have the evidence ventilated by way of production of documents under Standing Order 52 [SO 52] to see exactly what Transport for NSW has done in relation to this matter. If there is confusion about what Transport for NSW is telling the Minister and the Minister's officers, which clearly is the case from what has been said in debate today, the Opposition will get to the bottom of that. If there is confusion as to what has occurred in relation to the complaint, it will be able to get to the bottom of that too.

Clearly there has been a miscommunication or a lack of transparency or accountability between Transport for NSW, the Minister, the Government and this House. On that basis this SO 52 has been brought to this House and should be supported. When a department is not clear and transparent with the Minister and the Minister's officers, and when the Government tries to tell this House something that Opposition members know is blatantly not true, an SO 52 such as this should be supported. That is exactly why the papers must be tabled. If this Government cannot control its departments, if this Government cannot tell this House the truth, then we have a big problem. It might explain all the problems with the Government in the few short months it has been in power.

I urge Greens members to reconsider their position and to support the motion. It is clear that the Government does not quite know what is happening in this case. It is not as if it has happened in isolation or in a bubble. The matter was the subject of debate in this place last week. This motion has been on the *Notice Paper*. The Government knew it was coming, and still in this place Government members tell us something that we know is blatantly incorrect. I urge members to support this SO 52 motion because it is clear that Transport for NSW is not being transparent with the Government, the Minister or this House.

The Hon. SAM FARRAWAY (16:46): In reply: I thank all members who contributed to debate on the motion. I say to the Hon. Anthony D'Adam that I have been in his position of having to deliver an awful speech. The advice the Hon. Mick Veitch gave me was to read it. I am now giving the Hon. Anthony D'Adam the same advice: Read it.

The Hon. Courtney Houssos: Point of order: The Hon. Sam Faraway has made a reflection on the Hon. Anthony D'Adam, which is that he did not speak in this House of his own volition and was unable to exercise his own judgement. I ask that the Hon. Sam Faraway withdraw that assertion because it is offensive.

The Hon. Bronnie Taylor: Is the member offended?

The Hon. Anthony D'Adam: I am actually, yes.

The DEPUTY PRESIDENT (The Hon. Emma Hurst): I invite the member to withdraw his statement.

The Hon. SAM FARRAWAY: If it is that concerning to the member, I withdraw and move on. Government members have said that I am exploiting this matter for political purposes. What social media post, what media release, what radio interview, what television presentation have I done on this issue? I have not done a single thing, as the shadow Minister, other than take phone calls from the member for Coffs Harbour—who I note is in the gallery—from Rochelle Hicks and from people within Transport for NSW who have reached out with information. That is an appalling reflection on me, and on the Opposition, because it is certainly not the case.

It was pathetic to draw into the debate the asking of supplementary questions on notice in budget estimates. That is the right of all members of this House. In discussions today, I have been told that certain staffers of Government Ministers referred to Rochelle Hicks as being unstable. I will not point fingers at the particular office because I was not told which office, but I raised it with the Government prior to speaking in reply. If that is the case, that is disgusting. That should not be used to convince The Greens not to support a Standing Order 52 motion.

It is about time The Greens practise what they preach, especially Ms Abigail Boyd. She cannot say, "I want a safe workplace", time and again, interrupting and interjecting in debate, and then oppose this motion. Rochelle Hicks wanted a safe workplace. She did not get one. She is calling for help. That is exactly what the motion is about. I am not taking down Minister Graham or Minister Aitchison; I am backing in Rochelle Hicks. That is what the Opposition is doing. As the Hon. Sarah Mitchell said, The Greens' actions need to match their words. We have learnt today that they are only interested in themselves and their own safe workplace. Honestly, the audacity of some of The Greens today is nothing short of disgraceful. [*Time expired.*]

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

The House divided.

[*In division*]

The Hon. Mark Latham: Point of order: Is it in order for those who call for better behavioural standards to abuse the mover of the motion?

The PRESIDENT: There is no point of order.

Ayes 19

Noes 18

Majority..... 1

AYES

Buckingham
Carter
Fang (teller)
Farlow
Faraway
Hurst
Latham

MacDonald
Maclaren-Jones
Martin
Merton
Mihailuk
Mitchell

Munro
Rath (teller)
Roberts
Ruddick
Taylor
Ward

NOES

Boyd
Cohn
D'Adam
Donnelly
Faehrmann
Graham

Higginson
Houssos
Jackson
Kaine
Lawrence
Mookhey

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

PAIRS

Tudehope

Buttigieg

Amendment agreed to.

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

Motion as amended agreed to.

Motions

PERINATAL MENTAL HEALTH WEEK

The Hon. EMILY SUVAAL (16:58): I move:

That this House notes that:

- (a) Perinatal Mental Health Week was 12 November 2023 to 18 November 2023; and
- (b) the national week allows us to raise awareness, provide information and a referral pathway for support, and destigmatise perinatal mental health issues.

It is a privilege to move a motion about perinatal mental health in this place. I begin by shining a light on the important work of NSW Health, Perinatal and Infant Mental Health Services and SAFE START professionals and all that they do to support pregnant and new parents who experience significant mental ill health or trauma, and

their infants. Of course, we hold Perinatal Mental Health Week every year. This year's theme, innovation and inclusion in perinatal and infant mental health care, had a specific focus on the mental health needs of families with very complex issues, who have needs not easily met by mainstream services. They include fathers, young mothers, refugees, asylum seekers and those from diverse cultural or social backgrounds. It is a really worthy cause and a really worthy theme this year.

I particularly acknowledge the healthcare workers in this space and the importance of the work they do every day in looking after people. Sometimes it can be just having a conversation, a kind word, or a bit of additional support. Having a child or even being pregnant really does turn the lives of parents and their extended families upside down during the whole perinatal period. It is a really important cause. Women experience a wide range of symptoms during the perinatal period. Unfortunately for some, it can trigger some more serious symptoms and mental health issues. Perinatal mental health disorders include anxiety, depression, postpartum psychosis and personality disorders. These are a real global public health concern. Across Australia, one in five new mothers and one in 10 new fathers will experience some form of perinatal depression, anxiety, trauma or stress-related disorder associated with pregnancy or early parenthood.

I give a particular shout-out to the two statewide public health mother and baby units in New South Wales, at Westmead and Royal Prince Alfred hospitals. They are wonderful services that have been developed to cater specifically to the needs of families. It is so important that those units enable care to be given to the mother and the baby without separation. We now know, and have known for some time, so much more about the importance of not separating a new parent or a new mother, as it were, from their baby. Indeed, through the birth trauma inquiry, to some extent we heard about the trauma that that can cause. I acknowledge my colleagues who are members of that committee. The mother and baby units are particularly important in being able to ensure that women get the care they need.

I make particular mention of the organisations that partner with NSW Health to deliver some of these services, such as Karitane and Tresillian; and non-profit, non-government organisations such as the Gidget Foundation, which has been really important, and Perinatal Anxiety and Depression Australia [PANDA], which is a wonderful service. PANDA has really easy-to-use online tools. It has a screening survey that anyone can access. People can go online and populate their information. It gives them a score or their risk factors for whether they may be at risk of, or experiencing, perinatal anxiety and depression.

With new parenthood, there is so much that is new. There is sleep deprivation, your world has been turned upside down and there are many different things going on. Sometimes it is hard for people to know whether what they are feeling is normal or whether they are actually depressed or anxious or, indeed, psychotic. Tools to address perinatal and mental health issues and access to perinatal services are really important. In conclusion, we know we need to better support everyone in New South Wales. Perinatal Mental Health Week is a great way to underscore that.

The Hon. BRONNIE TAYLOR (17:04): I speak on the motion moved by the Hon. Emily Suvaal. It is fantastic that she has brought it forward. She has made a fantastic contribution to this House since she arrived here. She set an incredibly high standard with her inaugural speech by having the bravery and courage to talk about her own journey, which has made her a fierce advocate for the mental health sector. I am really pleased that she is a member of this House. I have the great privilege to have been the longest serving mental health Minister in New South Wales. I acknowledge the current Minister for Mental Health, who is in the Chamber. When I first started, I was horrified that we did not have a mother and baby unit in New South Wales. I am just so thrilled that we now have the Westmead and Royal Prince Alfred units. That is really important because one of the hardest things is to separate a mother and a baby.

I have friends who had acute situations after the births of their children. For a woman to be separated from her child when she is at her most vulnerable is really quite archaic. It is terrific that we now have those units. I have met some amazing people, such as Jen, who is a mental health nurse working in Canberra. Jen was with us when we opened the unit. She had never had a mental health issue in her entire life, but she suffered so badly after the birth of her first son, Arlo. Jen and her partner are terrific people and they really supported the establishment of the units. I give a shout-out to the Gidget Foundation, because it does such a terrific job. I was just trying to message someone at Gidget to ask how many Gidget Houses we have now because I had forgotten. For the first time ever, partnering with Tresillian, we have been able to bring Gidget Houses out into the regions. That is a really big achievement because we have never had those important services before. Having those and establishing the preventative scope that is now available will reduce the gap that often exists between rural and metropolitan access to medical services, particularly to mental health care.

It is really terrific that we are all talking so much more about mental health and that we have Perinatal Mental Health Week. During the early days of the pandemic, I said that the way people were feeling at the time, with the heightened level of anxiety from not knowing what was going to happen, is how so many people who

suffer from mental health issues feel each and every day. In a really strange way, the pandemic gave us an insight into how so many people feel each and every day and what a battle it can be. I offer my huge congratulations to the Hon. Emily Suvaal. I cannot wait to see what the Hon. Emily Suvaal does in the mental health space while she is a member of this House. I genuinely mean that. I said to the Minister that I cannot open the new unit, but I certainly hope that the Hon. Emily Suvaal will be there.

The Hon. EMMA HURST (17:07): On behalf of the Animal Justice Party, I indicate my support for the motion. I thank the Hon. Emily Suvaal for bringing it to the House. Perinatal Mental Health Week was established in 2005 by Perinatal Anxiety and Depression Australia, which is also known as PANDA, to help the community and health professionals to better understand perinatal mental health. PANDA operates Australia's only national perinatal mental health helpline and provides vital support during the perinatal period, from pregnancy to birth and the first year of parenthood. As a fellow member of the Select Committee on Birth Trauma, I know that the Hon. Emily Suvaal is acutely aware of the wideranging impacts that perinatal mental health issues can have on a birthing person, their partner, their children and their extended friends and family network.

I know that the Hon. Emily Suvaal is aware of the association between birth trauma and perinatal mental health. The committee has heard some really harrowing stories from the brave women who have spoken at the inquiry. That is why I was deeply concerned when I heard that two health professionals who were invited to the NSW Health Perinatal and Infant Mental Health Symposium had been told that they were not allowed to use the term "obstetric violence", effectively being censored on the issue. In fact, one health professional was removed from the agenda of the event when she made it clear she did not feel comfortable with the idea of censoring women's experiences. However, having said that, I thank Minister Jackson for acting swiftly and fairly on this issue. I commend the Minister for the actions she took and her dedication to ensure a more open and public dialogue about these issues moving forward.

There is evidence that birth trauma is associated with a wide range of mental health challenges, including perinatal anxiety, depression, post-traumatic stress disorder and obsessive compulsive disorder. PANDA says that, over the past three years, approximately one in every five calls to its perinatal mental health helpline concerned birth trauma. For far too long women have been suffering in silence with perinatal concerns, frequently being told that, as long as they have healthy babies, there is nothing for them to be upset or to complain about. This outdated and harmful attitude is simply not correct. All people experiencing perinatal mental health concerns should be encouraged to seek the support they need. I look forward to continuing to work with the Government to ensure that these supports are available in the birthing and maternity space.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (17:09): I support the motion on perinatal mental health moved by my excellent colleague the Hon. Emily Suvaal, who is a fantastic advocate for mental health dialogue in the Parliament as co-chairperson of the Parliamentary Friends of Mental Health. It is a pleasure to support this motion. I recognise the contribution of the former Minister. We will not agree on everything, but the Hon. Bronnie Taylor should be incredibly proud of her legacy. As Minister for Mental Health, she embedded a fulsome governmental response to perinatal mental health, which she should hold in her heart for a long time. I give her credit.

The twentieth Gidget House is in Lismore, a community that had a lot of mental health difficulty. The opening was a beautiful event. Full credit goes to the former Minister, who started that work. I was able to open it. It was a fantastic event, as they always are. A new dad gave a beautiful speech. This issue affects one in five new mums but also one in 10 new dads. This man, Cody, spoke eloquently about his history of trauma. He had come from a disadvantaged background and wanted to do the best for his son. The anxiety and stress and history of trauma brought into new fatherhood because he felt that he would let his son down showed the incredible importance of interventions. He was able to receive support, break that cycle and be there for his son. When we talk about perinatal mental health, we often talk about the mums and the dads, who are an important part of this, but we should talk about the babies too because the first 2,000 days set kids up. If we can get perinatal mental health right to ensure that the mums and dads have the skills to be those great parents early on, we will break intergenerational cycles.

Along with that new Gidget House in Lismore are the two public mental health facilities. All of that is significant work, and the Hon. Bronnie Taylor should be proud of it. It is part of her legacy and she deserves credit for it. But I am happy to continue it and to be a Minister who continues to put this issue on the agenda. Recently we funded a new initiative through Perinatal Anxiety and Depression Australia looking to support the mental health of women leaving prison—a particular group who face many challenges. It was great to provide support for them. We always have these excellent bipartisan conversations about mental health in this place. It is nice to have those moments to recognise that this is an issue that affects many people. Every member in this Chamber

would know someone who has struggled with perinatal mental health. I thank the mover for bringing this motion to the Houses and for the chance to have this positive conversation.

Dr AMANDA COHN (17:12): Perinatal mental health is an important topic for us to be discussing, and I thank the member for raising it. I echo the comments of my colleagues who thanked the workers on the front line delivering essential perinatal mental health services. I am a member of the Select Committee on Birth Trauma. Some of the stories we have heard are devastating. While we are talking about perinatal mental health, it is important for us to talk about the perinatal mental health problems that are actually preventable and what we can do about them. We have heard extraordinary stories of people whose antenatal care, birthing care and postnatal care were not only unhelpful but actually traumatising or retraumatising rather than healing. That is completely unacceptable.

From parents who experienced stillbirth, we heard stories about the extraordinarily traumatising process of debriefing and how they were treated in hospital. I think that anyone who listened to that evidence would be compelled to recommend that we change how that is handled by NSW Health. We heard from people who have not been able to get the support they need for mental health, due to cost, lack of continuity of care, the wait to get to their GP for a six-week check and the lack of cultural safety for culturally and linguistically diverse families and First Nations people.

It is disappointing that this motion does not go further and call on the Government to implement any of the many recommendations we heard during the birth trauma inquiry from experts and from people with lived experience. We need to consider a huge range of important recommendations: improving continuity of care from a known health professional before, during and after birth; improving access to primary care so that people are not waiting weeks to see a GP; funding birthing on country programs like the exemplary work being done at Waminda on the South Coast; investing in greater cultural diversity in the next generation of health professionals; increasing the capacity of health services to do outreach and home visits; and so much more than we have time to discuss today. As a GP, I cared for so many new parents who found the transition to a new role challenging, and they all feel like they are the only ones who need additional support. I am concerned about whether there is a cultural or societal expectation that birthing and being a new parent, and particularly a new mother, is instinctive and this discourages people from asking for the support they need.

Finally, I acknowledge the extraordinary work being undertaken by volunteers and community groups across the State to support new parents with information, and with community and peer support, in many areas where support from governments has been inadequate. I hope that, by the time Perinatal Mental Health Week 2024 rolls around, we can be discussing the important work and improvement that will come out of the birth trauma inquiry and can reassure the over 4,000 people who submitted their experiences that their stories have not just been heard but also been acted on.

The Hon. EMILY SUVAAL (17:15): In reply: I thank all honourable members who participated in today's debate: the Hon. Bronnie Taylor, the Hon. Emma Hurst, Minister Rose Jackson and Dr Amanda Cohn. I thank them for their contributions, and their advocacy well beyond this place. It does not go unnoticed. I echo some remarks from my colleague the Hon. Bronnie Taylor about Gidget House. It is exciting to hear that another one is open. I thank her for that contribution. I underscore again some of the Minister's comments about the importance of awareness of perinatal mental health and the need for dads to be incorporated in the care we provide. We heard evidence to that effect in the inquiry and about the need for us to respond appropriately and not forget about the other caregivers in the picture, who may be equally traumatised by an experience or by a particularly adverse outcome but who then may have to spend all their time supporting their loved ones. I acknowledge my colleague the Hon. Wes Fang, who has spoken about that in this place.

As the Minister said, the first 2,000 days are the most important time in children's lives, when that partnership and bond with their parents is formed. That is the most important time for setting them up for life. Ensuring that we can do everything to get the best out of that time will pay dividends down the track. I apologise for not acknowledging the work of GPs, who are in many instances on the very front line. They will do the referral but they are also the ones who time and again must respond to the immediate crisis of people who turn up in distress, not knowing what to do. GPs hold their hands and walk them through the process. I echo Dr Amanda Cohn's words about volunteers and community groups. I give a shout-out to the Australian Breastfeeding Association, which is amazing and run by volunteers 24/7. I give a huge plug for them. It is wonderful that we can have such a nice debate on a Wednesday about something we all care so deeply about. Long may that continue. I thank our workers in the perinatal and infant mental health space.

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

Motion agreed to.

*Documents***KOSCIUSZKO NATIONAL PARK WILD HORSE HERITAGE MANAGEMENT PLAN****Production of Documents: Order**

The Hon. EMMA HURST (17:19): I seek leave to amend private members' business item No. 624 for today of which I have given notice by omitting "21 days" and inserting instead "42 days".

Leave granted.

The Hon. EMMA HURST: Accordingly, I move:

That, under Standing Order 52, there be laid upon the table of the House within 42 days of the date of passing of this resolution the following documents created since 1 August 2023 in the possession, custody or control of the Department of Planning and Environment or the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, relating to the proposed amendment to the Kosciuszko National Park Wild Horse Heritage Management Plan:

- (a) all submissions and survey responses received during the public exhibition of the proposed amendment to the wild horse heritage management plan between 8 August 2023 and 11 September 2023;
- (b) all documents regarding the findings or results from the submissions and survey responses received to the proposed amendment to the wild horse heritage management plan between 8 August 2023 and 11 September 2023;
- (c) all correspondence from the Department of Planning and Environment or the National Parks and Wildlife Service encouraging staff to make a submission or survey response during the public exhibition of the proposed amendment to the wild horse heritage management plan between 8 August 2023 and 11 September 2023; 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.

This call for papers seeks documents surrounding the recent consultation process undertaken by the New South Wales Government in relation to the amendment of the wild horse management plan to allow for aerial shooting. As members are aware, the decision of the Government to commence an aerial killing program against the brumbies in Kosciuszko National Park has been incredibly controversial and heartbreaking for those who care about those sentiment animals. We do not know exactly when the killing program will commence but we note that several parts of the park are currently closed for aerial shooting activity and that the increased helicopter activity has already led to numerous foals being separated from their mothers and ending up being taken in by brumby rehomers. I thank them for their swift action and for saving the lives of those young animals.

The Government's consultation process on the amendment to the wild horse management plan received over 11,000 submissions—an enormous amount of feedback on a single Government proposal. Yet despite the significant level of feedback, the Minister still managed to come to her decision on aerial shooting fairly swiftly after the consultation closed, and she also made the decision before the Animal Welfare Committee's inquiry into the issue had concluded. The Minister stated publicly, "Of the submissions that commented on aerial shooting, 82 per cent expressed support for aerial shooting being included in the plan as an approved control method."

I know that I and many other members in this House are interested to see the submissions and survey responses underlying that data, including the level of pro-forma or template submissions, so that we can better understand the stated results. We are also interested to explore any role played by the NSW National Parks and Wildlife Service in directing or encouraging submissions, so the call for papers also seeks that correspondence. I acknowledge the diverse range of views on the Kosciuszko brumbies in this Chamber; however, I emphasise that it is not a substantive motion that seeks to take a view on the brumby issue. It is simply an exercise of the powers of the House to call for papers on a topic that is clearly important to many stakeholders and members of the community. I commend the motion to the House.

Ms SUE HIGGINSON (17:22): The recent public exhibition of the amendment to the wild horse heritage management plan received responses from 11,002 members of the community, which highlights the serious concerns that people have over the issue of the management of horses in the Kosciuszko National Park. It is a fact that 82 per cent of respondents expressed their support for including aerial shooting as a management method for invasive horses within the park. It is clear that the issue of invasive species, particularly horses, resonates strongly within the community and that the damage being done to the fragile and unique ecosystem is well recognised. It is, after all, now down to the thin edge—we are talking about the difference between extinction or not. The issue has been quantified over decades with best current estimates showing that 18,814 animals are likely to be in the park, with 95 per cent confidence that the number of horses is between 14,000 and 23,000. As a matter of comparison, there is a 90 per cent confidence interval in the accuracy of our models for the carbon cycle—the cycle that informs our understanding of climate change and the urgent need to reduce emissions.

Within that frame the NSW National Parks and Wildlife Service is bound by legal obligations to reduce the invasive horse population to 3,000 across 32 per cent of the park. That necessitates a management scheme that

is informed by the highest animal welfare standards and science-based management practices. The Greens have committed to a "towards zero" invasive species presence in our national parks. We firmly believe that those protected areas should be shielded from all threats, including invasive species, to ensure the flourishing of our unique flora and fauna. The welfare of native species that are intricately and intrinsically linked to the delicate ecology of the park is at stake. Recognising the paramount importance of public consultation, we commend the 11,002 individuals who took the time to contribute their perspectives. It is through such inclusive processes that we can collectively shape policies that reflect the diverse concerns and values of our community.

Public consultation stands as a cornerstone in fostering public engagement and ensuring that vital decisions are not made in isolation. The Greens are also staunch advocates for transparency in governance and, while we acknowledge the need for robust discussions on invasive species management, our commitment is also to ensure that necessary transparency occurs without violating privacy. As we navigate the complexities of managing invasive species in Kosciuszko, a revered national park, we must expect that the integrity of that unique and irreplaceable ecosystem is prioritised. We support the motion.

The Hon. WES FANG (17:25): I support the motion. I thank the Hon. Emma Hurst for bringing it to the House. The contribution from Ms Sue Higginson has just detailed the exact problem. She referenced the 11,002 submissions that were made to the call for feedback on the Minister's proposal to change the management plan for the horses and talked of the 82 per cent of respondents who were in favour of it. I am not sure how Ms Sue Higginson can speak about that with any certainty because, unless she has seen them, she would not know. That is part of the problem. I know that I do not know and I know that the Hon. Emma Hurst does not know either. It seems that the only people who have seen those submissions are the Minister, her office and perhaps those from the NSW National Parks and Wildlife Service. That is the problem.

Ms Sue Higginson spoke about transparency in the process, and that is supported by all sides of the Chamber. But in reality that means that the Government has to be open and up-front about the evidence it is using to support its decisions. During budget estimates hearings we asked the Minister about the feedback and whether she would provide access to the submissions to allow us to interrogate them further. Ultimately, we all know in this place, having participated in any number of committees, there are submissions and then there are submissions. Certainly there is the odd occasion when a group of people might seek to overtake a submission process by having a pro-forma submission, a one-word submission or any number of ways of making a submission to a committee. It might even be that one person made 1,000 of the same submissions but we do not know because we have not seen the papers.

We asked for access to them so that we could determine for ourselves the veracity of the claims of the Minister that there were 11,002 submissions and whether they were 99 per cent the same submission and 1 per cent actual individuals making a proper submission with a considered opinion. Those calls fell on deaf ears. It is only through this process that we will be able to see those submissions and determine whether the Minister has used lies, damned lies and statistics—as I suspect has possibly happened—or whether there actually are 11,002 people who made a submission within a month to actually kill thousands of horses. [*Time expired.*]

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:28): I indicate that the Government is happy to support the call for papers. There is absolutely nothing to hide. However, I take issue with the contribution from the Hon. Wes Fang. His contribution does a number of things. Most of all, it traduces the reputation and the professionalism of the staff of the NSW National Parks and Wildlife Service. As the Hon. Wes Fang would know, he asked many questions during estimates. Sixteen staff worked through the 11,000 submissions that were made. That number of submissions is not unusual given how contentious the issue has been over a long time, as all members of this House are aware. But I caution the member against making allegations about very hardworking public servants who are doing the job that we asked them to do.

The Hon. Wes Fang: That is not what I did; do not put words in my mouth.

The Hon. PENNY SHARPE: You absolutely did do that.

The Hon. Wes Fang: Point of order: The Minister is now verballing me. That is not the position I took, and I am happy to clarify afterwards if required.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): There is no point of order.

The Hon. PENNY SHARPE: Public servants do the job that the government of the day asks them to do. We had a consultation about that very important issue. We are happy to release the 11,000 submissions under the order for papers. But I place on record that the work was done very carefully by over 16 hardworking public servants, who processed all of the submissions and presented them to me. Not only did they produce a summary for me but they also provided me with all of the submissions. I went through many of them very carefully because

I understand the complexity of the issue and that people have very strong views around it. We have to make some very tough decisions about it.

It is okay for members to seek the information that we are providing; it is not okay to constantly undermine the professionalism and the hard work of public servants who are doing nothing more than what we have asked them to do. They do not get to choose what they do; they have to provide the information as we request it. That is what they did in this case, and I utterly reject the suggestion that we have double-counted submissions or anything like that. I am very happy to provide the information. It is a difficult issue, but the reasons that I have made the decision to change the arrangements are well known. The important thing is that 12 threatened species in the national park will literally become extinct if we do not get the numbers down, and that is what we will do.

The Hon. BRONNIE TAYLOR (17:31): I support the motion of the Hon. Emma Hurst and thank her very much for her advocacy on the issue. She has been relentless and resolute, and she certainly is a champion for animals and particularly for the brumbies. I am pleased that we are doing this. I agree with the Minister that it is a very difficult issue, and it is very important to the community that I live in. I appreciate and acknowledge it is not easy; it is a difficult situation. But when members talk about the parks and which species they are saving, they should remember that those horses are very important to people, the same as an endangered species might be important to someone else. Please do not try to say that one side is more important than the other. It is all important, and that is why transparency—

Ms Sue Higginson: Oh, no. Don't.

The Hon. BRONNIE TAYLOR: I did not interrupt you, Sue, so you should give me the same courtesy. This is exactly the problem. The feeling of people working on the issue is that trust has been broken over a very long time. That is why it is really important that trust is rebuilt and that it is very transparent.

Point of order: I am trying to make a contribution. I feel strongly about it too. I have respected Ms Sue Higginson's right to speak, and she is constantly interjecting.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I remind honourable members that all interjections are disorderly. This has been a very courteous debate, and I urge honourable members to respect that.

The Hon. BRONNIE TAYLOR: I think it should stay that way, and that is why I took the point of order.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): That is the way we do things.

The Hon. BRONNIE TAYLOR: The Opposition supports the motion from the Hon. Emma Hurst.

The Hon. EMMA HURST (17:33): In reply: I thank all speakers and supporters of the motion: Ms Sue Higginson, the Hon. Wes Fang, the Hon. Penny Sharpe and the Hon. Bronnie Taylor. I thank them for their support and look forward to receiving the documents early next year.

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

Motion agreed to.

PALLIATIVE CARE FUNDING

Production of Documents: Order

The Hon. DAMIEN TUDEHOPE (17:34): I seek the leave of the House to amend private members' business item No. 664 standing in my name on today's *Notice Paper* by omitting "created since 25 March 2023" and inserting instead "created since 21 June 2022".

Leave granted.

The Hon. DAMIEN TUDEHOPE: Accordingly, 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 all documents created since 21 June 2022 in the possession, custody or control of the Treasurer; the Minister for Health, Minister for Regional Health, and Minister for the Illawarra and the South Coast; the Treasury; or the Ministry of Health relating to the \$743 million commitment to additional palliative care funding made in June 2022, and 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 order for papers is necessary because the Government has failed to honour its purported commitment to transparency by failing to respond forthrightly to questions asked in both Houses, on notice and in budget estimates hearings about a reported \$150 million cut to the \$743 million commitment to enhance palliative care made by former Premier Perrottet in June 2022. At the time, that commitment was praised by now Premier Minns as an overdue and needed investment to help prevent anyone in New South Wales unnecessarily suffering in

silence. The Minister for Health and the Treasurer have each attempted to deny that there has been any cut at all to palliative care funding. The Premier has advanced the odd notion that the palliative care sector would have been unable to effectively spend the \$150 million that the Government cut. At least he admitted the cut.

The media have reported leaks from concerned whistleblowers that, after the \$743 million was allocated in the 2022-23 budget, local health districts began work on detailed plans for expending the money effectively. In April 2023 those plans were put on hold for the comprehensive expenditure review, with the sad result that expenditure to help New South Wales patients at the most vulnerable time in their lives was identified as an area that did not give value for money and could be robbed to pay for other demands.

The order for papers is carefully targeted at papers that relate to the \$743 million commitment to additional palliative care funding made in June 2022. It does not seek all papers relating to palliative care funding. Initially, I intended to limit the order to documents created after 25 March 2023. But after discussions—including with Dr Amanda Cohn—I was persuaded that including the documents from 21 June 2022, when the commitment of additional funding was made and locked into the budget, would ensure that the House can more effectively carry out its duty to review the actions of the Executive Government.

The issue has obviously been well ventilated in this place. The shadow Minister for Health has sought the documents through another process under the Government Information (Public Access) Act 2009. That has not been rejected but requires a significant amount of money. He is left with no alternative but to seek the papers through the House. It is not unreasonable that palliative care providers, who can no longer deliver the palliative care that they had foreshadowed that they would deliver, at least can have some transparency about the process by which potential business cases were dealt with and the manner in which the decision was arrived at to cut their funding. The business models that they had developed are now undeliverable.

Fundamentally, the people who suffer because of that decision are not so much the providers but the patients. The patients would say, "We are entitled to have a level of palliative care available to us wherever we live in New South Wales." That small amount of funding, in the context of the whole of the budget, has now impacted on the ability of NSW Health to ensure that those palliative care beds can be delivered in accordance with the budget commitment made by the previous Government. I urge members to support this order for papers. I think we owe it to those who use palliative care in this State to ensure that those beds are available.

Dr AMANDA COHN (17:40): The Greens will support the motion with appreciation for the amendment that was made today. I think it is really important, from the perspective of this House and its support for transparency, that we go back all the way to follow this funding decision from its announcement through to the present. The Opposition seeks reasonable information about the funding of health services, and that is something that I am very happy to support. I comment more generally that there has been a lot of discussion about palliative care funding, particularly through the budget estimates process, and all of those comments have been about specialist palliative care services. Of course, those are important, and there are many patients who need the support of a specialist palliative care service. But there is a tremendous amount of palliative care done across this State by generalised health services.

Those services include GPs in country areas making home visits and the ward staff on every medical and surgical ward in every hospital across New South Wales. There is often a point where a decision is made by the treating team with a patient and their family to stop active treatment for any given condition, when the focus of care becomes about the comfort of that person. That is happening on every ward of every hospital, every day. None of that care is captured in the discussions we have been having about specialist palliative care services. I think it is very important to put that on the record in support of the motion.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (17:41): I lead for the Government in debate on the motion. The Government does not support the call for papers under Standing Order 52 brought by the Leader of the Opposition in relation to palliative care funding. I note the Leader of the Opposition's contribution outlining the process that the Opposition has gone through. I also note that when he was on this side of the Chamber, he would outline that this is the way that members opposite should pursue such matters. I am certainly aware because the Premier, the Treasurer, the Minister for Health and I were all asked questions on the issue of palliative care funding during the budget estimates hearings and during question time.

I will offer a few facts. Providing high quality end of life care is an essential hallmark of any advanced healthcare system and will remain a key focus for this Government. NSW Health provides world-class palliative care in a variety of ways, including in hospital inpatient settings, community settings and in people's homes if they wish. Services work with primary care and residential aged care to meet people's end of life care needs. We have an extraordinarily hardworking and passionate health Minister in this State. We are lucky to have someone like Minister Park working so hard on behalf of the people of New South Wales, and I am absolutely delighted to

represent him in this place. I assure the House that under his leadership the health department is proudly delivering enhancements for end of life and palliative care and support services.

The budget includes more than \$1.7 billion over four years for palliative care. Palliative care funding will increase year on year, every single year, under our budget. Funding will be 6.8 per cent higher this year compared to last year and will increase again by 8 per cent next year. All the local health districts, specialist health networks and NSW Ambulance received annualised enhancements under the World Class End of Life Care commitment in September 2023. That record investment will address the existing service gaps and improve accessibility and equity of services. The idea being pursued by the Leader of the Opposition that somehow existing services will not be funded is incorrect. There is an increase year on year for palliative care funding. That investment will deliver a significant boost to services, including employing extra nurses, allied healthcare professionals, doctors and support staff. Palliative care is incredibly important, and the Government will deliver increased funding to support that.

The Hon. BRONNIE TAYLOR (17:45): I contribute to debate on the motion to clarify a few things that were just said. I thank the Hon. Damien Tudehope for moving the motion. Being in government is about making choices. Sometimes those choices are difficult. But the decision the former Coalition Government made to increase palliative care—

The Hon. Courtney Houssos: Like all the nurses you put on temporary contracts and didn't provide ongoing funding for.

The Hon. BRONNIE TAYLOR: Point of order: I sat here and gave the Minister the respect of being quiet; I think she can do the same. They are very difficult decisions, but this cut is one of the most horrendous decisions I have ever seen from this Government. The Minister said there are no services being cut, but that is factually incorrect. We have seen business plans for services that are now not going to happen. The Minister cannot stand in the Chamber and say things that are simply not true. That funding was so important. To speak to what Dr Amanda Cohn said, it was not just about specialist palliative care services; it was about palliative care services right across the board. It was about making sure that those specialist services were there so that a country community nurse, like I was, could ring into those centres and get the advice they need to provide the palliative care.

I was a big supporter of the voluntary assisted dying legislation. As a palliative care nurse, it was a very big decision for me to support that legislation. I did so knowing that when I sat at the Cabinet table and on the Expenditure Review Committee, we made sure that we had adequate funding for palliative care so that people would have a choice. I also commend the Minister for Health at the moment, Minister Park. I think he is doing a really great job. He actually really cares about his portfolio, and he is genuine, honest and respectful. I do not believe that he made this cut. I believe that he was told that he had to make a cut, and this is something that happened along the way that someone decided to do.

The Government has to make decisions, but this cut is so fundamentally and intrinsically wrong. It should not happen. The funding needs to be reinstated. It needs to be looked at because it is a disastrous outcome for those working in palliative care and it is also a disastrous outcome for the people who need the care. The former Government increased the funding. In the budget estimates hearing it was said that it was increased by x per cent. The former Government did that because it needed to be increased, not to then be cut by \$150 million. The Minister cannot say that services will not be cut. The whole point of increasing the funding was so that there would be more nurses, more occupational therapists, more specialists, more diversional therapists and more pain specialists. That cannot happen if \$150 million is taken out. I commend Minister Sharpe for actually admitting that it was a cut the other day. It takes courage to own that conviction. But let us get this turned around. This is important. I support the motion.

The Hon. TANIA MIHAILUK (17:48): I contribute to the debate to make it very clear that I support the motion moved by the Hon. Damien Tudehope. I am a little bit surprised, although I should not be. I asked the Leader of the Government a very similar question yesterday in the Chamber, and she gave a very different response to the one the Minister gave today in relation to the \$150 million cut to palliative care. I will quote the Hon. Penny Sharpe. When I asked the question about the \$150 million cut in palliative care, her specific response was:

I make the point that there were difficult decisions made in the budget. There has been an impact on palliative care; I do not think anyone has hidden from that.

That is a complete admission that this Government has absolutely gutted palliative care. We now have a different Minister giving the answer that the Government has nothing to hide and that it is completely committed to palliative care. The Leader of the Government made it clear that there was a cut because the Government had to make budgetary decisions. The Government made the decision to cut back on a very important health service that

many families across New South Wales, particularly in regional communities, are concerned about. Palliative care is the most critical care that family members and loved ones need in the last stages of life, particularly those who have endured long-term illnesses, cancers and other diseases. Palliative care is critical.

I always thought that the Labor Party was relatively supportive of funding palliative care. I remember that when the former Coalition Government announced \$743 million last year, there was no opposition by Labor at that stage. There was a keen interest to match that type of funding. There were never any discussions. I was in the Labor Party at that time, and nobody indicated that there would be a cut to palliative care. It is a concern, and it should not be a surprise that people want to see the papers. There is a right to have the papers made available. The Government should not be hiding information. If the Government has got nothing to hide, as the Leader of the Government suggested yesterday in question time, it should put the papers on the table and let us see what is there.

The Hon. STEPHEN LAWRENCE (17:51): I oppose the motion moved by the Leader of the Opposition. But it is always good to be talking about palliative care. I note that the Hon. Susan Carter gave an interesting speech last night that touched on it. It was a worthwhile contribution. There is a positive side to the debate, because it is an important area of health care that is often not talked about because of taboos. It is always good to see it get a public airing in a place like this. It is, though, a bit of an unfortunate time for the wrong suggestion to be afoot in the community that there is to be a cut to palliative care funding. I say that because voluntary assisted dying laws are imminent and palliative care is intimately connected to it. People in the community understand that and, I think, would be alarmed if they were to think that we were cutting palliative care. As the Hon. Courtney Houssos has said, the Government is increasing palliative care funding by 6.8 per cent in 2023-24 compared with 2022-23. The 2023-24 budget includes more than \$400 million a year for palliative care.

There is an argument about what is and what is not a cut. Anyone who observed the previous Parliament and the one before that—which I did a little bit, but not as much as other people here—would recall different manifestations of that debate. For the purpose of community understanding, it is important to say that no-one can say that palliative care funding is being cut, because palliative care funding is increasing by 6.8 per cent in the next year and 8 per cent in 2024-25. By any definition, that is not a cut. I observe that I was involved in a campaign for enhanced palliative care services in Dubbo in 2015. That campaign had a win, but the positions could not be filled. I am thinking of a particular position, and I do not know how long it was unfilled for. It is one thing to allocate funding; it is another thing, particularly in the tight labour market that we are in, to spend the money in a meaningful way. It is not always about throwing money at the problem. Having sat through budget estimates with the Treasurer—and I know that Ryan Park received a grilling too—these matters have been adequately ventilated in those forums. A call for papers of this type is unjustified.

The Hon. SUSAN CARTER (17:54): If I offer someone \$100 and tell them to plan for how they are going to spend it, but then, when it comes time to give them the \$100, I say, "Here is 30 bucks", have I cut what they have for their services? That is functionally what has happened to palliative care. Local health districts were told that they would have a certain amount of money and were asked to prudently plan how that money would be spent. They looked at the needs. In Western Sydney, they looked at the need to employ Aboriginal palliative care workers so that they could provide culturally appropriate and culturally safe care at the end of life. They looked at the need to ensure that there were culturally and linguistically diverse workers who could provide support in languages. As people are dying, even if they have acquired English, they may not know enough English to be supported well at the end of life.

Local health districts looked at exactly what was needed. They made plans and engaged in workforce planning. What are they doing now? Those same services are scrambling to implement cuts. There are reports of two palliative care directors saying that the \$150 million shortfall in funding translates to a cut of 80 per cent of their end-of-life care budgets. There is a suggestion that this has been well ventilated. It has been well questioned, but it has not been well answered. The point of this call for papers is to seek some concrete answers. We know that palliative care patients are facing death. What do we owe people at that time of their lives? We owe them respect, we owe them care, we owe them consistency and we owe them certainty. Those are the very things that are being taken away by these cuts. The impact of the cuts is not clear. Budget estimates has been raised, and I asked a number of questions last month. For example, I asked if 11 staff were to be cut from the Northern Sydney Local Health District. We just do not know. That is why we need to seek the answers and why the motion should be supported.

The Hon. EMILY SUVAAL (17:57): I speak in opposition to the motion. I echo the comments made by some of my peers about the work that Minister Ryan Park is doing. I also give a shout-out to my colleague the Hon. Courtney Houssos, who is also engaging in a genuine, honest and respectful way in her capacity representing the Minister in this place. There is no greater honour than being with someone at the end of their life. It is perhaps only somewhat matched by being with someone at the start of their life. But there is no greater honour than being

with someone and, indeed, their family at the end. My colleagues have canvassed the unnecessary nature of this call for papers and how it is a wasteful use of resources, given that the Minister for Health, and Minister for Regional Health, has been questioned extensively, as have a number of my other colleagues in the other place. Palliative care funding will increase and is increasing. It is important to emphasise and stress that.

I talk about what those opposite contributed in this place, particularly to healthcare workers, in terms of services that were going to be cut. It is particularly ironic that those opposite talk about supposed cuts to palliative care funding when, under the previous Government, they left 1,112 temporary nurses unfunded beyond the 2024-25 fiscal year. The number of unfunded nurses in some of the health districts that have been mentioned are: 82 in Northern Sydney Local Health District, 109.1 in the Western Sydney Local Health District and 119 in the South Western Sydney Local Health District. In my home, the Hunter New England Local Health District, which got the worst award, 138 nurses were left unfunded. It is all right for members opposite to have a road to Damascus moment about cutting funding, but when we look at their record, 1,112 nurses were due to be cut beyond the 2024-25 financial year. They cannot come into this place and take the moral high ground on these issues.

The Hon. WES FANG (18:00): I was sitting quietly on the back bench, listening to the debates.

The Hon. Emily Suvaal: I have that effect on you, Wes.

The Hon. WES FANG: I note the interjection, but I insist that I was not misleading the House. I was quietly listening to the debate when it was as if a lightning bolt struck me. It was not the one we heard earlier, in the storm outside; it was a lightning bolt that made me realise that we have a government that in the last sitting week of its first year in this term of Parliament is still trying to blame its decisions on the Opposition. My good friend and colleague the Hon. Bronnie Taylor made the point quite well: Labor members are now in government and, as such, are making the decisions. We are seeking information around a decision. When members are in government, they have choices. Regardless of what Labor says it found or did not find when it came to government, we are seeking information related to choices that this Government has made. It is getting a little bit tired, and I hope Labor quickly adopts the mindset that it is in government, and it is calling the shots, for good and for bad.

The Government must own the decisions it makes, and it needs to own this decision. It can spin it any way it wants. The opal tsar, the Hon. Stephen Lawrence, told us, "It's the cut you have when you're not having a cut." But, in reality, it is a reduction of what was budgeted. I have heard it spun another way—that Government members were trying to cover for any number of decisions we made when in government. In reality, they are in government now. It is their choice. They get to choose what to spend the money on and they have decided to not spend the money on palliative care. We are seeking the information the Government took into consideration when it made that decision. I hope the Government adopts the mindset that it is in government now and it stops trying to blame us, because it is making the decisions.

The Hon. DAMIEN TUDEHOPE (18:03): In reply: I thank all members who contributed to debate. I understand members have different views on this matter, and we can make all sorts of arguments about whether it is a cut or if there are shortages in health funding that need to be addressed. I accept that they are arguments. But the Hon. Susan Carter put it perfectly: If we promise 100 but give 30, we have certainly cut the 100 to the 30. The Hon. Stephen Lawrence should think about that analogy. It is a cut if you go from 100 to 30. I accept the arguments about why, potentially, the cut has been made, but the Standing Order 52 motion is about why, who is impacted and where the impacts are. We need to be able to talk to communities about the impacts on them. If, as the Hon. Emily Suvaal said, we can identify shortages of nurses in some areas, we are entitled to see the documentation which shows where the cuts, the impacts and the business cases are in relation to that. I urge members to support the motion.

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

Motion agreed to.

Motions

FIRST NATIONS TREATY

Ms SUE HIGGINSON (18:05): I seek leave to amend private members' business item No. 571 for today of which I have given notice by omitting all the words after "That" and inserting instead:

this House notes that:

- (a) treaties are formal agreements between Aboriginal peoples and the Government that set the underlying terms for Aboriginal people to negotiate with the Government moving forward;
- (b) the principle of free, prior, informed and ongoing consent, as outlined in the United Nations Declaration of the Rights of Indigenous People, are core to treaty making processes being meaningful, legitimate and successful;

- (c) modern treaty processes are governed by clear rules to establish a shared framework that will guide the parties' relationship; and
 - (d) agreement-making with Aboriginal people has been a part of the New South Wales landscape through the OCHRE framework and local decision-making, land rights, and Closing the Gap.
- (2) That this House notes that New South Wales has the largest population of Aboriginal people in the country and is the last State to commit to consulting with Aboriginal communities on a treaty process.
 - (3) That this House calls on the Government to work with the Parliament to ensure there is support for agreement-making with First Nations peoples so the processes are not undermined by the election cycle.

Leave granted.

Ms SUE HIGGINSON: Accordingly, I move:

- (1) That this House notes that:
 - (a) treaties are formal agreements between Aboriginal peoples and the Government that set the underlying terms for Aboriginal people to negotiate with the Government moving forward;
 - (b) the principle of free, prior, informed and ongoing consent, as outlined in the United Nations Declaration of the Rights of Indigenous People, are core to treaty making processes being meaningful, legitimate and successful;
 - (c) modern treaty processes are governed by clear rules to establish a shared framework that will guide the parties' relationship; and
 - (d) agreement-making with Aboriginal people has been a part of the New South Wales landscape through the OCHRE framework and local decision-making, land rights, and Closing the Gap.
- (2) That this House notes that New South Wales has the largest population of Aboriginal people in the country and is the last State to commit to consulting with Aboriginal communities on a treaty process.
- (3) That this House calls on the Government to work with the Parliament to ensure there is support for agreement-making with First Nations peoples so the processes are not undermined by the election cycle.

Treaties with First Nations people are an opportunity to start to make things better in this State. Only 800 metres from where we stand is the place that marks the very beginnings of the centuries of trauma inflicted on First Nations people by colonial invasion and occupation. It was here that the violence against First Nations people began, and it is here that it must properly end. A treaty or treaties will establish a framework for moving forward together, to set us on a path to end the colonial violence against First Nations people and recognise the sovereignty of the First Nations of this State. Treaty will be an opportunity for First Nations people to finally have a say in how they, as the sovereign people of these lands, want the future of this State to look, rather than being subjected to its terms without consent. We are excited by the commitment to starting a treaty process in New South Wales. As noted in the motion, we are the last State to make such a commitment, and The Greens are committed to being a good-faith player in that process, to help make sure it is carried out in a way that is just and accessible and adheres to the principles of ongoing free, prior and informed consent [FPIC].

Ongoing free, prior and informed consent, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, being enshrined in all the steps as early as possible and at the commencement of consultation is critical to the success of the treaty processes. The principles, as determined by First Nations, will provide for meaningful engagement in the process, to move from consultee to the self-determined participant and to have legitimate influence over the way treaty-making is carried out.

FPIC means knowledge- and capacity-building to ensure everyone who is involved in the treaty-making process has the necessary knowledge to contribute and that preparation for any consultation addresses the power imbalance between those in a government department or agency and those in communities, to ensure that when people are ready to come to the table, they have all the knowledge available to them to benefit from and contribute to the processes. The processes should allow for First Nations people to guide and direct, and give First Nations people the power to choose how, when and by whom they wish to be represented, the methods of consultation and the time lines. This will occur before any decisions are made, reviewed and renewed throughout the duration of consultations and negotiations in accordance with FPIC.

Across the country, treaty-making processes have already begun. Victoria is already years into its process with the establishment of the Yoorrook Justice Commission, which is the formal truth-telling process for injustices experienced by Victorian First Nations people; and the First Peoples' Assembly of Victoria, which is progressing treaty in that State. With the process so advanced in Victoria and moving along in Queensland—or it was—here in New South Wales we have an important opportunity to learn from the successes and mistakes of those States and ensure that we are undertaking our treaty processes with best practice.

Treaties have been negotiated between colonial powers and Indigenous peoples across the world. In New Zealand, the Treaty of Waitangi was signed on 6 February 1840 between the Crown and 540 Māori chiefs. This document is considered New Zealand's founding document, and the anniversary of its signing is

New Zealand's national day and is celebrated annually with a public holiday. We have a lot to learn from our neighbours, and from treaties signed in Canada and the United States, that we can use to inform how we approach treaty-making here in New South Wales.

First Nations people in New South Wales have waited so long for this time to come, since Michael Anderson, Billy Craigie, Bertie Williams and Tony Coorey left Redfern, drove to Ngunnawal country and established the Aboriginal Tent Embassy in 1972, and long before. First Nations people have called for treaty. It is immensely important that this process is at last set to commence here in New South Wales. I call on all members to please put aside any politics and consider the importance of this to engage in good faith and truth-telling because it will make us all better.

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) (18:12): I thank the member for amending her motion before moving it, and I indicate that the Government will be supporting the amended motion. I thank my colleague Minister Harris, who leads for the Government in this area. Leading is exactly what he has done. He has taken each of the Cabinet Ministers through a process in relation to this, and it has been particularly helpful as we deal with some of the Closing the Gap challenges in New South Wales.

I can indicate that the New South Wales Government is committed to an initial consultation process with Aboriginal communities on whether a treaty is sought and what the process should look like. That is why \$5 million was committed in the recent budget. The consultation will determine whether Aboriginal communities in New South Wales want a treaty- or agreement-making process and what that process will look like. As the member said, the process should be centred on free, prior and informed consent. Treaties can have a tangible impact in addressing disadvantage faced by Aboriginal communities. Agreements with Aboriginal people have been part of the New South Wales landscape for a number of years, as members would know.

There are currently nine local decision-making alliances participating in the OCHRE local decision-making model. Seven formal accords with government are in place, as well as one memorandum of understanding. The accords include matters such as health, housing, economic development, healing and wellbeing, vulnerable families and young people, and law and justice. This would build on that work. This consultation may allow that to take place.

Closing the Gap is a top priority for the New South Wales Government. The focus of the priority reforms on issues such as transforming government and building community capacity would complement the work that might occur through this treaty. Closing the Gap Priority Reform One under the national agreement is about creating pathways through agreement, and this is what a treaty consultation process could strengthen. New South Wales has signed up to that national agreement. We are committed to delivering on all priorities, but we know that will not be easy. We know that when Aboriginal people have a direct say on issues that affect them, we get better outcomes. That is why forging these agreements holds out the promise of closing the gap, and that is why New South Wales has taken that approach in the past. It is why this Government is determined to continue it. Existing work on Closing the Gap would operate in parallel with, and support, any path to treaty- or agreement-making in New South Wales. With those remarks, I thank the member for bringing this amended motion. The Government will support it. I thank Minister Harris for the work he has done. There is much work to do.

The Hon. NATASHA MACLAREN-JONES (18:15): The New South Wales Liberals and Nationals, like all Australians, want to see Aboriginal disadvantage addressed and the closing of the gap. We have just come out of a referendum, which unfortunately did not unite the country but instead divided it. One of the key concerns that came out of the referendum debate was the lack of detail. We face the same issue when we talk about a treaty. It is vitally important when we talk about a treaty that we discuss the details, not broad statements, and unfortunately this motion does not outline what a treaty means and what it will specifically do to deliver improved outcomes for Aboriginal people.

It is vital that we talk about the challenges that Aboriginal people experience and face. The focus must be on supporting our most vulnerable and ensuring that we allocate funding directly to deliver services and programs that support children, individuals and families in need. As I have said, the Liberals and Nationals want to see Aboriginal disadvantage addressed, which is why, when in government, we implemented a range of programs and initiatives in consultation with Aboriginal communities and leaders. When we came into government we established the Ministerial Taskforce on Aboriginal Affairs in late 2011 under the leadership of Victor Dominello, and I acknowledge his role as former Minister for Aboriginal Affairs.

The focus was to develop a new plan to improve education and employment outcomes for Aboriginal people in New South Wales and to enhance service accountability to support these goals. The development of the plan known as OCHRE, to which the Minister alluded, involved extensive consultation with stakeholders, with

more than 2,700 people in the community working with the taskforce. The OCHRE plan offered practical ways to empower, grow and support Aboriginal communities through teaching more Aboriginal languages and culture; supporting more Aboriginal students to stay at school; supporting more Aboriginal young people to get fulfilling and sustainable jobs; growing Aboriginal leadership and communities; focusing on creating opportunities for economic empowerment; and making government and communities more accountable for money and how it is spent.

In fact, under our Government, New South Wales was the first State in Australia to introduce legislation to acknowledge the significance of Aboriginal languages. I acknowledge the former Minister for Aboriginal Affairs at that time, Sarah Mitchell, and her work. We also introduced the Stolen Generations Reparations Scheme and the Aboriginal Procurement Policy. One of the key things to note is that in 2019-20 Aboriginal businesses in New South Wales received about \$92 million in direct funding. Following the introduction of the policy, that grew to almost \$480 million in 2021-22. My point is that when we talk about what we are doing to support Aboriginal communities and empower them, it is about providing practical solutions and funding to empower them to make decisions. It is not just about passing motions that have broad motherhood statements.

The Hon. TANIA MIHAILUK (18:19): I utterly oppose the original motion and the amended motion. The Government clearly had its little discussions behind closed doors with The Greens to try to water down the original motion. The reality is that the people have spoken on this issue. They made it abundantly clear on 14 October that they are tired of this type of virtue signalling. The latest Resolve polling on treaty has gone from support of 58 per cent in October down to 33 per cent in November, and support for the Uluru statement has completely nosedived. With this type of reality, where people have had a real gutful, it does not surprise me that Minns made it clear to his caucus that, beyond a consultation process, he is not prepared to entertain a treaty. He will take the findings and recommendations to the next election, because he does not want to take the risk Albanese took. We can all see how well Albanese is now doing in the polls. Let's see who the next Prime Minister is. I assure members that, before the next Liberal Prime Minister, there will a couple more Labor ones in the next 18 months.

Albanese is finished as a result of backing so vehemently the Voice, which ended up failing, and not listening to the Australian people. I can see that Minns is a little bit smarter. That is why there was a very calm and measured response from the Deputy Leader of the Government, in which he made it clear that there was a commitment only to the listening tour at this stage. The Government is not prepared to say what else it will commit to when it comes to the treaty. The Greens need to realise that this Government will not back any major decisions about the treaty before the next election.

The \$5 million would be better spent on vulnerable kids in care, whether they are Indigenous or non-Indigenous. Why do we not put that money towards vulnerable families with children in care, where it is most needed? We know that a large proportion of children in care in New South Wales are Indigenous. Rather than paying consultants and conducting a tender for a listening tour, that \$5 million would be better spent directly helping vulnerable Indigenous kids. One Nation will continue to stand with the people of New South Wales. Sixty per cent of people said no to the Voice, and I have no doubt that even more, as we know from the latest polling, are completely opposed to the treaty.

The Hon. RACHEL MERTON (18:21): I oppose Ms Sue Higgins's motion. One could be forgiven for thinking that the 14 October referendum result never occurred, and that there was no sweeping rejection of the Voice by every State in the Commonwealth and 2.7 million voters in New South Wales casting a no vote to Labor's risky, divisive and unknown proposal. Instead, the motion before us seeks to build upon the Voice and take the State much further. It seeks to take the people of New South Wales well beyond the Voice, the advisory body and the modest request that we were told by the yes campaign was safe and the right thing to do.

Despite the heavy defeat of the Voice in New South Wales, The Greens appear to be doubling down. They appear to think the slogan on Mr Albanese's T-shirt—"Voice, Treaty, Truth"—is akin to a game of baseball. They have had strike one on the Voice; let's move to the treaty. We saw a staggering \$400 million of taxpayer funds spent on the referendum, which delivered a strong no to the Voice. Now The Greens want to go further, with a proposal more damaging to our unity as a people, a State and a nation. And the Government is on board. I accept that Labor and The Greens each went to the last election promising a treaty. In the week of the landslide defeat of the Voice, the Premier reaffirmed an election promise to provide \$5 million of taxpayer funds for a year-long consultation on a treaty process. Whilst election promises should be fulfilled, that one has surely been overtaken by the events of 14 October and the actions of people who said no to the politics of division.

I firmly believe that the people of New South Wales do not want a treaty with themselves. They have just been through a costly, divisive referendum. They do not want to see division again. A united nation, or a united State in these circumstances, does not make a treaty with itself. A treaty is an agreement reached between nations. Our former Prime Minister Mr Howard put it succinctly over 20 years ago. He said, "The idea that a sovereign country makes a treaty with part of itself is just preposterous. It is constitutionally repugnant." A treaty in

New South Wales suggests that we are two or more nations. We are not. New South Wales is one. We do not have separate sovereignty in this State.

I note with concern that the Premier recently commented, "A treaty in New South Wales would require a treaty with 150 different nations." He rightly concedes that such a process would be complex and difficult. The demand for a treaty is a direct return to the politics of division. It is time for the people of New South Wales to come together. I oppose the motion.

Dr AMANDA COHN (18:25): I respond to some of the comments of members opposing the motion. One of those comments was about the Prime Minister's T-shirt that read "Voice, Treaty, Truth". It is important to understand that those words come from the Uluru Statement from the Heart, which is a profoundly moving document representing the voices of thousands of First Nations people. It is not the Labor Party's slogan.

The amount of rhetoric we have just heard from members about the Voice speaks to their lack of understanding of what the motion is about. It is about treaty, which is separate. We have not had a referendum on treaty. We had a referendum on the Voice. Members suggested that we should spend money on, for example, direct services, rather than listening. It would be much easier to believe them if those members had ever asked for funding for programs that will directly improve the lives of First Nations people. I have been here for the past eight months, and I have not seen motions on those topics from those members. It is only ever brought up in opposition to the things First Nations people are clearly asking for—Voice, treaty, truth. I support the motion.

Ms SUE HIGGINSON (18:26): In reply: I thank all members for their contributions. I implore members to read the motion. I heard a lot of words about things not relevant to the motion. They did not warrant points of order, but they did not engage with the motion. The motion is about a treaty process, not politics. It is not about what members think happened in a referendum or what they think Australia is talking about. It is about a treaty process between First Nations people and the Government of New South Wales. Embraced properly, it is a fantastic thing. It will set us on the course that First Nations people were calling for the first time contact was made on our shores. The time is now. The time was then, but we failed. The time is most certainly now.

Members opposite talk about division. They are divisive. We talk about unity on this side of the House. That is what a treaty is about. A treaty is the ultimate bind, legally, socially, morally and ethically. It is about fairness, about coming together, equally, and about doing the work that achieves unity. That is what this Government took to the election, and the Minister knows that is the work in front of us. Aboriginal people across New South Wales are ready to trust, to talk and to walk together through the treaty process. All the motion speaks to is the United Nations Declaration of the Rights of Indigenous Peoples, one of the most fundamental concepts of engagement with First Nations people, and free, prior and informed ongoing consent. That is all it was about. It is really sad that some people in this place cannot quite see that. I strongly advise and implore those people to look within and to look across the planet at where treaties have brought unity and brilliance.

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

The House divided.

Ayes20
Noes17
Majority.....3

AYES

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

NOES

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

Motion agreed to.

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

*Documents***MINISTER FOR TRANSPORT OFFICE STAFFING****Personal Information Redacted**

The CLERK: According to Standing Order 52 (7), I table correspondence from the Hon. Natalie Ward requesting that certain documents relating to a further order for papers regarding department liaison officers in the office of the Minister for Transport be produced with personal information redacted. I inform the House that I communicated the request to the Cabinet Office on Wednesday 22 November 2023.

Tabling of Redacted Documents

The CLERK: According to Standing Order 52 (7), I table additional documents with personal information redacted received on Wednesday 29 November 2023 from the Director, Legal at the Cabinet Office, together with an indexed list of documents.

MURRAY-DARLING BASIN PLAN**Production of Documents: Order**

The Hon. SARAH MITCHELL (20:03): 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 April 2023 in the possession, custody or control of the Premier, the Premier's Department, the Cabinet Office, the Treasurer, the Treasury, the Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast, the Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales, the Department of Planning and Environment, or the Department of Regional NSW, relating to the Murray-Darling Basin Plan:

- (a) all documents relating to the agreement between the New South Wales Government and the Commonwealth Government to deliver the Murray-Darling Basin Plan in full, as announced by the Federal Minister for the Environment and Water on 22 August 2023;
- (b) all documents regarding the options to deliver the 450 gigalitre of water for enhanced environmental outcomes, including water efficiency infrastructure projects and voluntary water purchases in New South Wales, including:
 - (i) new supply projects in New South Wales;
 - (ii) water recovery options in New South Wales; and
 - (iii) the package of "no regrets" constraints relaxation projects, including what constraints projects are considered to be "no-regrets".
- (c) all documents regarding the funding that the New South Wales Government is making available for the necessary feasibility studies to identify water efficiency infrastructure projects in the State, and the funding New South Wales will receive from the Commonwealth under the new agreement;
- (d) all documents relating to how water will be recovered from New South Wales, from what areas in particular, the safeguards agreed to in order to minimise the socio-economic impact on communities of buybacks, and the specific environmental outcomes to be achieved from reaching water recovery targets;
- (e) all documents regarding consultants who have been engaged to work on the agreement and all related aspects including market advice on options to recover water; 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 is a fairly straightforward call for papers. To provide a little context—even though I am sure members in this House are well across it—we know that agreements have been signed between the State and Commonwealth governments. The motion aims to get some more concrete information about the deals that have been done, some of the possible outcomes of those deals, and also any information around funding, particularly in terms of water efficiency and infrastructure. The call for papers seeks documents relating to how water will be recovered from New South Wales, which particular areas will be impacted, and the safeguards agreed to in order to minimise the socio-economic impact of buybacks on communities.

The Federal Parliament is currently debating the Water Amendment (Restoring Our Rivers) Bill. I am sure that the Minister for Water spoke about it in the House earlier today. That legislation is currently before the Senate. The Opposition believes that it is urgent that the State Labor Government reveal the details of the revised plan it has negotiated with the Commonwealth. This is an opportunity to be up-front. It is an opportunity for the

Government to be transparent with this House and with the people of New South Wales about what is contained in those deals. The Opposition has been asking for this for a period of time. We have asked the Minister a series of questions. I give a shout-out to the shadow Minister for Water, Steph Cooke, who is very diligent in her portfolio responsibilities. The Opposition wants to be clear on the potential impact, particularly for rural and regional communities.

The Commonwealth has made it clear that it is determined to deliver the extra 450 gigalitres of water for the environment, one way or another. The concern is that water buybacks from farmers might be part of the equation. This call for papers is about getting that information and making it public and transparent. I note that both the Minister and the Premier have said publicly that they do not want water buybacks, but we know that the reality is that the Federal Government can step in and execute water buybacks. The Minister said today that she hopes that does not occur but, if it does, she wants to make sure that communities are supported. This is a call for papers to get the details. There is no reason why those things should not be transparent.

We want to know what some of the measures are that might be in place to safeguard communities. What kind of structural adjustment packages are being developed to ensure that communities are not literally wiped off the map? Without water, a basin community cannot exist. That is incredibly concerning for a number of residents in regional New South Wales. I put on record why the Opposition is seeking this call for papers now. We would like this information to be released under Standing Order 52 because we know that communities are asking for it. Last week there were rallies involving local councils, businesses, farmers and members of basin communities trying to get the attention of policymakers to let them know how concerned they are about how dire this plan is or might be to their future viability. They showed that they are opposed to the Federal legislation being debated in Canberra this week.

We have heard reports of more than 1,000 people at the rally that was held in Griffith, and about 600 people in Deniliquin and Leeton. People are genuinely concerned, and they want to know what is in the rewritten basin plan. That is why the Opposition calls on the Government to support this call for papers. It is an opportunity to be open and transparent with the people of New South Wales, particularly those who live and work in the basin communities. They are very concerned. They are speaking with their feet, turning up to rallies and seeking information. That is exactly what the Opposition is also trying to do with this call for papers.

I urge members to really consider the motion. If there is nothing to hide—if the Minister is as diligent as I know that she is and is honest and open about wanting to get the right outcomes for our communities—then the Government should support the call for papers. It should be happy to provide the documents that we have called for. Members opposite should be as transparent as they said they would be when they were elected to Government, because this is bigger than this Chamber and bigger than any one political party. Many rural communities are concerned about their livelihoods and how they will be able to manage if there are issues with buybacks. This is a chance to be honest, open, transparent and put that information out on the public record. I hope that members support this call for papers.

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, and Minister for the North Coast) (20:08): The Government opposes the motion because it is entirely unnecessary. The information requested by the Opposition is either already publicly available or does not exist. If the member wishes to see the detail of the New South Wales Government's agreement with the Commonwealth in relation to the renegotiated basin plan, all she needs to do is google it. It is on the New South Wales Government website. There is no hidden agreement; there is no hidden documentation. It is all there in black and white. The State Government has agreed with the Commonwealth Government that there will be an opportunity to extend the current time frames for the Murray-Darling Basin Plan to provide more time for the Government to deliver the projects it has committed to under the plan. There is no hidden agreement; there is no hidden agenda. All of the information is publicly available.

Many of the documents referred to in the call for papers simply do not exist. The renegotiated Murray-Darling Basin Plan legislation only passed the Commonwealth Senate today. Many of the documents in the call for papers are far too premature. I give the House the commitment, as I have with the renegotiated agreement and the section 10 reports, that everything that can be made available will be made available. The documents are either already publicly available, do not exist or the kinds of documents captured by some of the elements of the call for papers are a substantial volume of documents about incredibly technical and detailed water infrastructure project delivery. The Murray-Darling Basin Plan has been going for a number of years. Some of the projects that are referred to in the call for papers are incredibly detailed projects.

If the Opposition is genuinely interested in a deep dive on where the Government is up to on some of its sustainable diversion limit adjustment mechanism [SDLAM] projects—or where it is not up to, unfortunately—I have absolutely no problem with providing those documents. But those opposite need to be more specific in the documents that they are requesting. There is a substantial volume of documents that relate to the technical

agreements about the delivery of water infrastructure and efficiency projects. This call for papers is ill-conceived because it is trying to get to something that does not exist but captures a significant amount of incredibly detailed, technical documents that are not secret and that I am happy to make publicly available. Using Standing Order 52 and the resources required for this is not a good use of the Parliament's time or the department's time when we have so much important work to do. I extend the offer to have a conversation about what it is that those opposite are looking for. But, whatever it is, it is not captured by this call for papers.

Ms CATE FAEHRMANN (20:11): The Greens oppose the Opposition's call for papers. It is not a difficult position to come to when the National Party asks for support on anything relating to the Murray-Darling Basin Plan or, frankly, anything relating to water, because of its track record of water mismanagement in this State and at the Federal level, and what it has done to the Murray-Darling Basin Plan over the past decade. The National Party has chosen to not even go slow but do everything it can to block the return of environmental water to our rivers, and fuel dissent, disagreement and conflict in the regions, and that is what I see this call for papers as. The Water Amendment (Restoring Our Rivers) Bill 2023 has been agreed to at the Federal level. The Greens got good outcomes as a result of lending our support to the bill, and we are seeing it get through.

This motions calls for things like all documents regarding the options to deliver 450 gigalitres of water for enhanced environmental outcomes. For goodness sake, the Coalition poured billions of dollars into the Murray-Darling Basin Plan and into its irrigator mates' projects, and barely anything was returned. The Opposition put in place so many blockages to environmental water being returned. The call for papers is an exercise to disrupt the process. It is an exercise to find as much information as possible to go out into the regions and spread disinformation and talk about things like rallies against buybacks. Let us think about the water that is sent down the rivers to the almond farms, for example, or the water that is bought up by Canadian super funds. Surely that has worse socio-economic impacts than returning water to our rivers. The Greens will not support anything that fuels the National Party's agenda in the bush regarding anti-environmental water.

The Hon. WES FANG (20:15): I support my friend and colleague the Hon. Sarah Mitchell on her call for papers. I cannot help but feel *deja vu*. When we were on the other side of the Chamber a few short months ago, I would sit and listen to Ms Cate Faehrmann's contributions about calls for papers relating to water. She would say that we needed to be more transparent and make sure that everything was on the table so that the community understood that the plan was transparent and that information was not being hidden. Fast-forward 12 months, and all of a sudden the Federal Labor Government has done a deal with The Greens, and Ms Cate Faehrmann is in this House talking about concealing documents and not supporting calls for papers. What has changed? We are going to flush more productive water down the system and into the sea in South Australia.

The Coalition wants to know what the State Government has done in its representations and work with the Federal Government to try to minimise the amount of productive water that is taken out of the communities that the Hon. Sarah Mitchell and I represent and live in in rural and regional New South Wales. Ultimately, they are the ones who will pay the price for this. I note the Minister's contribution. She said that the documents do not exist. If they do not exist, what is the harm in passing the call for papers? If there are detailed documents, which the Minister said that she is happy to provide, she should provide them under Standing Order 52.

The Minister did not indicate a reason to not be support the call for papers. Either the documents do not exist, as she says, or there are documents that are extremely technical in nature. I am a reasonably smart bloke. The Hon. Sarah Mitchell is definitely one of the smarter people in this House. I am sure we can work through those documents. Those opposite should put them on the table and support us. They should show the people that they are transparent and that they are prepared to do what they said they would do, and what The Greens have argued for in this House for any number of years. They should support the call for papers, put the documents on the table, be transparent and show our communities that they are not out there to rip out their productive water and see them go bust.

The Hon. SARAH MITCHELL (20:18): In reply: I thank the Minister for her offer to the shadow Minister, Steph Cooke, and myself to come and see her. I know the shadow Minister has done that before. Having said that, there was still a requirement for more information, hence the reason for this call for papers. I anticipate that the Minister will be hearing from Steph Cooke shortly, because I know she is watching right now and will be taking the Minister up on her offer for more information. It is concerning to hear the Minister's comment along the lines of, "These documents do not exist yet." As I said in my opening remarks, this is a real and tangible issue for people living in rural and regional New South Wales, particularly those in the southern part of the basin who have been active expressing their concern about this. I do not think it will fill them with a great deal of comfort when we are asking questions for documents relating to things like water efficiency infrastructure projects and what is being done to minimise the socio-economic impact on communities if there are buybacks.

It is concerning to be told by the Government that those documents probably do not exist yet. That is something that I know people will be very anxious about. The way to help alleviate some of that anxiety would

be to provide information that is available. I can count, so I know the outcome of this Standing Order 52 motion. But we will be back and we will continue to fight for our communities, who are deeply concerned and troubled about what is happening in relation to water buybacks. It is important that we, as Nationals, are sticking up for those communities, and we will continue to do so.

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

The House divided.

Ayes15

Noes21

Majority.....6

AYES

Carter
Fang (teller)
Farlow
Farraway
MacDonald

Martin
Merton
Mitchell
Munro
Rath (teller)

Roberts
Ruddick
Taylor
Tudehope
Ward

NOES

Banasiak
Borsak
Boyd
Cohn
D'Adam
Donnelly
Faehrmann

Graham
Higginson
Houssos
Hurst
Jackson
Kaine
Lawrence

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

PAIRS

Maclaren-Jones

Buttigieg

Motion negatived.

Motions

LAB-GROWN MEAT

The Hon. ROBERT BORSAK (20:27): I move:

- (1) That this House affirms its support for New South Wales farmers and meat producers for conducting a thorough review and risk assessment of cultured, cell-based food production, often referred to as lab-cultured meat, sold in New South Wales.
- (2) That this House notes that:
 - (a) cultured, cell-based, cultivated, lab-grown meat is a meat alternative made in a lab through animal cells and cultured medium, such as foetal bovine serum or a proprietary mix of sugars and salts;
 - (b) companies and extremist animal rights activists around the world are promoting this new technique as a way to cultivate a meat alternative that is supposedly "kinder", "cleaner" and safer than traditional farm grown or wild harvested meat;
 - (c) lab-cultured "meat" is not always cruelty-free because to produce it many producers extract animal cells from living animals which is typically done through a biopsy which is a painful and uncomfortable procedure that uses large needles;
 - (d) large-scale biopsies would require a consistent supply of animals to acquire cells through innumerable painful extractions;
 - (e) to make this cell-based product more consistent, the producer may biopsy the same animal many times to extract the required cells for this supposed "meat", and these animals are simply laboratory subjects of experimentation and live a horrible, caged life;
 - (f) a particular concern to the people of New South Wales is the genetic engineering of cells and their potential cancer-promoting properties;
 - (g) genetic constructs, called onco-genes, are used to make stem cells keep growing and are not a problem for lab experiments but could be for food products;

- (h) there is an urgent need for New South Wales to be able to better assess whether the products produced from methods which involve genetic engineering and genetic constructs encourage cancer cells;
 - (i) to ensure the safety of the citizens of New South Wales, more information is needed on how the cells are engineered and kept growing;
 - (j) research is required on the safety of ingesting rapidly growing genetically modified cell lines, as these lines exhibit the characteristics of cancerous cells, including the overgrowth of cells which are not attributed to the original characteristics of a population of cultured primary cells;
 - (k) if lab-cultured "meat" enters the market, there are several human health concerns associated with this new production method, specifically that these genetically modified cell lines could exhibit the characteristics of a cancerous cell; and
 - (l) the new ways of making cells which continue to grow or differentiate should require a safety assessment before they can be sold to determine if they contain or cause cancerous cells.
- (3) That this House further notes that:
- (a) another major issue associated with processing methods using cell lines and/or culture medium is contamination, as unlike animals, cells do not have a fully functioning immune system, so there is a high likelihood of bacterial or fungal growth, mycoplasma, and other human pathogens growing in vats of cells;
 - (b) while lab-cultured "meat" companies emphasise that this type of "meat" production would be more sterile than traditional animal agriculture, it is unknown how true this is without the use of antibiotics or some other pharmaceutical means of pathogenic control;
 - (c) there is a need for companies to disclose plans for how they will dispose of the toxins from:
 - (i) bioreactors;
 - (ii) scaffolding;
 - (iii) culture media, such as growth factors/hormones;
 - (iv) differentiation factors, including foetal calf serum or horse serum; and
 - (v) antimicrobials, which are commonly added to cultured cells to prevent bacterial and fungal contamination.
 - (d) in conventionally produced meat, animals dispose of these toxins in their urine and faeces and if companies cannot find a way for this "meat" to dispose of these toxins, the long-term cultures could potentially build up within the "meat" itself;
 - (e) given the lack of clarity on these processes, there must be continuous monitoring of the cell lines and the growth media/bioreactor for contaminants, and some sort of standardisation across the industry to ensure safety;
 - (f) New South Wales must ensure that lab-cultured "meat":
 - (i) is labelled appropriately, including if any of the product ingredients are genetically modified or if the ingredients are produced using unmodified cells from animals;
 - (ii) does not introduce new allergens into the food supply;
 - (iii) does not contain unsafe levels of any hormones or antibiotics in the final product; and
 - (iv) does not contain any compounds or oncogenic (cancer-causing) cells which have not been approved for use in food.
 - (g) due to the risky nature of lab-cultured "meat" and the myriad potential health risks to consumers, either a ban should be put in place on lab cultured "meat" immediately or there should be rigorous regulation in New South Wales to control its existing distribution, which should be paid by producer and not the general taxpayer of New South Wales.
- (4) That this House calls on the Government to:
- (a) undertake a full review of the risks posed by lab-grown "meat"; and
 - (b) impose a ban on the sale of lab-grown "meat" in New South Wales if it poses a risk to human health or the environment, until it can be proven beyond all doubt that these "meat" products are safe for human consumption.

Today I address the increasing concerns of the Shooters, Fishers and Farmers Party regarding the potential risks associated with the emergence of lab-cultured meat, which is a justifiably controversial alternative to traditional farm-grown or wild-harvested meat and fish. While proponents champion it as a kinder, cleaner and safer alternative, it is imperative to scrutinise the industry and acknowledge the potential risks in both production and consumption. My aim is to present these risks, while my colleague will delve into the ecological and social implications. Together, we call upon the House to affirm its support for New South Wales farmers, meat producers, the livestock industry and the regional and rural communities this vital industry supports through a comprehensive review and risk assessment of lab-cultured meat sold in our State.

The process of producing lab-cultured meat involves extracting animal cells through biopsies, a painful and uncomfortable procedure. This raises ethical concerns, as animals become subjects of experimentation, enduring a distressing existence. Notably, the contradiction arises because the best medium for growing

lab-cultured meat is known to contain fetal bovine serum derived from the blood of deceased calves, which is a practice at odds with the principles of even the most well-meaning but misguided animal rights advocates. Compounding the issue is our limited understanding of the consequences for public health. The cell culture process is inherently imperfect, and unexpected biological mechanisms may occur. The rapid cell multiplication could lead to dysregulation of cell lines, akin to cancer cells, potentially impacting muscle structure, human metabolism and overall health upon consumption. Media ingredients or compounds added to the cell culture might contain allergens or derive from allergenic sources, posing risks of allergic reactions. Antimicrobials used in cell culture may persist in the end product, potentially causing health hazards or allergic reactions. Genetic modifications in the cell line development stage may result in the expression of novel substances that could be toxic or allergenic if present in the final product.

Concerns extend to the nutritional content of lab-cultured meat with the ability to control fat composites in the medium. While this allows manipulation of the ratio between saturated and polyunsaturated fatty acids, strategies for incorporating essential micronutrients specific to animal products, such as vitamin B12 and iron, remain undeveloped. The impact of introducing chemicals to the medium on the overall health benefits of micronutrients is also unclear. The positive effect of any micronutrient can be enhanced if it is introduced in an appropriate matrix. In the case of in vitro meat, it is not certain that the other biological compounds and the way they are organised in cultured cells could potentiate the positive effects of micronutrients on human health. The uptake of micronutrients, such as iron, by cultured cells has thus to be well understood. We cannot exclude a reduction in the health benefits of micronutrients due to the culture medium, depending on its composition, and adding chemicals to the medium makes cultured meat more "chemical" food with less of a clean label.

Addressing antibiotic resistance, lab-cultured meat's controlled environment offers an advantage; however, concerns persist regarding the use of antibiotics for contamination prevention, challenging the touted safety benefits. Proponents argue that lab-cultured meat produced in a controlled environment is safer than conventional meat, which is exposed to external elements. That is nonsense. Yet human errors during production and oversight can lead to consequences. As experienced with COVID, we can argue that scientists or manufacturers are never in a position to control everything and any mistake or oversight may have dramatic consequences in the event of a health problem. We must remember that COVID came out of a laboratory, as this stuff does. It is dangerous and we do not and cannot know and understand it exactly.

Genetic engineering of cells, potential cancer-promoting properties and the safety of rapidly growing genetically modified cell lines all demand urgent assessment. Contamination risks that arise due to cells lacking a fully functioning immune system are also risks that must be addressed. While companies claim increased sterility, the use of antibiotics for pathogenic control raises questions. Transparent plans for toxin disposal are imperative to prevent potential contaminant build-up within lab-cultured meat cells. Labelling is critical for informed consumer choices. New South Wales should mandate appropriate labelling, indicating genetic modifications and ensuring the absence of new allergens and safe levels of hormones or antibiotics, if known.

Considering the risks, I propose an immediate and thorough risk assessment and, if required, rigorous regulation, with producers bearing the cost. As we face the challenge of meeting the increased food demand projected for 2050, it is essential to support efficient protein production while addressing social, economic, environmental and animal welfare concerns. In conclusion, the motion asks the House to affirm its support for New South Wales farmers through a comprehensive review and risk assessment of lab-cultured meat. We urge the Government to ban its sale if it poses risks to human health or the environment, ensuring the safety, wellbeing and ethical treatment of citizens and farmers, and the environment we cherish.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (20:33): I thank the member for bringing forward this motion on lab-grown meat. It is certainly an interesting topic and one that we all need to pay attention to, particularly in relation to new technologies and food. I say at the outset that the New South Wales Government is a staunch supporter of this State's farmers and meat producers. I am always proud to discuss the clean, green, world-class food and fibre produced in New South Wales by the best and most forward-looking farmers anywhere in the world. We thank them for the great work that they do in providing food. Support of our valuable primary producers can and may be provided hand in hand with support of new technology and innovation, including meat alternatives such as cell-based food production, often referred to as lab meat. It is important that New South Wales participates and develops expertise in the emerging synthetic biology and biomanufacturing sector for many reasons.

The office of the NSW Chief Scientist and Engineer has provided \$3.5 million in funding under its Emerging Industry Infrastructure Fund to a consortium led by Macquarie University that also includes Bioplatforms Australia, Vow Food, the NSW Department of Primary Industries and Nourish Ingredients. I also note that the former Liberal-Nationals Government invested \$25,000 in Vow Food, a company investigating the possibilities of developing such a product for consumers seeking an alternative to traditional farm-grown or

wild-harvested meat. The NSW Department of Primary Industries, through the NSW Food Authority, supports safe innovation in food production and processing technology. Cell-cultured meat grown from cells is produced commercially and approved for sale in some overseas countries, but it is not yet available in Australia. We cannot purchase it in Australia. It is not approved as a food product.

Any concerns about the safety of cell-cultured food products and calls for further research in this area are being addressed. Thorough and robust research and risk assessment are required before approval for sale to market is granted. The Australia New Zealand Food Standards Code treats cell-cultured meat as novel food. This prevents it from being sold on the local market unless it first receives approval from Food Standards Australia New Zealand, the statutory authority that sets national food standards. The NSW Food Authority has been working with the company Vow Food as it establishes a cell-based food manufacturing facility in Sydney and seeks approval from Food Standards Australia New Zealand to sell this product on the local market. Vow Food has applied to Food Standards Australia New Zealand for approval to use cell-cultured products for food and application A1269—Cultured Quail as a Novel Food is available for viewing on its website if members are interested in more information about it. Food Standards Australia New Zealand is expected to soon release a call for submissions on Vow Food's application to approve cultured quail as a novel food. It is anticipated that that will happen in December this year.

The department will carefully evaluate this document, including the food safety assessments it would be expected to contain. Undertaking this work is a major procedure. This work will include a full food safety risk assessment and two rounds of public consultation, and it will not be finalised until around the second quarter of 2024 at the earliest. I note the mover is calling for a significant amount of research—and rightly so. We need to look into these things in a proper and thorough way. Assessment also considers labelling. It is important that consumers understand what they are purchasing. This also forms part of the NSW Food Authority's remit in providing consumers with safe food and clear choices. Other countries have approved cell-cultured products. None have released their detailed assessments publicly and opened them for comment. While the Australian standards board will be the first standard-setter to do that, this is routine practice for any proposed change to the Food Standards Code. The food standards setting process in this country is very transparent and based on robust evidence.

Further, it is important that any animal welfare impact of this new technology be thoroughly investigated and evaluated, which has also been called for in this motion. I can confirm that that work is underway. The animal welfare impact of biopsies is very minor, and pain relief could be used to minimise the pain after any such procedure, but the research needs to be done to make sure that this is an appropriate way to do things—if at all. The Government does not support the motion for the reasons I have outlined, but I reiterate our support for farmers who are growing food for us every day.

The Hon. WES FANG (20:38): On behalf of the Opposition I lead in debate on this motion, which I find quite interesting. One of the best things about the Legislative Council is that on Wednesdays we have the opportunity to look at issues such as this. This is not just a simple motion; it is quite a strong philosophical and challenging motion, from my perspective at least, because I support New South Wales farmers, particularly cattle farmers. Noting the members in the House who may be vegan or vegetarian, I can honestly say that there is nothing quite like a good steak. I know that members who enjoy meat will agree with me that a medium-rare fillet or a T-bone with some sauce and veg hits the spot. I do not think that anything produced in a lab will ever top that. More than that, our good farmers in rural and regional New South Wales produce the food and fibre so that we can enjoy that steak and veg—and dress up to go to the pub to eat it.

We are talking about a culture grown in a lab that effectively has a similar structure to meat. The Hon. Robert Borsak is right: It is in its infancy and is in no way comparable to a steak produced in a natural way. But we need to ask whether it has other applications. So many people in the world struggle to access protein. In countries that cannot raise and slaughter cattle in the way we do in Australia and that do not have the luxury of access to meat in supermarkets, there may be some future opportunity for this technology to assist people who cannot access the protein they need to survive. Malnutrition in Third World countries is certainly a problem, so it would be wrong to throw the baby out with the bathwater.

The primary position of Opposition members on the motion is that we support our farmers. We support people having a choice. We also support the rollout of technology in the future, where appropriate. That is the key. The Hon. Robert Borsak indicated that there is a long way to go before the product can be produced in a safe and mainstream way that can be rolled out on a commercial scale. The Opposition will not support the motion but will acknowledge that it raises a number of philosophical issues. It also allows me to indicate that The Nationals, in conjunction with our Liberal colleagues, absolutely support New South Wales farmers, and there is nothing like a Riverina grain-fed steak.

Ms ABIGAIL BOYD (20:43): I contribute to debate on the motion as The Greens animal welfare spokesperson and note that my colleagues will also make contributions as spokespeople for their portfolios. Anyone reading the motion would think we were talking about some sort of underground, Frankenstein-esque operation. To the contrary, the blossoming lab-grown meat industry is a genuinely exciting opportunity for New South Wales for a number of environmental, animal welfare and economic reasons. I note the contribution of the Hon. Tara Moriarty and was pleased that the Government is funding research into cell-based agriculture opportunities. Rather than being scared by the idea of lab-grown meat, I encourage the Hon. Robert Borsak, the mover of the motion, to embrace new technologies and ways of doing things.

As is well known, agriculture is responsible for around 13 per cent of Australia's greenhouse emissions, the majority being methane from livestock. Technologies to help reduce those emissions are still relatively limited, especially in grazing systems. However, the production of lab-grown meat requires a fraction of the land and water of conventional meat production, is far less polluting and is estimated to generate up to 96 per cent lower greenhouse emissions. The animal welfare abuses within industrialised agriculture systems are also well known, with animal welfare far too often left by the wayside as the profit motive dominates agricultural processes and systems. Of the 70 billion animals farmed annually around the world, approximately 50 billion are factory farmed, enduring short and miserable lives, crammed together and unable to engage in their natural behaviours. Why would we continue doing that if we have viable alternatives?

We cannot keep destroying the forests, using up every spare piece of land and treating animals less and less humanely just to feed our ever-growing population, a task that will be made even more difficult as climate change ravages the landscape. At some point, we will need to accept that broadscale industrialised agriculture is simply not sustainable. We need to seek other options, and the more options we have, the better off we will be. On an individual level, that is the reason so many of us with an environmental conscience and who care about animal welfare have eliminated or markedly reduced our meat consumption. But individual action is not, and can never be, sufficient to tackle systemic problems like this one. It is not something business can be left to lead either. We know from experience that well-established industries with money to lose in a transition like this will kick and scream, lie and obfuscate, and do whatever they can in order to survive as long as possible, regardless of the impacts on people and planet. So it falls on responsible government to shepherd us out of old, unsustainable and unethical industries into new, sustainable and ethical ones.

That is where lab-grown meat, plant-based meat substitutes and other innovative solutions come in. The alternative meat market is in its infancy, but it is already showing great promise. That is not to say that it should escape all regulation. I agree with the mover of the motion that accurate information should be placed on all products but, as with everything else, we need to listen to the science and not to big ag's propaganda when it comes to assessing any risks and regulating accordingly. Thankfully, that task will primarily fall to the Federal Government, as other speakers have commented.

Far from the misinformation promulgated in the motion, the weight of evidence at this early stage indicates that lab-grown meat is far healthier as a food source than processed animal meat. With lab-grown meat, we can avoid the effect of growth hormones, reduce antibiotic resistance, minimise bacterial contamination and choose lower fat options. What is more, lab-grown meat promises to eventually be much cheaper than conventional meat. We did not cry when the fax machine was made obsolete by email. We should not cry now as coal-fired power gets replaced with renewables. And we certainly should not start crying at the idea that billions fewer animals will be slaughtered because we found a smarter way to feed ourselves.

The Hon. MARK BANASIAK (20:47): I support the motion, and I note the announcement by the National Party of a new policy—poison food for the poor.

The Hon. Wes Fang: Point of order: I ask the member to acknowledge that he has verballed me. I invite him to withdraw those comments because they do not represent the contribution I made.

The Hon. Cameron Murphy: To the point of order: I heard the remark. It was amusing, but it was not directed at an individual. It was directed at a political party. That is not a breach of the standing orders.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): There is no point of order. It is always up to the member if he chooses to withdraw.

The Hon. MARK BANASIAK: To suit the convenience of the House, I will continue. Lab-cultured meat is often lauded as environmentally friendly, purportedly offering reduced greenhouse gas emissions, lower water consumption and diminished land use compared with traditional meat production, particularly from ruminants. But that science is incomplete and biased. Much like motions from the Animal Justice Party referencing *The Real Housewives of Sydney*, which have been peer-reviewed on *Gogglebox*, it is not meaningful. While members of this place have championed the cause of recyclable fashion, we do not see them moving motions referencing

quotes from *The Bold and the Beautiful*, because while trashy TV shows may give us a nice break from reality they are not sources of meaningful discourse.

The Hon. Wes Fang: You watch *The Bold and the Beautiful*?

The Hon. MARK BANASIAK: No. While lab-cultured meat appears advantageous in reducing methane emissions initially, recent studies suggest that its long-term impact on global warming may not be as promising as initially thought. Livestock, primarily ruminants like cattle, make a miniscule contribution to greenhouse gas emissions, particularly methane from their digestive tracts, but so does one in four people, so should we include references in motions on climate change to the 1973 classic *Soylent Green*? Lab-cultured meat is presented as a potential solution to reduce greenhouse gas emissions, yet conflicting studies on the carbon equivalent of greenhouse gas emissions make the environmental benefit of lab-cultured meat over conventional meat unclear. A recent study by Lynch et al suggests that while cultured meat may initially have a lower impact on global warming than cattle, the long-term persistence of CO₂ emissions from lab-grown meat challenges its advantage. The nuanced analysis of greenhouse gas emissions challenges the narrative of lab-cultured meat as a silver bullet for environmental concerns.

Water consumption is another scrutinised aspect. The widely cited figure of 15,000 litres of water for one kilogram of beef is misleading, as most of the water is used for growing animal feed. The actual water requirement for beef production is significantly lower. Concerns also arise about water quality in lab-cultured meat factories, considering the potential environmental impact of chemical production for growth factors and hormones. Livestock not only contributes to food production but also supports rural economies, offering income, tourism opportunities and products with regional identity.

In Australia, where only 3 per cent of land is suitable for crops, livestock, including cattle, sheep and goats, plays a vital role in converting low-nutrient plants into high-quality protein and other valuable products. The social implications of losing the rangelands livestock industry are profound. Generations of families, both Indigenous and non-Indigenous, have built their lives around livestock herding across Australia. Beyond economic considerations, the industry serves as a pillar of social cohesion, shaping shared identities and fostering a sense of collective pride. The erosion of this livelihood threatens not only economic stability but also the rich cultural tapestry woven into the landscapes of New South Wales and the Australian outback.

If I was to reference trashy shows in my motions, I might suggest that Homer Simpson famously said, "You don't make friends with salad", and extend that to say, "You certainly don't build a regional identity and community around a Petri dish pork chop that lacks the actual chop." Although it may be exciting and inspiring for inner-city ideologues to watch a Petri dish full of tasteless, uninspiring faux meat grow, it simply will not work in reality. The idea of solving food insecurity through lab-grown meat is as equally absurd as the suggestion by the then chair of the Legislative Assembly Committee on Environment and Planning, Alex Greenwich, in a report on food production and supply that community gardens are the answer. Typical disconnected thinking from inner-city elites should not be driving agricultural policy. An outback agriculture and produce show or rodeo just will not be the same with a bareback bucking Petri dish ride, or an imitation calf Petri dish roping. A big belt buckle with a Petri dish just will not cut it in the fashion stakes in the bush like it would in inner Sydney. I commend the motion to the House.

The Hon. EMMA HURST (20:52): On behalf of the Animal Justice Party, I am thrilled to have the opportunity to talk about cultivated meat in Parliament because cultivated meat, which is also known as cell-based meat, is truly the way of the future. It allows meat products to be produced without animal cruelty. It is better for the environment, has the potential to produce significantly lower greenhouse gas emissions, uses less water and requires less land usage. With two cultivated meat startups in Australia, there is a real economic opportunity for New South Wales to become a leader in the production, sale and export of cultivated meat. Of course, nobody would know this from the motion before us. The motion has so many factual and scientific errors, I will not have time to correct them all in the five minutes allocated for me to speak. But for the benefit of members, I will attempt to correct as much of the disinformation as possible.

First of all, there is a well-established connection between the consumption of red and processed meat and increased cancer risk, which may be where the Hon. Robert Borsak gets confused. Interestingly, with the development of cell-based meats, there is an opportunity to alter the cancer-causing properties and also eliminate other health issues normally associated with meat consumption, such as cholesterol and saturated fats, meaning that cell-based meat may be a form of meat without the price tag of significantly reduced human health. The member also seems to be mixed up about the use of antibiotics. Contrary to the member's assertions, scientists believe that cell-based meats could actually reduce the threat of global antimicrobial resistance.

Antibiotics are routinely used in traditional animal agribusiness, particularly in the chicken industry, to keep animals alive in awful conditions and so that animals have rapid growth. Instead of using hormones, they

are using antibiotics to get chickens to grow quickly and to enormous weight. People are developing antibiotic resistance from eating chickens and other animals. The Food and Drug Administration was successfully taken to court for this in the United States. Cell-based meat offers an opportunity to move away from this.

I share the member's concerns about fetal bovine serum. However, it is no longer required to produce cultivated meat, and many startups are now using synthetic and plant-based serum alternatives. I was lucky enough to be one of the first people in the world to try cultivated meat produced by Magic Valley earlier this year. The company has never used fetal bovine serum, and the cells obtained for the development of the cultivated meat did not come from animals kept in cages, nor were they subjected to painful or repeated biopsies. At Magic Valley, cells are obtained from a one-off painless skin scraping, and the animals involved have gone on to live happy lives. My understanding is they are still alive.

Given that the member seems to have had a beautiful change of heart and suddenly developed a great concern about the caging of animals and the pain inflicted on laboratory animals, I look forward to him joining together with the Animal Justice Party to campaign to end animal experimentation, ban battery cages and outlaw other forms of animal cruelty. I am certain that he will not continue to hunt these same sentient animals that he is now concerned about for so-called sport.

I would also like to womansplain for a minute. People often ask why it is that people who do not eat meat want to have something that tastes like meat. Nobody is campaigning against textures. Nobody is campaigning against different flavours. There is nobody protesting on the streets and saying that a certain texture should not be allowed to exist. What they are campaigning about is animal cruelty. When we think about it, the real question here is this: Why would someone insist on huge amounts of animal cruelty and enormous greenhouse gas emissions when there is an option for the same flavour and texture without those things? I really hope that clears that up for people.

Given the member's sudden interest in this topic, I personally invite him—and any other members—to join me for a tasting at Magic Valley so he too can be part of this exciting food technology revolution. Lastly, the member's call to action in this motion is as misguided as it is pointless. The approval and sale of cell-based meat is the responsibility of Food Standards Australia New Zealand. That is a national body and is completely outside the scope of a State Parliament. I urge all honourable members to join me in opposing this rather silly motion.

Dr AMANDA COHN (20:57): I am genuinely shocked that the Shooters, Fishers and Farmers Party is opposed to lab-grown meat, because it will achieve something that its supporters have been telling vegans like the Hon. Emma Hurst and vegetarians like me for years, which is to eat a steak. I would love to eat a lab-grown steak. Members should not be frightened of things that they are unfamiliar with just because they are new. I doubt the Hon. Robert Borsak ever heard the word "oncogene" before this week. It is disappointing to hear these things thrown around like they are frightening when I do not think everyone understands what they are.

The motion is couched in terms such as "vats of cells", but a piece of fresh meat from an animal is a slab of cells or a slice of cells. Using that kind of language could make anything sound frightening. Finally, I respond to the egregious accusation about inner-city elites on behalf of myself, a former deputy mayor of Albury, and Ms Sue Higginson, who is a rice grower.

Ms Sue Higginson: Point of order: I cannot hear the member. Her speech is just so fabulous that I want to hear it, so could we stop the gaggle?

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I do not think that is an unreasonable request. Dr Amanda Cohn will be heard in relative silence.

The Hon. Robert Borsak: To the point of order—

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I have ruled already. Dr Amanda Cohn has the call.

Dr AMANDA COHN: In relation to the accusation of being an inner-city elite, I am a former deputy mayor of Albury and Ms Sue Higginson, The Greens agriculture spokesperson, is a rice grower from Lismore. I am delighted to respond to the Shooters, Fishers and Farmers Party members, one of whom lives in Wollongong and the other who lives in the inner west of Sydney. I am delighted to hear from my colleague Ms Sue Higginson in this debate and join my colleagues in opposing the motion.

Ms SUE HIGGINSON (20:59): I actually am a food producer. That is what I do. I was planting just two weeks ago. I grow food. I cannot emphasise enough what colleagues on this side of the Chamber have been speaking about. Suggesting that we do not need to innovate how we produce food can come only from someone who has no idea of how to produce food for lots of people. That is the way it is. We are moving into a future where food production is becoming more and more difficult. We are walking into a changing climate where the

circumstances are getting less and less stable. The reliability of food production, being able to produce food with the knowledge and the requirements we have as we are moving into a more complex environment, is under the microscope right now. It is absolute madness to be closing down innovation and options or to be frightened of them or run away from them.

The Australian continent has suffered and is under strain because of the over-exploitation of land for livestock. Livestock farmers across the nation are changing their practices and have been for many years. Once upon a time it was fine to just run 50 head of cattle on your back block and in your creek and not be worried about your native vegetation. Those days are gone. That is not farming anymore. That is the farming of yesterday. The farmers of today are fencing their creeks, reducing their stock and managing it through regenerative agricultural practice. That means destocking. That is the reality. The cattle industry is not growing exponentially anymore. We have hit max production. Now we know that it is not sustainable and not viable. The prices in the market are changing. Innovation is fundamental if you genuinely care about sustaining farmers to keep producing, whether livestock or other food of good quality to provide good nutrition. The challenge is to look for alternative, good, healthy, accessible food under climate conditions that are changing and getting more and more challenging.

As a non-meat food producer, I know that the reliability of getting a crop off in this decade is unbelievably different to decades in the past. It is difficult because of the variables. Right now animals and plants are having to adapt. We are testing and building in genetic resilience to the varieties of plants we grow to produce food, to accommodate the changing climate. I can give one example. We are looking at the genetics of the rice we are growing to make it more resilient and able to cope with the 10 extra days per growing season above 38 degrees Celsius. If we have a crop that experiences more than 10 days over 38 degrees, it fails. I do not know whether the Shooters, Fishers and Farmers Party knows what that means. Of course it would not, because the Shooters, Fishers and Farmers are not actually farmers. Goodness gracious. This motion is absurd and archaic, and it comes from someone who has no idea of what farming is actually about. The Shooters, Fishers and Farmers Party should wake up, get with the program, the technology and the innovation, and start caring about feeding people.

The Hon. JOHN RUDDICK (21:04): I oppose the motion, but I agree with pretty much everything the Hon. Robert Borsak said. I think that you would be nuts to consume this food. I think that it is a Frankenstein food. I think that for four billion years we have evolved into the smartest known form of life in the universe by eating natural foods. All these manufactured foods are a recent invention. I am entirely sceptical of them. So I think that the Hon. Robert Borsak is probably right about these concerns. I feel that in a generation from now people will very much regret consuming this lab-grown meat. I cannot believe how absurd it is.

But I oppose the motion because I could be wrong, and this is not a debate that should be resolved here. This debate should be resolved in the marketplace. There should be an active debate that says, "Yes, eat lab-grown meat if you want", and people can run a campaign saying why it is fantastic, and other people can run a campaign saying not to touch it. The market will work it out. Laissez faire. The invisible hand will work it out. We do not want the Government coming down and saying that you cannot do this and you must do that. I think that it is absurd. So I oppose the motion, but I am with the mover of the motion, the Hon. Robert Borsak, in spirit.

The Hon. ROBERT BORSAK (21:05): In reply: My good friends The Greens have no idea of my farming involvement, and I will not outline it for them here. The Shooters, Fishers and Farmers Party has genuine concerns about the emergence of lab-cultured meat. Animal-based meat production has evolved over thousands of years to meet the demand for safe and affordable sources of protein. Cell-based food production, which is the field of growing animal agricultural products directly from cell cultures, has been hailed as an alleged sustainable alternative to the conventional livestock agricultural system. As commercial cell-based food production continues to expand, the urgency to address one of the most important questions of consumers increases, and that is the question of food safety. While proponents hail it as a more ethical and sustainable alternative to traditional meat, we emphasise the need to scrutinise the industry and acknowledge potential risks in both production and consumption. We have shed light on these risks, focusing on ethical, health, nutritional and environmental aspects.

There are the ethical concerns surrounding the production of lab-cultured meat, involving painful procedures for animals subjected to biopsies. We raised concerns about public health, pointing out the imperfect nature of the cell culture process. Potential dysregulation of cell lines, allergens in media ingredients, persistence of antimicrobials and genetic modifications are cited as possible health hazards or sources of allergic reactions. Nutritional content is another area of concern, with the ability to manipulate fat composition but uncertainties about essential micronutrients such as vitamin B12 and iron. Concerns about the use of antibiotics for contamination prevention persist, challenging the safety benefits claimed by proponents. We stressed that lab-cultured meat, while produced in a controlled environment, is not immune to human errors during production and oversight. The recent experience with COVID-19 was invoked to argue that mistakes or oversights can have dramatic consequences, emphasising the need for a thorough assessment.

Hazard identification is the first step in the formal risk assessment process. We have a responsibility to identify all potential hazard stages of the cell-based food production, namely cell sourcing, cell growth and production, cell harvesting and food processing. Experts involved in the Food and Agriculture Organization of the United Nations, which collaborated with the World Health Organization in its 2023 investigation into the food safety aspects of cell-based food, agreed that, while many hazards are already well known and existing equally as much in conventionally produced food, the focus may need to be put on the specific materials, inputs, ingredients, including potential allergens, and equipment that are more unique to cell-based food production.

My colleague the Hon. Mark Banasiak highlighted that, while lab-cultured meat appears advantageous in reducing greenhouse gases initially, recent studies suggest that its long-term impact on global warming may not be as promising as initially thought. The social implications of losing the rangelands livestock industry are profound. Beyond economic considerations, the industry serves as a pillar of social cohesion which shapes shared identities. We are proposing an immediate and thorough risk assessment and, if required, rigorous regulation with producers bearing the cost. We have a responsibility and must prioritise human health as well as the social, economic and environmental wellbeing of regional and rural citizens of New South Wales. I commend the motion to the House.

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

The House divided.

Ayes3
Noes35
Majority.....32

AYES

Banasiak

Borsak (teller)

Roberts (teller)

NOES

Boyd
Buttigieg
Carter
Cohn
D'Adam
Donnelly
Faehrmann
Fang
Farlow
Farraway
Graham
Higginson

Houssos
Hurst
Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Martin
Merton
Mitchell
Mookhey
Moriarty

Munro
Murphy
Nanva (teller)
Primrose
Rath (teller)
Ruddick
Sharpe
Suvaal
Taylor
Tudehope
Ward

Motion negatived.

Rulings

OFFENSIVE LANGUAGE

The DEPUTY PRESIDENT (The Hon. Rod Roberts) (21:17): Earlier this afternoon during debate on the Hon. Mark Latham's private member's business item No. 659, a point of order was taken by Ms Abigail Boyd regarding the Hon. Mark Latham's use of the word "incompetent". At the time I expressed an opinion that under the circumstances I did not believe the word to be offensive or unparliamentary. I reserved my decision, to reflect further upon the matter. In the break I perused rulings made by previous Presidents of the Legislative Council relating to offensive expressions. On 1 April 2009 former President Primrose, whom I note is in the Chamber, said:

When a person is in public life and a Member of Parliament, the risk of being criticised in a political way must be taken. Politics is not an area for sensitive persons. In the course of debate when Members canvass the opinions and conduct of their opponents, they must expect criticism.

On 31 March 1987, President Johnson said:

Offensive words must be offensive in some personal way. When a person is in political life it is not offensive that things are said about him or her politically ...

More recently on 11 April 2018, President Ajaka referred with approval to President Johnson's 1987 ruling. As I stated earlier this day, I believe the expression "incompetent" was directed towards the member's professional ability as distinct from being directed towards the member's person and character. Having considered the rulings cited by previous Presidents, I rule that the use of the word "incompetent" was not offensive or unparliamentary under the circumstances, and therefore there is no point of order. I take this opportunity, though, to remind members that we are all sleep deprived and tired at the end of a long year, and I suggest that we will be even worse come tomorrow. However, in the interests of a harmonious and productive Chamber, I suggest we all reflect upon the manner in which we speak to and treat each other.

Motions

INNOVATION FUNDING

The Hon. JACQUI MUNRO (21:20): I seek leave to amend private member's business item No. 531 by omitting in paragraph (1) (a) "deadline in nine months time" and inserting instead "deadline of July 2024".

Leave granted.

The Hon. JACQUI MUNRO: Accordingly, I move:

- (1) That this House notes:
 - (a) that the Minns Labor Government's proposed "Innovation Blueprint" has a delivery deadline of July 2024;
 - (b) the ongoing confusion surrounding grants and other support programs for innovation and entrepreneurs in New South Wales due to Government indecision;
 - (c) that world-changing startup businesses are relocating out of New South Wales because interstate Governments are providing better support for entrepreneurs; and
 - (d) that the Government's comprehensive expenditure review process has not resulted in the delivery of comprehensive information about the State's expenditure for the people of New South Wales.
- (2) That this House recognises the foundational work undertaken by the Coalition Government to foster economic growth and entrepreneurship in New South Wales, including:
 - (a) the creation of and funding for the Sydney Startup Hub and Western Sydney Startup Hub;
 - (b) delivering and acting upon detailed reports and recommendations by departmental and industry experts, including:
 - (i) *Bringing Big Ideas to Life: NSW Innovation Strategy* (November 2016);
 - (ii) *2022 NSW Innovation and Productivity Scorecard* (2018 – 2022);
 - (iii) *Let's Collaborate: SMEs using research to drive innovation* (December 2020);
 - (iv) *Turning ideas into jobs: Accelerating research and development in NSW* (January 2021);
 - (v) *Global talent wars: learning from locations that attract the best* (March 2022);
 - (vi) *NSW 20-year R&D Roadmap* (May 2022);
 - (vii) *Adaptive NSW: how embracing tech could recharge our prosperity* (November 2022); and
 - (viii) *Emerging Digital Technologies Strategy* (January 2023).
 - (c) the identification of technology priorities in New South Wales including:
 - (i) Fintech;
 - (ii) Cybersecurity;
 - (iii) VR, AR and digital games;
 - (iv) Quantum computing;
 - (v) Artificial intelligence and data services;
 - (vi) Blockchain and Web3; and
 - (vii) Enterprise application and online platforms.
- (3) That this House condemns the Minns Labor Government for failing to provide meaningful support and leadership for the innovation sector and entrepreneurs in New South Wales.

It says a lot that this morning during question time in the other place the Minister for Innovation, Science and Technology praised the concept of delegation as "innovation-plus"—innovation of a kind that he had never seen before. It says everything one needs to know about the Minister. Such an insightful view says that the Minister cannot have been meeting with many innovators or entrepreneurs. It demonstrates that the Minister does not understand the power of innovation to solve problems or the technical complexity and expertise that exists in the sector.

That was all made clear during budget estimates, when the only thing the Minister could remember was a single talking point. I am delighted to say that this morning, during question time, he remembered my name as a person who is a staunch advocate for innovation. Alas for New South Wales, that Minister is responsible for a portfolio that can generate returns on investment for the State budget, strengthen the State's economy, drive innovation that will lead to productivity and therefore prosperity, and ensure we are competitive in an increasingly challenging national and international environment.

That is the kind of innovation that we are missing out on if we do not provide a healthy, stable ecosystem to start and grow in—technology like Nansen's Chain-FS. Coincidentally, I was at its launch earlier today. It is leading the world with its technological developments to help women stay safe and leave domestic violence situations. Further examples include the Sydney Startup Hub, which had a third of its funding slashed under this Minister. It is responsible for the creation of over 6,000 jobs, with more than 1,800 entrepreneurs and startups supported, who have raised \$928 million in investment.

Those powerful figures show just a part of the value of startups. They do not even touch on the kind of innovative solutions that we get to enjoy as a result of such entrepreneurship, like GradConnection, a career website for students and graduates to find opportunities, internships and graduate programs; Koala, a company that helps people get better sleep with its eco-friendly mattresses; and Hyper Anna, a tech company that creates an AI platform for business intelligence and data analytics. Those companies have all made our lives easier in very different but crucial ways that progress our society and improve our quality of life. The founders of those companies all got their start with the help of Fishburners, an anchor tenant at the Sydney Startup Hub—located right next to Wynyard station—with whom the Minister has not even met.

There is such confusion in the space because the Minister is not meeting with entrepreneurs and innovators, let alone listening. I still get calls every week from stakeholders wondering what on earth is going on with the Tech Central grants and whether grant recipients will need to return their grant funding. Disappointingly, the Minister does not even know the details or impact of the programs he has cut by 70 per cent. He cannot even muster up press releases to make an announcement about the most significant change to Australia's most popular State-based startup grant program, the MVP Ventures grant program.

The only person in New South Wales who needs an Innovation Blueprint is the Minister. People in the sector know what is happening on the ground, yet he has not even asked them. There are detailed reports researched by technical experts in Investment NSW and the Innovation and Productivity Council, but the Minister has not read them. Industry leaders like Kate Pounder, CEO of the Tech Council of Australia, have been clear about what they are calling for in the delivery of any new strategy work—speed and scale—yet we have been told that the Innovation Blueprint will be delivered in July next year, after the next State budget and the next budget cycle. That means at least another year of uncertainty and neglect.

The innovation Minister embodies the opposite of speed and scale; his work is slow and small, and it is costing New South Wales. Do members opposite think that startups are on tenterhooks waiting for the Innovation Blueprint in July 2024? They do not even know what it is. They simply feel the void of activity and interest from the Government. Will it be five pages or 100? What direction will it provide that does not already exist? Do Government members think the startup sector, where founders work their fingers to the bone and where speed is of the essence to beat other innovators to market, is impressed with having to wait an entire year after the Government was elected to participate in an innovation round table in February?

I can tell Government members that they are not impressed, and they are leaving New South Wales. They are getting better deals interstate, where finance and support feels more stable and where governments are demonstrating action through programs like Innovate Queensland and LaunchVic. Those States are sensibly forging ahead with an innovation agenda, not slamming on the brakes like the short-sighted, small-minded New South Wales Government.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:26): The Government opposes the motion. It was a pretty interesting approach from the Hon. Jacqui Munro, leading with her chin, although I do not doubt her passion for the area. Funding for those grants and programs was well canvassed in the recent budget estimates hearings. The motion is in two parts. Paragraph (1) relates to the actions and decisions of the current Government, and paragraph (2) is some sort of self-congratulatory statement about the actions of the previous Liberal-Nationals Government. But let us be clear: The previous Government loved fanfare and fireworks—there was not an announcement it did not love—but on 8 November in budget estimates we found out that it was all a joke, like the fantasy budget that Labor inherited when we came to government in March this year.

The Hon. Jacqui Munro asked about the grants funding of around \$700 million known as the Future Economy Fund [FEF]. Again, it was loudly announced. Members opposite love nothing more than standing in

front of a big cheque to announce a big amount of money. It was then basically gutted prior to the election—not once, not twice, but three times. I admire the passion for the issue, but let us put some of those facts on the table. At budget estimates Ms Elizabeth Mildwater, the Secretary of the Department of Enterprise, Investment and Trade, said that the original Future Economy Fund figure was \$700 million. She then said:

We received a couple of reductions to that during the course of 2022. I think the total reductions to FEF were—let me just see. To FEF we had received—it was originally announced at \$703.4 million. During 2022 it was reduced by \$263.1 million, and then in the pre-election budget commitment \$158.3 million was reduced and another \$15.1 million. Then, in non-FEF funding, there were other savings applied during 2022—in November, \$52.8 million, and in the pre-election budget commitment another \$127.3 million. I think all of those figures total up to somewhere near 650.

Let us be clear here: The House is being asked to support a motion that congratulates the previous Government on cutting its own program secretly and not announcing it. This Government inherited \$187 billion worth of debt, \$7 billion worth of black hole and a lot of funding cliffs and fantasy budget figures that are outlined exactly in the motion. That is why no-one should support it. I admire the passion for entrepreneurship. We all want to see entrepreneurs do well in New South Wales, but we do not want to see the sort of misleading and disingenuous information that is in the motion.

Ms CATE FAEHRMANN (21:29): On behalf of The Greens, I move:

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

Paragraph (2) of the motion congratulates the former Coalition Government on everything it did, and we would like that removed. With that paragraph removed, The Greens are inclined to support the motion because the fairly beige support—if I can call it that—from the Minns Government for startups and innovation has been disappointing. Members of the startup community have been quite scathing of the budget. I recognise what the Minister just said in her speech, but they have been very scathing of the \$703 million Future Economy Fund that was scrapped in the first budget from this Treasurer. In fact, Simon Thomsen wrote an opinion piece at the *Startup Daily* blog in September that said:

Labor's first NSW budget in 13 years is very much meat-and-two-veg ...

One does not want the startup and entrepreneurial community to call something "meat-and-two-veg" in 2023. Members of that community have also slammed the so-called blueprint, as is mentioned in the motion. They have made note of just how much has been done over the past five years, if not 10 years, in terms of developing what is essentially the blueprint that the Minister for Better Regulation and Fair Trading, Minister Chanthivong, has said will be created. Members of the startup and tech community are frustrated because it is all there already and has been since 2018. There has been a slash in funding, the promise of a blueprint—and another review, and another review, and another review. This Labor Government seems to rest everything that it does upon another review, at the expense of action. It just needs to happen. The Greens support the motion. We do not think that the Government has been doing enough to support the startup and tech community.

The Hon. JACQUI MUNRO (21:32): In reply: I thank the Hon. Penny Sharpe and Ms Cate Faehrmann for contributing to the debate. I appreciated Ms Cate Faehrmann's comments very much. It is great that there can be bipartisan understanding about the need to support innovators. Entrepreneurship will deliver the State the solutions it requires to really difficult problems. Businesses based out of the University of New South Wales, like Footpath AI, are helping local governments plan the different kinds of infrastructure they need, such as literal footpaths or better roads or traffic lights—whatever it may be.

Ms Sue Higginson: Lab meat!

The Hon. JACQUI MUNRO: Lab meat, indeed. It might be lab meat. Vow is a very famous New South Wales startup that has been leading the world in lab-cultured meat. Eden Brew, which has developed an incredible technology—it is milk without the cow—very recently moved to Victoria because it got a better deal down there. Eden Brew is a fantastic startup that was based in the Northern Rivers of New South Wales and had partnered with Norco, a milk company, and Main Sequence Ventures and the CSIRO. The company was doing so well, but it found the startup environment in New South Wales was not supportive in the way that Victoria was. Eden Brew could not get the funding or the support, so it took its staff and expertise and knowledge and world-leading technology to another State to invest and grow there. That is what New South Wales is missing out on when our startup ecosystem does not provide the strength and stability that other ecosystems provide.

Just like housing targets, the private sector market does not really care about the intentions of the Government. Companies care about what they can actually get out of working in an environment that will benefit them rather than punish them. The reality is that the 2024-25 departmental budget submissions, like the one Investment NSW will make, are due at the end of this year. The innovation sector will have to wait at least another budget cycle before it receives any certainty about direction or support. Government members can go on about the former Government's budget, but what we need now is a sense of responsibility that there is work to be done,

people to answer to and a future in New South Wales for innovators and entrepreneurs. I mean, what a revolutionary idea this budget blueprint is! I know that it is difficult for Hansard to render sarcasm in print, but the idea that we have to redo work that has already been done provides an obvious irony to this whole debate. The Minns Labor Government, under the leadership of this Minister, has failed to provide meaningful support for entrepreneurs in New South Wales.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The Hon. Jacqui Munro has moved a motion, to which Ms Cate Faehrmann 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.

The House divided.

Ayes19
Noes17
Majority.....2

AYES

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

NOES

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

Motion as amended agreed to.

Bills

BIOSECURITY AMENDMENT (INDEPENDENT BIOSECURITY COMMISSIONER) BILL 2023

Returned

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

ELECTORAL FUNDING AMENDMENT BILL 2023

Returned

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

ROAD TRANSPORT LEGISLATION AMENDMENT (AUTOMATED SEATBELT ENFORCEMENT) BILL 2023

Messages

The PRESIDENT: I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendment to the bill.

Motions

SAFEWORK NSW AND THEO SEREMETIDIS

The Hon. MARK BUTTIGIEG (21:43): I move:

- (1) That this House notes that:
 - (a) on Thursday 16 November 2023, Qantas was found guilty in the District Court of NSW for illegally standing down health and safety representative Theo Seremetidis as a result of an unprecedented SafeWork NSW prosecution of the matter;
 - (b) the case was first brought to the court by SafeWork NSW in 2021 after Theo's union, the Transport Workers' Union, highlighted the injustice to SafeWork NSW;
 - (c) Theo was stood down simply for carrying out his role as an elected health and safety representative by instructing his colleagues to cease cleaning and servicing potentially COVID-infected planes at the start of the pandemic in 2020 as they had not been provided with adequate cleaning supplies, personal protective equipment or training; and
 - (d) Theo was later sacked by Qantas along with around 1,700 co-workers, an action that was also found to be illegal in a separate case taken to the High Court.
- (2) That this House recognises the significance and importance of the decision by the District Court in favour of Theo Seremetidis and SafeWork NSW as it marks a victory for safety in the workplace and empowers the rights of health and safety representatives to carry out their jobs.
- (3) That the House congratulates the heroism of Theo Seremetidis in standing up for safety in the workplace and recognises the work of his union, the Transport Workers' Union, for highlighting the injustice and bringing the matter to SafeWork NSW's attention.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order! I cannot hear the Hon. Mark Buttigieg. Those members who wish to have a conversation will do so outside the Chamber.

The Hon. MARK BUTTIGIEG: Can we restart the clock?

The DEPUTY PRESIDENT (The Hon. Rod Roberts): No. If necessary, the member will seek an extension of time.

The Hon. MARK BUTTIGIEG: This important motion highlights an unprecedented prosecution by SafeWork NSW against Qantas regarding a health and safety representative who was elected in the workplace to stand up for workers' rights relating to safety. The representative's name was Theo Seremetidis. His crime was doing his job of cleaning the planes coming in during the early and uncertain period of the pandemic in 2020. Planes were arriving potentially infected with the virus and cleaners were being given rags and water to clean down the planes, with no personal protective equipment and no disinfectant. Theo was a ground staff high lift driver and an elected health and safety representative [HSR].

Under the Act, if an HSR reasonably believes workers would be exposed to a serious risk to their health and safety, then they should call it out. That is exactly what Theo did when he instructed his co-workers to cease work. For that effort, Qantas stood him down from his job and then later sacked him. He was part of that broader cohort of 1,700 people who were found to have been illegally sacked by Qantas. At the urging of the Transport Workers' Union, SafeWork brought the prosecution in early 2021. Earlier this month—almost four years after he lost his job—the District Court found that on the basis of discrimination under the Act, Qantas illegally stood him down and then illegally sacked him. Theo was carrying out his duties to his fellow workers and upholding a safe workplace, but Qantas decided to get rid of him. His Honour Mr David Russell, SC, stated:

I find that on 2 February 2022 QGS engaged in discriminatory conduct (a matter not in dispute) and that that conduct was engaged in for a prohibited reason, as it was engaged in because Mr Seremetidis exercised a power or performed a function as a health and safety representative, a prohibited reason under s 106(c) of the WHS Act.

That decision is momentous because the WHS laws are national model laws that exist in all States; therefore, it tells all health and safety representatives in New South Wales and other State jurisdictions in the country that if they carry out their role as an HSR, they will be protected under the law. If an employer tries to play silly buggers or engages in coercive behaviour in the workplace or sacks employees, as Qantas did, there is now precedent for the law to step in and say, "You cannot discriminate against an elected health and safety representative just because they stood up and did their job in the workplace."

I congratulate Theo's union and I call out Opposition members because my understanding is they are going to support the motion, to their credit. The motion enforces the concept of autonomy in the workplace for health and safety representatives to carry out safe work. I also congratulate SafeWork on bringing this successful prosecution. It took almost four years to get justice. The sentencing has not happened yet; it is going to happen early in the new year. Without wanting to prejudice the case, I hope that Qantas does not appeal the decision. It is gratifying to see that this prosecution, the first of its kind, has been successful. HSRs in Australia can look at this decision and feel empowered to do their jobs in the workplace. I commend the motion to the House.

The Hon. CHRIS RATH (21:48): The Opposition will indeed support the motion because the fact of the matter is that this guy got it right in February 2020 when we did not know a lot about COVID. He got it right and he should not be discriminated against for that. Safety at work is everybody's business. Health and safety

representatives have a role to play, and that should be respected. Part 6, division 1 of the Work Health and Safety Act empowers SafeWork NSW to bring action before the District Court for the offence of discrimination against a person who exercises a power or performs a function as a health and safety representative.

If we cast our minds to February 2020, we can recall the rapidly changing understanding of the threat to public health from the COVID-19 virus. One day we were told it could not survive on surfaces; the next day new information suggested that was not the case. On 2 February 2020 Mr Theo Seremetidis, a health and safety representative for Qantas Ground Services cleaning crew, exercised that function by informing his fellow workers that, under section 84 of the Work Health and Safety Act, without the appropriate personal protective equipment they had the right to refuse to clean aircraft arriving from China. That section provides that:

A worker may cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose the worker to a serious risk to the worker's health or safety, emanating from an immediate or imminent exposure to a hazard.

Qantas stood Mr Seremetidis down from his employment for taking this action. In 2021 SafeWork NSW commenced an action against Qantas Ground Services in the District Court, which resulted in a guilty finding against Qantas Ground Services. I commend SafeWork NSW for its actions taken under legislation introduced by the Coalition in its first weeks of government in 2011. The Opposition is happy to join in congratulating Theo Seremetidis on his actions and for carrying out his role as a health and safety representative conscientiously and thoroughly in the early, confusing days of the COVID-19 pandemic. I encourage everyone involved in businesses, whether as owners, employers or employees, to work together to ensure a safe and healthy workplace for all.

Ms ABIGAIL BOYD (21:51): As The Greens spokesperson for work health and safety, I speak in support of the motion. Theo Seremetidis was a trained health and safety representative working for Qantas. He was illegally stood down by Qantas after he raised the alarm over its unsafe work practices at the start of the pandemic. Workers like Theo should be raised up and heralded as model employees and heroes for looking out for the welfare of their fellow workers. The courts have proven that to be the case but, in the eyes of Qantas, Theo was not a hero; he was a hindrance who was in the way of its shonky corporate practices. I applaud Theo for his courage and his fortitude in sticking out this landmark case after being stood down in early 2020. It was clear all along that Qantas had acted immorally and, following the conclusion of this case, it is now clear that they also acted illegally. Qantas was wilfully risking the lives of its workers and punishing those who dared to speak up for their rights.

This is a landmark case. It is an Australia-first prosecution of this type by a workplace safety regulator. SafeWork NSW took the corporate bully, Qantas, through the criminal courts. In his judgement, District Court judge David Russell found Qantas engaged in discriminatory conduct towards Mr Seremetidis because he exercised a power or performed a function as a health and safety representative. This is a landmark case not only because it is a first but also because it puts other big businesses on notice. The laws that are designed to protect workers are not just paper laws, and if they are wilfully broken organisations will be liable. I welcome that new world order and hope we see more bosses in the stocks.

The Hon. ANTHONY D'ADAM (21:53): I lend my support to the motion. The principal at the heart of the work health and safety system is the idea that a safe system of work requires worker voice and consultation with workers. Underpinning that is the idea that workers are best placed to know where hazards are and how to respond to them. The case highlights a circumstance often found in workplaces—that is, workers are put in situations where their safety concerns are raised but they conflict directly with the business interests of the employer. In those circumstances, we need to ensure that workers have the backing to stand up for their safety, and this case is a great example of that. Health and safety representatives are the mouthpiece of workers. They should be able to defend them, advocate for them on safety issues and to identify hazards in the workplace. They need to be able to do that with confidence and knowing that the regulator is going to enforce the law.

Although I accept that it is great that SafeWork NSW took the case, the fact that this case is the first since the model work health and safety laws were established across the Commonwealth is very concerning. The regulator clearly should have been doing a lot more of this, because there are a lot of cases where workers have been intimidated into not raising safety issues because they have been concerned about being disciplined, or worse. It is essential that we have a strong regulator that ensures workers have the confidence to speak up when they feel unsafe so they can take appropriate action.

The Hon. Dr SARAH KAINE (21:54): I am very pleased to hear that the Opposition is supporting the motion.

The Hon. Chris Rath: It's our legislation.

The Hon. Dr SARAH KAINE: I acknowledge the interjection, but I need to take slight issue with the Hon. Chris Rath and how he has characterised the case. The words he used were that it was about "this guy" and that "this guy got it right", as if that is what the case is about. It was not just a guy that got it right; it was an

individual—a David, if you like—who took on a Goliath, in Qantas. For that, he should be commended. It should be recognised that it was not simply a question of him going to work and saying, "You got it wrong," and that was the end of it. He went to work and he took a stand. He made a morally courageous decision for which he was punished. He had to take on the might of one of our biggest corporates, and he won.

The case tells us a lot about an individual who had the courage to do the right thing, not just for himself as an individual so it would keep him safe at work, but because he knew it was the right thing to do for his colleagues who had voted him in. There was a collective determination to keep people safe. But it does not just say something about the individual; it says a lot about a company that was prepared to victimise someone who was simply doing the right thing. The Hon. Chris Rath noted that and accepted the individual was doing the right thing. The legislation is working as it should. That is a good thing. We should acknowledge that, and we should acknowledge the work of SafeWork NSW, but we also need to acknowledge that this was an individual who did the right thing and stood up for his colleagues. He took on the might of a corporate giant and won. For that he should be commended.

The Hon. BRONNIE TAYLOR (21:57): I will make a quick contribution to debate on this motion. I thank the Hon. Mark Buttigieg for moving the motion. I am pleased to hear members opposite talk about workers' rights and worker safety in the context of the amazing thing that Theo did. But that should apply to everybody, and there should be a reminder about consistency in this House when we are supporting worker safety. I wanted to point that out. Do not jump down my throat, but my father worked for Qantas all his life, from the age of 17 in New Guinea where he grew up, until he retired. It was a wonderful organisation that valued its workers and it was such an amazing feeling.

As Australians, we all felt so proud of Qantas. We all remember the movie *Rain Man*. I acknowledge that Qantas has lost its way, and I really hope it gets back the culture that it needs. It really was a place people wanted to work their whole lives. I commend Theo. I do not know him, so I should call him by his last name, but he did take on a Goliath, and he won. That takes courage and conviction. We would all do well to reflect on that and other things that happened here today when someone decided to take on an issue and stood up for what is right. That is important. I commend the motion to the House.

The Hon. MARK BUTTIGIEG (21:59): In reply: I thank all of my colleagues for their excellent contributions and for backing this motion. I reiterate what my colleague the Hon. Dr Sarah Kaine said. These things take one brave individual to stand up. It is all right to have the law, it is all right to have a union—it is very important to have a union there—but unless an individual is prepared to strike out and take a stand, none of it can get backed in. The person first has to take brave action. I commend Theo for the action he took in bringing this to a head. I commend the motion to the House.

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

Motion agreed to.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): According to standing order, it being 10.00 p.m. proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

According to standing order, members made the following statements.

CRIMINAL JUSTICE SYSTEM

The Hon. BRONNIE TAYLOR (22:00): I resolutely believe in the separation of powers, but it is our job to question and interrogate decisions that are made. I have the great privilege of being a member of this place, and that privilege allows me a voice to give to others, and tonight I intend to use it. I am going to speak about a horrific incident that happened. I am about to inform members of a disgusting and heinous act. Last week Brett Anthony Crawford was arrested and charged with the alleged rape of a 90-year-old woman. Police allege that he broke into an aged-care facility at Bateau Bay at about 12.40 a.m. on 15 November and carried out an horrific attack before going on the run for several days and being caught by police. Sadly, on Tuesday, the elderly woman died in hospital.

In 2013 Crawford, who then had the surname Ralph, was jailed for a maximum of 10 years and seven months for a similar sex attack on a woman in her Bateau Bay home. The incident occurred on 30 January 2011. Crawford had been at a party at a home and then was told to leave, but later that night he broke into the home, which, like the nursing home, was also in Bateau Bay. He held a knife to a woman before sexually assaulting her.

At no point is it okay to break into someone's home. If you have been asked to leave, you should stay away. After raping the woman, Crawford then stabbed her in the face.

Initially, Crawford was charged with nine offences, including three counts of aggravated sexual assault and causing grievous bodily harm with intent to murder, but a plea deal was struck that saw him convicted of a single count of causing grievous bodily harm. Other offences of committing an act of indecency and three counts of assault with an act of indecency were taken into account by the New South Wales District Court judge in sentencing. Crawford was not on bail or parole at the time of his most recent offence.

I believe that, fundamentally, our justice system has the capacity to rehabilitate. But it must also have the conviction and ability to flag the potential for reoffending, particularly in the category of a violent crime such as this. We must look after our most vulnerable. It is who we are. It is why we are here. We cannot shy away from incidents like this where our most vulnerable are allowed to suffer at the hands of a repulsive person. If we cannot protect our elderly when they are in institutionalised care, of all things, then who are we? We need a judicial system that is in line with communities' values and expectations because this defines who we are. It defines the morals that we live by and that we should stand by.

An appropriate course of action would be to review the handling of the first case, including the plea deal, and to determine what could have been done to reduce or eliminate the risk of Crawford reoffending. This is so important. What happened to this woman is despicable. What is even more alarming is whether it needed to happen at all. Should this person have had the ability to do what he did? This woman has no voice because she is dead. She should not have experienced such violence and horrific death. But that it was someone who had reoffended and was allowed that opportunity is quite unforgivable. Let us have a review. Let us demand a system that recognises and reflects the values that we need so badly for our community.

VETERANS AND FIREARMS LICENSING

The Hon. ROBERT BORSAK (22:04): On behalf of the Shooters, Fishers and Farmers Party I address a matter of utmost importance concerning the treatment of Australian Vietnam War veterans. We owe a duty to those heroes who served their nation with honour and who have faced undue challenges and discrimination upon their return. Our Vietnam War veterans, who carried the heavy burden of conflict on their shoulders, returned home to find themselves regularly unwelcome at RSL clubs and Anzac Day marches. To quote Cold Chisel's well-known anthem, *Khe Sanh*, "There were no V-Day heroes in 1973."

The recognition of their sacrifices did not come swiftly. It took until 1987 for our Vietnam War veterans to be officially acknowledged when 22,000 vets marched before a crowd of 100,000 people in Sydney. The delay is a stark reminder of the profound oversight and neglect that they endured. Sidelined from the traditional places of support for ex-servicemen, they forged roles in rifle, pistol and shotgun clubs. Often the backbone of such clubs, those veterans have not only found solace in their communities but have also become mentors, training and coaching the next generation of marksmen and women for national, international, Commonwealth and Olympic competitions. Some even assisted the Tactical Operations Unit and Corrections officers due to their experience in combat and marksmanship.

June of this year marked the fiftieth anniversary of the withdrawal of troops from Vietnam—a momentous occasion that should have been a time of gratitude and remembrance. Unfortunately, we find ourselves confronted with a modern-day injustice, particularly at the hands of the NSW Firearms Registry. The discriminatory practices of the NSW Firearms Registry are cause for great concern. Veterans from all conflicts utilising the veterans' Gold Card for licence discounts are now forced to jump through unnecessary hoops. Requiring psychological reports to prove one's safety after decades of responsible firearms ownership is not just an inconvenience; it is adding insult to injury. Moreover, this discrimination extends beyond our veterans, affecting licensed gun owners over the age of 70—the very foundation of gun clubs statewide. These individuals, who have long-demonstrated responsibility and commitment to the sport, now find themselves facing age-based prejudice and discrimination. And the attitude of senior police officers to this overt prejudice is brazen.

When I questioned Deputy Commissioner David Hudson during budget estimates, he alleged that the veterans' Gold Card virtually assures that a veteran has a disability, implying that many were psychological. On consulting the veterans affairs webpage, the first criteria for gaining a Gold Card is when a veteran is "aged 70 years or over and has qualifying service". Every Vietnam veteran is in their 70s, and younger veterans frequently have a Gold Card due to knee or back injuries. One veteran said the demands of the firearms registry gave him the same sick feelings he had when returning from Vietnam in 1971 when he was subject to public derision.

Frontline police conducting safe storage inspections, possessing no medical or psychological training whatsoever, are even encouraged to ask leading questions of older licence holders about their physical and mental

capabilities and it is no coincidence that those inspections often occur after the licence holder has had an operation or other medical issue. In a final kick in the teeth, if their firearms are seized and they rightfully regain their licence, it costs them between \$1,200 and \$1,500 to get their guns back from the police—even though they never did anything wrong and this should not have happened in the first place.

In any other circumstance, such affairs would be before the anti-discrimination board, and on more than one occasion the threat of legal challenge or a complaint to the anti-discrimination board based on ageism has seen the NSW Firearms Registry backpedal in panic and rightfully renew firearms licences to those who have proved their worth and safety over decades. It is time to end this hypocrisy and call out New South Wales police for the prejudice committed daily, in the name of due process, against our veterans who happen to be shooters.

MEMBER CONDUCT

The Hon. BOB NANVA (22:09): Earlier this year my office participated in the Parliament's internship program, and I was pleased to have university student Hannah Lambert placed in my office. Hannah, a capable, dedicated and driven young woman, was a wonderful presence in our office. She has written a speech, reflecting on her views and perspectives about Parliament as a young person with aspirations to pursue a career serving the public in this place. It has not made for easy reading; it will not make for pleasant listening.

I will read Hannah's speech. In doing so I do not seek to pass judgement on others, but I request that we all reflect deeply on Hannah's observations. Reflection, rather than projection, is a more substantive and honest response to the matters she has raised, because we often cannot see those things to which we may have become accustomed. These are Hannah's words:

During the placement, I was encouraged to attend Question Time as much as possible. This was an incredibly fast-moving and engaging element of the Legislative Council's sitting week.

Over ten weeks I was afforded the opportunity to become a part of the NSW Parliament, an opportunity that is rare and for which I am immensely grateful. I had thought to myself that this was the opportunity to explore the home of the inner workings of democracy, representative government, and meaningful debate; where I could bridge my past four years of studying a social and political science major into practical experience; and frankly, an opportunity to explore my childhood dream of being a politician, when eight-year-old me planned to be the first female Prime Minister to serve a full term. And thankfully, the opportunity to explore and witness Parliament and politics in action has been immensely valuable.

But, I hope to avoid any career where I am a part of this Chamber.

Like any strong statement, I will share why I have such a poor opinion of working in this environment. I hope that it isn't a surprise to any of you that it is simply the jeering, inappropriate, and, at times, appalling behaviour, language, and attitude so proudly embodied by the people in this Chamber. Whilst the surprise of how you govern our State was shocking, it was first revealed to me outside this room.

I had been giddy with excitement for my first day, and whilst sitting with my laptop, preparing for the day ahead, I overheard Members of this Parliament discussing an issue. Member to Member, voices were raised, and degrading comments were thrown about and spoken in such a tone that I would have assumed that a deeply personal and heartfelt issue was being discussed, to justify such an extreme lack of respect for another colleague, which of course it was not.

Any other professional environment would be intolerable to such a conversation, however, in this Parliament, such bullying behaviour is accepted. Later that same day, the issue from the conversation was raised again in the Chamber, without mention of the Member's attempting to resolve these concerns, and so the Member who had already been verbally abused was subject to such degradation again before colleagues and peers, recorded in the Hansard, standing as only a small piece of the entire puzzle.

I continued to learn that Question Time, the pinnacle of holding government to account and ensuring the representation of the people of NSW remains focal, was not that. The hour-long session where it is crucial to question, listen, learn, and debate was filled with continuous 'calls to order.' Name-calling, belittling, jeering, repetitive gestures, inappropriate disruption and what I can confidently say is behaviour worse than that of school bullies, consume question time.

To hear you discuss matters of significance, including mental health and wellbeing, whilst actively representing and embodying exactly what you wish to change for young people of the State is a clear example of hypocrisy.

When sharing my thoughts and reflecting on my experience with friends, peers and family, a simple analogy I used is that this room is a classroom, filled with misbehaving students who can only manage a sliver of introspection of their behaviour, and once called out by the teacher, the President of this Chamber. And even then, a teacher becomes exhausted from instructing the same people, each day, on how to act with respect ...

Such an experience has shocked me and deeply affected my perspective of how Parliament operates. I had a false understanding of the valuable nature of an accountable, representative government that we, the people of NSW, are so blessed to have. Where such misuse of Question Time and appalling behaviour so explicitly demonstrates that Chamber debate is not simply an act of theatrical democracy but an opportunity to act out of line with professional standards of respect and the expectations of the people who you have been elected to represent. I know that the President of this Chamber would like to see a change, particularly pertaining to Question Time, and I hope that such a positive change in culture occurs, and the possibility of working in such an important environment becomes attractive to me again, however, without the need for my childhood naivety to cloud my aspirations.

I raise that tonight not with a view to projecting but just for us all to reflect.

WESTCONNEX

The Hon. NATALIE WARD (22:14): I acknowledge the completion of the WestConnex project with the opening of the Rozelle interchange earlier this week. It is truly a monumental achievement for Sydney and this State. When big infrastructure is delivered, people often forget the hard work it takes to deliver it. It was started under O'Farrell and built under Baird, Berejiklian and Perrottet. While opened under Labor, and despite Labor having about 15 different policy positions on the project, it demonstrates the point of Government, which is to be forward thinking.

The project was delivered three elections after it was started. The Coalition Government looked to the future, not just the next election. It was the missing link from Sydney's motorway network and is a part of the transformative infrastructure legacy left by the former Liberal-Nationals Government. It is the motorway connection that the people of Western Sydney deserved. It generated 10,000 jobs directly and indirectly, including hundreds of opportunities for apprentices and trainees—especially, to my personal delight, 21 per cent women in construction. There are countless stories of people moving, project to project, as they built a career and livelihood from the former Liberal-Nationals Government's infrastructure projects. It was a true delight to have met some of those women in construction, who told me they were looking forward to the next part of the project and joining the team.

While there are politics, tolls, Standing Order 52 motions and parliamentary inquiries into projects like WestConnex, it is often the human story that we miss out on. To give an example, I received an email today from a Matthew Wilson about the project. He commented:

I drive from Milsons Point to Mulgoa to visit my mum. The latest connection, has cut travel times even further. I can now travel the M4 all the way from Mulgoa Road to Anzac Bridge with not a single traffic light. That's mind boggling and amazing. Thank you for progressing this initiative.

From Western Sydney to the CBD without a traffic light—if you told someone that a decade ago, they would not have believed you. But that dream is now a reality—something we all take for granted. An idea became a plan. A plan became project. A project became a pathway to a better Sydney.

For the vast majority of the population, there are a few things everyone does every morning. We wake up, brush our teeth and go to work or school. Out of those three things, the Government can make a huge difference if it invests in transport and infrastructure to get people moving so that they spend less time on the roads and more time doing what they want to do, particularly being with their family. WestConnex is a triumph of investment, of planning and of tough decisions. Those decisions were often opposed by Labor in opposition and yet, delightfully, now lauded by it on opening. From those tough decisions, Sydney is better off.

INTERNATIONAL DAY OF SOLIDARITY WITH THE PALESTINIAN PEOPLE

Ms ABIGAIL BOYD (22:18): Today is the International Day of Solidarity with the Palestinian People. Our solidarity with the Palestinian people cannot waver now, during one of the very darkest chapters in the history of those people. Today, and every day, we stand in solidarity with the Palestinian people in their ongoing struggle to achieve and affirm their inalienable rights. Right now Palestinians in Gaza are suffering a humanitarian catastrophe, with almost 1.7 million people forced from their homes. They are being forced from their homes because, for many, those homes have been destroyed by a brutal bombardment by the state of Israel. According to military analysts and experts, civilians in Gaza are being killed at a rate with few precedents in this century.

As has been reported, people are being killed in Gaza more quickly than in even the deadliest moments of United States [US] led attacks in Iraq, Syria and Afghanistan—the brutality of which were also criticised at the time by leading human rights groups. Israel has reported that it has engaged more than 15,000 targets prior to the temporary ceasefire. Israel is dropping US-made 2,000-pound bombs capable of flattening entire apartment blocks onto an innocent civilian population in one of the most densely populated sections of land in the world. The death count is nearly impossible to determine accurately. Conservative estimates place it at more than 15,000, of which around 10,000 are women and children.

The World Health Organization has warned that more people could die from disease than from bombings in the Gaza Strip if the health and sanitation systems are not repaired. Starvation, thirst and disease stalk Gaza. This is the collective punishment of the Palestinian people and it must end. As Sabri Farra, a medical student from Gaza, wrote in a post on social media:

The word catastrophe is insufficient to describe this. It is a collective inferno of extermination against the Palestinian people.

The date of 29 November has been observed as the International Day of Solidarity with the Palestinian People since 1978. This date was chosen because of its meaning and significance to the Palestinian people and is based on the call by the United Nations General Assembly for an annual observance of the resolution on the partition of Palestine. It is an opportunity for the international community to remind ourselves that the Palestinian people are

still denied their inalienable rights as defined by the General Assembly—the right to self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and property from which they have been displaced. Seventy-five years ago on 15 May 1948, a catastrophe for the Palestinian people occurred, Al Nakba. With the declaration of Israel's independence, 75 to 80 per cent of the Palestinian people were made refugees and the 20 to 25 per cent remaining were internally displaced on their own lands. Now Gaza is the world's largest open-air prison.

As a result of the Nakba, the Palestinian people live scattered all over the world and are denied their inalienable right to return home. Even before the most recent assault, Israel had illegally annexed East Jerusalem and illegally settled more than 620,000 Jewish Israeli citizens on stolen Palestinian land in the West Bank and East Jerusalem making a viable two-state solution in Palestine increasingly untenable. The Gaza Strip has been under a permanent state of siege since 2007. Goods cannot get in or out. Food, medicines and other necessities are restricted. The September 2022 *Report of the United Nations Special Rapporteur* on the situation of human rights in the Palestinian territories occupied since 1967 found that "the occupation is not merely belligerent, but is settler-colonial in nature" and that Israel has "prevented the realisation of Palestinian people's right to self-determination, violating each component of that right, wilfully pursuing the 'de-Palestinianisation' of the occupied territory". What we are now witnessing is another Nakba—another violent assault and land grab, the impacts of which will reverberate for generations.

We are now, blessedly, in a temporary pause in the hostility and bombardment by Israel. This pause has given journalists the opportunity to venture further into Gaza again and to document the utter desolation facing the Palestinian people. It is devastating. We must work now to ensure this is more than a pause, that it becomes a permanent ceasefire that becomes a permanent and lasting peace. Our solidarity with the Palestinian people demands peace. It demands justice. It demands humanity. Our solidarity with the Palestinian people is a position emerging from moral clarity on this issue, it is from a clear-sighted view of history. The people of Australia have been rising up in solidarity with the people of Palestine and we will not stop until Palestine is free and a true and lasting peace is achieved. Free Palestine.

FRED CATERSON RESERVE

The Hon. PETER PRIMROSE (22:23): As their communities grow, local councils do their best to try to make sure they have the services they need, including sporting and recreational facilities. But as more people move into areas, they also need wild places—places where they can experience nature and engage in quiet, passive recreation. These areas are also vital for the local flora and fauna who also call these communities home. One of these areas is Fred Caterson Reserve in Castle Hill, which covers around 58 hectares. It is owned by The Hills Shire Council and is zoned RE1 Public Recreation. For many years it has provided soccer and cricket fields, tennis courts, a basketball stadium and a BMX track. But the bushland in the reserve has also provided quiet nature walks and is home to many native plants and animals. It is also within metres of the adjacent Castle Hill Cemetery.

Fred Caterson Reserve is near the showground precinct, which is zoned to allow over 9,000 new apartments to be constructed. In November 2020 council resolved to adopt a master plan for Fred Caterson Reserve, which proposes the establishment, management and maintenance of an elite rugby union facility with recreation infrastructure. Council entered into a memorandum of understanding with Eastwood District Rugby Union Club to progress the rugby union facility. This proposal has raised serious concerns for many local campaigners, such as Ms Tina Cartwright, the Labor candidate for Castle Hill at the last State election. Along with other local residents, Tina argues that given the major apartment developments underway in the area, there is an even greater need for the passive recreation and quiet areas currently provided by the reserve. The proponents expect matches at the elite rugby union facility to regularly attract thousands of spectators, with the majority travelling from outside the local area. Most will travel by car.

The consequent adverse pollution from noise, light pollution and increased traffic congestion and inadequate off-street parking during matches at such a major facility have been raised as serious concerns among local residents, especially those living in Knightsbridge. Other environmental issues have been raised, including the loss of indigenous vegetation, and the destruction of species and habitat. The reserve currently contains diverse bushland with ecological communities that are representative of those that were once prevalent in the area, including glossy black cockatoos, powerful owls, ringtail possums, echidnas and platypi.

There are also major concerns about the use of synthetic fields, which could have negative effects on the local and downstream environment, and the loss of shade trees. There is also legacy open space that until recently was used by a pony club. This bushland and open space is within walking distance of homes. Thousands of existing residents use it for walking, birdwatching, and other activities crucial for physical and mental health, as do visitors to the site. Existing local residents argue that future residents of the showground precinct should be able to enjoy Fred Caterson Reserve in the same way.

Council has indicated that it proposes to remove Fred Caterson Reserve from the existing generic plan of management and draft a site-specific plan. At this point, the draft will be placed on public exhibition for 42 days in accordance with the Local Government Act. Ultimately, what happens on this site will be determined by local planning practices, and after what I hope and expect will be extensive consultation with the local community, will be a decision for The Hills Shire Council or the local planning panel—subject, of course, to the outcome of the current ICAC investigation into other matters at The Hills Shire Council. But in making its decision council should not dismiss the concerns of existing local residents, including the 16,500 who have already signed a petition expressing their concerns.

Frankly, council needs to more clearly justify how spending millions of dollars to provide elite rugby union fields against the express wishes of local residents is genuinely a better way to meet their needs and the needs of the growing local population than would be improving and protecting the existing recreational facilities and quiet bushland of Fred Caterson Reserve.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The House now stands adjourned.

The House adjourned at 22:28 until Thursday 30 November 2023 at 10:00.